

Illinois Environmental Protection Agency  
Bureau of Air  
May 2008

Responsiveness Summary for the  
Public Comments Period on a  
Construction Permit Application from  
A. Finkl and Sons Company for a  
Proposed Specialty Steel and Forgings Plant in  
Chicago, Illinois

Source Identification No.: 031600GUC  
Application No.: 07060075

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## **DECISION**

On May 23, 2008, the Illinois Environmental Protection Agency (Illinois EPA) Bureau of Air issued a Construction Permit/PSD Approval to A. Finkl and Sons Company (Finkl) for a new specialty steel and forgings plant in Chicago, Illinois. At the same time, the Illinois EPA issued this Responsiveness Summary for the public comment period that was held on the proposed issuance of this permit and the final permit decision made on the application by the Illinois EPA.

## **BACKGROUND**

Finkl requested a construction permit for a specialty steel and forging plant. The proposed plant would include a steel melt shop, with an electric arc furnace and a ladle metallurgical station, to produce high quality steel from scrap metal. Other downstream operations would include a vacuum tank station for degassing and decarburization of molten steel, forging and reheat furnaces, heat treating furnaces, surface preparation operations, other associated processes and ancillary operations. The proposed plant would be located at 1355 East 93<sup>rd</sup> Street in Chicago, in buildings formerly occupied by Verson. The proposed plant would completely replace Finkl's existing plant at 2011 North Southport Avenue in Chicago.

## **COMMENT PERIOD AND PUBLIC HEARING**

The Illinois EPA, Bureau of Air evaluates applications for permits for proposed sources of emissions. An air pollution control permit application must appropriately address compliance with applicable air pollution control laws and regulations before a permit can be issued. Following its initial technical review of Finkl's application, the Illinois EPA Bureau of Air made a preliminary determination that the application met the standards for issuance of a permit.

Because the proposed plant would be considered a major source, the Illinois EPA was required to hold a public comment period before issuing a construction permit for the plant. Accordingly, after it completed its preliminary review of the application, the Illinois EPA prepared a draft of the construction permit it was proposing to issue for public review and comment. As Finkl requested that the Illinois EPA hold a public hearing on the proposed issuance of a permit for the plant, a public hearing was scheduled as part of the public comment period. The public comment period opened with the publication of a notice in the Southtown Star on February 24, 2008. The notice was published again in the Southtown Star on March 1 and March 8, 2008. The public hearing was held on April 9, 2008 at Olive-Harvey College, 10001 S. Woodlawn Avenue in Chicago to accept oral comments and answer questions about the proposed plant and the draft permit prepared by the Illinois EPA. The comment period closed on May 9, 2008.

Following the close of the public comment period, the Illinois EPA conducted its final technical review of Finkl's application. This review led to a final determination by the Illinois EPA that the application for the proposed plant met the standards for issuance of a permit. As members of the public and other interested persons did not submit any comments on the draft permit that requested a change in the draft permit, the construction permit for the plant became effective immediately upon issuance.

## **AVAILABILITY OF DOCUMENTS**

Copies of the Construction Permit/PSD Approval issued to Finkl for the proposed plant issued and of this Responsiveness Summary are available by the following means:

1. From the Illinois Permit Database on the Internet:

[www.epa.gov/region5/air/permits/ilonline.htm](http://www.epa.gov/region5/air/permits/ilonline.htm)

(Find the documents under Construction Permit Records (sorted by name), under A. Finkl and Sons, at the end of the listing of sources whose names begin with "A.")

2. By viewing documents at one of the following repositories:

Chicago Public Library Avalon Branch 8148 S. Stony Island Avenue Chicago, IL 60617 (312) 747-5234	Illinois EPA 9511 West Harrison Des Plaines, IL 60016 847/294-4000	Illinois EPA 1021 N. Grand Ave., East Springfield, IL 62794 217/782-7027
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3. By contacting the Illinois EPA by telephone, facsimile or electronic mail:

Illinois EPA  
Bradley Frost, Office of Community Relations Coordinator  
888/372-1996 Toll Free – Environmental Helpline  
217/782-7027 – Desk Line  
217/782-9143 – TDD  
217/524-5023 – Facsimile  
[brad.frost@illinois.gov](mailto:brad.frost@illinois.gov)

