TITLE 326 AIR POLLUTION CONTROL BOARD

SECOND NOTICE OF COMMENT PERIOD
LSA Document #07-88

DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING OPERATIONS AT ISG BURNS HARBOR LLC

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for amendments to 326 IAC 6-6-5, concerning ISG Burns Harbor LLC's fugitive particulate matter emission control plan, and to 326 IAC 7-4-14, concerning sulfur dioxide (SO_2) emission limits for ISG Burns Harbor LLC's blast furnace flare. IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking.

HISTORY

First Notice of Comment Period: February 21, 2007, Indiana Register (DIN: 20070221-IR-326070088FNA).

CITATIONS AFFECTED: 326 IAC 6-6-5; 326 IAC 7-4-14.

AUTHORITY: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

Basic Purpose and Background

The ISG Burns Harbor LLC plant operates two blast furnaces and is capable of producing over 5 million tons of raw steel annually. Hot-rolled, cold-rolled, and coated-sheet products are made at the site. Operations include a 160" plate mill and a 110" plate mill capable of producing over one million tons of plate each year. ISG Burns Harbor LLC was formerly known as the Bethlehem Steel plant and is located on Lake Michigan in Northwestern Indiana.

In two separate letters dated May 25, 2006, ISG Burns Harbor LLC formally requested that IDEM propose to the Air Pollution Control Board amendments to 326 IAC 6-6-5 and 326 IAC 7-4-14. This rulemaking proposes amendments to two separate rules concerning fugitive particulate matter and sulfur dioxide emissions at ISG Burns Harbor LLC.

326 IAC 6-6-5 ISG Burns Harbor fugitive particulate matter control plan

The fugitive dust control strategy outlined in 326 IAC 6-6-5 has been effective since 1984 and addresses fugitive particulate matter emissions from roads and coal storage piles at the ISG Burns Harbor LLC steelmaking plant. The rule imposes requirements for controlling fugitive particulate matter emissions by prescribing the specific roads that are to be treated, the specific amount of dust suppressant, and the frequencies those roads are to be treated. 326 IAC 6-6-5 also specifies the use of a tractor mounted broom for controlling fugitive particulate matter.

On May 4, 2006, ISG Burns Harbor LLC requested a variance from the requirements of 326 IAC 6-6-5 on the grounds that the rule does not permit the company the operational flexibility to reconfigure roads at the plant or to use alternative dust suppressant equipment or application frequencies, as those details are specified in the rule. ISG Burns Harbor LLC maintains that the specific control strategies required by 326 IAC 6-6-5 do not permit alternative control strategies that may be more efficient, effective, and less costly.

On November 17, 2006, IDEM granted a variance from the requirements of 326 IAC 6-6-5 to ISG Burns Harbor LLC on the condition that the company implement an approved alternative fugitive particulate matter emissions control plan in place of the requirements outlined in 326 IAC 6-6-5. The variance is effective through December 5, 2007. The approved fugitive particulate matter emissions control plan is modeled after control plan requirements from 326 IAC 6-5-3 through 326 IAC 6-5-9. 326 IAC 6-5-3 through 326 IAC 6-5-9 outline the control requirements for particulate matter emissions, the contents of an appropriate fugitive particulate matter control plan, and the process for plan approval by IDEM.

326 IAC 7-4-14 Porter County sulfur dioxide emission limitations

Blast furnace gas is a byproduct of the steelmaking process generated at the blast furnace. ISG Burns Harbor LLC cleans the blast furnace gas generated at their facility and uses it as a fuel in the blast furnace stoves, coke ovens, and the power station boilers. The blast furnace gas flare is a control device used to prevent excess pressure from forming in the blast furnace gas supply line. The blast furnace gas flare is used when excess gas is produced beyond the capacity of the blast furnace and combustion sources to consume it. 326 IAC 7-4-14 establishes a 0.07 lbs/MMBtu SO_2 emission limit for ISG Burns Harbor LLC's blast furnace flare.

On May 4, 2006, ISG Burns Harbor LLC requested a variance from the 326 IAC 7-4-14 SO_2 emission limit for their blast furnace gas flare. 326 IAC 7-4-14 SO_2 emission limits for the steelmaking plant attribute 100% of the available blast furnace gas as being used in the blast furnace stove, coke ovens, and the power station boilers.

ISG Burns Harbor LLC claimed that compliance with the SO_2 emission limits established for the processes using the blast furnace gas assures protection of the National Ambient Air Quality Standard for SO_2, regardless of the presence of, or with, an SO_2 emission limit for the blast furnace gas flare. In addition, ISG Burns Harbor LLC states that the sulfur content present in raw materials processed at the blast furnaces is highly variable. Because the nature of the steelmaking process requires a continuous addition of raw materials to the blast furnace, it is technically infeasible to manage the sulfur content of materials charged in the blast furnace to achieve compliance with the blast furnace flare SO_2 emission limit. Finally, ISG Burns Harbor LLC notes in the May 4, 2006, variance request that the blast furnace gas flare is necessary for the safe operation of the blast furnace gas distribution system, SO_2 emission limits are not imposed on flares for any other steelmaking operations or for any other flares in Indiana, and add-on control technologies do not currently exist for SO_2 emission control at blast furnace gas flares.

