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PUBLIC HEARING AND COMMENT PERIOD  
FOR DRAFT CAAPP PERMITS FOR U. S. STEEL

Held On: December 2, 2008

REPORTER: Sara E. Tipton, CSR  
ILLINOIS NO: 084-003397

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RIVER BEND REPORTING  
P. O. BOX 577  
GODFREY, IL 62035  
618-466-8558

1 MS. GODIKSEN: Good evening. We're going to  
2 get started now. My name is Annet Godiksen. I'm with  
3 the Illinois Environmental Protection Agency, and I'd  
4 like to thank you for coming out this evening and  
5 attending this hearing. To facilitate the reporting of  
6 tonight's hearing, we ask that you turn your phones to  
7 vibrate.

8 The Illinois EPA believes that this hearing is a  
9 crucial part of the permit review process. As the  
10 hearing officer, my sole purpose tonight is to make sure  
11 that the proceeding runs properly and in accordance with  
12 our rules. Therefore, as a neutral party, I will not be  
13 answering questions regarding the permit process or the  
14 permit, itself.

15 This is a public hearing before the Illinois EPA in  
16 the matter of the proposed issuance of a Clean Air Act  
17 Permit Program known as CAAPP, C-A-A-P-P, permit. The  
18 request for which was submitted to the Illinois EPA by US  
19 Steel Corporation, Granite City Works and the other  
20 applicants.

21 This public hearing also relates to the proposed  
22 issuance of CAAPP permits to Stein Steel Mill Services,  
23 AKJ Industries, Inc., and Tube Cities IMS, Limited  
24 Liability Corporation and a renewal of CAAPP permits for  
25 Granite City Slag, Limited Liability Corporation and Oil

1 Technology, Inc.

2 The proposed permits relate to the air emissions  
3 from US Steel Integrated Steel Mill located at 20th and  
4 State Street in Granite City and five collocated

5 companies that provide support services to US Steel and  
6 are considered a single source with US Steel. The  
7 Illinois EPA has made a preliminary determination to  
8 issue permits for the project and has prepared draft  
9 permits for review.

10 The Illinois EPA is holding a public comment period  
11 and a hearing to accept comments from the public on the  
12 proposed issuance of permits for this project prior to,  
13 actually, making the final decision on the applications.

14 Now, it is approximately 7:12, Tuesday, December  
15 2nd. And, again, this hearing is being held for the  
16 purpose of explaining the draft permits, to respond to  
17 questions and to receive public comments on the draft  
18 permit. I'm going to walk you through a couple of  
19 introductory matters.

20 The public hearing is being held under the  
21 provisions of the Illinois EPA procedures for permit and  
22 closure plan hearing, which can be found in Title 35 of  
23 the Illinois Administrative Code, Part 166. Copies of  
24 these procedures can be obtained from myself upon  
25 request, or they can be accessed on the website of the

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1 Illinois Pollution Control Board at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).  
2 A public hearing means that this is strictly an informal  
3 hearing. It is an opportunity for the Illinois EPA to  
4 provide you with information concerning the permits. It  
5 is also an opportunity for you to provide information to  
6 the Illinois EPA concerning the permits. This is not a  
7 contested hearing.

8 I'd like to first explain how tonight's hearing is  
9 going to proceed. We will have the Illinois EPA staff  
10 members present and introduce themselves and identify  
11 their responsibilities with the agency. Following our  
12 overview, we will have the representative from the  
13 applicant introduce themselves. And then we will ask the  
14 public to ask questions and provide comments.

15 You are not required to verbalize your comments, as  
16 written comments are given the same consideration and may  
17 be submitted to the agency at any time within the public  
18 comment period, which ends at midnight on January 2nd of  
19 2009. Any person who wants to make oral comments may do  
20 so, as long as the statements are relevant to the issues  
21 that are being addressed at the hearing, and such person  
22 has indicated on the registration card that he or she  
23 would like to comment.

24 When you came into the room, Brad was at the front  
25 at the desk, and there were cards for you to fill out if

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1 you're interested in making oral comments or receiving a  
2 summary of the hearing. If you do wish to make comments  
3 and you haven't filled out a card as of yet, please, go  
4 back and do so. We will collect these cards throughout  
5 the evening. If you have lengthy comments or questions,  
6 it may be helpful to submit that to me in writing before  
7 the comment period ends, and I will ensure that they're  
8 included in the hearing record as exhibits.

9 Please keep your comments and questions relevant to  
10 the issue at hand. If your comment falls outside of the  
11 scope of the hearing, I may ask you to proceed to another

12 issue.

13 All speakers have the option of directing questions  
14 to either the Illinois EPA panel or they can just make a  
15 general comment, or they can do both, if they so choose.  
16 The applicants are also free to answer questions, if they  
17 are willing to do so, but I am not in a position to  
18 require them to answer questions. Our panel members will  
19 make every attempt to answer the questions presented, but  
20 I will not allow a speaker to argue or cross-examine or  
21 engage in prolonged dialogue with our panel.

22 In addition, I would like to stress that we want to  
23 avoid unnecessary repetition. So if anyone before you  
24 has already presented testimony that is contained in  
25 either your oral or written comments, please skip over

6

1 those issues when you testify. Please remember that all  
2 comments, whether stated tonight or submitted in writing,  
3 will have equal weight. It will become part of the  
4 official record and will be considered.

5 After everyone has had an opportunity to speak and  
6 provided that time permits, we will allow those, who  
7 either ran out of time during their initial comments or  
8 have additional comments, to speak once again. Please  
9 note you can ask to receive a summary of the public  
10 hearing on the registration card. I would also like to  
11 direct you to the Illinois EPA's website where you can  
12 find details regarding these draft permits including our  
13 responsiveness summary. The Illinois EPA's website is  
14 [www.epa.state.il.us](http://www.epa.state.il.us). The Illinois EPA's responsiveness

15 summary will attempt to answer all of the relevant  
16 questions that were raised at this hearing or were  
17 submitted to me prior to the close of the comment period.  
18 Again, the written record will close January 2nd, 2009.  
19 Therefore, I will accept all written comments as long as  
20 they are postmarked by midnight of January 2nd, 2009.

21 During the comment period all relevant comments,  
22 documents or data will also be placed into the hearing  
23 record as exhibits. Again, please send all documents or  
24 data to my attention. My name is Annet Godiksen, Annet  
25 is A-N-N-E-T, Godiksen, G-O-D-I-K-S-E-N, hearing officer,

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1 Illinois EPA, 1021 North Grand Avenue East, Post Office  
2 Box 19276, Springfield, Illinois and the zip code is  
3 62794. That address is also listed on the public notice  
4 for the hearing tonight.

5 For anyone wishing to make a comment or to ask  
6 questions, I'd like to remind you that we have a court  
7 reporter here, who will be taking a record of these  
8 proceedings for the purpose of putting together our  
9 administrative record. Therefore, for her benefit,  
10 please keep the general background noise to a minimum, so  
11 she can hear everything that is said. Also, please keep  
12 in mind that any comments from someone, other than the  
13 person who has the floor, will not be reported by the  
14 court reporter. In other words, she cannot take in more  
15 than one person's testimony or statement at a time.  
16 Thus, only the person that has the floor will be the  
17 person recorded. If you speak over someone else, we will  
18 not be able to include that in the comments. This rule

19 applies to everyone, not only to the members of the  
20 audience, who are speaking, but, also, when someone from  
21 the Illinois EPA or one of the applicants is speaking.  
22 When it is your turn to speak, please speak clearly and  
23 slowly, and it is requested that all speakers addressing  
24 us stand so that the court reporter can better understand  
25 what you're saying. We have a podium and a microphone

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1 set up for you. Also, when you begin to speak, please  
2 state your name and, if applicable, any governmental  
3 body, organization or association that you represent.  
4 And, for the benefit of our court reporter, we ask that  
5 you spell your last name.

6 People who requested to speak will be called upon in  
7 the order that I will lay out based upon the cards that I  
8 have before me. Also, the court reporter has asked if  
9 you have a written copy of your comments, to please  
10 provide her with a copy to aid in her transcription of  
11 tonight's proceedings.

12 After I've gone through these cards, and assuming  
13 there is still time, we will try to accommodate anyone  
14 wishing to make a comment. I would like to now ask the  
15 Illinois EPA staff to introduce themselves, and if they  
16 would like to make a short opening statement, they can do  
17 so at this time.

18 MR. PRESSNALL: My name is Chris Pressnall, and  
19 I work with the division of legal counsel for the  
20 Illinois EPA. My purpose here this evening is to  
21 generally field any legal questions that might be asked,

22 to the best of my ability. Another reason why I'm up  
23 here is I have been assigned to US Steel enforcement  
24 action. I've also worked on some environmental justice  
25 issues generally, and I don't have a prepared statement.

9

1 I'll just field any questions as appropriate. Thank you.

2 MR. REED: Good evening. I'm Michael Reed. I  
3 work for the Division of Air Pollution Control Permit  
4 Section. I am the CAAPP unit manager, and with me  
5 tonight I have one of my new engineers, Marla Martin, who  
6 will be observing how a hearing is conducted; and I also  
7 have the permit engineer here.

8 MR. BELOGORSKY: My name is Anatoly Belogorsky,  
9 and I'm with the permit section of pollution air control,  
10 and I drafted the program for US Steel and a number of  
11 collocated sources located in Granite City.

12 MR. REED: Okay. Good evening, ladies and  
13 gentlemen. My name, again, is Michael Reed. I'm the  
14 manager of the Clean Air Act Permit Program unit or the  
15 CAAPP unit in the agency's division of air pollution  
16 control permit section. Thank you again for coming this  
17 evening.

18 I would like to provide some general background on  
19 the CAAPP permit program. The 1990 amendment to the  
20 Federal Clean Air Act created a national operating permit  
21 program generally known as Title V. This program is  
22 known in Illinois as the Clean Air Act Permit Program or  
23 CAAPP.

24 CAAPP and Title V are interchangeable in Illinois.  
25 The program addresses emissions from the larger or more

1 significant sources. The CAAPP program requires that a  
2 single operating permit be issued to each subject source  
3 covering the various emission units and activities at the  
4 source.

5 The goal of CAAPP permits is to reduce violations of  
6 air-pollution regulations and improve enforcement of  
7 those regulated. The issuance of a CAAPP permit assists  
8 in the compliance and enforcement of applicable  
9 requirements. Some of these benefits are as follows:  
10 All regulatory requirements are identified in a single  
11 permit. This gives the source, regulators and the public  
12 a clear picture of the source's compliance obligations.

13 The compliance procedures, that is the provisions  
14 for testing, monitoring, recordkeeping and reporting to a  
15 company's substantive regulatory requirements may be  
16 developed as needed to assure that compliance can be  
17 reasonably demonstrated. There is more reporting  
18 required that allows the source to determine the status  
19 of compliance. The two main areas of reporting  
20 requirements include prompt reporting of deviations and  
21 annual compliance certifications.

22 The annual compliance certification is only required  
23 after the issuance of the permit. The CAAPP permit is  
24 subject to review by US-EPA, and the conditions in the  
25 permit are federally enforceable, which means the US-EPA

1 and the public can enforce the terms of the permit along  
2 with the state.

3 The CAAPP permit covers all applicable requirements  
4 at the time of issuance for the source and is not a means  
5 to include new substantive requirements. We are here to  
6 provide you information and, perhaps, most importantly,  
7 to listen to your comments and concerns regarding the  
8 permits.

9 Public comments can and often do affect the content  
10 of the permit. So, please, make your concerns regarding  
11 the permit known to us. That concludes my opening  
12 remarks, and I'd like to now turn it over to Anatoly  
13 Belogorsky, who will briefly orient you to the specific  
14 elements of these CAAPP permits.

15 MR. BELOGORSKY: Good evening, Ladies and  
16 gentlemen. My name is Anatoly Belogorsky, and I am an  
17 environmental protection specialist with the Illinois  
18 Environmental Protection Agency in Springfield. I have  
19 been working in the Permit Section of the division of  
20 air-pollution control for more than fourteen years. The  
21 emissions sources I have been working with as a permit  
22 writer are major sources of air pollutants located in  
23 both the Chicago and metropolitan area and the Metro-East  
24 area of downstate Illinois. My industry exposure ranges  
25 from metallurgical industry and tire manufacturing to the

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1 combustion operations and incineration.

2 I would like to thank everyone for coming here  
3 expressing your interest in the draft CAAPP permits for  
4 US Steel and the collocated sources. During my

5 presentation, I will briefly introduce the collocated  
6 sources and their function within US Steel and discuss  
7 the nature of the operations for each of the significant  
8 emission units established in the draft permit for US  
9 Steel operations.

10 US Steel is the only integrated steel mill  
11 production facility operated in Illinois. The  
12 distinguishing concept of any integrated steel mill is  
13 the presence of all production cycles and steps of  
14 primary steel manufacturing, which include coke  
15 production, gray iron production, steel production and  
16 final steel products manufacturing. As a result of these  
17 steps, a variety of different by-products are produced.  
18 These by-products are used or reprocessed by the  
19 collocated sources described below to further production  
20 needs of US Steel or sold to outside customers.

21 Six collocated sources are operated on the property  
22 of US Steel and treated as single sources with US Steel  
23 for the purposes of the CAAPP program and other  
24 appropriate federal rules and standards applicable to the  
25 US Steel operations in Granite City. According to the

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1 US-EPA guidance, two or more collocated sources  
2 constitute a single source if the following conditions  
3 are met. Number one, they belong to the same SIC major  
4 (2-digit) group. If the plants have separate SICs but a  
5 support relationship exists, then one plant may be  
6 considered a support facility for the other, and this  
7 criterion may be considered met. Number two, the sources

8 are located on one or more contiguous or adjacent  
9 properties; and, number three, the sources are under  
10 common ownership/control or under specific contractual  
11 agreement between the facilities. All of these  
12 conditions have been evaluated and considered to have  
13 been met for operations of US Steel and these collocated  
14 sources.

15 Each of the following sources had either already  
16 applied for a separate Title V permit or is required to  
17 apply within 12 months after construction is complete.  
18 Tube City IMS is located at 2500 East 23rd Street in  
19 Granite City. The source operates a steel and iron scrap  
20 handling and processing facility at the site. All the  
21 scrap material used at US Steel is provided by Tube City.

22 Granite City Slag, LLC is located at 20th Street and  
23 Edwardsville in Granite City. The source produces  
24 various sizes of slag for commercial sale and used for  
25 road base, sewer main construction and other purposes.

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1 Granite City Slag is engaged in the crushing and  
2 screening of slag from the blast furnaces operated by US  
3 Steel.

4 Gateway Energy and Coke Company, LLC is located at  
5 Edwardsville Road in Granite City. A new heat recovery  
6 coke manufacturing plant is under construction. Gateway  
7 will be supplying coke to US Steel once it is constructed  
8 and fully operational.

9 AKJ Industries, Inc is located at 20th and State  
10 Streets in Granite City. The AKJ process is used to  
11 convert coal tar decanter sludge generated by US Steel

12 by-products recovery plant into pumpable fuel with  
13 alternative uses within the US Steel operations.

14 Oil Technology is located at Route 203 in Granite  
15 City. Oil Technology operates a tank for processing of  
16 oil from US Steel's wastewater treatment plant oil-water  
17 separator. The heat is used to evaporate water and some  
18 sludge residue.

19 Stein Steel Mill Services is located at 20th Street  
20 and Edwardsville Road in Granite City. Stein Steel is  
21 engaged in the crushing and screening of slag from the  
22 Basic Oxygen Furnace Shop operated by US Steel.

