



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

OCT 24 2011

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Flannery, Environmental Affairs Manager
Mittal Steel USA - Indiana Harbor East
3210 Watling Street
East Chicago, Indiana 46312

Dear Mr. Flannery:

This is to advise you that the U.S. Environmental Protection Agency (EPA) has determined that the ArcelorMittal Steel USA (ArcelorMittal) – Indiana Harbor East facility located at 3210 Watling Street, East Chicago, Indiana (IHE Facility), is in violation of the Clean Air Act (the CAA) and associated state pollution control requirements.

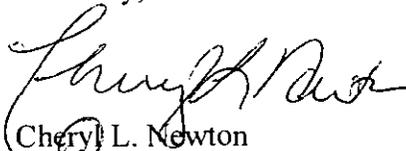
The EPA is sending this Notice of Violation and Finding of Violation (NOV/FOV) to notify you that at the IHE Facility we have identified violations of the facility's Title V permit, the National Emission Standards for Hazardous Air Pollutants for Iron and Steel Manufacturing Facilities at 40 C.F.R. Part 63, Subpart FFFFF, the New Source Performance Standard for Electric Arc Furnaces at Steel Plants at 40 C.F.R. Part 60, Subpart AAa, and the Indiana State Implementation Plan.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. The option we select depends in part on the efforts taken by ArcelorMittal to correct the alleged violations and the timeframe in which you can demonstrate and maintain continuous compliance with the requirements cited in the NOV/FOV.

Before we determine which enforcement option is appropriate, we are offering you the opportunity to request a conference with us about the violations alleged in the NOV/FOV. This conference will provide you a chance to present information on the identified violations, 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 take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Daniel Schaufelberger. You may call him at (312) 886-6814, if you wish to request a conference. Legal questions should be directed to Cynthia A. King, Associate Regional Counsel, at 312-886-6831. The EPA hopes that this NOV/FOV will encourage ArcelorMittal's compliance with the requirements of the CAA.

Sincerely,



Cheryl L. Newton
Director

Air and Radiation Division

Enclosure

cc: Phil Perry, Indiana Department of Environmental Management

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF: ArcelorMittal Steel USA – Indiana Harbor East East Chicago, Indiana Proceedings Pursuant to the Clean Air Act, 42 U.S.C. §§ 7401 <u>et seq.</u>)	NOTICE OF VIOLATION AND FINDING OF VIOLATION EPA-5-11-IN-14
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NOTICE AND FINDING OF VIOLATION

ArcelorMittal Steel USA – Indiana Harbor East (ArcelorMittal) owns and operates an iron and steel manufacturing facility located at 3210 Watling Street, East Chicago, Indiana (IHE Facility).

The U.S. Environmental Protection Agency (EPA) is sending this Notice of Violation and Finding of Violation (NOV/FOV) to ArcelorMittal pursuant to Sections 113(a)(1) and (3) of the Clean Air Act (CAA), 42 U.S.C. § 7413(a)(1) and (3), to notify ArcelorMittal that at the IHE Facility we have identified violations of the facility's Title V permit, the National Emission Standards for Hazardous Air Pollutants) for Iron and Steel Manufacturing Facilities at 40 C.F.R. Part 63, Subpart FFFFF (Iron and Steel NESHAP), the New Source Performance Standard (NSPS) for Electric Arc Furnaces at Steel Plants at 40 C.F.R. Part 60, Subpart AAa, and the Indiana State Implementation Plan (SIP).

I. REGULATORY PROVISIONS

The permit and regulatory provisions relevant to this NOV/FOV are as follows:

Title V

- a. Title V of the CAA, 42 U.S.C. §§ 7661a-7661f, establishes an operating permit program for certain sources, including "major sources." Pursuant to Section 502(b) of the CAA, 42 U.S.C. § 7661a(b), on July 21, 1992, at 57 Fed. Reg. 32295, the EPA promulgated regulations establishing the minimum elements of a permit program to be administered by any air pollution control agency. These regulations are codified at 40 C.F.R. Part 70.
- b. 40 C.F.R. § 70.2 defines "major source," in part, as any stationary source belonging to a single major industrial grouping and that directly emits or has the potential to emit 100 tons per year (tpy) of any air pollutant, as defined under Section 302 of the CAA, 42 U.S.C. § 7602.