On November 17, 2006, IDEM granted a variance from the blast furnace gas flare SO_2 emission limit established in 326 IAC 7-4-14 to ISG Burns Harbor LLC. This variance is effective through December 5, 2007.

IC 13-14-9-4 Identification of Restrictions and Requirements Not Imposed under Federal Law

The draft rule imposes restrictions and requirements on persons to whom the draft rule applies that are "not imposed under federal law". This rulemaking amends the current state rule 326 IAC 6-6-5 and replaces the fugitive particulate matter emission control requirements with requirements for the submission of a fugitive particulate matter emission control plan for IDEM approval.

(1) 326 IAC 6-6-5 serves an important function by outlining required practices in order to minimize the amount of fugitive particulate matter introduced to the surrounding areas by the ISG Burns Harbor LLC steelmaking plant. All sections under 326 IAC 6-6 were disapproved as a proposed revision to Indiana's State Implementation Plan (SIP) effective March 9, 1987. As a result, 326 IAC 6-6-5 remains a state-only rule.

U.S. EPA found in a final rulemaking action dated February 5, 1987 (52 FR 3640) that 326 IAC 6-6 was "not approvable under the Clean Air Act (Act) due to deficiencies in the regulation itself and in the modeling analysis and emission inventory submitted to support the regulation". The fugitive dust control plan outlined in 326 IAC 6-6-5 was not mentioned in the U.S. EPA's discussion on deficiencies in 326 IAC 6-6. This rulemaking proposes to substitute the proscribed fugitive particulate matter control requirements of 6-6-5 with a rule requiring ISG Burns Harbor LLC to submit and implement a fugitive particulate matter emission control plan for IDEM review and approval.

(2) ISG Burns Harbor LLC expects the ability to modify its fugitive particulate matter emission control strategy will result in the same or better level of fugitive particulate matter emission control more efficiently by allowing the flexibility to amend the control plan strategy as required to address changes in road configurations or operations. Additionally, ISG Burns Harbor LLC requests the flexibility to develop a fugitive particulate matter control plan subject to IDEM's approval instead of having the plan prescribed by the rule. ISG Burns Harbor LLC believes that future revisions of the control plan will be more difficult and costly to achieve if the details of the control plan continue to be prescribed by rule.

(3) IDEM relied in part on arguments for an alternative fugitive particulate matter control plan for ISG Burns Harbor LLC in the development of the proposed amendments to 326 IAC 6-6-5. These arguments were contained in letters from ISG Burns Harbor LLC to IDEM dated May 4, 2006, May 25, 2006, and March 23, 2007. These letters are available for public inspection and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46205.

Potential Fiscal Impact

There is no fiscal burden on ISG Burns Harbor LLC as a result of this rulemaking. The rule should reduce costs for ISG Burns Harbor LLC as the ability to design a modern fugitive particulate matter emission control plan may reduce costs associated with maintaining outdated control equipment currently required under 326 IAC 6-6-5.

Public Participation and Workgroup Information

No workgroup is planned for the rulemaking. If you feel that a workgroup or other informal discussion on the rule is appropriate, please contact Sean Gorman, Rules Development Section, Office of Air Quality at (317) 234-3533 or (800) 451-6021 (in Indiana).

SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST COMMENT PERIOD

IDEM requested public comment from February 21, 2007, through March 23, 2007, on alternative ways to achieve the purpose of the rule and suggestions for the development of draft rule language. IDEM received comments from the following party by the comment period deadline:

ISG Burns Harbor LLC

Following is a summary of the comments received and IDEM's responses thereto:

Comment: The specific dust control measures required by 326 IAC 6-6-5 are no longer the most efficient or effective methods for controlling fugitive emissions from the roadways at the Burns Harbor facility. ISG Burns Harbor LLC is the only steel mill facility in Indiana that has prescriptive fugitive dust control measures codified in a

rule; ISG Burns Harbor LLC is seeking a change in the rule to be allowed to establish a control plan for IDEM review and approval, as other Indiana steel mills and manufacturing operations do.

Comment: We request that 326 IAC 6-6-5 be amended to allow ISG Burns Harbor LLC to operate under the alternative fugitive particulate matter control plan approved by IDEM under the November 17, 2006 variance. We further request that ISG Burns Harbor LLC be permitted to update the control plan consistent with 326 IAC 6-5-8 "Revision of Control Plans".

Comment: We suggest that 326 IAC 6-6-5 be amended to require ISG Burns Harbor LLC'S fugitive particulate matter emission control plan meet the content requirements of 326 IAC 6-5-5 and the approval requirements of 326 IAC 6-5-7.

Response: IDEM agrees that there may be more efficient and less costly methods for achieving at least the same level of fugitive particulate matter emission control as currently exists under 326 IAC 6-6-5. An amendment to 326 IAC 6-6-5 requiring the submission of an alternative fugitive particulate matter control plan for IDEM review and approval will permit ISG Burns Harbor LLC the flexibility to adjust its control strategy as conditions or technologies dictate, while at the same time allowing IDEM to ensure that an appropriate level of fugitive particulate matter control is maintained.

Comment: The sulfur dioxide emission limit at 326 IAC 7-4-14 for ISG Burns Harbor LLC'S blast furnace flare represents the only SO_2 emission limit for a blast furnace flare in Indiana. All blast furnace gas flare SO_2 emission limits for sources in neighboring Lake County were recently removed based on IDEM's rationale that counting emissions from the flare effectively double counted emissions that were already being considered at the locations where blast furnace gas is burned at boilers, stoves, and the furnaces.