23 The Illinois EPA received the application for a  
24 Clean Air Act Permit for National Steel operations, now  
25 owned by US Steel Corporation, Granite City Works, on

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1 March 6th, 1996. This draft permit had to be prepared  
2 based on the source requiring a Clean Air Act Permit as a  
3 major source of NOx, PM10, SO2, VOM, CO and HAP  
4 emissions. Granite City is designated by the US-EPA as a  
5 non-attainment area for the PM2.5 emissions.

6 All previously-issued operating permits for US Steel  
7 operations have been incorporated into this draft CAAPP.  
8 This draft CAAPP is a single comprehensive permit  
9 identifying all applicable requirements to the public,  
10 the permittee and Illinois EPA. The draft permit for US  
11 Steel is structured in a manner that addresses both  
12 source-wide and unit-specific emission/production limits  
13 along with all other applicable and non-applicable  
14 requirements. All applicable rules, emission standards,

15 work practices, unit specific limits and different  
16 operating scenarios are described in this draft permit.

17 Sections 5 and 7 of the draft permit are the main  
18 sections for establishing testing, recordkeeping,  
19 monitoring, inspection, reporting and other requirements  
20 needed for demonstration of compliance with applicable  
21 state and federal rules and emission or production  
22 limitations. The -- the source must carry out these  
23 procedures on an ongoing basis to demonstrate that this  
24 facility operates within the limitations set by this  
25 permit.

16

1 A number of recently issued construction permits to  
2 US Steel have not been incorporated into the draft CAAPP  
3 at this time, due to the fact that those projects have  
4 not completed construction and are not operational at  
5 this time.

6 Several production departments or plants operated as  
7 part of US Steel manufacturing activities are subject to  
8 nine different federal standards and to numerous  
9 specifically designated state standards for this source  
10 as established in 35 Illinois Administrative Code, Part  
11 212. This source is one of the most complex permitted  
12 source in the State of Illinois from the standpoint of  
13 integration of state and federal rules applicable to the  
14 source and the methods and procedures used for  
15 verification of compliance. Also, a number of collocated  
16 sources are unprecedented for any CAAPP permit issued by  
17 the Illinois EPA.

18 Significant Emission Units, as established in

19 Sections 4 and 7 of the draft, include 13 different  
20 operations at the source. Among those operations, I  
21 would like to focus now on the following distinguish  
22 emission units.

23           Coke Production: Two coke oven batteries forty-five  
24 ovens each referred to as A and B utilized at this iron  
25 and steel mill. Each is capable of processing 454,000

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1 tons per day of coke. Potential emissions from these  
2 batteries is consistent of particulate matter, sulfur  
3 dioxide, nitrogen oxides, carbon monoxide, volatile  
4 organic materials and coke oven gases. Emissions are  
5 released during leaks from coke oven charging, lids,  
6 offtakes, soaking and oven doors. Emissions from pushing  
7 operations are controlled by mobile venturi scrubber.

8           Coke oven gas by-products recovery plant. The  
9 following operations are used to retrieve by-products of  
10 coke oven gas generated by coke production in the coke  
11 oven batteries. Coke oven gas processing unit, light oil  
12 processing unit and coal tar processing unit.

13           Blast furnaces. Iron ore is converted to molten  
14 iron in the A and B blast furnaces. Iron ore, coke and a  
15 variety of fluxes are charged into the top of the  
16 furnace, while heated air is blown up through the burden  
17 at a high velocity. The now molten iron and slag  
18 accumulates in the bottom of the furnace, where a taphole  
19 is drilled. The molten iron and slag pours out of the  
20 furnace into a trough, where the slag is separated from  
21 the iron. The iron moves down covered runners until it

22 pours into torpedo cars. From here, the iron is taken to  
23 the Basic Oxygen Furnace where it is converted into  
24 steel. The slag travels down a separate runner and dumps  
25 into the slag pits.

18

1 Basic Oxygen Furnaces. A fresh BOF charge usually  
2 begins with scrap metal. The scrap is charged into the  
3 BOF vessel. Molten iron is then charged into the vessel.  
4 A secondary hood is utilized to capture emissions during  
5 the charge. The BOF is then closed off, and an oxygen  
6 lance is inserted to begin the melting and refining  
7 process. When the refining process is completed, the  
8 molten steel is poured into a steel transfer ladle.  
9 Materials such as aluminum, silica and manganese are  
10 added, as required, depending upon the particular steel  
11 alloy being produced. After the molten steel is tapped,  
12 the remaining slag is then dumped into a slag ladle.  
13 Emissions from these operations are captured and passed  
14 through an electrostatic precipitator prior to being  
15 emitted to the atmosphere.

16 Continuous Casting. There are two continuous  
17 casting lines in operation in the Granite City facility.  
18 Ladles of molten steel are hoisted by crane and placed in  
19 revolving turrets located at the top of the casters.  
20 Each turret holds two ladles at a time. When one ladle  
21 of steel had been cast, the turret is rotated, and the  
22 second ladle is tapped. The empty ladle is then replaced  
23 with a full one. The tapping process involves opening  
24 the taphole located on the bottom of the ladle and  
25 allowing the molten steel to flow into an intermediate

1 chamber called a Tundish. The Tundish has a taphole in  
2 the bottom through which the molten steel flows directly  
3 into the casters. The primary function of the Tundish is  
4 to maintain a steady stream of molten steel flowing into  
5 the caster while ladles are being changed. The casting  
6 operations take place inside one of the facility's  
7 buildings. Potential emissions are generated by the  
8 transfer of molten steel from the ladles to the Tundish  
9 and from the Tundish to the castor molds. It is  
10 estimated that most of the particulate emissions  
11 generated by the material transfer processes settle out  
12 within the buildings and are not emitted to the  
13 atmosphere. Potential emissions from this unit consist  
14 of particulate matter and nitrogen oxides.

15 Once the molten iron enters the casters, it  
16 continuously passes through a system of rollers and  
17 strengtheners until it is finally formed into a steel  
18 slab. Water is sprayed into the slab throughout this  
19 process to speed up the solidification process and reduce  
20 emissions. Potential emissions from this unit consist of  
21 particulate matter.

22 Hot Strip Mill. The produced heat is used to raise  
23 the temperature of steel slabs so they can be formed  
24 further in the facility's finishing processes. The  
25 following fuels or combination of the fuels are burned by

1 all four reheat furnaces, natural gas only, coke oven gas  
2 and natural gas; natural gas and fuel oil; natural gas,  
3 coke oven gas and fuel oil.

4 Boiler houses. The source operates two boiler  
5 houses. Boiler numbers 1 through 10 are located in  
6 boiler house number one and are each rated at 60 million  
7 BTU per hour maximum heat input. Boiler numbers 11 and  
8 12 are located in boiler house number two and are rated  
9 at 225 million BTU per hour each. Each of these boilers  
10 are physically capable of combusting various combinations  
11 of natural gas, coke oven gas, blast furnace gas, number  
12 six residual fuel oil and waste oils generated at the  
13 facility.

14 Annual iron and steel production limits for this  
15 source are carried over into this permit draft from the  
16 previously-issued operating permits and equal to  
17 3,165,000 tons and 3,580,000 tons respectively. No new  
18 production increase limits are allowed by this permit  
19 draft. Annual consumption limits for individual fuel  
20 used by the fuel combustion operations are also  
21 established in the draft CAAPP. Annual emission limits  
22 are established also for most individual emission units  
23 or group of emission units described in this draft.

24 The following important emission units and  
25 operations are subject to specific federal standards

21

1 promulgated by US-EPA under 40 CFR Part 61 and 63. Coke  
2 oven gas by-products recovery plant is subject to the  
3 following subparts of 40 CFR Part 61. Benzene emissions  
4 from coke oven by-product recovery plants; benzene waste

5 operations and equipment leaks. Coke production is  
6 subject to the following subparts of 40 CFR Part 63.  
7 Coke oven batteries and coke ovens pushing and quenching.  
8 Blast furnaces and two basic oxygen furnaces are subject  
9 to the following subpart of 40 CFR Part 63. Integrated  
10 iron and steel. Finishing operations is subject to the  
11 following subpart of Part 63. Steel pickling HCL  
12 process.

13 The Clean Air Act program allows issuance of CAAPP  
14 permits for sources not currently in compliance with  
15 applicable requirements or standards. If compliance is  
16 not demonstrated, a regulatory authority can include an  
17 adequate compliance schedule as part of a CAAPP permit,  
18 which brings the non-compliant emission units or  
19 operations into compliance with applicable regulations  
20 within a reasonable time frame.

21 In 2007, the Permittee was sent a violation notice by  
22 the Illinois EPA for violations related to the affected  
23 BOF shop. The violation notice alleged exceedances of  
24 20 percent opacity limit on uncaptured emissions from  
25 openings in the building housing the BOF shop. Violation

22

1 of Sections 9(a) and 9(b) of the Illinois Environmental  
2 Protection Act, 35 Illinois Administration Code  
3 212.446(c) and condition 8 of operating permit 9501001.

4 The violations were referred to the Office of the  
5 Illinois Attorney General by the Illinois EPA. The  
6 violations were resolved via consent order 05 slash CH  
7 slash 750, which was entered on December 18th, 2007, in

8 the Circuit Court of the Third Judicial Circuit, Madison  
9 County, Illinois. This consent order required US Steel  
10 to submit a compliance schedule for incorporation into  
11 this draft permit. As of the date of issuance of this  
12 permit draft, an acceptable compliance schedule that  
13 would demonstrate compliance with the above-referenced  
14 violations has yet to be submitted by US Steel and upheld  
15 by the Illinois EPA. Condition 7.5.14 of this CAAPP  
16 draft includes a placeholder compliance schedule while  
17 addressing those compliance issues related to this  
18 consent order.

19 Initial compliance with several Federal Standards  
20 was achieved and demonstrated through the testing  
21 performed by US Steel and approved by Illinois EPA.  
22 Review of inspection reports of the Agency's Collinsville  
23 field office was conducted. Jeff Benbenek, our long-time  
24 field inspector of US Steel, was contacted numerous times  
25 during this draft preparation.

23

1 The complexity of drafting this permit lies in the  
2 unique nature of this facility where different old and  
3 newly-promulgated federal standards have been applied  
4 along with consolidation of the numerous issued permits  
5 for the various production activities performed at the  
6 source. The Illinois EPA is offering this draft permit  
7 for comments and will take any comments under  
8 consideration that pertain to the completeness and  
9 accuracy of all elements required for a CAAPP permit.

10 Thank you for your attention. That concludes my  
11 presentation, and now I turn it back over to Miss

12 Godi ksen.

13 MS. GODIKSEN: At this time I'd like to ask if  
14 any of the representatives for the applicants would come  
15 up and introduce themselves.

16 MR. SIEBENBERGER: Larry Siebenberger.

17 MS. GODIKSEN: We can't hear you. Would you  
18 step to the mic and spell your last name?

19 MR. SIEBENBERGER: I'm Larry Siebenberger. I'm  
20 manager of environmental control with Granite City  
21 Steel /Granite City Works. My last name is spelled  
22 S-I-E-B-E-N-B-E-R-G-E-R.

23 MS. GODIKSEN: Thank you. Any other  
24 representatives? No, okay. We will go to our first  
25 commentator. Question asked today would be from Zack

24

1 Krug.

2 MR. KRUG: Zack Krug, K-R-U-G. My question is,  
3 when was the last time US Steel was in compliance with  
4 their permits? I'm looking for a date, really.

5 MR. PRESSNALL: Well, when you're asking the  
6 question last in compliance with the permit, obviously,  
7 there's a lot of permit conditions, and so the vast  
8 majority of those I would suggest they were in compliance  
9 with. But, of course, we filed the enforcement action,  
10 or the Attorney General's Office filed the enforcement  
11 action, and we're still working to resolve some issues on  
12 the BOF or Basic Oxygen Furnace Shop.

13 MR. KRUG: What were the conditions?

14 MR. PRESSNALL: You mean specific sites to the

15 condition or of the permit or --

16 MR. KRUG: Yes.

17 MR. PRESSNALL: -- what was the nature of the  
18 condition?

19 MR. KRUG: The nature of the condition.

20 MR. PRESSNALL: The nature of the condition  
21 what we alleged in the Basic Oxygen Furnace Shop  
22 violations were violations of opacity standards of  
23 emissions coming out of their roof monitors and those, of  
24 course, would be -- that's not -- that's another --  
25 that's -- it's a bit tricky because it's not as if

25

1 they're -- we allege they were constantly out of  
2 compliance. It would be one of those types of things; it  
3 would be intermittent compliance versus non-compliant.  
4 For instance, one day you might walk out and read opacity  
5 from the roof monitor and it would be they'd be in  
6 compliance; and then, perhaps, the next day they might  
7 have an exceedance of that opacity standard.

8 MR. KRUG: That's all. Thank you.

9 MS. GODIKSEN: Thank you. I'd like to remind  
10 you, if you're with a group, to identify which group  
11 you're representing tonight. Our next speaker is Mark  
12 Feldworth. Please spell your last name.

13 MR. FELDWORTH: I'm Mark Feldworth,  
14 F-E-L-D-W-O-R-T-H. I am a Granite City resident. I live  
15 within a few miles of US Steel. I do have health  
16 concerns regarding the pollution in the area. I recreate  
17 here around Horseshoe Lake. I exercise in the area. I  
18 recognize US Steel is a valuable economic asset in the

19 area, but I do feel that they should be in compliance  
20 with the Clean Air Permits it receives from IEPA and  
21 should not exceed pollutant emissions spelled out, and  
22 that's all I have.

23 MS. GODIKSEN: Thank you. Next speaker -- and  
24 please excuse me if I don't pronounce your last name  
25 correctly. Christine Favilla. Please spell your last

26

1 name and if you're with a group.

2 MS. FAVILLA: Christine Favilla, F as in Frank,  
3 A-V-I-L-L-A, and I am representing the Illinois Chapter  
4 of the Sierra Club today. Through my employment as the  
5 Three Rivers Project Coordinator for the Piasa Palisades  
6 Group in Alton, Illinois, I work directly with  
7 environmental issues in Madison, Jersey and Calhoun  
8 Counties and represent over 700 Sierra Club members  
9 today.

10 The Sierra Club has joined forces through the Blue  
11 Green Alliance with the local steel workers to ensure  
12 that the Metro-East region considers the community, the  
13 economy and the environment in employment growth  
14 decisions. Our goal is to engage the labor community in  
15 creating a new sustainable energy economy, incorporating  
16 clean energy technology and good jobs and safe and  
17 healthy workplaces. We try to keep that in mind when  
18 we're reviewing the CAAPP permits for US Steel  
19 Corporation and the other five that were listed in the  
20 permit notification.

21 And, sir, I have a question. I heard you mention

22 Gateway, LLC, and I didn't recognize them as somebody  
23 that I had reviewed. I wondered if they went by another  
24 corporation name.

25 MR. BELOGORSKY: I believe it's under this

27

1 name, and we had a hearing exactly in this building one  
2 year ago. This is a new project, and it was pretty good  
3 attendance last year. This is a new coke production  
4 plant.

5 MS. FAVILLA: Oh, it's SunCoke. I was trying  
6 to make the connection. Okay. Thank you. I know  
7 there's a lot of different names and subsidiaries  
8 involved.

9 MR. REED: They'll be coming in for a CAAPP  
10 permit once the facility is constructed and fully  
11 operational.

12 MS. FAVILLA: Thank you. And we do understand  
13 that the Title V permits are enforceable by the US-EPA,  
14 the state and the public, and we also understand that the  
15 public should not be able to see any emissions of  
16 fugitive particle matter from any process, including any  
17 material handling or storage activity, by looking  
18 generally overhead at a point beyond the property line of  
19 the source unless the wind speed is greater than 25 miles  
20 per hour pursuant to 35 IAC 212.301 and 212.314, but we  
21 do have residents and members of the Sierra Club that say  
22 they have witnessed opacity issues and visible flares  
23 from this facility. This is in violation of the permit;  
24 and, yet, the residents don't commonly call in their  
25 complaints to the IEPA because they're unaware that they

1 need to do so. Most of the time these violations seem to  
2 occur on the weekend when the Collinsville IEPA Office is  
3 not staffed.

