



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

JAN 02 2003

REPLY TO THE ATTENTION OF  
(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. James M. Alexander  
Manager Environmental Air Compliance  
United States Steel Company  
Gary Works  
One North Broadway  
Gary, Indiana 46402

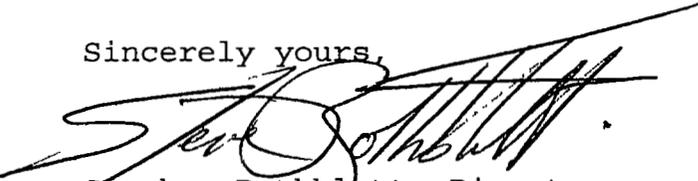
Re: In the Matter of United States Steel Corporation, Gary,  
Indiana

Dear Mr. Alexander:

Enclosed is an Agreed Administrative Order issued to United States Steel Corporation (U.S. Steel), pursuant to Section 113(a) of the Clean Air Act (Act), 42 U.S.C. § 7413(d), for violations of the New Source Review regulations at the U.S. EPA approved Indiana Air Pollution Control Board Rule Number 19 (APC -19), as part of the federally enforceable Indiana State Implementation Plan.

For additional information or clarification of any issue regarding this matter, you may contact Cynthia A. King, Associate Regional Counsel, at (312) 886-6831 or Kushal Som, Environmental Engineer, at (312) 353-5792.

Sincerely yours,



Stephen Rothblatt, Director  
Air and Radiation Division

Enclosures

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

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:** )  
 )  
United States Steel ) **Administrative Consent Order**  
Corporation, Gary Works, )  
Gary, Indiana ) **EPA-05-04-113(a)-01-IN**  
 )  
Proceeding Under )  
Section 113(a)(1)(A) )  
of the Clean Air Act, )  
42 U.S.C. § 7413(a)(1)(A) )

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**Administrative Consent Order**

1. The Director of the Air and Radiation Division, United States Environmental Protection Agency (U.S. EPA), Region 5, is issuing this Order to United State Steel Corporation (U.S. Steel) under Section 113(a)(1)(A) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(1)(A).

**Statutory and Regulatory Background**

2. Under Section 113(a)(1)(A) of the Act, 42 U.S.C. § 7413(a)(1)(A), the Administrator of U.S. EPA may issue an order requiring compliance to any person who has violated or is violating a SIP. The Administrator has delegated this authority to the Director of the Air and Radiation Division.

**Findings**

3. U.S. Steel owns and operates a steel mill known as "Gary works" at One North Broadway, Gary Indiana (the Facility).

4. On March 6, 2003, U.S. EPA issued a notice of violation alleging that U.S. Steel violated the Indiana State Implementation Plan (SIP) at the Facility by failing to get the proper permits for the North and South Hot Metal Desulfurization facilities.

5. On April 24, 2003, representatives of U.S. Steel and U.S. EPA discussed the March 6, 2003, notice of violation. U.S. Steel denies the allegations contained in the notice of violation.

**Compliance Program**

6. By no later than one year from the effective date of this Order, U.S. Steel must submit a Title V application to the Indiana Department of Environmental Management (IDEM) containing the following requirements at the Facility:

a. Maintain 0.05 lb. SO<sub>2</sub>/THM for each hot metal processing facility as measured during all hot metal processing activities. Hot metal processing will include hot metal transfer, hot metal desulfurization reagent injection and hot metal skimming, as applicable;

b. Maintain 0.01 lb SO<sub>2</sub>/THM for each hot metal processing facility as measured during hot metal desulfurization reagent injection only;

c. Conduct twice per Title V permit term SO<sub>2</sub> emission testing for compliance with the 0.05 lb. SO<sub>2</sub>/THM emission limit at each hot metal processing facility;

d. Conduct twice per Title V permit term SO<sub>2</sub> emission testing for compliance with the 0.01 lb. SO<sub>2</sub>/THM emission limit during desulfurization at each hot metal desulfurization facility. Results from testing of the 0.01 lb. SO<sub>2</sub>/THM emission limit cannot be used for compliance with the 0.05 lb. SO<sub>2</sub>/THM emission limit;

e. Keep records of the monthly hot metal throughput for each hot metal processing facility;

f. Submit a test protocol to U.S. EPA and IDEM by December 19, 2003; and

**General Provisions**

7. This Order does not affect U.S. Steel's responsibility to comply with other local, state, and federal laws and regulations.

8. This Order does not restrict U.S. EPA's authority to enforce the Indiana SIP, or any section of the Act.

9. Nothing in this Order limits U.S. EPA's authority to seek appropriate relief, including penalties under Section 113 of

the Act, 42 U.S.C. § 7413, for U.S. Steel's violations of the Indiana SIP.

10. Failure to comply with this Order may subject U.S. Steel to penalties of up to \$27,500 per day for each violation under Section 113 of the Act, 42 U.S.C. § 7413.

11. The terms of this Order are binding on U.S. Steel, its assignees and successors. U.S. Steel must give notice of this Order to any successors in interest, prior to transferring ownership, and must simultaneously verify to U.S. EPA, at the above address, that U.S. Steel has given the notice.

12. This Order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation.

13. U.S. EPA may use any information submitted under this Order in an administrative, civil, or criminal action.

14. U.S. Steel agrees to the terms of this Order.

15. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will expire one year from the effective date, if U.S. Steel has complied with all of its terms.

12/22/03

Date



Stephan K. Todd, Vice President  
United States Steel Corporation

1/2/2004

Date



Stephen Rothblatt, Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent the Administrative Consent Order, **EPA-05-04-113(a)-01-IN**, by Certified Mail, Return Receipt Requested, to:

Mr. James M. Alexander  
Manager Environmental Air Compliance  
United States Steel Company  
Gary Works  
One North Broadway  
Gary, Indiana 46402

Tishie Worley Woodwell, Esq.  
United States Steel Corporation  
600 Grant Street  
Pittsburgh, PA 15219-2800

I also certify that I sent a copy of the Administrative Consent Order No. **EPA-05-04-113(a)-01-IN**, First Class Mail to:

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

on the 5<sup>th</sup> day of January 2004.

  
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Betty Williams  
AECAS (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70010320 0006 01782748