FERROUS
Processing & Trading Co.

December 1, 2021

Mr. Sam Liveson
Air Quality Division
Michigan Department of the Environment, Great Lakes and Energy
Cadillac Place
3058 West Grand Boulevard, Suite 2-300
Detroit, MI 48202

Re: Response to Violation Notice dated November 8, 2021
Ferrous Processing & Trading Company (FPT) – Schlafer Division (N7683)
1350 Medbury Street, Detroit, MI

Dear Mr. Liveson:

This letter is in response to the EGLE, Air Quality Division Violation Notice (VN) dated November 8, 2021. The VN alleges the following violation:

Process Description	Rule/Permit Condition Violated	Comments
Torch cutting operations	*Rule 336.1301(1)(a)*	*Three exceedances of the 6-minute 20% opacity standard* 45.8% (7:57:15 a.m. to 8:03:15 a.m.) 39.4% (8:04:00 a.m. to 8:10:00 a.m.) 30.2% (8:11:30 a.m. to 8:17:30 a.m.)

The VN requested information regarding the above citation including: the date the alleged violation occurred; an explanation of the causes and duration of the alleged violation; whether the violation is ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violation; the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

As you know, USEPA Method 9 requires that certain criteria be met when performing opacity readings[1]. While Method 9 does not specify a definite distance from the emissions source in the standard, the standard indicates the observer must have a clear view of the emissions. Our environmental consultant (Fishbeck) reviewed the USEPA Method 9 Visible Emission Observation Form (VEOF) included in the VN. Based on the observer location indicated on the VEOF, it appears that the reader was standing close to the corner of Hendrix and St. Aubin in a position very similar to where you were standing when you took the photo you provided in the email you sent me on September 7 found below:

[1]Visible Emissions Field Manual, USEPA Methods 9 and 22

Photograph 1. Photo taken by EGLE on September 3, 2021

The VEOF also indicates that the visible emission observations were taken from outside of FPT's fence line. The specific operations producing the visible emissions cannot be seen from this location. The view over this fence is not clear.

As you know, Method 9 requires that the sun be at the observer's back at no greater than a 140 degree angle. Readings on September 29th began at 7:21 a.m. while the sunrise for that day occurred at roughly 7:27 a.m.[2]. It is likely that the area was not well lit. The wind shifted during the readings and the plume may have been moving toward the observer, making it more likely that the plume is folding over and accumulating on itself. This scenario can cause an extended viewing path length through the plume and can cause a positive bias in the opacity data.

In addition, the wind speed was very low at that time and the observer was unable to see the source of emissions, so it is unclear whether the observer was viewing only one plume. During the timeframe indicated on the VEOF, there was a strong low level temperature inversion which traps the emissions at the point of exhaust, causing the plume to accumulate.[3] The facility has more than one torch (meaning that two sources of torching could have been viewed with intermingling plumes), and the facility also operates mobile sources at the site that can create visible emissions.

Unfortunately, our ability to identify activities occurring at the site at the time of the reading is difficult due to the time that passed between the inspector's observations and notification to FPT. The inspector did not come into the facility or speak with facility operators at the time of his observation. Given the information provided in the VEOF (no staff activity report was provided), it is difficult to know all of the activities that were occurring at or

[2] Sunrise and sunset times in Detroit, September 2021 (timeanddate.com)

[3] University of Wyoming – Radiosonde Data (uwyo.edu) for White Lake Station No. 72632

proximate to the site on September 29, 2021, while the inspector was making his observations and filling out the VEOF.

No contact was made with the facility until the VN was issued more than a month after the observations were made. Since the opacity observer did not enter the plant, speak to the plant operators, or gather any operating data, it is not possible to match the opacity readings to operating data or otherwise validate the readings. (It should also be noted that there are areas in the facility where a better Method 9 reading could have been taken.)

Despite these concerns with the VEOF, after EGLE contacted FPT about the potential for excess opacity from its torching operations, we reviewed the existing Scrap Management Plan with staff and reiterated the need to follow guidelines for torching included in the Plan to maintain compliance with applicable regulations. We reminded operators of actions we can take to ensure compliance including:

- Using of shearing and cutting whenever possible
- Inspecting scrap to avoid torching of rubber or plastic
- Proper sorting of scrap metal to avoid torching materials that would smoke excessively
- Immediate extinguishing of any accidental fires that occur

In fact, shearing and cutting are the primary methods FPT uses and has full-time employees that perform these operations. Because torching is not performed on a full-time basis, FPT employs a contractor to perform torching operations when needed. FPT has reminded the contractor of the relevant provisions of the Scrap Management Plan and the need to have its employees inspect materials and avoid cutting materials that would smoke excessively.

In the future, FPT requests that EGLE contact me or the site manager immediately about any environmental compliance concerns so that we can easily verify what activities are occurring and observe any visible emissions from those activities. It is difficult to speak with facility personnel and obtain information about a possible compliance issue that occurred over a month ago.

Finally, environmental compliance is important to FPT. Facilities like FPT play an important part in Michigan's recycling efforts. To ensure environmental compliance, FPT has prepared its Scrap Metal Management Plan that outlines internal procedures that can ensure compliance. We work hard to be a good neighbor and the previous air quality inspections did not identify any noncompliance issues. If you have any questions regarding these issues, or this response, please contact me at 313.582.2911 or lisa.carroll@fptscrap.com.

Sincerely,

Lisa Carroll

Lisa Carroll
Ferrous Processing & Trading Company

By email

Cc: Ken Furman - Manager
Bcc: Susan Johnson – Butzel Long