4 The IEPA needs to assure the facility operates in  
5 compliance with its permits, and the Sierra Club would  
6 like to know how this compliance can occur if there's no  
7 one to call or report to. So what outreach is the IEPA  
8 currently doing to let residents know that they have to  
9 report opacity violations in order to get this into  
10 compliance?

11 MR. REED: That's a very good question. Yes,  
12 we do not staff our field offices on weekends. However,  
13 we do have the Illinois Emergency Management Association,  
14 and we do have an on-call officer that works 24 hours a  
15 day, seven days a week, and they can call that number and  
16 report any observations that they see; and that will get  
17 relayed over to our field offices on the following  
18 business day; and then they can go out and follow up with  
19 that.

20 MS. FAVILLA: If something were to occur  
21 Saturday morning, the emergency officer would be notified  
22 and then report it on Monday morning to the Collinsville  
23 office?

24 MR. REED: That's correct.

25 MS. FAVILLA: And would the emergency officer

1 go out to the site at that point, or would they also wait  
2 until Monday when the possible problem might have past?

3 MR. REED: The emergency officer would probably  
4 make a judgment call as to the level of necessity  
5 required for the incident.

6 MS. FAVILLA: Great. Thank you very much. We  
7 do worry about the US Steel facility in the area only  
8 because the St. Louis Metro-East region does not  
9 currently meet federal air-quality standards for the 2.5,  
10 and we know that causes heart and lung disease and also  
11 premature death. And within US Steel Granite City Works'  
12 environmental policy, it does state that it is Granite  
13 City Works' policy to conduct its operations in a manner  
14 that is protective of human health and the environment  
15 and to include environmental management as a factor and  
16 business decision accordingly with the full approval of  
17 Granite City Works Management Committee. Granite City  
18 Works is committed to fully complying with all applicable  
19 federal, state and local environmental statutory and  
20 regulatory requirements, applicable permit requirements  
21 and any other applicable environmental requirements.

22 The Sierra Club believes that this is definitely a  
23 fine policy, but we reviewed the past consent decree, we  
24 find that US Steel doesn't always follow its own policy.  
25 For instance, the Illinois EPA found it in violation of

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1 its basic oxygen shop operations, which you had mentioned  
2 just a moment ago, and we understand that they're  
3 resolved by a consent order entered on December 18th of  
4 '07 in the Circuit -- of the Third Judicial Court, and it

5 required US Steel to submit a compliance schedule that  
6 has not been submitted. Does that mean that they're  
7 currently in violation, or are you saying that they're  
8 going to submit it before the permit would be approved  
9 and who would look over that?

10 MR. PRESSNALL: Well, one point of  
11 clarification is US Steel has submitted a compliance  
12 schedule.

13 MS. FAVILLA: Okay.

14 MR. PRESSNALL: And that was done.

15 MS. FAVILLA: Oh, it has?

16 MR. PRESSNALL: Quite awhile ago. It's just --  
17 it's -- we are still in negotiations with US Steel  
18 pursuant to the consent order to come up with what we  
19 would consider a satisfactory compliance plan and so  
20 that's why in the draft permit there's a placeholder that  
21 references --

22 MS. FAVILLA: Okay. Thank you. I won't go  
23 through the other violations because they are stated very  
24 clearly within the summary. But we do want to point out  
25 that in most of the past violations financial penalties

31

1 are paid or SEPs are agreed upon for the solution. Very  
2 few technical solutions have been applied. I interpret  
3 these solutions to read that the company will pay a civil  
4 penalty or SEP for a violation but not necessarily to  
5 fix, replace or update the antiquated machinery that  
6 actually causes the effluent overload to occur. Am I  
7 reading that properly?

8 MR. PRESSNALL: As far as your characterization  
9 of the past enforcement actions, well, certainly, there's  
10 a financial component, but I think it's important to  
11 recognize a large part of that consent order a lot of  
12 what we -- I think that US Steel's committed to do and  
13 has already done did involve upgrades to the plant. A  
14 lot of dump work, upgrades were done to better capture  
15 particulate matter emissions. So, sure, there's a  
16 financial component, but I think we at the IEPA are  
17 certainly focussed on compliance issues and getting those  
18 upgrades that you're referring to.

19 MS. FAVILLA: Okay. Great. I just hadn't read  
20 that within it all so thank you for that clarification.  
21 And my final question is, the SunCoke Energy,  
22 Incorporation, is slated to have better controls over the  
23 T2.5, and Sierra Club would like to know if US Steel's  
24 antiquated coke oven will discontinue operations when  
25 SunCoke Energy comes online? Is that the plan, or will

32

1 they both be in working order at the same time?

2 MR. BELOGORSKY: This is my understanding; that  
3 both old and the new plants will be in operation; but,  
4 once again, it's up to the companies to decide. It  
5 depends on capacity and production needs of the source.

6 MS. FAVILLA: And so when looking at a  
7 comprehensive -- I'm sorry -- accumulative effluent loads  
8 for the region, is it considered that both of them will  
9 be running at the same time and, possibly, putting out a  
10 large quantity of the T2.5?

11 MR. BELOGORSKY: Because I'm not handling the  
Page 28

12 new project for the coke oven plant, so I couldn't say.  
13 I know that this is a pretty new technology. I've been  
14 involved in -- in the construction of this plant and so  
15 emissions should be much lower.

16 MS. FAVILLA: Okay.

17 MR. REED: I don't know if we have a good  
18 answer for that, but we will try to find an answer to  
19 that.

20 MS. FAVILLA: I just know there's a lot of  
21 asthma and emphysema in the region and to -- with the way  
22 I read it is that US Steel would go offline but the more  
23 I read it the more unclear it became so that was the  
24 reason --

25 MR. REED: We'll try to get a better answer for

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1 you.

2 MS. FAVILLA: Thank you. And I do notice that  
3 all of the other companies that are seeking either new or  
4 renewal CAAPPs don't seem to have any compliance  
5 problems, whatsoever, and maybe that's because they don't  
6 have a compliance schedule or not. So I hope that  
7 everybody is in good graces, and I want to thank you for  
8 your time and commitment to the region.

9 MR. PRESSNALL: Thank you.

10 MS. GODIKSEN: Thank you. Our next speaker  
11 Kathy Andria.

12 MS. ANDRIA: If there's other people from the  
13 community, I'd like to go last.

14 MS. GODIKSEN: I'll put you at the bottom of

15 the pile. The cards were simply based on when they were  
16 handed in. Kevin Moore? Alderman Carolyn Wilson, would  
17 you like to speak now?

18 MS. WILSON: Sure. Thank you.

19 MS. GODIKSEN: Could you spell your last name  
20 for us?

21 MS. WILSON: My name is Alderwoman Carolyn  
22 Wilson, C-A-R-O-L-Y-N-E, W-I-L-S-O-N. I'm not too  
23 familiar with how the hearings go, but I've been talking  
24 to someone from the EPA about the City of Venice, and I  
25 know you say he kind of told me it's not really involved,

34

1 but Beelman the coal -- I guess you guys use -- US Steel  
2 uses -- I'm here about that because we had nosebleeds.  
3 The kids are sick. We're sick. We're not used to having  
4 coal down there on the aisle. It's as tall as Granite  
5 City Steel, and they've got a conveyer belt that runs  
6 continuously. We can't breathe and I wanted to ask --  
7 'cause I see it in the newspaper, October the 22nd,  
8 Granite City Journal. They had the trucking company's  
9 name on here, but on this paper that you got -- is it the  
10 same hearing, isn't it?

11 MR. REED: Yes. Granite City Slag used to be  
12 Beelman. They've changed, since changed their name.

13 MS. WILSON: So this is correct so this is no  
14 violation. Telling me that it ain't the same. I'm just  
15 trying to find out because --

16 MR. REED: I don't know what you have there.

17 MS. WILSON: It's at the front desk in the  
18 paper that their name is listed as Beelman, so I want to

19 know if I'm in the right place, and I have some questions  
20 about how many permits do they get a year. I'm talking  
21 about the coal people over there. I don't know what  
22 Granite City Steel does. Maybe somebody can tell me  
23 because I know you need the coal to make Granite City  
24 Steel work right.

25 MR. FROST: I'm Brad Frost. Just real quick,

35

1 the notice when we -- initially, we made an error in the  
2 -- when we published the notice in the paper. Granite  
3 City Slag used to be called Beelman, and I accidentally  
4 published the notice as Beelman rather than Granite City  
5 Slag, and I understand that, but it is -- there's a  
6 Granite City Slag facility in Granite City that used to  
7 be Beelman Trucking, and then there's a Beelman facility  
8 in Venice, which is the Beelman terminal. So just so  
9 there's a recognition that there's two facilities; that  
10 we did make a mistake in our initial notice and put it as  
11 Beelman, and that's why you see the difference between  
12 what was in the paper and what we have here tonight.

13 MS. WILSON: So the Granite City Steel -- US  
14 Steel does use coal from that company over there?

15 MR. FROST: Yes.

16 MS. WILSON: That's why the streets are black  
17 as they are. You're EPA, and you're EPA. All of you are  
18 EPA. I wish you would come to my community. It has  
19 never looked like this, and I'm not trying to rain on US  
20 Steel's business. I'm not trying to do that. They need  
21 to clean it up. We can't breathe. Our kids are sick.

22 We're sick and we're not used to Beelman or the slag  
23 company having that down there and it's just -- it's a  
24 hazard for us. I've called the health department. I  
25 have called everybody, and I have not really got any

36

1 response so when the people ask me what to do, I tell  
2 them I don't know what to do. I've called the EPA. And  
3 this is no reflection on anybody. I just need to know  
4 some answers to tell people in my community.

5 MR. PRESSNALL: Well, one potential answer from  
6 our standpoint, again, I'm with the division of legal  
7 counseling, the Beelman facility in Venice isn't my  
8 matter, but I do know, and I looked at the file coming in  
9 to the hearing, that we have proceeded to the Section 31  
10 process, which means we've issued a violation notice.  
11 We've noted violations out at the facility, and we've  
12 proceeded through that process, and I can't guarantee  
13 where it's going to end up, but we've issued what's  
14 called -- it's a lot of legal mumbo-jumbo. We've issued  
15 what's called a Notice With Intent to Pursue Legal  
16 Action. So if we decide there would be legal action, it  
17 would largely be to help solve some of those problems so  
18 I understand that at this current time you might not be  
19 getting -- there still may be problems out there that you  
20 see; but, hopefully, in the future things will get  
21 better; and we're not oblivious to those problems out  
22 there; and, hopefully, through our actions they can be  
23 addressed.

24 MS. WILSON: I'm still kind of confused. So  
25 Beelman is a slag company, but they ain't the slag

1 company, is that what you're saying to me? So the slag  
2 company is part of this permit, right?

3 MR. PRESSNALL: The one, I believe, you're  
4 concerned about is not a part of this permit. The one  
5 that you're talking about, the terminal company that's  
6 still called Beelman, not Granite City Slag, that's in  
7 your community in Venice, is not a part of this, this  
8 particular permit hearing.

9 MS. WILSON: Okay. Kind of confusing. Okay.

10 MR. PRESSNALL: But neverthe -- I know that's  
11 confusing but, nevertheless, I think it's important  
12 that -- I mean, it's still relevant to this whole matter,  
13 and it's important to get your comments.

14 MS. WILSON: So you won't be giving them a  
15 permit in this -- in this -- those people will not be  
16 getting a permit, Beelman?

17 MR. PRESSNALL: Well, they've got a permit.

18 MS. WILSON: Okay.

19 MR. PRESSNALL: This hearing is not about --  
20 and Mike seems to want to say something.

21 MR. REED: The facility that you're referring  
22 to is called Beelman River Terminals and that operation  
23 does have a life -- what we call a lifetime operating  
24 permit.

25 MS. WILSON: Who gave them a lifetime?

1 MR. REED: The Illinois Environmental  
2 Protection Agency, however, and US Steel has not  
3 addressed Beelman River Terminals as a single source with  
4 them at this time. However, based on the information  
5 that we have heard here tonight, we may have to go back  
6 to the office and reevaluate whether or not this source  
7 should be considered part of US Steel and issue a CAAPP  
8 permit.

9 MS. WILSON: Wow. So it's okay to kill us down  
10 there? I've got grandkids. Everybody their skin is  
11 turning. They get rashes on the skin from the coal. We  
12 hung a diaper out and in one week was as dark as your  
13 shoes, so can you imagine what it's doing to our lungs  
14 and our skin and our eyes?

15 MR. REED: I think Chris addressed that, that  
16 there is a notice of Intent to Pursue Legal Action  
17 against the facility, and that is moving forward, and  
18 we'll have to let that process move through its paces.

19 MS. WILSON: Okay.

20 MR. REED: Thank you.

21 MS. WILSON: Is somebody over all the State of  
22 Illinois, somebody in Washington, that I can write to  
23 over Illinois EPA? Somebody else over you all?

24 MR. PRESSNALL: Yes. Certainly we work in  
25 conjunction with the United States Environmental

39

1 Protection Agency and --

2 MS. WILSON: Thank you.

3 MS. GODIKSEN: Our next speaker is Jay Werber.  
4 Jay, we'll put you at the back of the pile. Peter Good.

5 Oh, okay. Kathy Andria.

6 MS. ANDRIA: Good evening. My name is Kathy  
7 Andria. I'm president of the American Bottom Conservancy  
8 Conservation Chair for the Kaskaskia Group of the Sierra  
9 Club and a member of the Sierra Club National Air  
10 Committee and the Illinois Chapter Clean Air Campaign.  
11 I'm also a member of the Illinois Environmental Justice  
12 Advisory Group.

13 I want to thank Illinois EPA for holding this  
14 hearing tonight on the Title V permit for not only US  
15 Steel Granite City Works but the rest of the permits, and  
16 I couldn't agree with the woman who was just up here  
17 more. We commented on the Beelman Trucking Company Title  
18 V. We asked that it be made part one source with US  
19 Steel because it functioned almost entirely as part of US  
20 Steel and they -- they changed some things. This was  
21 before Mr. Frost sent out the public notice. At some  
22 point they changed their name so that the operation at  
23 Granite City Steel is called the Granite City Slag and  
24 Beelman, the trucks, I guess -- I don't know where they  
25 stop being Beelman Trucks when they hit the -- the --

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1 cross over the street into the property, I don't know,  
2 but I think it should be one source. I haven't brushed  
3 up on the law, but I would ask you to reconsider that and  
4 I very much appreciated that you said that to -- to the  
5 previous speaker.

6 I'm going to only speak for a few minutes because we  
7 have some people from Washington University, who have

8 done research on the complicated permit. I have to agree  
9 with Anatoly. I've done a few Title Vs, but this is the  
10 most complicated thing I've ever seen, and he's seen many  
11 more than I have.

12 I took a Title V preparation class many years ago,  
13 and I tried to look at the guideline that US-EPA has for  
14 this. There's not enough information to really address  
15 it properly. But, as you know from a previous hearing,  
16 ABC and Sierra reached a settlement agreement with US  
17 Steel, which allowed the company to continue and to -- to  
18 have the new Gateway Coke Facility. We understand from  
19 the news reports that the plant, US Steel, announced that  
20 the plant is being idled. We assume that's a temporary  
21 condition. They don't seem to have any information  
22 before the hearing for us, but we're very sure that it  
23 will reopen soon.

24 We understand the automobile dealer -- the  
25 automobile industry are going -- driving and paying

41

1 commercial air flights tomorrow to get -- to do some more  
2 of their bailout. So we are sure it will reopen soon,  
3 but when it does reopen, we expect to operate in  
4 compliance. That's the most important thing.