Comment: Removing the blast furnace gas flare SO_2 emission limit from 326 IAC 7-4-14 will not affect the existing air quality modeling used to support the other emission limits in 326 IAC 7-4-14. The amount of blast furnace gas included in the SO_2 modeling for the combustion units at ISG Burns Harbor LLC greatly exceeds the total amount of blast furnace gas available, even without flares.

Comment: Eliminating the SO_2 emission limit at the flare will not cause any increase in actual SO_2 emissions, as ISG Burns Harbor LLC must continue to meet the SO_2 emission limits contained in 326 IAC 7-4-14 for each of the combustion units. ISG Burns Harbor LLC uses as much blast furnace gas as possible to fuel boilers, stoves, and furnaces at the facility. The blast furnace gas flare is only used to control pressure in the blast furnace gas distribution system.

Comment: The emission factor used to generate the blast furnace gas flare SO_2 emission limit of 0.07 lb/MMBtu has not been peer reviewed or incorporated into U.S. EPA's Compilation of Emission Factors. Flares are inherently difficult to test and as a result, the emission factor is difficult to evaluate.

Response: IDEM agrees that SO_2 emission limits are not imposed on flares for any other steelmaking operations or for any other flares in Indiana. IDEM finds that there will be no negative environmental impact on the ambient air quality with respect to SO_2 emissions at ISG Burns Harbor LLC if the SO_2 emission limit for the blast furnace gas flare is removed from 326 IAC 7-4-14. Air quality modeling performed to establish the 326 IAC 7-4-14 SO_2 emission limits for emission points at the steelmaking plant attribute 100% of the available blast furnace gas as being consumed as fuel in the blast furnace stoves, coke ovens, and the power station boilers. Continued compliance with the 326 IAC 7-4-14 SO_2 emission limits for these processes using blast furnace gas assures protection of the National Ambient Air Quality Standard for SO_2 regardless of the presence of an SO_2 emission limit for the blast furnace gas flare.

REQUEST FOR PUBLIC COMMENTS

This notice requests the submission of comments on the draft rule language, including suggestions for specific revisions to language to be contained in the draft rule. Mailed comments should be addressed to:

#07-88(APCB) ISG Burns Harbor LLC
Sean Gorman Mail Code 61-50
c/o Administrative Assistant
Rules Development Section
Office of Air Quality
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, Indiana 46204.

Hand delivered comments will be accepted by the receptionist on duty at the tenth floor reception desk, Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana.

Comments may be submitted by facsimile at the IDEM fax number: (317) 233-2342, Monday through Friday, between 8:15 a.m. and 4:45 p.m. Please confirm the timely receipt of faxed comments by calling the Rules Development Section at (317) 233-0426.

COMMENT PERIOD DEADLINE

Comments must be postmarked, faxed, or hand delivered by September 7, 2007.

Additional information regarding this action may be obtained from Sean Gorman, Rules Development Section, Office of Air Quality, (317) 234-3533 or (800) 451-6027 (in Indiana).

DRAFT RULE

SECTION 1. 326 IAC 6-6-5 IS AMENDED TO READ AS FOLLOWS:

326 IAC 6-6-5 ISG Burns Harbor LLC fugitive particulate matter emission control plan

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-3-12
Affected: IC 4-21.5; IC 13-11-2-205; IC 13-15; IC 13-17

Sec. 5. ~~(a) In order to implement its nontraditional fugitive dust control program, Bethlehem shall purchase a high pressure water flushing truck and a tractor sweeper with broom and install a water filling station for the flusher truck and a tank for the storage and dispensing of liquid chemical dust retardant. The following control measures shall then be implemented at the Burns Harbor Plant at the specified frequency.~~

~~(1) A total of twenty-four (24) miles of paved and unpaved roads as shown in Figure 1 shall be controlled as described below:~~

~~(A) A total of 12.7 miles of paved roads shall be cleaned three (3) times per week by water washing using a flusher truck except as indicated in subsection (a)(4) of this section. In addition, at least twice per week, 7.9 miles of these roads in the primary facilities area will also be wet swept using a tractor mounted broom following the flusher truck. Road shoulders on the 12.7 miles of paved roads will be graded as required and treated with a chemical dust retardant at the same frequency specified below for unpaved roads. Accumulated material on road shoulders will be removed at least once per month.~~

~~(B) A total of 11.3 miles of unpaved roads shall be controlled. This will consist of forming a uniform road surface by road grading to remove large material, and the application of a two (2) to four (4) inch layer of fine slag where necessary. Surfaces shall be sprayed with dust suppressant solution at an application rate consistent with the manufacturer's recommendations. The dust suppressant material and application rate shall be such that a crust will be formed on the road surface that is amenable to cleaning via flushing and sweeping. Road surfaces shall be cleaned twice per week with a flusher truck followed by a tractor mounted broom. Road surfaces shall be resprayed with chemical dust suppressant as necessary to maintain a cleanable surface. The solution strength and application rate will be determined prior to application based upon the condition of the surfaces.~~

~~(2) Bethlehem shall control its low volatile coal storage piles by spraying them at least once per week with a chemical dust retardant.~~