## **APPEAL PROVISIONS**

The construction permit being issued for the proposed plant includes approval for the plant pursuant to the federal rules for Prevention of Significant Deterioration of Air Quality (PSD), 40 CFR 52.21. While comments were not submitted on the draft permit by the public or the applicant that requested changes to the draft permit, the Illinois EPA's final technical review of the proposed plant resulted in a number of enhancements and corrections to the permit issued for the proposed plant, as compared to the draft permit, as described at the end of this document. Accordingly, as changes have been made between the draft permit and the final permit decision for the proposed plant, individuals who submitted comments on the draft permit or participated in the public hearing and other interested persons may petition the United States Environmental Protection Agency (USEPA) to review the PSD provisions of the issued permit to the extent of the changes between the draft permit and the final permit decision.. The procedures governing appeals are contained in the Code of Federal Regulations, "Appeal of RCRA, UIC and PSD permits," 40 CFR 124.19. If an appeal request will be submitted to USEPA by a means other than regular mail, refer to the Environmental Appeals Board website at [www.epa.gov/eab/eabfaq.htm#3](http://www.epa.gov/eab/eabfaq.htm#3) for instructions.

If an appeal will be sent by regular mail, it should be sent on a timely basis to the following address:

U.S. Environmental Protection Agency Clerk of the Board, Environmental Appeals  
Board (MC 1103B)  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460-0001  
Telephone: 202/233-0122

### **COMMENTS AND QUESTIONS DURING THE PUBLIC COMMENT PERIOD**

The public hearing held by the Illinois EPA for the proposed plant was attended by a number of members of the public and interested parties. Comments and questions at the public hearing focused on the role that Finkl would take to support the local community surrounding the proposed plant and whether and how it would be a “good neighbor” with the community. Topics that were covered included support for local schools and community organizations, coordination with job and vocational training programs at local schools, and employment of local residents. Responses were provided by representatives of Finkl, who explained the variety of ways that Finkl has been a good neighbor with the community surrounding its existing plant on the north side of Chicago. They indicated that Finkl would now work to be a good neighbor with the community surrounding its new plant. No questions or comments concerning the draft permit were made during the public hearing for the proposed plant.

The public comment period did not generate any written comments on the draft permit, by either members of the public, interested parties, or Finkl.

### **FOR ADDITIONAL INFORMATION**

Questions about the public comment period and permit decision should be directed to

Bradley Frost, Community Relations Coordinator  
Illinois Environmental Protection Agency  
Office of Community Relations  
1021 North Grand Avenue, East  
P. O. Box 19506  
Springfield, Illinois 62794-9506

217-782-7027 Desk Line  
217-782-9143 TDD  
217-524-5023 Facsimile

[brad.frost@illinois.gov](mailto:brad.frost@illinois.gov)

**LISTING OF SIGNIFICANT CHANGES**  
**BETWEEN THE DRAFT PERMIT AND THE ISSUED PERMIT**

(not including editorial corrections, including correction of inconsistencies in terminology and correction of typographical errors)

Condition 1.3: This condition, which addresses applicability of PSD to the proposed plant, now indicates that the proposed plant would not be a major “project” for purposes of PSD for emissions of pollutants other than CO, NO<sub>x</sub>, PM/PM<sub>10</sub> and SO<sub>2</sub>. The draft permit incorrectly indicated that the plant would be a major source for these listed pollutants, whereas the plant is a significant source for PM/PM<sub>10</sub> and SO<sub>2</sub>, rather than a major source for these pollutants.

Condition 1.4(c): This condition, which addresses the timing of NO<sub>x</sub> emission offsets, has been revised to provide Finkl with the ability to gradually transition between its existing plant and the proposed plant, so as to not interrupt production. (See also Condition 2.1.5-1(a)(ii).)

Condition 1.11: This condition, which generally addresses procedures to determine compliance with emission limitations established by the permit, has been developed to address limitations other than annual emissions limitations and to improve clarity. Provisions are now included that indicate that emission limitations established by the permit for which a compliance time period is not specified shall apply on an hourly basis, with emission testing to verify compliance generally conducted with three separate test runs. This is consistent with standard practice for most short-term emission limitations. Provisions are also included to address certain emission limitations established by the permit that apply on a 24-hour average or “daily” basis. These provisions address the possibility that emission units may not routinely run for 24 consecutive hours with a definition for the operating day of an emission unit, which may be less than 24 hours in duration. Provisions are included for aggregation of consecutive operating days if needed to obtain sufficient operation of a unit (at least 12 hours of operation) for a determination of compliance with a daily emission limitation. Emission testing to verify compliance with daily limits is to be conducted using at least three separate test runs, or for gaseous pollutants (SO<sub>2</sub>, NO<sub>x</sub> and CO) using continuous emissions monitoring systems.