5 The thing about Title V -- I love Title V. I've  
6 been waiting for this permit for ten years and I know  
7 that -- that you've been working on it, and you had a  
8 previous draft, and there's a whole lot of story there,  
9 but the thing about Title V permits is that you know what  
10 is expected of the company. The company knows what  
11 they're supposed to do, and the public knows and US-EPA

12 knows. So everybody knows what's supposed to be done,  
13 and that's the way it should be, and Congress created the  
14 Title V system operating permits so that the public would  
15 have a role.

16 The company official must sign a statement  
17 certifying whether the facility is in compliance, and if  
18 it's not in compliance, there must be a compliance  
19 schedule showing when the facility will get into  
20 compliance. Well, I believe Chris said that they have  
21 submitted a compliance schedule. I haven't seen it. US  
22 Steel still doesn't appear to be in compliance with the  
23 permits, and we haven't seen the compliance schedule, but  
24 according to the US Environmental Protection Agency  
25 enforcement and compliance history online, that's the

42

1 echo website, US Steel has been out of compliance with  
2 the air permits for twelve out of the last  
3 twelve quarters for the last three years. We don't know  
4 when the facility was last in compliance.

5 The previous speaker reminded you that we here in  
6 the Metro-East and the greater St. Louis area do not meet  
7 federal air-quality standards for fine particulates; and  
8 it's largely, according to agency officials and  
9 technicians, who have been studying this, it's largely  
10 due to US Steel; and I know that you're trying to get  
11 them into compliance, and they're trying to get into  
12 compliance.

13 We think you need to work harder, and we think you  
14 need to do it, and we really think that you're putting

15 this permit out before you found what's wrong, where it  
16 could be corrected is premature. Within five miles of  
17 the US Steel Plant, according to the US Environmental  
18 Protection Agency Environmental Justice Geographic  
19 Assessment Tool, 53 percent of the people are minority.  
20 There are 25 percent --24,578 people who are below the  
21 poverty level. There are 28.5 percent of the population  
22 that are seventeen years and younger, children. There is  
23 seniors sixty-five and older, there's 12,000 more --  
24 almost 13,000 seniors. Those are the population that are  
25 most vulnerable to pollution to the fine particulate

43

1 pollution, which causes heart and lung disease, causes  
2 asthma. Causes all kinds of problems and according to  
3 EPA, itself, premature death.

4 I've worked with children in the Granite City school  
5 system. I've visited schools in Madison, and the nurses  
6 have bags of inhalers. The principals are worried about  
7 their children going out into the playground. Right  
8 across the street from the coke plant -- the old existing  
9 coke plant -- there's a preschool just a few hundred feet  
10 away. There are just so many hundreds of children in  
11 this area with asthma. It's really sad.

12 As you also probably know, it's not in this permit  
13 but if you look at the -- the -- the emissions that are  
14 there lead is -- let's see. I think it's like a ton of  
15 lead in the last -- a ton of lead for 2006 -- the --  
16 according to the EPA, you're going to be -- that area is  
17 going to be out of compliance, Madison County, because of  
18 that monitor with the new lead standards.

19           Again, that's something that's going to the  
20 children. That's hurting the children, and there are  
21 enough problems, legacy problems with paint and an old  
22 lead smelter, two old lead smelters in the area, that we  
23 don't need ongoing lead continuing to go out. I went by  
24 the site not too long ago on a Friday evening, and I was  
25 like within a half a mile, and I started to choke up. I

44

1           had my windows closed. I had my vents closed, which is  
2 what I do when I go by there. It was very bad and  
3 it's -- it felt like -- and I've been by the plant  
4 thousands of times. It felt -- it smelled like and it  
5 felt like coke oven gases were being vented directly to  
6 the atmosphere. I did report that. I checked to see if  
7 there had been an exceedance reported or any kind of  
8 malfunction on Monday after the weekend and was told that  
9 none had been reported.

10           47 percent -- 47 percent, nearly half, of the people  
11 who live within five miles of that plant have a household  
12 income -- not just one person -- a household income of  
13 under twenty-five thousand dollars. Twenty-five thousand  
14 dollars a year. It goes -- the area goes to East St.  
15 Louis, goes over to St. Louis. It goes quite a bit all  
16 around the area, and I was wondering -- Chris was at a  
17 meeting I was at on the Environmental Justice Committee,  
18 and we talked about having enhanced outreach for  
19 environmental justice issues, and we have identified this  
20 is an environmental justice issue, and I was wondering if  
21 you knew if the environmental justice office had made any

22 special enhanced outreached for this hearing.

23 MR. PRESSNALL: No. I'm not aware of any  
24 enhanced special outreaches for this hearing.

25 MS. ANDRIA: I'm going to stop now and let -- I

45

1 think it was Kevin -- either Kevin or -- was next Kevin.  
2 I think you called his name, and then I do have a couple  
3 of questions that I'll ask after the questions they ask.  
4 One, in case I forget, is about Stein Mill Services, and  
5 I want to not forget.

6 In fact, I'll ask that question right now. I'm  
7 really confused about Stein Mill Services because it's  
8 being dismantled. I mean, all of that is changing and I  
9 just wondered whether any of that -- the new location or  
10 where it's going, just moving over, how is that -- is it  
11 reflected in the new permit. And, contrary to what  
12 Christine Favilla said earlier, I remember not too long  
13 ago that Stein Mill Services had a violation notice, in  
14 fact, for a couple of years there. So I was wondering if  
15 you could bring me up to date on their present status and  
16 what they're going to be doing.

17 MR. PRESSNALL: It's my understanding, in  
18 talking to the field office about Stein Steel Mill  
19 Services, that they're moving piles of old slag in order  
20 to accommodate the new construction of US Steel, the new  
21 coke plant, I believe. So I don't know how that really  
22 changes their operations or impacts their permit other  
23 than, of course, the fugitive dust program must reflect  
24 the location of their piles and must be kept up to date,  
25 the roadways, pile locations, you know, spraying

1 frequency, the whole nine yards. That's my understanding  
2 of what's going on, as far as the configuration and  
3 things moving around.

4 As far as the compliance goes with Stein, you're  
5 correct, we pursued them in the past. I think it was at  
6 least four years ago for fugitive dust issues, and I know  
7 that Jeff Benbenek did an inspection in late summer at  
8 Stein and has put together his findings, and that's been  
9 reviewed in-house. It, actually, just crossed my desk  
10 very recently, and so there hasn't been any enforcement  
11 decisions made, you know, no violation notices have been  
12 issued, but he was out there, and we'll be taking a look  
13 at that.

14 MS. ANDRIA: It seems like they were using  
15 the -- I mean, it's an active construction site, and they  
16 were using the slag as the base. They went all the way  
17 down the level of construction for the new Gateway plant,  
18 and they're using that slag as the construction-level  
19 ground as fill. So I would think with all the trucks and  
20 everything it would be hard to make a determination  
21 whether they were in compliance or not.

22 MR. REED: That is what Stein Steel does,  
23 Kathy. They take the slag, and they process it into a  
24 material, a fine-grade material that can be used for  
25 construction base. That's one of the -- the products

1 that Stein Steel does manufacture. So it wouldn't be  
2 surprising that they're using some of their product as a  
3 base material for the foundations and the footings.  
4 They're going in for a coke oven -- new coke oven  
5 operation.

6 MS. ANDRIA: Well, I would ask then as soon as  
7 they finish the active construction, that you do another  
8 inspection to see if they are in compliance and let us --  
9 and update the permit as to its location, where it is and  
10 if it's going to continue doing what it was doing.

11 MR. REED: Yeah. I believe they are a CAAPP  
12 source, so I believe it's on an annual schedule. It  
13 depends but -- but they are on a federal schedule that we  
14 are required to inspect them every so often. Much more  
15 frequently than say a lifetime source so that will occur.

16 MS. ANDRIA: As the previous speaker said about  
17 the -- the black diaper, I took some Cub Scouts actually  
18 and we were doing different projects, and we got all  
19 kinds of black stuff all around the plant and the people  
20 both ABC members and just regular citizens of Granite  
21 City complained about the dirt and dust -- whatever they  
22 call it, the black stuff is all over their window sills.  
23 It comes in their doors. It's on their sinks. It's  
24 through their windows on their cars, everywhere. So we  
25 all want to see Granite City Steel thrive and operate.

48

1 We want to keep the jobs, but we want it to be clean and  
2 so we aren't killing off our good residents of Granite  
3 City, Madison and Venice. Thank you and I'll be back  
4 later.

5 MS. GODIKSEN: Before we proceed to the next  
6 speaker, I want to ask, Alderwoman Wilson, do you want to  
7 submit your article as an exhibit to be admitted in the  
8 record?

9 MS. WILSON: Please. Can I ask one more thing  
10 after this lady spoke?

11 MS. GODIKSEN: Sure. If you come up to the  
12 microphone.

13 MS. WILSON: I have a new home. It was built  
14 in 2004. You would think my house was thirty years old  
15 so me and my husband took a series of pictures that you  
16 all need to see from the concrete turning another color,  
17 it's dark, to the siding and the roof. You've got -- you  
18 need to come and look at our homes, our cars, our  
19 streets, our children, us and see that there is a  
20 problem. If it can turn your house another color and I'm  
21 not trying to hurt nobody. I'm trying to protect myself  
22 and my grandkids and my community. If it can turn a car  
23 and a house another color, what about our lungs? I'm  
24 thinking my house looks like it's thirty years, and it  
25 was built in 2004 from the ground up, and I think that's

49

1 horri ble.

2 MS. GODIKSEN: Can I get the article from you?

3 MS. WILSON: Ma'am?

4 MS. GODIKSEN: Can I get the article to submit  
5 as an Exhibit? And our next speaker is Maxine Lipelles.  
6 Is that even close?

7 MS. LIPELES: If I can short circuit, the four

8 of us are all here on behalf of the American Bottom  
9 Conservancy. Just two of us are going to speak, Kevin  
10 Moore and Jack Werber. You have me and Peter Good, we're  
11 going to yield our time to Kevin.

12 MS. GODIKSEN: That's fine. Kevin Moore.  
13 Please spell your last name and identify your group.

14 MR. MOORE: I'm Kevin Moore. Last name is  
15 spelled M-O-O-R-E, and like it was said, I'm here on  
16 behalf of the Wash U -- or excuse me. I'm here along  
17 with my colleagues, from the Washington University  
18 Interdisciplinary Environmental Clinic on behalf of our  
19 client, the American Bottom Conservancy. We have some  
20 questions for you tonight. We have some questions for  
21 you tonight, and we plan to submit a detailed comment  
22 letter later on behalf of our client, the American Bottom  
23 Conservancy.

24 So to start off, as Mr. Belogorsky said, the draft  
25 permit has a place order for the compliance schedule

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1 acquired to be submitted by US Steel under the consent  
2 order resolving a prior enforcement action. It's located  
3 on Pages 46 and 47, and it's in Section 5.13.

4 The project summary states that the acceptable  
5 compliance schedule has not yet been submitted as of when  
6 the draft permit project summary were issued in early  
7 October. So I had a few questions about this. If I  
8 understood Mr. Belogorsky correctly, it was said that US  
9 Steel has submitted a compliance schedule, but it's still  
10 in negotiations, so I was wondering was the schedule not  
11 acceptable as submitted? Am I understanding that

12 correctly?

13 MR. PRESSNALL: Yes. It's more of a question  
14 for me as an outshoot of the enforcement action.  
15 Certainly it's -- Illinois EPA has taken the position  
16 that the compliance plan, as previously submitted, was  
17 not acceptable; that's in the public record. There's  
18 been some back-and-forth negotiations, some of which are  
19 public record, some of which are not regarding the  
20 sufficiency of that compliance permit.

21 MR. MOORE: So what are the specific  
22 developments that have occurred regarding the compliance  
23 schedule since the draft permit and project summary were  
24 issued?

25 MR. PRESSNALL: Well, I wouldn't say that

51

1 there's been any concrete action since that's been  
2 published, I guess is what you would say, or put out to  
3 notice. The negotiations are ongoing so there's nothing  
4 new to report.

5 MR. MOORE: Okay. Does IEPA plan to issue a  
6 revised draft permit with the compliance schedule once  
7 it's submitted in a form acceptable to the IEPA for  
8 public comment?

9 MR. REED: Should things progress to the point  
10 where an acceptable compliance schedule is -- is obtained  
11 by the agency, based on comments we receive tonight, we  
12 would go ahead and insert that into the permit at this  
13 time and go on with the proposed permit. If we were to  
14 issue the permit and a compliance schedule comes in

15 afterwards, it's required that US Steel would have to  
16 come in with a significant modification, which would make  
17 us go back out to public comments, yes.

18 MR. MOORE: Would the CAAPP permit be  
19 considered -- is that application considered complete  
20 even without the consent with the compliance schedule?

21 MR. REED: Well, I would say yes, the  
22 application is complete at this time based on the  
23 available documentation that we have before us, yes.

24 MR. MOORE: Okay. So at this point, besides US  
25 Steel's failure to submit an acceptable compliance plan,

52

1 is US Steel currently in compliance with all other  
2 applicable requirements?

3 MR. REED: Yes. That's my understanding is  
4 that they have certified compliance for all other  
5 applicable requirements.

6 MR. MOORE: Okay. When was the last inspection  
7 by the IEPA of the US Steel facility, and were any  
8 violations noted at that time?

9 MR. PRESSNALL: The Illinois EPA conducted, I  
10 believe, a series of inspections. It's a huge facility,  
11 as everybody has referenced, it's a complex facility.  
12 We -- we conducted a series of inspections in mid-to-late  
13 August all the way through -- not every single day --  
14 through late September. The field office, as you can  
15 imagine, it takes some time to put together the findings  
16 and put them in the paper, be approved by the supervisor  
17 and so forth. So there's been some, what I would term,  
18 fairly recent inspections out at US Steel. The findings

19 haven't made it to my desk, but they're being compiled.

20 MR. MOORE: What were -- do you have any idea  
21 what the dates of those inspections were?

22 MR. PRESSNALL: I do not know the exact dates.

23 MR. MOORE: Around what month, perhaps?

24 MR. PRESSNALL: August of '08.

25 MR. MOORE: Okay.

53

1 MR. PRESSNALL: Through September of '08 so  
2 mid-to-late August and then a series of dates up till  
3 late September of 2008.

4 MR. MOORE: Okay. And so if I understood you  
5 correctly, data was taken from that; but it hadn't yet  
6 reached the legal division?

7 MR. PRESSNALL: That's correct.

8 MR. MOORE: So exactly what follow up has  
9 occurred since the inspections?

10 MR. PRESSNALL: What form of follow up?

11 MR. MOORE: What is IEPA doing with the  
12 information that they gathered during the inspection  
13 exactly?

14 MR. PRESSNALL: The way the process works is  
15 he's got to do his inspection, gather the information,  
16 look at his notes, type up an inspection report. Then he  
17 makes his findings and conclusions of what -- his  
18 recommendation. If he noted any violations, he would  
19 make those recommendations, and then that has to be  
20 signed off by a supervisor, and then it, basically, goes  
21 to Springfield; and he makes a recommendation that if he

22 were to observe a violation, he would say, I recommended  
23 a violation notice; or if he sees no violation, he says,  
24 I recommend nothing.

25 MR. MOORE: Okay.

54

1 MR. PRESSNALL: No further action.

2 MR. MOORE: Oh, thank you. Is US Steel up to  
3 date on filing all reports, plans and other documents  
4 with IEPA?

5 MR. BELOGORSKY: Can you repeat your question,  
6 please? Would you repeat your question?

7 MR. MOORE: Okay. Is US Steel up to date on  
8 filing all reports, plans and other documents with IEPA?

9 MR. BELOGORSKY: Yes, they do because I  
10 mentioned the subject numerous federal standards, and  
11 they conducted testing and developed operating procedures  
12 and operating parameters, and they keep these procedures,  
13 parameters and plans in their file.