~~(3) Records of all fugitive dust control activities shall be maintained. At a minimum, records shall contain the following information:~~

~~(A) number of miles and location of the paved roads cleaned;~~

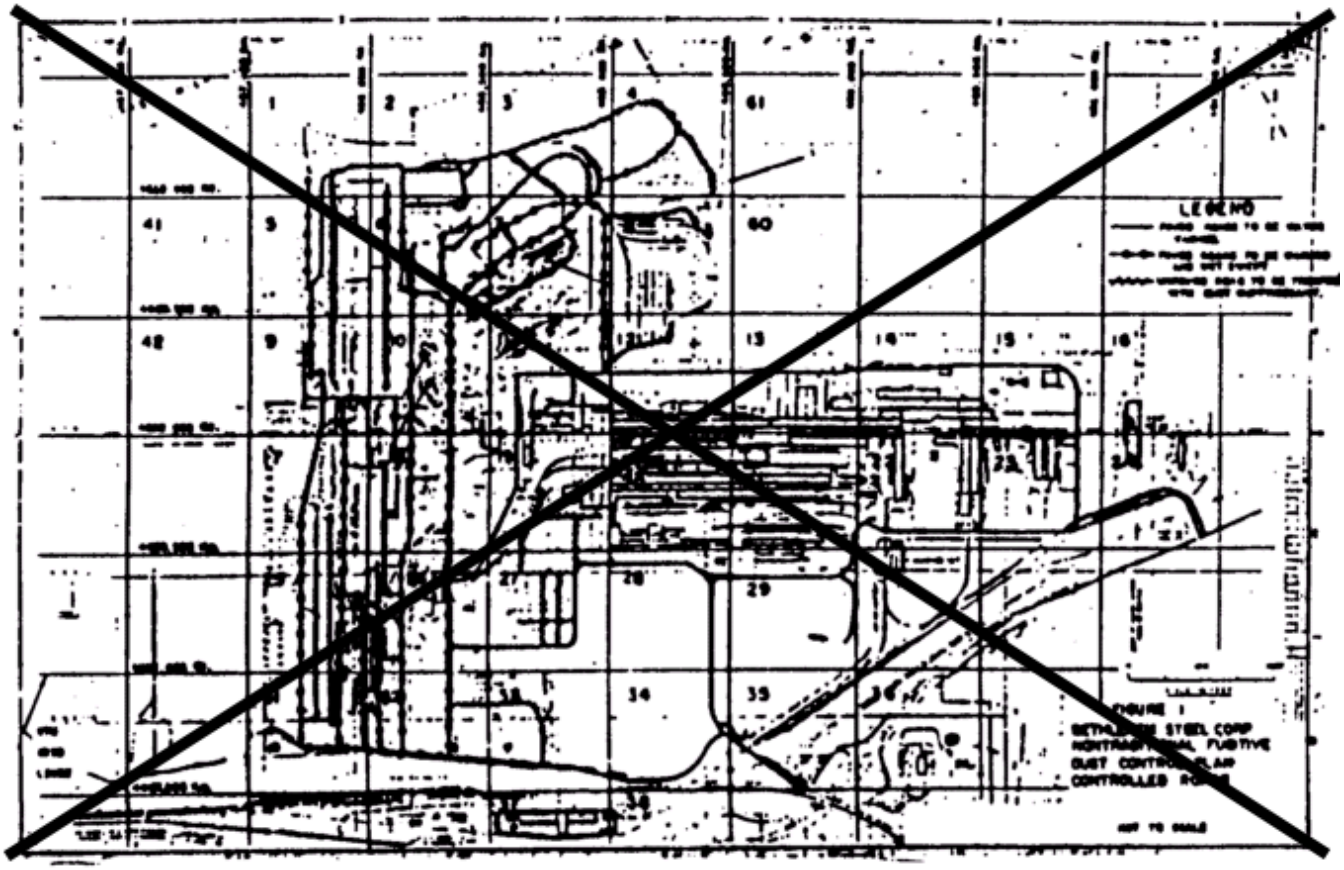
~~(B) number of miles of unpaved roads which were treated including the type, quantity, and dilution ratio of dust retardant used;~~

~~(C) the type, quantity, and dilution ratio of dust retardant sprayed on low volatile coal storage piles.~~

~~This information shall be summarized into progress reports and submitted to the board quarterly.~~

~~(4) This nontraditional fugitive dust control program can be adjusted on a daily basis as needed to take into account preceding day and forecasted meteorological conditions (for example, rainfall and temperature), and visual observations of the roadways scheduled to be cleaned.~~

~~(b) Bethlehem Steel Corporation nontraditional fugitive dust control roads is shown as follows (Figure 1):~~



(a) Effective November 17, 2007, ISG Burns Harbor LLC shall implement an approved fugitive particulate matter emission control plan meeting the requirements of this section.

