

# TITLE 326 AIR POLLUTION CONTROL DIVISION

## Rule Information Sheet

ArcelorMittal and NIPSCO Sulfur Dioxide Emission Limit Revisions  
LSA Document #20-449

### Overview

This rulemaking incorporates revisions to the SO<sub>2</sub> limits contained in 326 IAC 7-4-14, 326 IAC 7-4.1-10, and 326 IAC 7-4.1-11 for emissions units at three ArcelorMittal steel mills and removes alternative SO<sub>2</sub> limits and emissions units that have been permanently shut down. These changes reflect the conditions in both a settlement agreement and a consent decree between ArcelorMittal, the Indiana Department of Environmental Management (IDEM), and the United States Environmental Protection Agency (U.S. EPA). In addition to amending the SO<sub>2</sub> emission limits for the ArcelorMittal settlement agreement and consent decree, IDEM is removing boilers 7 and 8 at 326 IAC 7-4-14 for the Northern Indiana Public Service Company Bailly Station (NIPSCO), to reflect that these boilers have been permanently retired and taken out of the facility's Title V permit.

The ArcelorMittal settlement agreement between the parties was filed in the United States Court of Appeals for the Seventh Circuit, Appeal No. 14-1412, on November 12, 2019. The settlement agreement implements a site-specific revision to the ArcelorMittal Burns Harbor LLC SO<sub>2</sub> emission limits at 326 IAC 7-4-14, by revising certain SO<sub>2</sub> limits and adding a specified blast furnace gas sampling and analysis protocol. Additional revisions to the SO<sub>2</sub> emission limits include establishing current limits for the Blast Furnace Flare and listing several emissions units as permanently shut down within the facility. These updates to 326 IAC 7-4-14 and the addition of the blast furnace gas testing protocol will satisfy the terms of the settlement agreement.

The ArcelorMittal consent decree between the parties was filed in the United States District Court for the Northern District of Indiana, Hammond Division, on April 1, 2020. The consent decree revises ArcelorMittal's SO<sub>2</sub> limits for Indiana Harbor West at 326 IAC 7-4.1-10, and Indiana Harbor East at 326 IAC 7-4.1-11, in Lake County. Specific changes to these facilities include revising furnaces at Indiana Harbor West as burning natural gas only, and revising the No. 7 furnace interim and final SO<sub>2</sub> limits at Indiana Harbor East, as well as revising the calculation for the hourly SO<sub>2</sub> emission rate. The adoption of the revised SO<sub>2</sub> emission limits for these two facilities, as well as the revised SO<sub>2</sub> hourly emission rate for Indiana Harbor East, will satisfy the terms of the consent decree.

### Affected Persons

This rule only impacts ArcelorMittal and NIPSCO.

### Reasons for the Rule

This rule is the result of both a settlement agreement and a consent decree between

ArcelorMittal, IDEM, and U.S. EPA, and this proposed rule will satisfy these terms. This rule also removes obsolete equipment at NIPSCO.

### **Economic Impact of the Rule**

There is no economic impact associated with this rulemaking for the state, ArcelorMittal, or NIPSCO. Updates to the SO<sub>2</sub> emission limits for ArcelorMittal at 326 IAC 7-4-14, 326 IAC 7-4.1-10, and 326 IAC 7-4.1-11 are technical amendments that satisfy the terms of the settlement agreement and consent decree between the source, IDEM, and U.S. EPA. The revision to 326 IAC 7-4-14 for NIPSCO is an administrative change to remove retired equipment.

### **Scheduled Board Action and Hearings**

Public Hearing: November 18, 2020, at 1:30 p.m., held remotely through Zoom

Join Zoom Meeting

<https://zoom.us/j/93846345845?pwd=eklqWHVKRk1LU1hGMVVzaStldDVxZz09>

By phone:

312-626-6799

929-205-6099

**Meeting ID: 938 4634 5845**

**Password: 963768**

### **IDEM Contact**

Additional information regarding this rulemaking action can be obtained from Keelyn Walsh, Rules Development Branch, Office of Legal Counsel, (317) 232-8229, (800) 451-6027 (in Indiana), or [kwalsh@idem.in.gov](mailto:kwalsh@idem.in.gov).