



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 08 2006

REPLY TO THE ATTENTION OF:

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ron Dickerson
Vice President and General Manager
Nucor Steel
4537 South Nucor Road
Crawfordsville, Indiana 47933

Re: Finding of Violation
Nucor Steel
Crawfordsville, Indiana

Dear Mr. Dickerson:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Finding of Violation (FOV) to Nucor Steel (you) under Section 112 of the Clean Air Act, 42 U.S.C. § 7412. We find that you are violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial and Institutional Boilers and Process Heaters found in 40 C.F.R. Part 63, Subpart DDDDD at your facility located at Rural Route 2, Box 311, Crawfordsville, Indiana.

We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial, civil, or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the FOV.

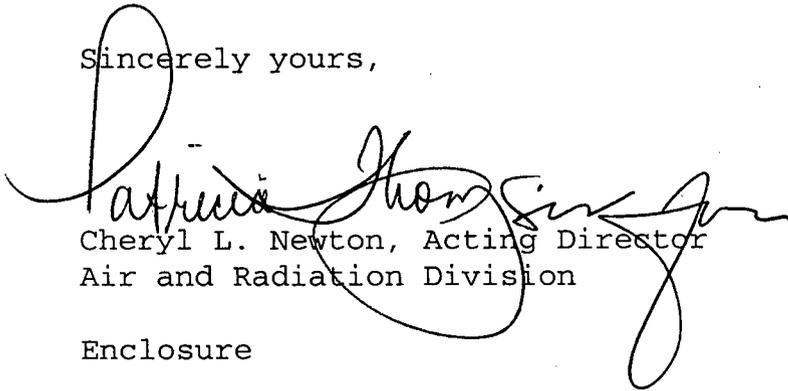
We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of

violation, any efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The U.S. EPA contact in this matter is Kushal Som. You may call him at (312) 353-5792 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A large, stylized handwritten signature in black ink, appearing to read "Cheryl L. Newton". The signature is written over the typed name and title.

Cheryl L. Newton, Acting Director
Air and Radiation Division

Enclosure

cc: David McIver, Chief
Office of Air Quality
Indiana Department of Environmental Management

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Nucor Steel)	FINDING OF VIOLATION
Crawfordsville, Indiana)	
)	EPA-5-06-27-IN
)	
Proceedings Pursuant to)	
Section 112 of)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	
<hr/>)	

FINDING OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) finds that Nucor Steel (Nucor) is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. A Finding of Violation (FOV) is being issued to Nucor specifically for violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial and Institutional Boilers and Process Heaters at 40 C.F.R. Part 63, Subpart DDDDD as follows:

Statutory and Regulatory Background

1. The NESHAP for Industrial, Commercial and Institutional Boilers and Process Heaters for Subpart DDDDD states at 40 C.F.R. § 63.7485 that the provisions of this subpart apply to process heaters that are a part of a major source for hazardous air pollutants (HAPs).
2. Section 112(a)(1) of the Clean Air Act (CAA), 40 C.F.R. § 63.2, defines a major source as any stationary source that emits or has the potential to emit considering controls 10 tons per year or more of any HAP or 25 tons per year or more of any combination of HAP.
3. The NESHAP, at 40 C.F.R. § 63.7575, defines a *large gaseous fuel* process heater as any process heater that burns a gaseous fuel with a rated capacity of 10 million British Thermal Units per hour (MMBTU/hour) or higher.

4. The NESHAP, at 40 C.F.R. § 63.7500(a)(1), Table 1, prohibits the owner and operator of a new reconstructed large gaseous fuel process heater to cause or allow to be discharged into the atmosphere from the process heater, with a capacity of less than 100 MMBTU/hour, any gases that contain Carbon Monoxide (CO) in a concentration greater than 400 parts per million by volume (ppmv), corrected to three percent oxygen, over a three-run average.

Nucor Facility

5. Nucor owns and operates an existing steel pickling facility (facility) at Rural Route 22, Box 311, Crawfordsville, Indiana (the facility).
6. Nucor Steel operates a stationary steel mini-mill that produces all grades of carbon, stainless steel, alloy steel, ultra low and low carbon steel, flat rolled, hot rolled, cold rolled, galvanized, pickled and oiled steel products.
7. Nucor Steel is subject to a Title V, Significant Source Modification (Title V) permit, Number 107-21527-00038, issued September 23, 2005, by the Indiana Department of Environmental Management (IDEM), which authorized the construction of the 14.505 MMBTU/hour Hot Mill Annealing Furnace Number 2.
8. The facility is defined as a major source under Section 112(a)(1) of the CAA, 40 C.F.R. § 63.2, which defines a major source as any stationary source that emits or has the potential to emit considering controls 10 tons per year or more of any HAP or 25 tons per year or more of any combination of HAPs.
9. Nucor contracted with Air Test Professionals, Inc. (ATP) of Indianapolis, Indiana to perform air emission sampling at the facility on the Hot Mill Annealing Furnace Number 2.
10. The Hot Mill Annealing Furnace Number 2 outlet emissions are subject to the standards and limits in 40 C.F.R. § 63.7500(a)(1), Table 1.

11. On June 14, 2006, ATP performed air emission sampling on the Hot Mill Annealing Furnace Number 2.
12. Method 10, "Determination of Carbon Monoxide Emissions from Stationary Sources," was used to determine compliance with Subpart DDDDD for CO emissions.

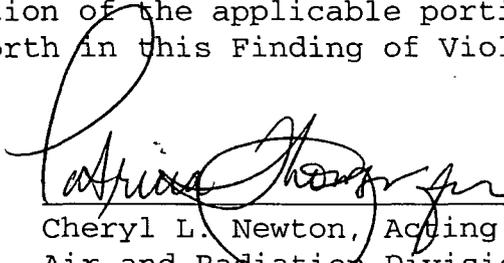
Violations

13. The facility emitted from the Hot Mill Annealing Furnace Number 2 stacks at a three-run average level of 617 ppmv. Nucor violated 40 C.F.R. § 63.7500(a)(2), Table 1 by discharging into the atmosphere gases that contain CO in a concentration greater than 400 ppmv.

Finding of Violation

The Administrator of the U.S. EPA, by authority duly delegated to the undersigned, notifies Nucor Steel that the facility described above is in violation of the applicable portions of the Clean Air Act, as set forth in this Finding of Violation.

9/8/06
Date



Cheryl L. Newton, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-5-06-27-IN, by Certified Mail, Return Receipt Requested, to:

Ron Dickerson
Vice President and General Manager
Nucor Steel
4537 South Nucor Road
Crawfordsville, Indiana 47933

I also certify that I sent a copy of the Finding of Violation, No. EPA-5-06-27-IN, by First Class Mail to:

David McIver, Chief
Office of Air Quality
Indiana Department of Environmental Management
100 North Senate, Room 1001
Indianapolis, Indiana 46206-6015

on the 11th day of September 2006.


Betty Williams, Secretary
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70010320 00061455 0310