14 MR. MOORE: Thank you. Has US Steel submitted  
15 shut up -- I'm sorry, excuse me. Let me start that over  
16 again. Has US Steel submitted start up/shutdown and  
17 malfunction plans for all of the processes subject to MAC  
18 standards?

19 MR. BELOGORSKY: I need to double check. I  
20 need to double check the application and the permit, but  
21 we have numerous shutdown provisions for emission units  
22 operating on the source, and they send me the shutdown  
23 malfunction application for addressing those issues.

24 MR. MOORE: Okay. Well, I'll be a little more  
25 specific then. The SSMP plans that I'm specifically

1 asking about as to whether they've submitted them, I'm  
2 wondering about the coke-oven batteries have they  
3 submitted SSMP for that?

4 MR. BELOGORSKY: We have to go back and look  
5 into that. Can we talk about this maybe after the  
6 hearing, and we'll continue with the permit. You see the  
7 volume of the documentation that I would have to look  
8 through.

9 MR. MOORE: So you don't have a case that  
10 they've submitted for the coke-oven batteries for the  
11 coke-oven pushing and quenching facilities, the  
12 reciprocating internal-combustion engines, the integrated  
13 iron-and-steel facilities or the steel pickling?

14 MR. REED: We don't have that information  
15 available here, but we will look into that, and we will  
16 address that in the responsiveness summary.

17 MR. MOORE: Okay.

18 MR. REED: And I just wanted to mention to your  
19 question regarding previous inspections, I compiled some  
20 information on that, and the last inspection that I can  
21 see was done on September 26th of 2008. And we have done  
22 40 inspections at US Steel since 2005.

23 MR. MOORE: All right. On to my next subject,  
24 which would be future emissions standards which are  
25 located on Page 23 of the draft permit in Section 5.3.9.

1 This is concerning the requirements that sources have to  
2 comply with concerning future regulations under the Clean  
3 Air Act Provision. On Page 23, if you go look at it,  
4 after listing some federal regulations, there's a  
5 reference to Chapter 35 of the Illinois Administrative  
6 Code, Subtitle B. It's an incomplete citation, and we  
7 can't figure out what you're trying to cite to. So if  
8 you could, tell me what part of Chapter 35 it's referring  
9 to.

10 MR. BELOGORSKY: It involves compliance with  
11 the future regulations.

12 MR. MOORE: What I'm saying is that if you look  
13 on Page 23, there is an incomplete citation. It says 35  
14 IAC Subtitle B, and we don't know what part of the  
15 Illinois Administrative Code you're referring to there.

16 MR. BELOGORSKY: 35 Illinois Administrative  
17 Code, Subtitle B is a reference to our general rules and  
18 provisions applicable to the air program. You know,  
19 administrative by Illinois EPA. So it's these -- this is  
20 the standard language that we're putting in all Title V  
21 permits. That if after the emissions, any type of a  
22 program, the regulation, federal or state, so this is the  
23 reason why we're referencing to 35 Illinois  
24 Administrative Code, Subtitle B. The source has an  
25 obligation to comply with those regulations, both federal

57

1 and state.

2 MR. MOORE: Okay. So --

3 MR. BELOGORSKY: So this is a generic reference  
4 to Part 60, 61, 62, 63, 65 as a federal statute and state

5 regulation on 35 Illinois Administrative Code, Subtitle  
6 B.

7 MR. MOORE: Okay. So if I'm understanding you  
8 correctly then, you're saying that the permit requires  
9 the source to comply with all of Subtitle B?

10 MR. BELOGORSKY: If you read the beginning of  
11 the sentence -- paragraph, should the stationary source  
12 become subject and then put all these federal and state  
13 provisions generic -- very general umbrella provisions,  
14 then the source has to apply, if in your regulation will  
15 be promulgated after the issuance of the Title V permit.

16 MR. MOORE: Then all Subtitle B applies, right?

17 MR. BELOGORSKY: New provisions -- new  
18 provisions that will emerge as promulgation as a rule  
19 making, it will -- Subtitle B will be updated with new  
20 applicable provisions. So we don't know right now for  
21 any source what provision will be under Subtitle B. So  
22 this is the reason why we're -- we're putting generic  
23 language in each and every Title V permit.

24 MR. MOORE: Okay. Thank you. On to NOx. The  
25 Illinois Pollution Control Board is in the process of

58

1 adopting an SIP for NOx that will apply to the US Steel  
2 Granite City Works facility. Does the draft permit  
3 provide for the NOx requirements of applicable US Steel  
4 to be incorporated by reference into the draft permit?

5 MR. REED: I believe you're referring to the  
6 NOx RACT, the new NOx RACT rules, that are reasonably  
7 available, the technology rules.

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MR. MOORE: Yes, sir.

MR. REED: Those have not been promulgated into our state-implementation plan at this time so they are not applicable requirements that are -- that need to be addressed in this CAAPP permit.

However, when those do become applicable requirements, US Steel will need to come in with a modification to revise their permit to incorporate those, and the provision that you were just talking to Anatoly regarding that is exactly what that provision encompasses. Any new regulations that are promulgated under Subtitle B, they're required to come in and revise the permit to incorporate those.

MR. MOORE: So if I understand you correctly, the SIP requirements, once promulgated, will become part of Subtitle B?

MR. REED: That's correct.

MR. MOORE: And then they'll be -- so at

59

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present they're incorporated by reference into the draft permit. So Subtitle B applies, and the NOx SIP requirements come in, they'll be incorporated into the current draft permit or into the current permit?

MR. REED: It's the obligation of the source to come in with a permit revision to incorporate those requirements, yes.

MR. MOORE: A permit revision?

MR. REED: Yes, that's correct.

MR. MOORE: Okay. Would that just apply the next time that US Steel has to apply and get their

12 next --

13 MR. REED: No.

14 MR. MOORE: Or will that come in under the  
15 current Title V?

16 MR. REED: There are two separate things  
17 happening here. One is as soon as the rule is  
18 promulgated, the source becomes subject to those  
19 regulations, and they will have to immediately comply  
20 and/or comply by in compliance states that the regulation  
21 spells out. Okay. So that -- that's no matter what.  
22 But, also, in addition to that, they have to come in and  
23 revise their permits to incorporate those provisions of  
24 that regulation as applicable requirements.

25 MR. MOORE: The US Steel facility is in a PM2.5

60

1 non-attainment area, and the facility is one of the  
2 principals for PM2.5 in the area. Besides noting that  
3 the area is non-attainment for PM2.5, the permit does not  
4 address US Steel's PM2.5 emissions. Why not?

5 MR. REED: The agency does share the concerns  
6 expressed about PM2.5 at the current levels in the  
7 Granite City region. However, PM2.5 there are no  
8 applicable requirements at this time. No state-  
9 implementation plan requirements have been promulgated to  
10 address PM2.5, and those activities occur separate from  
11 CAAPP permitting. They have to go through the rule-  
12 making process -- rule-making process. Some of the  
13 activities that are currently being worked on is the NOx  
14 Reasonably Available Control Technology rule making.

15 They are also working on some SO2 Reasonably Available  
16 Control Technology rule making, and there also is site  
17 specific PM2.5 rule-making discussions going on with the  
18 source as well. And simply having an area being  
19 designated as non-attainment does not necessarily  
20 prohibit us from the issuance of a CAAPP permit; and,  
21 basically, there are no applicable requirements at this  
22 time to be included in the permit. However, when those  
23 applicable requirements become available, they will,  
24 again, under the same scenario as the NOx RACT, will have  
25 to incorporated into the permit.

61

1 MR. MOORE: So you said that you're working on  
2 it, but can you be more specific about the plans that  
3 IEPA has for addressing US Steel's PM2.5 emission during  
4 the term of the permit?

5 MR. REED: I don't have an answer to that  
6 question. I don't know what the specifics are at this  
7 time.

8 MR. MOORE: So to take it back a step and talk  
9 about it nonspecifically then, if I understand you  
10 correctly, you're saying that at present you're just  
11 talking about potential rule making in the future  
12 regarding PM2.5?

13 MR. REED: Yes, that's my understanding is that  
14 there are discussions going on, yes.

15 MR. MOORE: But that's the current extent of  
16 it, as far as you know?

17 MR. REED: Yes, that's as far as I know.

18 MR. MOORE: So IEPA is working on a SIP for  
Page 54

19 PM2.5 in the area, as I understand it, and it has been  
20 noted by me and several other people US Steel is a major  
21 emitter of PM2.5 in this area. Does the draft permit  
22 specify that any provisions in the PM2.5 SIP that apply  
23 to US Steel will be incorporated by reference into this  
24 operating permit?

25 MR. REED: Can you be more specific as to what

62

1 applicable requirements for PM2.5 you're referring to?

2 MR. MOORE: The ones that we were just talking  
3 about that are potentially going to be developed. You  
4 said there are discussions going on about PM2.5 rule  
5 making and making it part of the SIP. Is there anything  
6 in the permit that specifies that provisions regarding  
7 the PM2.5 will be in the SIP will be incorporated by  
8 reference into the permit?

9 MR. REED: Well, once again, there are no  
10 applicable requirements for this.

11 MR. MOORE: If there are any created during the  
12 lifetime of this permit, will they be incorporated?

13 MR. REED: Yes, the conditions --

14 MR. MOORE: And enforceable under the Title V?

15 MR. REED: Yes. The conditions on Page 23 that  
16 you were earlier referencing for future emission  
17 standards, that condition requires the source to come in  
18 and incorporate those new applicable requirements under  
19 the permit.

20 MR. MOORE: So Subtitle B also covers PM2.5  
21 rules, as they may be developed in the future as part of

22 the SIP?

23 MR. BELOGORSKY: Subtitle B and C is equal.  
24 It's the same when we're talking because you are confused  
25 a little bit with Subtitle B.

63

1 MR. MOORE: It's very complicated.

2 MR. BELOGORSKY: State limitation plan and  
3 Subpart B is the same as Title V and permit and CAAPP  
4 permit is the same. So we're talking about the same in  
5 two different terms.

6 MR. PRESSNALL: One thing to add, it might have  
7 gotten lost in all the discussion. I think one important  
8 subtly that he mentioned or hit on is if something is  
9 passed, they're subject to it, regardless of whether it's  
10 in the permit or not. As soon as it happens, they're  
11 subject to it; and even though you might not see a  
12 revised permit be issued for 6 months, 2 weeks, 2 years,  
13 whatever it might be, they are subject to it. They must  
14 comply. It doesn't matter what's written on that piece  
15 of paper, so if part of your comment gets at, hey, are  
16 you going to make sure you're incorporating that by  
17 reference and are they going to -- is this permit going  
18 to cover that meaning is this -- kind of what it seems  
19 like you're getting at, is this permit going to issue,  
20 and then all these new regulations take effect, and  
21 somehow they'll be a gap in regulation. That won't be  
22 the case because, regardless, again, to -- I guess to  
23 reiterate, regardless of what is written on that piece of  
24 paper, they're subject to it. They've got to comply with  
25 it. We can enforce it and issue violation notices and

1 the whole nine yards.

2 MR. MOORE: I know that once the rule is issued  
3 it becomes enforceable, and I am aware of that, but the  
4 reason why we want it to be included in the Title V draws  
5 from one of the primary reasons that Title V is created;  
6 like Miss Andria said, it's all brought together so it  
7 just makes it a lot easier for the people in the  
8 community to know what the new applicable Clean Air Act  
9 requirements are and other requirements.

10 MR. PRESSNALL: Sure. We agree wholeheartedly,  
11 and as I think both Anatoly and Mike are saying, once  
12 they come in, we'll get it processed within the resources  
13 and time and get it into the permit. So, yes, we share  
14 that sentiment.

15 MR. MOORE: Thank you. If you look on Page 21,  
16 Section 5.3.4, you'll see that the draft permit  
17 references a PM10 contingency plan to be submitted to  
18 IEPA incorporated by reference into the permit. Has US  
19 Steel submitted this contingency plan referred to in  
20 Section 5.3.4?

21 MR. BELOGORSKY: Yes. They did always put on  
22 contingency plans for numerous facilities across  
23 Illinois, I believe in 1994, when this rule was  
24 promulgated in Illinois, and all sources subject to these  
25 rules at this time have been on a contingency plan.

1 MR. MOORE: And IEPA approved it?

2 MR. BELOGORSKY: I believe we don't have formal  
3 obligation -- a formal obligation -- formal approval. So  
4 it's -- when it's included in the permit, this is a  
5 formal approval or whatever recognition of the plan, and  
6 they have to keep this plan on file.

7 MR. MOORE: So -- okay. So the plan would be  
8 dated 1994 then?

9 MR. BELOGORSKY: Yes.

10 MR. MOORE: What's the name of their plan?

11 MR. BELOGORSKY: Plan 10 contingency plan.

12 MR. MOORE: Thank you. Stepping away from that  
13 issue a little bit, I wanted to talk about the emission  
14 reductions required for the cogeneration and coke plant  
15 project. Earlier this year IEPA issued permits  
16 authorizing US Steel to build a cogeneration boiler in  
17 their facility. Permit number for that was 06070023.  
18 And IEPA also authorized US Steel and Gateway Energy and  
19 Coke Company to build a new coke plant and other related  
20 facilities. Permit numbers for that are respectively  
21 being 020700020, and for the other one for the related  
22 facilities it was 06070088.

23 As Mr. Belogorsky noted earlier, these are under  
24 construction, and we would like to know, does the draft  
25 permit incorporate any of the permit conditions in the

66

1 emission reduction credit permit issued to US Steel in  
2 January of 2007?

3 MR. BELOGORSKY: No. As I pointed in my  
4 presentation, no operation emission units and limits are

5 included in the Title V permits for new construction. So  
6 it's not -- it's not an operational condition, it's not  
7 included in the permit.

8 MR. MOORE: So if I understand you correctly,  
9 even though they're under construction and will be  
10 completed at some point during the lifetime of this CAAPP  
11 permit, they're still not going to be --

12 MR. BELOGORSKY: When construction will be  
13 completed for these emission sources, the permittee's  
14 under obligation to comply -- to apply for revision of  
15 the Title V permit by including -- by requesting to  
16 include those operations in the permit. And probably  
17 those permits that you reference to there is some  
18 provision in the very end of the permit that allow  
19 operations of certain emission units and operations under  
20 the condition of those construction permits until renewal  
21 of the Title V permit will take care of these things.

22 MR. REED: If we were to wait for all of these  
23 rule makings to be promulgated and adopted and go through  
24 the processes and be resolved in the courts, like so many  
25 rule makings are happening now, and we were to wait for

67

1 all of the construction to take place, we probably would  
2 never issue a permit for this source.

3 MR. MOORE: I wasn't speaking about rules to be  
4 promulgated in the future. I was talking about the  
5 permit conditions, which, for the record, are contained  
6 in permit number 06070022. There are permit conditions  
7 in the construction permits, and they're going to apply

8 once the code plan and the related facility and the  
9 cogent boiler are completed. So I was wondering why  
10 these wouldn't be included -- incorporated, perhaps, by  
11 reference in the current Title V?

12 MR. REED: Once again, because the facility  
13 isn't constructed and operational yet. Once it does  
14 become operational, they'll be required to submit a  
15 revision to the permit that will incorporate those  
16 requirements.

17 MR. BELOGORSKY: A couple of -- one addendum to  
18 my statement. Let's say, okay, construction -- example,  
19 construction permit was issued for certain emission units  
20 in operation and then incorporated into Title V permit,  
21 and then suddenly the company decided not to construct  
22 that emission unit, and those aren't constructed that led  
23 to the Title V permit. So we have to go back and remove  
24 these non-existing emission units from that operating  
25 permit. Keep in mind, we're talking about two different

68

1 programs construction -- construction program and  
2 operating program. Operating program we're dealing only  
3 with existing emission units in operation. Construction  
4 activities may happen, maybe not. So it's up to the  
5 company or certainly under circumstances.

