



United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

IN REPLY REFER TO:

November 26, 2007

Ms. Pamela Blakley, Chief
Air Permits Section
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Subject: Informal Section 7 consultation for a Prevention of Significant Deterioration permit for Asama Coldwater Manufacturing

Dear Ms. Blakley:

This responds to your October 16, 2007 letter, biological evaluation (BE), and other enclosures. You requested our concurrence pursuant to Section 7 of the Endangered Species Act for a Prevention of Significant Deterioration (PSD) permit for the proposed modifications for Asama Coldwater Manufacturing, Inc. (ACM), located in Coldwater, Michigan. The project will expand the current iron making capabilities of the facility through two electric induction furnaces. Each furnace will hold approximately 11 tons of scrap metal with a combined hourly production rate of 16.5 tons/hour. The project will result in an increase in the emission of several pollutants. Based on your expertise and information provided as Enclosures 3, 4, and 5 of your letter, you identified the following air pollutants that will increase as a result of issuance of the PSD.

Criteria Pollutants

Particulate matter
Nitrogen oxides (NO_x)
Sulfur Dioxides (SO₂)
Carbon Monoxide (CO)
Volatile organic compounds (VOC)
Lead

Hazardous Air Pollutants

1-methylnaphthalene	o-cresol
2-methylnaphthalene	o-xylene
acetaldehyde	phenol
benzene	styrene
ethyl benzene	toluene
hexane	manganese
m,p-xylene	chromium
naphthalene	nickel

Our review of this action includes the BE and other enclosures with your October 16, 2007 letter, emails, and phone conversations with Rachel Rineheart of your staff. On

May 9, 2007, we provided comments on your Recommended Scope of Analysis document, or “road map”, which outlined your proposed approach to this section 7 consultation.

The species which were considered in your BE include Mitchell’s satyr (*Neonympha mitchellii mitchellii*), copperbelly water snake (*Nerodia erythrogaster neglecta*), and Indiana bat (*Myotis sodalist*). These species may be present in the action area, based on documentation of a known occurrence within the vicinity of ACM and presence of suitable habitat within 3 km.

In an effort to determine contaminant deposition and listed species’ potential exposure to the air pollutants, modeling was performed as described in your October 16, 2007 letter and BE. The model results provide estimates for each pollutant based on a variety of media – soil, water, and sediment. Your letter provides a comparison of the resulting maximum concentrations of each pollutant in soil, sediment, and surface water to ecotoxicological benchmarks you determined to be protective of listed species. We have not reviewed the air quality model and depend on your agency for this technical review and approval.

Your analysis indicates local fauna, including federally listed species, will be exposed to contaminants from the proposed future emissions from this plant. However, based on the best available information, this exposure will not elicit a detectable negative response from the listed species. Specifically, the increment of change anticipated over the next fifty years when added to the baseline condition, which includes background and past emissions deposition, is not likely to negatively affect the survival or reproduction of any federally listed species within the action area.

For several contaminants, limited information was available on appropriate benchmarks for certain taxa; thus, you based your assessment on the best available information and several assumptions. We would like to note that we disagree with the assumption that compliance with standards protective of human health and the environment (i.e., compliance with National Ambient Air Quality Standards) are necessarily protective of listed species. Water criteria, for example, are calculated from a distribution of sensitivities and therefore protect most of the species, most of the time. Protection of federally listed species, which may include more sensitive species, should be looked at with more rigor than compliance with standards. However, we agree with your general reasoning and approach to this consultation, and could not find information that conflicted with your conclusions. We concur with your determination that the proposed action may affect but is not likely to adversely affect Mitchell’s satyr butterfly, Indiana bat, and copperbelly watersnake.

This precludes the need for further action on this project as required under Section 7 of the Act. If, however, project plans change, or new information becomes available that indicates listed or proposed species may be affected, you should reinstate consultation with this office.

We appreciate the opportunity to cooperate with the Environmental Protection Agency in conserving endangered species. If further assistance is needed or you have any questions, please contact Carrie Tansy of my staff at (517) 351-6289 or Carrie_Tansy@fws.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'C.A. Czarnecki', written in a cursive style.

Craig A. Czarnecki
Field Supervisor

cc: Jennifer Szymanski, USFWS