(b) The following definitions apply throughout this section:
(1) "As needed basis" means the frequency of application necessary to minimize visible particulate matter emissions as defined in the control plan.
(2) "Fugitive particulate matter emissions" means particulate matter that is emitted from any source by means other than through a stack.
(3) "Open aggregate pile" means the unenclosed storage of material consisting of, but not limited to, slag produced during the manufacture of iron and steel, sand, gravel, stone, and coal, which is finer than two hundred (200) mesh size equal to or greater than one percent (1%) by weight. Open aggregate material mesh size shall be determined by the "American Association of State Highway and Transportation Officials Test Method T27-74", or other equivalent procedures approved by the commissioner.
(4) "Paved road" means any asphalt or concrete surfaced thoroughfare or right-of-way:
(A) designed or used for vehicular traffic; and
(B) located on the property of, or owned by, an individual or company.
(5) "Potential emissions" means fugitive particulate matter emissions calculated after the application of air pollution control:
(A) measures; or
(B) equipment.
(6) "Unpaved roads" means any surfaced thoroughfare or right-of-way, other than a paved road as defined in subdivision (4), that is:
(A) designed or used for vehicular traffic; and
(B) located on the property of, or owned by, an individual or company.

(c) ISG Burns Harbor LLC's fugitive particulate matter emission control plan shall be in writing and shall include, at a minimum, the following information:
(1) The name and address of the owner or operator responsible for the execution of the control plan.
(2) Identification of all:

(A) processes;
(B) operations; and
(C) areas;
that have the potential to emit fugitive particulate matter.
(3) A map of the source showing the following:
(A) Aggregate pile areas.
(B) Access areas around the aggregate piles.
(C) Unpaved roads.
(D) Paved roads.
(E) Parking lots.
(F) The location of conveyors and transfer points.
(G) Other potential sources of fugitive particulate matter.
(4) The number and types of vehicular activity occurring on the following:
(A) Paved roads.
(B) Unpaved roads.
(C) Parking lots.
(5) The type and quantity of material handled.
(6) The equipment used to maintain aggregate piles.
(7) A description of the measures to be implemented to control fugitive particulate matter emissions resulting from emission points identified in subdivision (3).
(8) A specification of the dust suppressant material, such as oil or chemical, including the estimated frequency of application, rates, and concentrations of the dust suppressant.
(9) A specification of the particulate matter collection equipment used as a fugitive particulate matter emission control measure.
(10) A schedule of compliance with the provisions of the control plan. The schedule shall specify the amount of time the source requires to:
(A) award any necessary contracts; and
(B) commence and complete construction, installation, or modification of the fugitive particulate matter emission control measures.
(11) Other relevant data that may be requested by the commissioner to evaluate the effectiveness of the control plan.

(d) Records that document all control measures and activities to be implemented in accordance with the approved control plan shall be:
(1) kept and maintained;
(2) retained for at least five (5) years; and
(3) made available upon the request of the commissioner.

(e) All control measures specified in this section shall be considered reasonably available control measures (RACM). The frequency of application for all control measures shall be detailed in each control plan. No control plan shall contain control measures that violate the provisions of state statutes or rules. Fugitive particulate matter emissions from the emission points specified is this section shall be controlled as followed:
(1) Paved roads, unpaved roads, marshaling yards, slab haul roads, slab and coil storage areas, designated beach iron dumping areas, blast furnace slag pit processing activities, iron and steel slag pot dumping areas, and parking lots as follows:
(A) Paved roads and paved parking lots by the use of one (1) or more of the following measures:
(i) Cleaning by vacuum sweeping.
(ii) Flushing.
(iii) An equivalent alternate measure.
(B) Unpaved roads, marshaling yards, slab haul roads, slab and coil storage areas, designated beach iron dumping areas, blast furnace slag pit processing activities, iron and steel slag pot dumping areas, and unpaved parking lots by the use of one (1) or more of the following measures:
(i) Paving with a material such as asphalt or concrete.
(ii) Treating with a suitable and effective commercially available petroleum based dust suppressant or water based dust suppressant approved by the commissioner. The frequency of application shall be on an as needed basis.
(iii) Spraying with water. The frequency of application shall be on an as needed basis.
(iv) Double chip and seal the road surface and maintain on an as needed basis.
(v) An equivalent alternate measure.