6 MR. MOORE: If I could, I'd like to yield this  
7 line of questioning to my colleague, Maxine LIPELES.

8 MS. GODIKSEN: Just for the record then, you no  
9 longer pass? That's fine.

10 MS. LIPELES: Thank you. My name is Maxine  
11 Li pel es. I'm the Di rector of the Interdi sci pli nary

12 Environmental Clinic at Washington University. Also here  
13 on behalf of the American Bottom Conservancy and I'd like  
14 to follow up on the last questions that Kevin was asking.

15 We're not asking about the new cogeneration boiler  
16 or the new coke permit for the new coke plant, but both  
17 of those facilities were permitted on a netting basis  
18 where US Steel committed to reductions of emissions that  
19 needed to take place prior to construction of the new  
20 facilities and the netting -- the netting calculations  
21 were based on reductions that were reflected both in  
22 emission reduction credit permit that was issued in  
23 January 2007, as well as some conditions in the  
24 cogeneration boiler construction permit, it's my  
25 understanding, and are those -- are those obligations not

69

1 required of US Steel prior to construction so shouldn't  
2 those be --

3 MS. GODIKSEN: Brad, can you close the door?

4 MR. BELOGORSKY: I will handle this question.  
5 I work with the construction projects, but I also am  
6 aware of the situation and involved the entire concept.  
7 So you're putting the new equipment with the new  
8 emissions and the obligation to decommission certain old  
9 operations or emission units operated -- that are in  
10 operation right now in the source; is that correct?

11 MS. LIPELES: The decommissioning was part of  
12 it but there were also other projects that were also --

13 MR. BELOGORSKY: Yeah. But, once again, we're  
14 talking about -- we're talking -- you are combining both

15 construction and operating -- operation activities.  
16 Construction doesn't mean -- construction stage doesn't  
17 mean emissions. Emissions happens only when cogeneration  
18 facility or new coke plant is in operation. By this  
19 time, certain emitting activities are -- decommissioning  
20 activities show on the source. Only by the time when  
21 those new emission units operate and -- and operation and  
22 meeting emissions. Right now my understanding how the  
23 company can decommission something not buying and not  
24 constructing the new unit.

25 MS. LIPELES: We can --

70

1 MR. REED: I think I understand your question,  
2 and we will go back and look at those permits and make  
3 sure that we haven't missed any applicable requirements  
4 that need to be carried over at this time 'cause I think  
5 you might be talking about road-sweeping activities and  
6 things of that nature.

7 MS. LIPELES: That was my next question. That  
8 was my next question; that had to do with offsetting,  
9 which is a non-attainment construction requirement. But  
10 my first question had to do with netting. The basis of  
11 it is the nature of their permits because of the netting  
12 was different. Just look at the cogeneration boiler was  
13 a different permit from what they would have had to have  
14 obtained. They would have had to get a full-blown PSD  
15 permit for that facility if they didn't have the netting.  
16 You can't commence construction for a facility that needs  
17 a PSD permit unless you have your permit first, and they  
18 avoided that requirement because of the netting. And so

19 they're taking advantage of those reductions that they  
20 promised to do. They've commenced the construction so  
21 they're subject to those netting requirements now, and so  
22 those should be in the permits. That's our -- that's our  
23 comment.

24 MR. REED: I understand that. We will --

25 MS. LIPELES: And there's a parallel point, but

71

1 it's a separate point on the offsets. The offsets, which  
2 is the road sweeping, were required and there's also some  
3 -- there's road sweeping, and there's also some SO2  
4 reductions, I think as a result of desulfurization. They  
5 used I think -- Peter can correct me if I'm wrong here.  
6 I think they use the desulfurization for both netting and  
7 also offsets, and the offsets are also required to be in  
8 place, I think, before they can commence the  
9 non-attainment construction. So it's under a different  
10 legal requirement, but I think it's a parallel concern  
11 that before you can commence the construction to add the  
12 pollution, you have to show that you're doing what's  
13 required to offset the emissions that you're going --  
14 that you're commencing to allow through the commencement  
15 of construction.

16 So there's two questions. One is, shouldn't all the  
17 netting restrictions be in the Title V, and the second  
18 is, shouldn't all the offsetting commitments be in the  
19 Title V? And I understand that they're required to do  
20 those things as a matter of law under those construction  
21 permits, but as Kevin mentioned, before but also an

22 additional concern is, once it's in the Title V it's  
23 enforceable by the public. Some of those other permits  
24 you have greater -- you have to do more argument as to  
25 whether it's enforceable by the public or not and so it

72

1 does make a difference for us whether it's actually in  
2 the Title V.

3 MR. REED: We will go back and look at those  
4 permit conditions one by one and consult with the  
5 construction permit group and make sure that we have  
6 captured all the applicable requirements.

7 MS. LIPELES: Thank you very much.

8 MS. GODIKSEN: Our next speaker is Jay Werber.  
9 Jay, can you spell your last name and identify your  
10 group?

11 MR. WERBER: My name is Jay Werber. My last  
12 name is W-E-R-B-E-R. I'm a senior chemical engineer  
13 student at Washington University. I'm a student  
14 consultant with the Washington University  
15 Interdisciplinary Environmental Clinic representing the  
16 American Bottom Conservancy. So I have a few questions  
17 that are pretty specific in nature about the permit. One  
18 is which bag houses in the facility have installed  
19 continuous opacity monitoring systems to the State or bag  
20 leak detection systems?

21 MR. BELOGORSKY: I need to look at the permit.  
22 Maybe we do it in responsiveness summary, or after the  
23 hearing we can talk more about this.

24 MR. WERBER: Okay. One issue with that is that  
25 we're -- as Kevin mentioned earlier, we're looking to

1 submit a detailed comment letter in about a month or so  
2 when the comment period ends, and the responsiveness  
3 summary is going to be after the comment period is over  
4 so that wouldn't help us draft our comment letter.

5 So one of the issues is when you're looking  
6 through the permit, there are plenty of places where it  
7 says that under these conditions a continuous opacity  
8 monitoring system is required but it never states what --  
9 what facilities actually have a continuous opacity  
10 monitoring system, and that's where my concern is.

11 MR. REED: Yeah, we'll need to go back and look  
12 at those specific conditions in the permit, and if it  
13 requires to be clarified better, we will do that based on  
14 your comment here tonight.

15 MR. WERBER: Okay. And something that's very  
16 similar is, what continuous parameter monitoring systems  
17 does the US Steel facility already have in place?

18 MR. BELOGORSKY: You are referring probably to  
19 the integrated steel MAC, and the integrated steel MAC  
20 established certain parameters that should be established  
21 during testing procedures. And for blast furnaces and  
22 for BF furnaces, US Steel established certain procedures.  
23 They're operating parameters. They're not -- they're not  
24 required to be included in the permit. They keep these  
25 on file, but they do these and we can clarify to you the

1 same way as we will for your previous question.

2 MR. WERBER: Okay. So you'll get back to me  
3 along with the previous question at the same time?

4 MR. BELOGORSKY: Yeah.

5 MR. WERBER: And before I get too far, I'd like  
6 to follow up on a question that Kevin had earlier which  
7 was he asked, has the US Steel facility submitted start  
8 up/shutdown and a malfunction plan for all the processes  
9 subject to MAG standards? He asked you to check in the  
10 coke-oven batteries. Would you also, please, check into  
11 coke ovens for pushing and quenching, reciprocating  
12 internal-combustion engines, integrated iron and steel  
13 and steel pickling for the HDL process?

14 MR. REED: Yeah. We will check all of the  
15 operations at US Steel that are subject to federal  
16 requirements that require start up/shutdown.

17 MR. WERBER: Also, if the IEPA has reviewed and  
18 approved all of these plans.

19 MR. REED: I'm not aware that their regulations  
20 require us to approve the plans, but we will look at that  
21 and see if the regulations that are coming out, some of  
22 them do require us to approve, some of them don't require  
23 for us to approve. We need to look at the specifics.

24 MR. WERBER: Sounds good. Thank you. And to  
25 follow up on another thing that Kevin mentioned earlier,

75

1 with the PM10 contingency plan, you mentioned it had been  
2 submitted. It was submitted in 1994, and there was no  
3 formal obligation to approve it, but should this plan be  
4 made available to the public in some way, or is it

5 already?

6 MR. REED: I believe the plan would be  
7 available to the public just by way of FOIA requests,  
8 Freedom of Information Act.

9 MR. WERBER: Is there any which it would be  
10 incorporated along with the permit on line?

11 MR. REED: It's been incorporated into the  
12 permit through the -- through the -- through the permit  
13 condition and it's available through FOIA.

14 MR. WERBER: Okay. Let me go on to my next  
15 question, please. In Section 5.3.2 DI, Parts A through  
16 F, which is on Page 19, the permit sets out PM and PM10  
17 emissions limits, some of which apply to all emission  
18 units. Some apply to only specific units. We see some  
19 monitoring requirements; but, oftentimes, they are not  
20 linked to these limits.

21 Does the permit require the US Steel Corporation to  
22 conduct monitoring to determine whether it is in  
23 compliance with each of these limits. For example, in  
24 Part C is for coke-oven gas and emission units other than  
25 coke-oven gas. We can talk about --

76

1 MR. BELOGORSKY: You mentioned about the coke  
2 oven gas monitoring requirements. We incorporate certain  
3 provisions for the monitoring of the hydrogen sulfide and  
4 coke-oven gas and other provisions that should be  
5 monitored from the previous issued FESOP number 94120017,  
6 and I can reference to you this monitoring provision  
7 condition 5.8.

8 MR. WERBER: Okay. I believe when we looked at  
9 Section 5 and we didn't find anything that actually  
10 particularly applied to that emission limitation.

11 MR. BELOGORSKY: You're talking about -- you're  
12 asking monitoring PM10 emissions?

13 MR. WERBER: The example that I was asking  
14 about was the Part C was the -- Section C which is for  
15 PM10.

16 MR. BELOGORSKY: PM10. I don't know at this  
17 time. I need to look into the regulation for what's  
18 required, but I believe we put that -- this regulation  
19 being drafted years ago and we have the limit, and I'm  
20 not sure that we have regulatory requirements for  
21 monitoring, but we'll double check.

22 MR. REED: Some of these requirements do have  
23 specific or some of these applicable requirements in this  
24 section have specific monitoring requirements in the  
25 individual sections that go along with that particular

77

1 specific operation. I don't know if you actually went  
2 into the section or not to see if that was addressed.

3 MR. WERBER: Yes. One of the issues that I  
4 found when I was looking through the permit -- and I  
5 wasn't the person who wrote the permit -- so somebody  
6 that's unfamiliar with it, it's really tough to go  
7 between Section 5 and Section 7, because Section 5 is  
8 source wide and Section 7 is -- just takes that and goes  
9 to the individual pieces and it also incorporates other  
10 regulations into the Section 7 and different processes.  
11 So it's tough for somebody from the public to see whether

12 the monitoring is actually applying to these regulations  
13 in Section 5.

14 MR. REED: Okay. We can take a look at these  
15 requirements in Section 5 and see if we can clarify them  
16 to make clearer monitoring requirements to go along with  
17 that.

18 MR. WERBER: Okay. And since these regulations  
19 are in Section 5 and they're source wide, shouldn't the  
20 monitoring requirements be source wide as well?

21 MR. REED: I believe these applicable  
22 requirements are specific to different operations within  
23 the source.

24 MR. BELOGORSKY: I will try to explain my  
25 rationale why I put these emission limits because we have

78

1 a number of PM10 emission limits established for US Steel  
2 so I address them in Section 5 just to keep them as, you  
3 know, coherent and integrated parts of all applicable  
4 state PM10 emission limitation for the source and then  
5 later in Section 7 I address -- this is of the same  
6 emission limitations addressing certain emission  
7 operation units that limitations are applicable.

8 MR. WERBER: Okay. So Section 5.6.3 B2 and 3,  
9 which is on Pages 25 and 26, set annual emission limits  
10 for several pollutants in tons per year. However, we did  
11 not see monitoring requirements designated to determine  
12 whether US Steel is achieving each of those limits. Are  
13 they in the permit?

14 MR. BELOGORSKY: When we have emission limits

15 for source-wide emission limitations or for each  
16 individual emission limit company certifying annual  
17 compliance with source-wide emission limitation or for  
18 certain operations for the annual emission report. This  
19 is accomplished by May 1st of each year. Companies --  
20 each company in Illinois has certification and provide  
21 annual emission report with actual emissions and  
22 activities on the site -- performed on the site.

23 MR. WERBER: Okay. So you're just saying they  
24 have to submit the annual emissions report?

25 MR. REED: Again, this also is very similar to

79

1 your last question where if you were going to the  
2 individual Section 7 where these specific activities are  
3 more correctly addressed, you would probably find -- not  
4 probably -- you will find recordkeeping requirements to  
5 go along with those tons per year limitations and  
6 calculations for those emission requirements where they  
7 keep records for that. So if this is another area where  
8 we need to clarify in Section 5 to make it clearer to the  
9 public, we will do that.

10 MR. WERBER: I believe that's the main issue.  
11 Looking through Section 7, I did find recordkeeping  
12 requirements. Annual emissions was in each part of  
13 Section 7 but just to link it up with Section 5 to make  
14 it clear --

15 MR. REED: We can take a look at that and  
16 certainly see what we could do to make that clear.

17 MR. WERBER: So one of my questions refers to  
18 the H2S monitoring or testing of the blast furnace gas.

19 So I saw that the -- incorporated from one of the past  
20 permits there is continuous hydrogen sulfide monitoring  
21 of the main coke-oven gas line. What about for the blast  
22 furnace gas, is there any monitoring for hydrogen sulfide  
23 for the blast furnace?

24 MR. BELOGORSKY: Do we have requirements for  
25 blast-furnace gas in consideration or monitoring

80

1 requirements in the permit?

2 MR. WERBER: I didn't see any.

3 MR. BELOGORSKY: Then that's probably the  
4 answer to your question. When we have -- these permits  
5 address -- addresses operations, certain limitations and  
6 requirements when you issue permits. For coke-oven  
7 gases, we have such requirements. For blast-furnace  
8 gases, we don't have. So we're not establishing any new  
9 parameters of continuous requirement beyond what we have  
10 or is required by the regulation.

11 MR. WERBER: Okay. So you're saying that there  
12 is no monitoring for blast-furnace gas?

13 MR. BELOGORSKY: I need to double check, but  
14 you support this idea that it probably doesn't contain  
15 this requirement.

16 MR. WERBER: So one of my questions that  
17 pertains to that is does the draft or permit require any  
18 monitoring requirements that were added to determine  
19 whether the US Steel Corporation is complying with  
20 emission limits apart from the monitoring requirements  
21 that already exist under earlier permits under state and

22 federal regulations?

23 MR. REED: Could you repeat that question?

24 MR. WERBER: It's a tough question. So, I  
25 believe, it was Part 39.5 of the Illinois Clean Air Act.

81

1 It mentions that if regulations do not exist, that the  
2 permitting authority is allowed to -- this is my  
3 understanding and I'm not a law student or a lawyer.  
4 That the permitting authority is allowed to create  
5 monitoring requirements that will assure compliance  
6 and --

7 MR. REED: Yes, you are correct. 39.5 of the  
8 Act does allow the permitting authority to include  
9 periodic monitoring to assure that source demonstrates  
10 compliance on a continuous basis and where -- you will  
11 find that we have done what they call gap filling in this  
12 permit. Where a state regulation does not have any  
13 monitoring recordkeeping and reporting requirements in  
14 it, we have gone in and added those requirements to the  
15 permit such that it becomes an enforceable limitation.

