



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

October 5, 2020

Mr. Michael Samhat
Crown Enterprises, Inc.
MSC Land Company, LLC
12225 Stephens Road
Warren, Michigan 48089

Mr. Tim Francis, Project Manager
ASTI Environmental
10448 Citation Dr., Suite 100
Brighton, Michigan 48116

SRN: B2116, Wayne County

Dear Mr. Samhat and Mr. Francis:

On August 21, 2020, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), investigated complaints regarding odors and open burning from the MSC Land Company, LLC (hereafter MSC) property located at 1491 West Jefferson Avenue, Trenton, Michigan (more commonly known as the former McLouth Steel property). The purpose of this investigation was to determine MSC's 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); and the Air Pollution Control Rules.

Based upon the investigation of August 21, 2020, investigations thereafter, and communications with ASTI Environmental, the AQD learned that solidified metallic waste, known as "skulls", was being torch-cut at the McLouth Steel property.

Be advised, Rule 201 of the administrative rules promulgated under Act 451 requires that an air use permit to install (PTI) be obtained prior to installation, construction, operation, reconstruction, relocation, or alteration of any process or process equipment which may be a source of an air contaminant.

However, certain processes and process equipment may be exempt from obtaining a PTI. Rule 278 establishes requirements of eligibility for exemptions listed in Rules 280 through 291. To be eligible for a listed exemption, the owner or operator of an exempt process or exempt process equipment must be able to provide information demonstrating the applicability of the exemption. Pursuant to Rule 278(a), this demonstration should be provided within 30 days of a written request by the AQD and should include the following information:

- A description of the exempt process or process equipment, including the date of installation.
- The specific exemption being used by the process or process equipment.
- An analysis demonstrating that Rule 278 does not apply to the process or process equipment.

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The AQD requests that MSC demonstrate either the metallic skull torch-cutting operation is exempt from the requirements of Rule 201 or submit a PTI application for the torch-cutting activity. If demonstrating compliance with an exemption, the AQD requests that MSC provide calculations for the potential to emit (PTE) of carbon monoxide, oxides of nitrogen, sulfur dioxide, particulate matter (PM) PM₁₀, PM_{2.5}, lead, and hazardous air pollutants that have been listed pursuant to Section 112(b) of the federal Clean Air Act, in order to demonstrate compliance with Rule 278.

Guidance on conducting a PTE demonstration can be accessed through the following website at www.michigan.gov/air. Click on the "Permits" tab; at the right side of the window, under "Air Permitting Assistance," click on "Air Permitting – Potential to Emit."

The Michigan Air Pollution Control Rules can be accessed through the following website www.michigan.gov/air. Click on the "News & Info" tab; at the right side of the window, click on "State Air Laws and Rules," then "Air Pollution Control Rules." A digital copy of the Permit to Install Exemption Handbook can be found on the website www.michigan.gov/air under the "State Air Laws and Rules"; click on "Part 2, Exemptions, Rules 278 through 291." In addition, EGLE, Environmental Assistance Center is available to answer questions at 1-800-662-9278.

Thank you for your prompt attention in fulfilling this request. Please submit a written response to the AQD by November 6, 2020. If you have any questions regarding the actions necessary to demonstrate compliance with this request, please contact me at the number listed below.

Sincerely,



Jeff Korniski
Detroit Assistant District Supervisor
Air Quality Division
313-912-6255

cc: Mr. Brian Kelly, USEPA
Mr. Rich Conforti, EGLE
Mr. Jacob Runge, EGLE
Dr. April Wendling, EGLE
Mr. Sam Liveson, EGLE