(2) Open aggregate piles by the use of one (1) or more of the following measures:
(A) Cleaning the area around the perimeter of the aggregate piles.
(B) Applying a suitable and effective oil or other dust suppressant on an as needed basis.
(C) An equivalent alternate measure.
(3) Outdoor conveying of aggregate material, such as, but not limited to, slag produced during the manufacture of iron and steel, sand, gravel, stone, and coal, by equipment such as belt conveyors and bucket elevators, by the use of one (1) or more of the following measures:
(A) Enclosing the conveyor belt totally on the top and sides as needed to minimize visible emissions and, if needed, exhausting emissions to particulate control equipment during operation of conveyor.
(B) Applying water or suitable and effective chemical dust suppressant at the feed or at intermediate points as needed to minimize visible emissions, or at both.
(C) An equivalent alternate measure.
(4) Transferring of aggregate material shall be controlled by the use of one (1) or more of the following measures:
(A) Minimizing the distance between the transfer points.
(B) Enclosing the transfer points and, if needed, exhausting emissions to particulate control equipment during the operation of the transferring system.
(C) Application of water or suitable and effective chemical dust suppressant as needed to minimize visible emissions.
(D) An equivalent alternate measure.
(5) Transporting aggregate material by truck, front-end loader, or similar vehicle by the use of one (1) or more of the following measures:
(A) A completely enclosed vehicle.
(B) Tarping the vehicle.
(C) Maintaining the vehicle body in such a condition that prevents any leaks of aggregate material.
(D) Spraying the materials in the vehicle with a suitable and effective dust suppressant.
(E) An equivalent alternate measure.
(6) Loading and unloading operations of the material from storage facilities, such as bins, hoppers, and silos, onto or out of vehicles by the use of one (1) or more of the following measures:
(A) Enclosure of the material loading and unloading area.
(B) Total or partial enclosure of the facility and exhausting of emissions to particulate collection equipment. Such equipment shall be approved by the commissioner.
(C) Spraying with water or suitable and effective chemical dust suppressant as needed to minimize visible emissions.
(D) Reducing the free fall distance.
(E) An equivalent alternate measure.
(7) Hauling and dumping solid waste (as defined in IC 13-11-2-205(a)) as follows:
(A) Hauling solid waste by the use of one (1) or more of the following measures:
(i) Wet suppression of the material being transported.
(ii) Hauling the material enclosed or covered.
(iii) Minimizing the free fall distance when unloading from the particulate collection equipment or from the process equipment onto the hauling vehicle, or from both.
(iv) An equivalent alternate measure.
(B) Dumping solid waste by the use of one (1) or more of the following measures:
(i) Applying water or suitable and effective chemical dust suppressant on an as needed basis to minimize visible emissions.
(ii) Minimizing the free fall distance of the material.
(iii) An equivalent alternate measure.
(8) Material handling operations, such as crushing, grinding, screening, and mixing, by the use of one (1) or more of the following measures:
(A) Wet suppression.
(B) Enclosure of emission source with venting of emissions to a fabric filter.
(C) An equivalent alternate measure.
(9) Building openings, such as doors, windows, powered or unpowered ventilators, or roof monitors, by the use of one (1) or more of the following measures:
(A) Installing a removable filter over appropriate building openings.
(B) Capturing emissions within the building by the use of a proper hood system and conveying through a duct to particulate collection system approved by the commissioner.
(C) An in-house operating and procedure maintenance program consisting of the following:
(i) Proper maintenance of the process equipment and particulate collection system approved the commissioner.

(ii) Substitution of the process equipment, material, or operating procedure that will minimize visible emissions.
(D) An equivalent alternate measure.

(f) Within three (3) months of receiving a control plan, the commissioner shall notify ISG Burns Harbor LLC of:
(1) the approval of the control plan;
(2) modifications that the commissioner deems necessary to the control plan; or
(3) disapproval of the control plan.

(g) If the commissioner finds a control plan to be incomplete, ISG Burns Harbor LLC shall provide the commissioner with the required additional information.

(h) In determining if an alternate control measure represents a RACM as specified in this section, ISG Burns Harbor LLC shall submit and the commissioner shall consider information pertaining to factors, including, but not limited to, the following:
(1) The impact on the environment in terms of any increase in water, air, or solid waste pollution emissions.
(2) The energy requirements of the selected control measure.
(3) The:
(A) capital expenditure;
(B) impact on production; and
(C) operating costs;
to implement the selected control measure.
(4) The impact of these costs.
(5) Any adverse worker or product safety implications of the selected control measure.

(i) If a control plan is disapproved by the commissioner, ISG Burns Harbor LLC shall have up to fifteen (15) days from the date of receipt of the disapproval letter to request, in writing, a hearing on the matter. In the event a hearing is requested:
(1) it shall be held in accordance with the requirements set forth in IC 4-21.5; and
(2) the burden of proof shall lie with ISG Burns Harbor LLC to demonstrate why the control plan is appropriate.

(j) The control plan approved by the commissioner shall become part of ISG Burns Harbor LLC's operation permit.

(Air Pollution Control Board; 326 IAC 6-6-5; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2510; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)

SECTION 2. 326 IAC 7-4-14 IS AMENDED TO READ AS FOLLOWS:

326 IAC 7-4-14 Porter County sulfur dioxide emission limitations

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-3-12
Affected: IC 13-15; IC 13-17

Sec. 14. The following sources and facilities located in Porter County shall comply with the sulfur dioxide emission limitations in pounds per million Btu (lbs/MMBtu) and pounds per hour (lbs/hr), unless otherwise specified, and other requirements:
(1) ~~Bethlehem Steel~~ **For ISG** Burns Harbor ~~Works:~~ **LLC, the following:**
(A) The following facilities shall burn natural gas only:
(i) BOF Shop FM Boiler.
(ii) 160 inch Plate Mill Continuous Hardening and Annealing Heat Treatment Furnace.
(iii) 160 inch Plate Mill Boilers No. 2 and 4.
(iv) Batch Annealing Furnaces (24).
(v) Continuous Heat Treat Line – Preheat, Heating and Soaking, and Reheat.
(B) The following facilities shall comply with the sulfur dioxide emission limitations and other requirements:

Facility Description	Emission Limitations lbs/MMBtu	lbs/hr
(i) Blast Furnace C Stoves	0.83	545
(ii) Blast Furnace D Stoves	0.83	545
~~(iii) Blast Furnace Flare~~	~~0.07~~	
~~(iv)~~ **(iii)** Sinter Plant Windbox	1.0 pound per ton process material	400
~~(v)~~ **(iv)** No. 1 Coke Battery Underfire	1.73	803
~~(vi)~~ **(v)** No. 2 Coke Battery Underfire	1.96	911
~~(vii)~~ **(vi)** Slab Mill Soaking Pits:		

(AA) ~~No~~ **Not** more than nine (9) of thirty-two (32) horizontally discharged soaking pits may be fired on coke oven gas at the same time with total sulfur dioxide emissions not to exceed four hundred eighty-two (482) pounds per hour.
(BB) The remaining twenty-three (23) of thirty-two (32) horizontally discharged soaking pits may burn blast furnace and/or natural gas with total sulfur dioxide emissions not to exceed twenty-four (24) pounds per hour.
(CC) The four (4) vertically discharged soaking pits may burn blast furnace and/or natural gas with total sulfur dioxide emissions not to exceed four (4) pounds per hour.

