



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
DETROIT DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

August 17, 2022

J. Keith Walker II, General Manager of Operations
Edw. C Levy Co.
8800 Dix Avenue
Detroit, Michigan 48209

SRN: B4364, Wayne County

Dear J. Keith Walker II:

VIOLATION NOTICE

On June 9, 2022, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), conducted an inspection of Edw. C. Levy Plant 3 (Levy Plant 3) located at 100 Westfield Road, Ecorse, MI. The purpose of the inspection was to determine Levy's Plant 3 compliance with the requirements of the federal Clean Air Act; Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the administrative rules; and Renewable Operating Permit (ROP) No. MI-ROP-B4364-2015. Subsequently, the AQD requested further information from Levy Plant 3 which was received on June 28, 2022. On August 10, 2022, AQD completed review of this information and the Levy Plant 3 2021 annual ROP deviation report.

Based on review of the aforementioned information and report, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
EUSLAGPLANT	ROP No. MI-ROP-B4364-2015, EUSLAGPLANT, Special Condition (SC) VI.4	Failure to sample and analyze finished product storage piles to determine moisture content on a weekly basis.
EUFEBENEFICATION	ROP No. MI-ROP-B4364-2015, EUFEBENEFICATION, SC III.3	Records indicate that the water spray bars were not in operation while the process was operating.
EUFEBENEFICATION	ROP No. MI-ROP-B4364-2015, EUFEBENEFICATION, SC VI.2	Failure to inspect the water sprays at least once per month.

J. Keith Walker II
Edw. C. Levy Company
Page 2
August 17, 2022

Levy Plant 3 reported in the 2021 ROP annual deviation report that required weekly moisture tests were not performed during the following weeks:

January 4, 11, 18 and 25
February 1, 8, 15 and 22
March 1, 8, 15 and 23
April 5, 12, 19 and 26
May 3, 10, 17, 24 and 31
June 7 and 21
July 5, 12 and 26
September 6

This is a violation of monitoring requirements specified in EUSLAGPLANT, SC VI.4 of ROP-MI-B4364-2015 which requires sampling of each finished product storage pile to determine the minimum moisture content by weight on a weekly basis.

Levy Plant 3 provided records of water spray bar inspections and days of operation for the EUFEBENEFICATION process for January – December 2021. Records indicate that the water sprays were frozen/not in use in January 2021 and part of February 2021. However, operational records indicate the plant operated for 139 hours in January and 54 hours in February. This is a violation of the operational requirement specified in EUFEBENEFICATION, SC III.3 of ROP-MI-B4364-2015 which states that the permittee shall not operate EUFEBENEFICATION unless the water spray bars located on the tail pulleys are installed and operating properly.

Additionally, there were no monthly inspection records for the water spray bars for September, October, and November 2021. This is a violation of the monitoring/recordkeeping requirement specified in EUFEBENEFICATION, SC VI.2 of ROP-MI-B4364-2015 which requires, in part, that the permittee periodically inspect the water spray bars located on the tail pulleys of EUFEBENEFICATION at least once per month.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by September 7, 2022 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

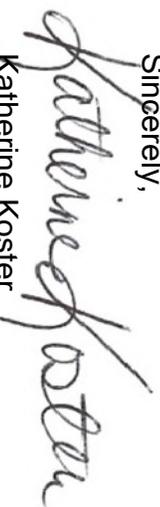
Please submit the written response to the EGLE, AQD, Detroit District, at 3058 West Grand Boulevard, Suite 2-300, Detroit, Michigan 48202 and submit a copy to Jenine Camilleri, Enforcement Unit Supervisor at EGLE, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760.

J. Keith Walker II
Edw. C. Levy Company
Page 3
August 17, 2022

If Levy Plant 3 believes the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirements cited, please provide appropriate factual information to explain your position.

Thank you for your attention to resolving the violations cited above. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Katherine Koster". The signature is written in a cursive, flowing style.

Katherine Koster
Environmental Engineer Specialist
Air Quality Division
313-418-0715

cc: Tom Green, Edw. C. Levy
Brian Clark, Edw. C. Levy
Hosam Hossanien, City of Detroit BSEED
Crystal Rogers, City of Detroit BSEED
Mary Ann Dolehanty, EGLE
Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jenine Camilleri, EGLE
Dr. April Wendling, EGLE
Jeff Korniski, EGLE
Jon Lamb, EGLE