16 Where a federal requirement applies to one of these  
17 emission units, we have presumed that the federal  
18 requirement that was promulgated after November of 1990  
19 already contains sufficient periodic monitoring to  
20 demonstrate compliance, and we've incorporated those  
21 longer requirements in the permits.

22 MR. WERBER: So my question pertains primarily  
23 to 39.5. So you said there have been instances where you  
24 did fill in the gaps in this permit?

25 MR. REED: Yes.

1                   MR. WERBER: Do you happen to know any of those  
2 that exist in the permit?

3                   MR. BELOGORSKY: We will look into this because  
4 this is complex issue. We have to go through all the  
5 subsection, and we'll have to let you know in the  
6 responsiveness summary.

7                   MR. WERBER: Okay. And so that issue would  
8 apply to what I just mentioned earlier with the blast-  
9 furnace gas? Because the blast-furnace gas should have  
10 some hydrogen sulfide in it, I would think, which would  
11 contribute to SO2 emissions, which -- so monitoring for  
12 the blast-furnace gas would fill in the gap, as you said  
13 earlier, in the monitoring to be able to assure  
14 compliance?

15                   MR. REED: Yeah. We will look into it for  
16 sure. However, we are limited as to what we can require  
17 a source to do as far as install a CEM system. We will  
18 definitely look and see if the periodic monitoring  
19 currently is sufficient or whether we need to include  
20 anything additional.

21                   MR. WERBER: Okay. Thank you. So my next  
22 question sort of pertains to something I asked earlier  
23 but for the coke-production processes. It mentions in  
24 the permit that continuous opacity monitoring systems are  
25 required for all stack. However, it was sort of vague in

1 the permit as to what processes actually vent the  
2 discharge through stacks. So what subprocesses are  
3 monitored by COM in the coke-production part? This is in  
4 Section 7.2 in the permit.

5 MR. BELOGORSKY: Yeah. I have to go into the  
6 subpart and look precisely because they're in different  
7 operations and requiring different -- and different  
8 requirements state and federal. So I need to look into  
9 this and let you know because they have control and  
10 control emissions, fugitive emissions. There's a  
11 different set of operations involved in the coke  
12 production.

13 MR. WERBER: So you're going to let me know  
14 about that?

15 MR. REED: It will look like the only control  
16 device that they currently have is for pushing operations  
17 is a mobile scrubber. Jeff, are you aware, do they have  
18 a COM on that?

19 MR. BENBENEK: No.

20 MR. WERBER: The COM was referring to venting  
21 through a stack, though, and I wouldn't think the CO  
22 scrubber would have a stack.

23 MR. REED: So you're talking maybe a fire stack  
24 and that sort of thing?

25 MR. WERBER: Possibly. I didn't understand it

84

1 from the permit.

2 MS. GODIKSEN: One second. Jeff, for the  
3 record, could you identify yourself?

4 MR. BENBENEK: Do I have to? My name is Jeff  
Page 74

5 Benbenek, B-E-N-B-E-N-E-K, and I'm with the EPA Bureau of  
6 Air Field Operations Section office in Collinsville.

7 MS. GODIKSEN: Thank you.

8 MR. WERBER: Were you talking?

9 MR. REED: No, go ahead.

10 MR. WERBER: My next question is, do both of  
11 the west and the east quench towers have baffles?

12 MR. REED: It's my understanding that, yes,  
13 both of those towers do have baffles.

14 MR. WERBER: Okay. It's not really specified  
15 in the permit so, just as a layperson, I couldn't glean  
16 whether they had baffles or not. In the permit, I  
17 believe, it said that one of the two towers -- I'm not  
18 sure whether it was the west or the east -- would be used  
19 predominately, and the other one would only be used on  
20 certain occasions. Do you -- do you know why that would  
21 be if they both have baffles?

22 MR. REED: We don't know at this time, and just  
23 to clarify for you the issue of why baffles was not  
24 addressed in the permit, those would be considered  
25 passive-control devices such that we don't normally

85

1 identify those in permit. Only active-control devices do  
2 we typically address. I don't know, do you want to  
3 discuss that in any description? Okay.

4 MR. WERBER: My next question is for Section  
5 7.3, the coke oven by-product recovery plant. What kind  
6 of monitoring and testing method exists for the tip  
7 flares? Because when I was reading through, there was no

8 frequency of monitoring for visible emissions from the  
9 flares, and there was no frequency of monitoring for the  
10 flare-tip velocity.

11 MR. REED: We will have to look into that and  
12 get back to you.

13 MR. WERBER: Okay.

14 MR. REED: Frequency and tip velocity.

15 MR. WERBER: Yeah. The frequency of monitoring  
16 for visible emissions from the flares and there's no  
17 frequency of monitoring for the flare-tip velocity as  
18 well.

19 MR. REED: Okay. Thank you.

20 MR. WERBER: My next question has to do with  
21 the benzene waste quantity that's coming from the  
22 recovery plant. So in the permit summary I believe it  
23 lists the amount of waste that's coming out of the --  
24 that comes out of the facility as being less than ten  
25 tons per year. The regulation is if it's above eleven

86

1 tons per year, they have to undergo certain restrictions.

2 In the TRI it's confusing how that number came  
3 about. I have the 2006 TRI here, and it says the  
4 fugitive-air emissions was calculated to be 7,000 pounds  
5 per year, and the point-source air emissions is  
6 22,000 pounds per year of benzene, which is 29,000.

7 MR. BELOGORSKY: Don't ask me how TRI database  
8 is established for this or that; I don't know. It's from  
9 the section on dealing with this. We're dealing with  
10 information that -- and certification that the company,  
11 US Steel, sends to the agency. Years ago that benzene

12 waste generated on site is well below ten pounds per year  
13 so -- and this assumes -- and the permit -- this  
14 condition's been drafted based on this assumption that no  
15 control is used in this particular case because it's less  
16 than ten tons.

17 MR. WERBER: Okay. Just to get it on the  
18 record, in 2006 in the permit it says that the annual  
19 emissions are 9.76 tons. Whereas, what I mentioned  
20 earlier was 29,000 pounds, which is fourteen and a half  
21 tons.

22 MR. BELOGORSKY: Don't confuse different things  
23 because benzene waste and benzene emission could be  
24 different. Benzene waste we're talking about generate  
25 from by-product plants, and we have the waste-water

87

1 treatment facility and evaporations heat sources. So it  
2 could be very different data so -- but I understand your  
3 concerns, and I will be looking in these and try to give  
4 you comprehensive response on this.

5 MR. WERBER: Okay. And just a follow-up  
6 question on that. Does the benzene waste quantity take  
7 into account benzene emitted into the air, or is it just  
8 talking about waste through the water?

9 MR. BELOGORSKY: Benzene generated from  
10 operation of the facility. Benzene waste -- it's -- this  
11 is a language in the federal regulation. I need to go  
12 back and look, but it's not about emissions. They're  
13 talking about the benzene waste. In what form of the  
14 waste, leak woods or whatever, I need to look in the

15 federal regulati on.

16 MR. WERBER: So, I guess, the question is what  
17 the definition of waste would be in terms of the benzene  
18 waste?

19 MR. BELOGORSKY: Probabl y.

20 MR. WERBER: Okay. Great. So for the blast  
21 furnaces, which is Section 7.4. Section 7.4 point 7-2  
22 requires stack tests be performed every two and a half  
23 years. What pollutants must these stack tests measure?

24 MR. BELOGORSKY: I believe its particulate  
25 matter emissions.

88

1 MR. WERBER: Okay. So, yeah, the wording in  
2 the permit does make it seem like the stack test will be  
3 only for particulate and opaci ty, but for those blast  
4 furnaces there didn't seem to be monitoring or testing  
5 for any of the other regulated pollutants.

6 MR. BELOGORSKY: No. Because we're talking --  
7 probably this is in reference to the integrated steel MAG  
8 regulati on and integrated steel MAG references on TPM and  
9 opaci ty regulati ons. There's no other limits established  
10 by this support.

11 MR. WERBER: Okay. So just the particulate  
12 matter. Okay. Thank you. And I guess just to be  
13 speci fi c, again, with -- are the cast house bag house and  
14 the iron spout bag house required to have a COM system?  
15 I guess the issue there is also when were the bag houses  
16 constructed for the cast house and for the iron spout?

17 MR. BELOGORSKY: I need to look into the entire  
18 permit. So, once again, I need to look at the permit.

19 MR. WERBER: And this is particularly one of  
20 the issues with the bag houses that I mentioned earlier  
21 in terms of it's not clear whether it is actually  
22 required to have the COM or whether it is not. It would  
23 just be a lot easier for us if it was specified like the  
24 cast house bag house should have a COM system or -- and  
25 likewise for the iron spout.

89

1 In Section 7.4.7-2B the permit lists that testing  
2 requirements established by Chapter 35 IAC 212.445 for  
3 the blast furnace cast house, does the blast furnace cast  
4 house refer to the entire blast furnace process? In  
5 other words, all of Section 7.4? In other words, does  
6 the cast house enclose all of the blast furnaces?

7 MR. BELOGORSKY: Section 7.7 or --

8 MR. WERBER: 7.4.7-2.

9 MR. BELOGORSKY: I believe it's part of that  
10 operation. So it's -- we are referencing to -- you're  
11 referencing to the state regulation that established  
12 specifically limitation for certain emissions in  
13 operation of iron production into blast furnace. You're  
14 talking about the blast furnace?

15 MR. WERBER: Yes, I am.

16 MR. BELOGORSKY: It's part of the iron  
17 production.

18 MR. WERBER: Okay. Well, I'm referring to a  
19 specific regulation in Section 7.4, if I could find it  
20 quickly. And my question is, when it refers to the blast  
21 furnace cast house, is that referring to basically all of

22 Section 7.4, or are there parts of the blast-furnace  
23 operation that lie outside of the, quote, unquote, cast  
24 house? I apologize for making you leaf through the  
25 permit.

90

1 MR. BELOGORSKY: No, you're fine. Section 7.4,  
2 blast furnaces, and then we have a description and then  
3 we have a description for different operations and what  
4 is included in -- in the -- these operation. So what  
5 you're referencing to is a part of the blast-furnace  
6 operations. Why you are confused with this?

7 MR. WERBER: Why am I asking this?

8 MR. BELOGORSKY: Yeah, I don't understand your  
9 point.

10 MR. WERBER: So the reason I'm asking is  
11 because in 7.4.7-2B it establishes testing requirements  
12 for uncaptured emissions and for emissions from control  
13 equipment for the blast furnace cast house, but what I'm  
14 wondering is just about the process itself is whether  
15 when it refers to the blast furnace cast house whether  
16 that's referring to all the blast-furnace operations?  
17 Because if it's not, then those testing requirements for  
18 the uncaptured emissions and for the emissions from the  
19 control equipment are not applying to other -- to all  
20 the other parts of process that are not part of the blast  
21 furnace cast house. So the question is, what is the  
22 definition of the blast furnace cast house?

23 MR. BELOGORSKY: If you'll go to the table  
24 7.4.2 under the description of the blast-furnace  
25 operation, you will find a number of steps. Blast

1           furnace charging A and B. Blast furnace cast house.  
2           Tapping -- so, yeah, I'm done with this. So if you have  
3           this table in front of you, you can -- these operations  
4           are clearly identified.

5                     MR. WERBER: Okay. I see it. So is everything  
6           else in the description like the blast-furnace charging,  
7           the blast air stoves, blast air stoves for blast-furnace  
8           gas only, the excess blast-furnace gas, high-line  
9           transfer and stockpiles and material handling by iron  
10          pellets, high-line transfer and stockpiles, material  
11          handling of coke in lectives including limestone and  
12          Dolomite, iron or pellet rail car unloader and conveyers  
13          and transfer of reclaimed materials from the bleaching  
14          pit, are all not part of the blast furnace cast house?

15                    MR. BELOGORSKY: Blast furnace cast house is  
16          clearly identified. Everything beyond this is not the  
17          part of the cast house.

18                    MR. REED: I think what you're asking is there  
19          are multiple pieces of control equipment associated with  
20          this operation in Section 7.4; is that correct? Is that  
21          the first thing you're saying is that there are multiple  
22          bag houses?

23                    MR. WERBER: That was a different question I  
24          believe. Honestly, Mr. Belogorsky answered my question  
25          about the blast furnace gas house.

1 MS. GODIKSEN: I have to interject. We need to  
2 take a break for five minutes.

3

4 (Whereupon, a recess was taken.)

5

6 MS. GODIKSEN: We're going to start again.  
7 We're back on the record. Please continue.

8 MR. WERBER: One of my questions is in Section  
9 5.9.2, which is on Page 35, the permit requires that the  
10 US Steel Corporation to maintain records of hazardous air  
11 pollutant emissions from all emissions covered in Section  
12 7 of the permit. To what hazardous air pollutants does  
13 this refer because it just uses HAP as a blanket  
14 statement?

15 MR. BELOGORSKY: This is a generic language  
16 used in all our Title V permit, and it refers to all  
17 appropriate HAPs agents from the operation on the  
18 facility.

19 MR. WERBER: And I know you alluded to compare  
20 the Title V with the TRI, but in the TRI, it lists, I  
21 would say, around 20, 25 HAPs. Would one expect those 25  
22 HAPs to be recorded by the US Steel Corporation?

23 MR. BELOGORSKY: I don't know about 20 or 25 or  
24 35 but probably we may speak -- talk about HAPs,  
25 hazardous air pollutant, emissions and emissions from

93

1 this or that operation on the facility. So I'm talking  
2 about some HAPs having at least some significance of bad  
3 and significant level of -- to be released from the  
4 source.

5 MR. REED: Any regulated hazardous air  
6 pollutant covered by regulation would be required to be  
7 reported as part of that condition.

8 MR. WERBER: So only those hazardous air  
9 pollutants that are regulated to actually apply to the US  
10 Steel facility would be reported?

11 MR. REED: Yes, that's correct.

12 MR. WERBER: Okay.

13 MR. REED: And, also, before we move on, I was  
14 corrected during the break that one of the quench towers  
15 does not have baffles.

16 MR. WERBER: So that is -- so that's why the  
17 one was preferred over the other?

18 MR. REED: Yes, that's correct.

19 MR. WERBER: Then the permit does make sense.  
20 And just, for the record, I guess, a regulation in 35 IAC  
21 212.443 H1 says, the baffles should cover 95 percent of  
22 the cross-sectional area of the exhaust vent, but I  
23 understand one of the quench towers is preferred over the  
24 other, and I'm sure that one has the baffle.

25 My next question is in Section 5.12.2C the permit

94

1 states that the compliance calculations shall be the  
2 primary compliance method for determining compliance with  
3 the emission limits in this permit except for the blast  
4 furnace cast house bag house and iron spout bag house for  
5 which primary means of determining compliance. When I  
6 was looking through the permit, I did not find any stack  
7 tests for the cast house bag house and the iron spout bag

8 house. Does the draft permit require any stack testing  
9 for SO2 emissions from the cast house bag house for the  
10 iron spout bag house?

11 MR. BELOGORSKY: You're reference to, what,  
12 condition 512?

13 MR. WERBER: It is condition 512.2C and this  
14 just how the compliance will be determined for the entire  
15 source with reference to sulphur dioxide.

16 MR. BELOGORSKY: Your question is about the  
17 existence of the stack testing or the stack testing was  
18 conducted or what?

19 MR. WERBER: The existence of stack testing in  
20 the permit because it says that the compliance  
21 calculation -- compliance shall be determined by stack  
22 testing, but I didn't find stack testing anywhere in the  
23 permit.