~~(viii)~~ **(vii)** 160 inch Plate Mill Continuous Reheat Furnace No. 1 and Boiler No. 1	1.96	299
~~(ix)~~ **(viii)** 160 inch Plate Mill Continuous Reheat Furnace No. 2 and Boiler No. 3	1.96	299
~~(x)~~ **(ix)** 80 inch Hot Strip Mill Furnace No. 1, 2, and 3	1.96	79 each
~~(xi)~~ **(x)** 110 inch Plate Mill Furnaces No. 1 and 2	1.96	441
~~(xii)~~ **(xi)** 110 inch Plate Mill Normalizing Furnace	1.07	88
~~(xiii)~~ **(xii)** 160 inch Plate Mill I & O Furnaces No. 4 and 5	1.96	274
~~(xiv)~~ **(xiii)** 160 inch Plate Mill I & O Furnaces No. 6 and 7	1.96	274
~~(xv)~~ **(xiv)** 160 inch Plate Mill I & O Furnace No. 8	1.96	176
~~(xvi)~~ **(xv)** Power Station Boiler No. 7	0.8	520
~~(xvii)~~ **(xvi)** Power Station Boilers No. 8, 9, 10, 11, and 12	1.45	2,798

(C) As an alternative to the sulfur dioxide emission limitations specified in clause (B), ~~Bethlehem Steel~~ **ISG** B**urns Harbor LLC** shall comply with the sulfur dioxide emission limitations and other requirements as follows:

Facility Description	Emission Limitations lbs/MMBtu	lbs/hr
(i) Blast Furnace C Stoves	0.75	498
(ii) Blast Furnace D Stoves	0.75	498
~~(iii) Blast Furnace Flare~~	~~0.07~~	
~~(iv)~~ **(iii)** Sinter Plant Windbox	1.0 pound per ton process material	400
~~(v)~~ **(iv)** No. 1 Coke Battery Underfire	1.57	730
~~(vi)~~ **(v)** No. 2 Coke Battery Underfire	1.78	828
~~(vii)~~ **(vi)** Slab Mill Soaking Pits:		

(AA) ~~No~~ **Not** more than six (6) of thirty-two (32) horizontally discharged soaking pits may be fired on coke oven gas at the same time with total sulfur dioxide emissions not to exceed two hundred ninety-two (292) pounds per hour.
(BB) The remaining twenty-six (26) of thirty-two (32) horizontally discharged soaking pits may burn blast furnace and/or natural gas with total sulfur dioxide emissions not to exceed twenty-seven (27) pounds per hour.
(CC) The four (4) vertically discharged soaking pits may burn blast furnace and/or natural gas with total sulfur dioxide emissions not to exceed four (4) pounds per hour.

~~(viii)~~ **(vii)** 160 inch Plate Mill Continuous Reheat Furnace No. 1 and Boiler No. 1	1.78	293
~~(ix)~~ **(viii)** 160 inch Plate Mill Continuous Reheat Furnace No. 2 and Boiler No. 3	1.78	293
~~(x)~~ **(ix)** 80 inch Hot Strip Mill Furnace No. 1, 2, and 3	1.78	483 each
~~(xi)~~ **(x)** 110 inch Plate Mill Furnaces No. 1 and 2	1.78	401

~~(xii)~~ **(xi)** 110 inch Plate Mill Normalizing Furnace	1.07	88
~~(xiii)~~ **(xii)** 160 inch Plate Mill I & O Furnaces No. 4 and 5	1.78	249
If 160 inch Plate Mill I & O Furnaces No. 6 ~~and/or~~ **or** 7, **or both,** are in operation on a fuel other than natural gas, Furnaces No. 4 and 5 shall not operate or shall burn natural gas only.		
~~(xiv)~~ **(xiii)** 160 inch Plate Mill I & O Furnaces No. 6 and 7	1.78	249
If 160 inch Plate Mill I & O Furnaces No. 4 ~~and/or~~ **or** 5, **or both,** are in operation on a fuel other than natural gas, Furnaces No. 6 and 7 shall not operate or shall burn natural gas only.		
~~(xv)~~ **(xiv)** 160 inch Plate Mill I & O Furnace No. 8	1.78	160
~~(xvi)~~ **(xv)** Power Station Boilers No. 7	0.8	520
~~(xvii)~~ **(xvi)** Power Station Boilers No. 8, 9, 10, 11, and 12	1.45 total	2,500 total

~~(xviii) Bethlehem Steel~~ **(xvii) ISG Burns Harbor LLC** shall notify the department at least twenty-four (24) hours prior to reliance on the alternative set of limits specified in items (i) through ~~(xvii). Bethlehem Steel~~ **(xvi). ISG Burns Harbor LLC** shall maintain records of fuel type and operational status of facilities listed in items **(xii) and** (xiii) ~~and (xiv)~~ and shall make the records available to the department upon request.

