
Extruded Metals, Inc.

RESPONSE TO COMMENTS DOCUMENT

October 20, 2011

**PERMIT No. 16-11
And
PROPOSED CONSENT ORDER**



Rick Snyder, Governor

**Air Quality Division
Michigan Department of Environmental Quality**

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I. PUBLIC PARTICIPATION PROCESS

Permit to Install application No. 16-11 and the proposed consent order are for the brass processing and extrusion processes for Extruded Metals, Inc., located at 302 Ashfield Street, Belding, Michigan. The public participation process involved providing information for public review including a fact sheet, proposed permit terms and conditions, a proposed consent order, a public comment period, an informational meeting, a public hearing, and the receipt of written and verbal public comments on staff's analysis of the application, the proposed permit and the proposed consent order.

On August 29, 2011, copies of the Notice of Air Pollution Comment Period and Public Hearing, the Fact Sheet, the draft terms and conditions, and the proposed consent order were placed on the Department of Environmental Quality (DEQ or Department), Air Quality Division (AQD) Home Page (<http://www.michigan.gov/air>). Also on that date, the AQD mailed and emailed 52 letters to persons who had previously expressed interest via letter and had provided a complete address. In addition, a notice announcing the Public Comment Period, Public Informational Meeting, and Public Hearing was placed in the *The Buzz* and *The Daily News*. The notice provided pertinent information regarding the proposed action; the locations of available information; a telephone number to request additional information; the date, time, and location of the Public Informational Meeting and Public Hearing; the closing date of the Public Comment Period; and the address where written comments were being received.

The Informational Meeting was held on October 10, 2011, at the Belding Area Schools Administration Building, 1975 Orchard Street, Belding, Michigan. This location was selected due to its proximity to the facility and the size of the room. Approximately 35 people attended the Informational Meeting. A panel of representatives from the AQD was available to answer questions regarding the proposed permit, the proposed consent order and the remediation activities. The meeting began at 6:00 PM and concluded at approximately 7:15 PM.

The Public Hearing was held on October 10, 2011, at the Belding Area Schools Administration Building, 1975 Orchard Street, Belding, Michigan. The hearing began at 7:30 PM with Mr. Craig Fitzner as the Hearings Officer and Mr. G. Vinson Hellwig as the decision maker. Only comments on the proposed permit action and proposed consent order were received. In addition, staff of the AQD was available outside the room to answer any questions. Approximately 35 people were in attendance at the Public Hearing with two people providing oral comments. The Public Hearing concluded at 7:45 PM.

No written comments were received during the Public Comment Period or at the hearing.

The remainder of this document is a listing of the significant comments received regarding the proposed permit and proposed consent order, and the Department's response. The first section discusses the comments received that resulted in changes to the final permit terms and conditions and the basis for each change. The last section discusses the Department's response to all other significant comments that did not result in changes to the final permit or the consent order.

II. SUMMARY OF COMMENTS RESULTING IN CHANGES TO THE PERMIT OR CONSENT ORDER

No changes were made to the permit based on comments received.

III. SUMMARY OF SIGNIFICANT COMMENTS

Comment

Two comments were received stating that monitoring once every six days is not enough. More frequent monitoring is desired.

AQD Response

The AQD conducts its air monitoring operations following those policies laid out by the US Environmental Protection Agency (EPA). For lead, the EPA requires that monitoring be conducted continuously for 24 hours, once every six days, at a site deemed representative of the expected maximum downwind concentration.

Computer modeling shows that the AQD monitor located east of the facility on Merrick Street is situated where the current maximum concentration is predicted to occur. AQD also operates a second lead monitor in Belding, located near the intersection of Reed and York Streets. While the primary purpose of this monitor is to determine how lead concentrations will vary with downwind distance once the stacks have been raised, given that it is located to the north-northeast of the facility, this monitor will also provide information on how ambient lead levels vary with wind direction.

Both the Merrick Street and the Reed/York Street monitors adhere to EPA's 1:6 day operational schedule. Since AQD will continue to monitor in Belding until we have at least three years of data demonstrating attainment with the National Ambient Air Quality Standard, we feel there is little opportunity for Extruded Metals to continually cloak their impact by curtailing their emissions on those days when AQD is monitoring. That said, if AQD suspects that such a strategy is being attempted, we will periodically carry out monitoring on additional days.

Comment

Two comments were received regarding raising the chip dryer stacks up to 122 feet. This will not reduce the lead emissions from the facility and will only spread the lead emissions over more people.

AQD Response

Raising the stacks will provide for better dispersion of the lead from the facility which will lower the impacts at any given point down wind from the facility. However, the commentors are correct that raising the stacks will not reduce the lead emissions. Extruded Metals, Inc. has updated their control on the west chip dryer so that the lead emissions are less than the permitted limit. Extruded Metals will also update the control on the east chip dryer prior to its restart so that the control is equivalent to or better than the control on the west chip dryer. These modifications, not the raising of the stacks, will lower the lead emissions to those levels that were previously permitted.

Comment

Two comments were received regarding the emissions of lead from the chip dryers. If the chip dryers are the main source of lead emissions, would it be possible to have Extruded Metals, Inc. dry the chips at an off site facility that isn't located in a residential area?

AQD Response

The AQD cannot require a facility to move their operations if it has been demonstrated that the operations are in compliance with state and federal requirements.

Comment

One comment was received regarding the proposed consent order. The comment is in regards to the language in the consent order that states that there are "alleged emission violations". When there are facts that say the company exceeded their emission limits, why does the consent order state there are "alleged" violations? The AQD needs to do what they can to make sure these violations don't occur again, short of shutting down the company.

AQD Response

Condition No. 6 in the proposed Consent Order states the following:

"The Company and the MDEQ agree that the signing of this Consent Order is for settlement purposes only and does not constitute an admission by the Company that the law has been violated".

This condition is standard in all AQD Consent Orders. Therefore, we refer to violations as "alleged" violations as this is an administrative settlement that does not require that the Company admit their guilt, or the need for the MDEQ to prove a violation in a court of law. Rather, both parties agree to resolve the "alleged" violations in a manner stated in the proposed Consent Order. Out of court administrative settlements are generally the preferred route to resolve violations by both parties.

As to what the AQD has done assure that these violations don't occur again, the consent order includes a provision for stipulated penalties as a deterrent.