Condition 2.1.3-2(b)(ii): This condition, which contains the Control Technology Determinations for the emission units in the Melt Shop at the proposed plant, has been clarified by specifying that the emission limits that are being established apply on a 24-hour average basis. This is consistent with the form in which limits were proposed by Finkl in the application and were reviewed by the Illinois EPA.

Conditions 2.1.3-2: This condition, which contains the Control Technology Determinations for emission units in the Melt Shop at the proposed plant, has been corrected by removing requirements for control of emissions of volatile organic material (VOM). This change has been made because the plant is not a major source of emissions of VOM, as discussed in the Project Summary prepared by the Illinois EPA for the draft permit. This change does not affect the substantive requirements for control of VOM emissions from these units. This is because the requirements that have been removed from the Control Technology Determination still apply as they are still present in conditions that establish Operational Requirements and Emission Limitations for emission units at the plant, which have not been changed.

Condition 2.1.5-1(a): A provision has been added to this condition, which sets limits on the amount of steel that the proposed plant may produce, to address the gradual closure and transition of operations from Finkl's existing plant to the proposed plant. The new provision restricts the steel production at the proposed or new plant to lower levels during the transition period when both plants may be in operation. These "interim" limits on steel production are set at levels that assure that the NO<sub>x</sub> emissions from the new plant during this transition period remain below the level at which the emission offsets from the closure of the existing plant are needed. As only about 20 percent of the NO<sub>x</sub> emission offsets for the new plant will come from the existing plant, the interim limits are not expected to restrain the production of the new plant, which is expected to initially be similar to the current level of production at the existing plant. However, it is appropriate for the permit to explicitly address this transition period and the timing of NO<sub>x</sub> emission offsets from the existing plant.

Condition 2.1.7: The provisions for emissions testing of emission units in the melt shop in the "future", after the initial emission testing is conducted after completion of construction and shakedown, have been clarified. The clarification includes references to provisions that specify the detailed test methods and procedures that must be used for emissions testing. The clarification also provides the deadline by which such emission testing must be completed when requested by the Illinois EPA. It should be understood that these provisions only address future emission testing pursuant to this construction permit. Additional requirements for emission testing will be established in the Clean Air Act Permit Program (CAAPP) permit for the plant, including schedules for periodic testing of the melt shop.

Condition 2.3.7-1: Provisions for emissions testing of material handling systems are clarified. The timing for initial emission testing of the system for handling carbon for the melt furnace is now specified. Provisions are also included for future emissions testing to be conducted upon request by the Illinois EPA.

Condition 2.4.7: Provisions are added for emission testing of the control devices associated with the subsequent handling of dust collected by the baghouse on the melt shop. The provisions require that emission testing be promptly conducted for emissions of PM/PM<sub>10</sub> upon request by the Illinois EPA.

Conditions 2.7.3-1 and 2.7.7(b): Emission limits for VOM emissions, in pounds per million Btu, in the Control Technology Determination for natural gas fired burners and furnaces are transferred to the condition establishing emission limitations for these units. This change has been made because the plant is not a major source for emissions of VOM so these limitations should not have been part of the Control Technology Determination for these units.

Condition 2.7.7(a): The provisions for emissions testing of natural gas fired burners and furnaces have been clarified. The timing of initial testing is now specified, with testing required no later than 180 days after closure of Finkl's existing plant. Provisions are also added for further testing upon request by the Illinois EPA.

Condition 3.2(b)(iii): This condition has been added to Condition 3.2, which contains the detailed

provisions for the methods and procedures for emissions testing, to clarify how several separate emission test runs are to be conducted as part of emissions testing to verify compliance with emission standards and limitations.

Condition 3.2(b)(iv): This condition has also been added to Condition 3.2 to facilitate use of continuous emissions monitoring as an alternative to conventional emissions testing to verify compliance with daily emission limitations established by the permit for NO<sub>x</sub>, SO<sub>2</sub> or CO.

Conditions 3.2(g) and 3.3(h): These provisions have been added at the end of these conditions, which contain the detailed provisions for the methods and procedures for emissions testing and opacity observations, to make clear that the provisions in these conditions do not supersede provisions of applicable regulations that specify methods and procedures that are associated with particular emission standards.