~~(xix)~~ **(xviii)** For the purposes of 326 IAC 7-2-1(c)(2), compliance shall be determined based on separate calendar month averages for the set of requirements specified in this clause and for the set of requirements specified in clause (B).

(D) Coke oven gas usage at facilities other than the No. 1 and 2 Coke Battery Underfire Stacks shall be restricted to ~~no~~ **not** more than seventy-five (75) million cubic feet per day. Total sulfur dioxide emissions from the facilities listed in clause (B)(i) through ~~(B)(iv), (B)(vii)(AA) through (B)(vii)(BB), (B)(viii) through (B)(xi),~~ **(B)(iii), (B)(vi)(AA) through (B)(vi)(BB), (B)(vii) through (B)(x),** and ~~(B)(xiii) through (B)(xvii)~~ **(B)(xii) through (B)(xvi)** shall not exceed four thousand four hundred twenty-nine (4,429) pounds per hour. During periods in which the limits contained in clause (C) are in effect, coke oven gas usage at facilities other than the No. 1 and 2 Coke Battery Underfire Stacks shall be restricted to ~~no~~ **not** more than seventy (70) million cubic feet per day, and total sulfur dioxide emissions from the facilities listed in clause (C)(i) through ~~(C)(iv), (C)(vii)(AA) through (C)(vii)(BB), (C)(viii) through (C)(xi),~~ **(C)(iii), (C)(vi)(AA) through (C)(vi)(BB), (C)(vii) through (C)(x),** and ~~(C)(xiii) through (C)(xvii)~~ **(C)(xii) through (C)(xvi)** shall not exceed four thousand six hundred thirty (4,630) pounds per hour.

(E) ~~Bethlehem Steel~~ **ISG Burns Harbor LLC** shall achieve compliance with the requirements specified in clause (B) or (C) prior to December 31, 1988. Thereafter, ~~Bethlehem Steel~~ **ISG Burns Harbor LLC** shall submit a report to the department within thirty (30) days following the end of each calendar quarter containing the following information:

(i) Records of the total coke oven gas, blast furnace gas, fuel oil, and natural gas usage for each day at each facility listed in clauses (B) ~~through~~ **and** (C).

(ii) Records of the:

(AA) average sulfur content and heating value as determined per the procedures specified in clause (F) for each fuel type used during the calendar quarter; and ~~of the~~

(BB) maximum number of slab mill soaking pits burning coke oven gas at any given time during each day.

(iii) The calculated sulfur dioxide emission rate in the applicable emission units (pounds per hour, pounds per million Btu, and/or pounds per ton) for each facility for each day and the average sulfur dioxide emissions from the facilities listed in clause (C)(i) through ~~(C)(iv), (C)(vii)(AA) through (C)(vii)(BB), (C)(viii) through (C)(xi),~~ **(C)(iii), (C)(vi)(AA) through (C)(vi)(BB), (C)(vii) through (C)(x),** and ~~(C)(xiii) through (C)(xvii)~~ **(C)(xii) through (C)(xvi)** for each day in pounds per hour during the calendar quarter.

(F) ~~Bethlehem Steel~~ **ISG Burns Harbor LLC** shall submit a sampling and analysis protocol to the department by December 31, 1988. The protocol shall:

(i) contain a description of planned procedures for:

(AA) sampling of sulfur-bearing fuels and materials; ~~for~~

(BB) analysis of the sulfur content; and ~~for~~

(CC) any planned direct measurement of sulfur dioxide emissions vented to the atmosphere; ~~The protocol shall~~ **and**

(ii) specify the frequency of sampling, analysis, and/or measurement for each:

(AA) fuel and material; and ~~for each~~

(BB) facility.

The department shall incorporate the protocol into the source's operation permit per procedures specified in 326 IAC 2. The department may revise the protocol as necessary to establish acceptable sampling, analysis, and/or measurements procedures and frequency. The department may also require that a source

conduct a stack test at any facility listed in this subdivision within thirty (30) days of written notification by the department.

(2) **For** Northern Indiana Public Service Company Bailly Station, **the following:**

Facility Description	Emission Limitations lbs/MMBtu
(A) Boilers 7 and 8	6.0 each
Boilers 7 and 8 shall be fired with coal, fuel oil, or natural gas.	
(B) Gas Turbine 10	natural gas only

(3) **For** Midwest Steel, **the following:**

Facility Description	Emission Limitations lbs/MMBtu
Babcock and Wilcox Boiler 1 and Erie City Boilers No. 1, 2, and 3	1.33 each

Only two (2) of four (4) boilers may burn fuel oil with a sulfur dioxide emission rate greater than three-tenths (0.3) pounds per million Btu at the same time. Midwest Steel shall maintain records of fuel type for each boiler for each hour. The records of fuel type shall be made available to the department upon request.

(4) **For** Air Products and Chemical, **the following:**

Facility Description	Emission Limitations
All boilers and the No. 3 Hydrogen Reformer	natural gas only

(Air Pollution Control Board; 326 IAC 7-4-14; filed Aug 28, 1990, 4:50 p.m.: 14 IR 78; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; errata filed Dec 12, 2002, 3:35 p.m.: 26 IR 1568)

Notice of Public Hearing

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