24 MR. BELOGORSKY: You're talking about the  
25 stack-test condition? All stack-test results?

95

1 MR. WERBER: The conditions, the regulation.  
2 Just wondering if I missed --

3 MR. BELOGORSKY: Because these condition  
4 originated in the FESOP, Federal Enforceable State  
5 Operating. Permit issued in '95. So, okay, your  
6 question about the existence of the test that -- to  
7 support air-emission calculations for blast furnace,  
8 correct? Because you couldn't find this testing and  
9 conditions elsewhere in the permit.

10 MR. WERBER: I couldn't find --

11 MR. BELOGORSKY: Okay. Yeah, we'll look into  
Page 84

12 this.

13 MR. WERBER: So you'll get back to me along  
14 with the other questions that I asked earlier?

15 MR. BELOGORSKY: Sure.

16 MR. WERBER: Great. And so now in reference to  
17 still with the blast furnace in Section 7.4, there are no  
18 tests for the opacity of fugitive emissions from the  
19 blast furnace, and I was just wondering if you could  
20 explain why there are no tests for fugitive emissions?

21 MR. BELOGORSKY: You're talking there is no  
22 testing requirement. Can you give me a condition?

23 MR. WERBER: It's in Section 7.4 for the blast  
24 furnace.

25 MR. BELOGORSKY: There is testing requirements

96

1 for blast furnace established by integrated steel mill  
2 MAG. So I don't fully understand your question why you  
3 couldn't find the testing.

4 MR. WERBER: Okay. I was referring  
5 specifically to the opacity fugitive emissions and this  
6 might be something that --

7 MR. BELOGORSKY: Is it required -- the opacity  
8 required by --

9 MR. WERBER: It was required in Section 7.4,  
10 which is why I wrote the question about it.

11 MR. BELOGORSKY: Testing required or emissions  
12 standards established?

13 MR. WERBER: Emissions standards were required.

14 MR. BELOGORSKY: So it's not necessary that the

15 testing is required.

16 MR. WERBER: Okay. So you're saying it's  
17 possible that the permit --

18 MR. BELOGORSKY: It's very possible. In many  
19 instances we have emission standards but in the  
20 regulations about the testing is not established in the  
21 parallel with the emission standards.

22 MR. WERBER: Okay. Okay. So --

23 MR. BELOGORSKY: Yeah. But, once again, I can  
24 look into these and to be more specific so Condition  
25 7.472.

97

1 MR. REED: Yeah. I think what you're getting  
2 at is the monitoring and testing and recordkeeping in the  
3 permit sufficient to assure compliance --

4 MR. WERBER: That's exactly what I'm getting  
5 at.

6 MR. REED: -- is the general theme that I'm  
7 hearing here. So we will definitely need to go back and  
8 look at the permit to make sure what we currently have  
9 is sufficient.

10 MR. BELOGORSKY: And, by the way, for  
11 continuous monitoring and demonstration of compliance,  
12 you can go to Section 7.410, continuous compliance  
13 operation requirement, and these requirements established  
14 how ongoing compliance should be demonstrated.

15 MR. WERBER: Okay. And I've taken a look  
16 through that before, and, to the best of my knowledge, I  
17 believe that while reading through it -- it was not clear  
18 what was actually applied to each bag house. It just

19 said what the regulations were and not what was actually  
20 applied. That's where the confusion lies for me.  
21 Because you can have either the COM, the continuous  
22 opacity monitoring, or you can have a bag leak detection  
23 system and it doesn't say which was applied to each bag  
24 house and that could be something that's -- we could talk  
25 about later, but at the same time it's something that I

98

1 feel should be clarified in the permit.

2 MR. BELOGORSKY: Okay.

3 MR. WERBER: Okay. My next question also  
4 refers to monitoring, and it's for the basic oxygen  
5 furnace in 7.5. The permit specifies that performance  
6 tests should be done once per cycle for the bag houses  
7 and twice per cycle for the electrostatic precipitator.  
8 Again, were these performance tests tests for all regular  
9 pollutants, or were they only tests for particulate  
10 matter and opacity?

11 MR. BELOGORSKY: Do we have any standards for  
12 other pollutants than PM and opacity?

13 MR. WERBER: Emission standards, yes. Their  
14 emissions limitations on sulphur dioxide, on NOx.

15 MR. BELOGORSKY: You are referencing to testing  
16 derived established certain rules or in reference to the  
17 permit or just established in the permit or carry over  
18 from the -- any operational construction permit before?

19 MR. WERBER: I believe those limitations were  
20 carried over from a previous permit, and they're listed  
21 in Section 7.5. Probably 7.5-ish, 4, maybe. But the

22 limitations are there, and I was just wondering if the  
23 performance tests that are mentioned in the testing and  
24 monitoring sections whether they cover those other  
25 pollutants because it does not specify.

99

1 MR. BELOGORSKY: Okay.

2 MR. WERBER: So -- so will you look into that  
3 and get back to me later on that?

4 MR. BELOGORSKY: Sure.

5 MR. WERBER: So performance tests in 7.5 and  
6 also in 7.5 for many of the pollutant frequencies of  
7 testing are not specified. For example, PM10 the  
8 frequencies of testing is not specified, and this goes  
9 along with all the earlier questions, but can you explain  
10 why the frequency of testing are not included in the  
11 permit?

12 MR. BELOGORSKY: Will do. We'll specify in  
13 frequency testing.

14 MR. WERBER: Okay. So you will get back with  
15 me with the frequency of testing --

16 MR. BELOGORSKY: Yes.

17 MR. WERBER: -- for Section 7.5 for basic oxygen  
18 tests?

19 MR. REED: We'll look into that. If the  
20 frequency isn't specified and it does need to be  
21 specified, we will make that correction.

22 MR. WERBER: Okay. Great. Thank you. So this  
23 next question is for the boilers, which is Section 7.10.  
24 So in any combustion process you're going to have some  
25 emission of carbon monoxide, of NOx and possibly of lead

1 depending on the fuel source. I'm wondering why there's  
2 no testing or monitoring for carbon monoxide, NOx and  
3 lead from the boilers in Section 7.10?

4 MR. REED: CO, lead and what was the other one?

5 MR. WERBER: NOx, nitrogen oxide.

6 MR. BELOGORSKY: Go ahead. What is your next  
7 question?

8 MR. WERBER: Okay. And your answer to my  
9 previous question was?

10 MR. BELOGORSKY: We'll do the same. We will --  
11 our response will be in the form of responsiveness  
12 summary and we'll accept your questions right now in  
13 response to -- in a comprehensive manner.

14 MR. WERBER: Okay.

15 MR. REED: Just to give you a little  
16 information on that, they generally fire coke-oven gas in  
17 those boilers. The coke-oven gas that is burned is  
18 cleaned up in the coke oven by-products plant. So it is  
19 very similar to natural gas when it's fired, as far as  
20 its properties, and so, therefore, we don't typically  
21 require testing for CO and NOx from a natural gas fire  
22 boiler. Because of the similarities that could be part  
23 of the reason we didn't require testing to those  
24 pollutants.

25 MR. WERBER: Okay. I don't have the numbers

1 exactly in front of me, but for CO and NOx I believe in  
2 the boilers they're pretty higher emission limitations,  
3 though. In the order of hundreds of tons per year. Just  
4 to clarify, I don't have the exact numbers in front of  
5 me, but they were pretty high.

6 MR. REED: From the construction permits?

7 MR. WERBER: Yes. It must have been from the  
8 construction permits. Okay. So my next question and my  
9 last question are when referring to the boilers, how  
10 often are they considered to be starting up as in what  
11 action constitutes a start up of the boilers?

12 MR. BELOGORSKY: When the boiler is a temporary  
13 shutdown or just out of service for a day or something  
14 like that, to bring the boiler back into the operation,  
15 it is a start-up procedure. So firing the boiler and the  
16 boiler with a number of times, maybe even working on some  
17 not regular mode of operation.

18 MR. WERBER: Okay. How often would that be?

19 MR. BELOGORSKY: I don't know.

20 MR. WERBER: So maybe once per year?

21 MR. BELOGORSKY: Maybe once in ten years. I  
22 don't know. It depends on how -- a number of factors  
23 so --

24 MR. WERBER: Okay.

25 MR. REED: We can look in the application if

1 they request a start up/shutdown malfunction provisions  
2 in their application, they had to give us an idea of the  
3 frequencies of start up and shutdown per unit. We would  
4 have to go back and look at the application.

5 MR. WERBER: Okay. My next question still  
6 refers to those start up/shutdown malfunction plans. How  
7 do -- how does the IEPA enforce the rule that operation  
8 during malfunction is only allowed when continued  
9 operation is necessary to provide essential service or to  
10 prevent risk of injury or severe damage to equipment? Is  
11 that just a judgment call that the IEPA makes?

12 MR. BELOGORSKY: When the company would like to  
13 see this option in the permit, it means the application  
14 with qualification and verification on certain steps and  
15 procedures be implemented to make sure that certain  
16 emission in very short period of time, operating during  
17 malfunction during very limited period of time and that  
18 make the necessary steps to fix the problems and put it  
19 back into the normal service. So we just -- we review  
20 this application case by case, and depends on nature of  
21 the operation's business and the circumstance.

22 MR. WERBER: Okay. I believe you're referring  
23 to their actual plan. And, I guess, would they describe  
24 different operations that they would continue, that they  
25 would have to continue due to risk of injury or risk of

103

1 essential service, I guess?

2 MR. BELOGORSKY: Yeah. Because steel  
3 production is a continuous operation. So they couldn't  
4 adequately stop operation on one unit without bad  
5 consequences for other units relying on for the service  
6 for this particular one. So it's just not something that  
7 would be stopped in one minute or one hour so it could be

8           downed slowly, accurately and with consideration for all  
9           negative effects that may happen.

10                   MR. WERBER: Okay. I understand. So it is a  
11           judgement call that the IEPA makes?

12                   MR. BELOGORSKY: Right.

13                   MR. WERBER: And my last question is in 7.10.9,  
14           which is the recordkeeping requirements for the boilers.  
15           The permit specifies that US Steel must record monthly  
16           for each shipment of recycled oil, the percent lead  
17           actually filtered, the parts per million of the halogen  
18           content, the parts per million of chromium, arsenic and  
19           lead and cadmium and the flash points of that recycled  
20           oil. However, I didn't find anything in the permit that  
21           required the US Steel Corporation to test for any of  
22           those parameters. So how are those parameters  
23           determined?

24                   MR. BELOGORSKY: I believe this condition  
25           carries from the previous permit and in permit put this

104

1           condition. We have to look in this issue and find out  
2           how to be more precise --

3                   MR. WERBER: Okay.

4                   MR. BELOGORSKY: -- in terms of the parameters,  
5           as you mentioned, how they need to be supported by this  
6           or that, implementation of this.

7                   MR. WERBER: Okay. Is it possible that the  
8           variables are measured by a -- the company that sells the  
9           fuel to US Steel Corporation?

10                   MR. BELOGORSKY: We need to look into this so I  
11           couldn't say right now.

12 MR. WERBER: Okay. And that also applies to  
13 the intermediate light oil if you could look into that as  
14 well for basically the same parameters, though. And that  
15 was my last question. Thank you very much for your time.

16 MR. BELOGORSKY: Thank you.

17 MS. GODIKSEN: Just for the record, Peter Good,  
18 do you still pass; or would you like to speak?

19 MR. GOOD: Still pass.

20 MS. GODIKSEN: Okay. Is there anyone else that  
21 would like to speak tonight? Come on up; and, please,  
22 restate your name for the record.

23 MS. ANDRIA: Kathy Andria, A-N-D-R-I-A. I want  
24 to express my appreciation to our students from  
25 Washington University, Jay and Kevin. They did an

105

1 outstanding job, and I want to thank you for your  
2 patience in going through it. I know we put you through  
3 your paces, especially Anatoly, so -- but -- and,  
4 everybody, I want to thank you because this is such an  
5 important permit, and it is an important permit to you  
6 and US Steel and the public.

7 A number of times you said we'll get back to you.  
8 We don't have that information, and we had a brief  
9 discussion on our break about getting together and  
10 getting the material together, and I wondered if you  
11 could tell us a way that we can get the information so we  
12 don't wait until the very end and talk about some sort of  
13 a schedule where we can get the transcript and then see  
14 what questions are -- the information that you were going

15 to get back to us and if we had a better idea of what  
16 lies ahead in timing.

17 MR. PRESSNALL: I would think that's something  
18 we definitely want to take back and consider because I  
19 think there is certainly a concern -- and I think we need  
20 to think through -- or everyone needs to think through --  
21 for sure, the Illinois EPA needs to think through how to  
22 go about this process. There could be concerns. This is  
23 a public notice and comment period, and I just don't --  
24 I'm not sure of the mechanism. For instance, if your  
25 group was gaining an advantage that the whole public

106

1 wasn't. So, I guess, again, what I'm saying is -- I'm  
2 sure Brad -- via Brad will get back to you and try to  
3 figure it out. There's no way we can make right today a  
4 commitment because we could be violative of some -- of  
5 the law of agreeing to provide information not in a  
6 public forum during the public comment period.

7 So I just want to caution our people not to make any  
8 commitments on that without checking the legalities, but  
9 if there's a mechanism for it, we can -- we're not going  
10 to just cut it off, but I want to give pause and make  
11 sure that we do everything within the bounds of the law,  
12 if that makes sense.

13 MS. ANDRIA: Do you know when the transcript  
14 might be ready?

15 MS. GODIKSEN: Go off the record for a second.

16

17 (Whereupon, an off the record discussion was  
18 held.)

19

20 MS. GODIKSEN: On the record again. We should  
21 have a copy of the transcript within two to three weeks  
22 of the hearing.

23 MS. ANDRIA: And we also had information that  
24 it has yet to be provided us that I believe you've  
25 indicated that you will still get to us. So I -- since

107

1 it's the holiday season, I would -- and we're not getting  
2 the transcript for three weeks, we will be submitting a  
3 request for an extension of the public comment period  
4 that way.

5 MS. GODIKSEN: Okay. We'd just like to request  
6 or you need to submit the request in writing, and we will  
7 take that into consideration and send out our notice.

8 MS. ANDRIA: Hold on one second.

9 MR. REED: Kathy, as long as you provide that  
10 extension request to us in writing, our bureau chief has  
11 already stated that we will allow extension. How many  
12 days I can't tell you, but we will allow extension.

13 MR. ANDRIA: Okay. That's all I have. Thank  
14 you very much. Appreciate it and I wanted to thank Jeff  
15 Benbenek for coming.

16 MS. GODIKSEN: Is there anyone who would like  
17 to further comment tonight? Okay. Seeing that there are  
18 no further comments, I would simply like to note that we  
19 will be marking certain documents as exhibits, and those  
20 will become part of the official record.

21 The notice of public will be marked as Exhibit 1.

22 Copies of the project summaries will become Exhibits 2A  
23 through 2F. Copies of the draft permit will be marked  
24 Exhibits 3A through 3F. Exhibit 4 will be the notice in  
25 the Granite City Press Record from October 22nd, 2008,

108

1 from Alderman -- excuse me -- Alderwoman Wilson.

2 Seeing that there are no more members of the public  
3 with questions or comments, we will bring the hearing to  
4 a close. I would like to, again, remind everyone that  
5 the comment period was January 2nd, 2009. We will be  
6 sending out notice as to the actual extension and keep in  
7 mind that midnight will be the postmarked deadline of  
8 that date for things to be accepted into the record.  
9 Copies of the Exhibits are available upon request.

10 The time is now approximately 10:14, and this  
11 hearing is adjourned. Thank you very much for coming out  
12 tonight.

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REPORTER'S CERTIFICATION

I, Sara E. Tipton, Certified Shorthand Reporter and Notary Public, do hereby certify that the foregoing is a true and correct transcript of the EPA Hearing held in my presence in the above-captioned cause, and as same appears from my stenographic notes made during the progress of said proceedings.

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Sara E. Tipton, CSR