- c. 40 C.F.R. § 70.7(b) provides that no source subject to Title V may operate the source except in compliance with a Title V permit.
- d. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), provides that after the effective date of any permit program approved or promulgated under Title V of the CAA, no source subject to Title V may operate the source except in compliance with its Title V permit.
- e. The EPA promulgated final interim approval of the Indiana Title V program on November 14, 1995, 60 Fed. Reg. 57191, and the program became effective on that date.
- f. The regulation at 40 C.F.R. § 70.6(b)(1) specifies that all terms and conditions in a permit issued under a Part 70 program, including any provisions designed to limit a source's potential to emit, are enforceable by the EPA under the CAA.
- g. The EPA approved 326 IAC 2-7-5, governing Title V permit content, effective December 14, 1995, 60 Fed. Reg. 57188, as part of the Indiana SIP.
 - i. 326 IAC 2-7-5(1) provides that Title V permits shall incorporate emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of a Part 70 permit issuance.
- h. The EPA approved 326 IAC 2-7-6, governing compliance requirements, effective December 14, 1995, 60 Fed. Reg. 57188, as part of the Indiana SIP.
 - i. 326 IAC 2-7-6(1) provides that Title V permits issued under this rule shall contain requirements with respect to compliance certification, testing, monitoring, reporting and record keeping sufficient to assure compliance with the terms and conditions of a Part 70 permit consistent with section 5(3) of this rule.
- i. The IHE Facility is subject to Title V Permit No. T089-6577-00316, issued by the Indiana Department of Environmental Management (IDEM) with an effective date of September 12, 2006.

The following provisions are found in ArcelorMittal's Title V Permit for the IHE Facility:

- a. Condition C.18 of ArcelorMittal's Title V operating permit states that records of all required monitoring data, reports and support information required by th[e] permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long

as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

- b. Condition D.1.7 of ArcelorMittal's Title V operating permit states that in the event that a scrubber system failure has been observed, the feed to the process must be shut off immediately, and the process shall be shut down as soon as practicable, until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit.
- c. Condition D.2.8 of ArcelorMittal's Title V operating permit states that in order to make requirements of 326 IAC 2-2 (PSD) not applicable, on and after the date of issuance of Significant Source Modification 089-16966-00316, issued on November 26, 2003, the operation of the slag pits at No.7 Blast Furnace shall be curtailed to 227,472 tons of slag processed at these facilities per 12 consecutive month period with compliance demonstrated at the end of each month.
- d. Condition D.5.1(f) of ArcelorMittal's Title V operating permit provides that pursuant to 326 IAC 6.9-2-17, total suspended particulate from the No. 2 BOF No. 20 off-gas scrubber stack shall not exceed 0.015 grains per dry standard cubic foot and 12.00 pounds per hour.
- e. Condition D.5.1(e) of ArcelorMittal's Title V operating permit provides that pursuant to 326 IAC 6.9-2-17, total suspended particulate from the No. 2 BOF No. 20 off-gas scrubber stack shall not exceed 0.058 pounds per ton and 16.00 pounds per hour.
- f. Condition D.5.2(f) of ArcelorMittal's Title V operating permit provides that pursuant to 326 IAC 6.8-3-2, opacity for the No. 2 basic oxygen furnace (BOF) shop roof monitor shall not exceed twenty percent (20%) as a 3-minute average.
- g. Condition D.6.4(b) of ArcelorMittal's Title V operating permit provides that pursuant to 326 IAC 6.8-3-2, opacity for the No. 4 BOF shop roof monitor shall not exceed twenty percent (20%) as a 3-minute average.
- h. Condition C.1(a) of ArcelorMittal's Title V operating permit provides that pursuant to 326 IAC 5-1-2(2)(B), opacity for the blast furnace casthouse monitor Nos. 5 and 6 shall not exceed twenty percent (20%) as a 6-minute average.
- i. Condition D.2.3 of ArcelorMittal's Title V operating permit provides that pursuant to 326 IAC 6.8-3-2, opacity for the blast furnace casthouse monitor No. 7 shall not exceed fifteen percent (15%) as a 6-minute average.

- j. Condition B.14 of ArcelorMittal's Title V Permit states that ArcelorMittal must submit compliance monitoring reports which are certified to be true, accurate, and complete.

Indiana SIP

- a. The EPA approved 326 IAC 5-1-2, governing visible emissions, effective June 16, 1997, 62 Fed. Reg. 18521, as part of the federally enforceable Indiana SIP.
- i. 326 IAC 5-1-2(2)(B) states that visible emissions from a facility located in Lake County shall not exceed an average of twenty percent (20%) opacity in twenty-four consecutive readings unless otherwise specified in 326 IAC 6-1-10.1.
- b. The EPA approved 326 IAC 6.8, governing particulate matter, effective May 22, 2006, 71 Fed. Reg. 14383, as part of the Indiana SIP.
- i. 326 IAC 6.8-10-3(7)(D) states that there shall be a zero percent (0%) frequency of visible emission observations from a building enclosing all or part of the material processing equipment except from a vent in the building. Compliance with this standard shall be determined by 40 C.F.R. Part 60, Appendix A, Method 22.
- ii. 326 IAC 6.8-10-3(6)(A) provides that there shall be a zero percent (0%) frequency of visible emission observations of a material during the in-plant transportation of material by truck or rail at any time. Compliance with this standard shall be determined by 40 C.F.R. Part 60, Appendix A, Method 22.
- iii. 326 IAC 6.8-3-2 provides that the Facility's Number 2 basic oxygen furnace roof monitor shall meet a 20% opacity based on a 3-minute average.
- iv. 326 IAC 6.8-3-2 provides that the Facility's Number 4 basic oxygen furnace roof monitor shall meet a 20% opacity based on a 3-minute average.
- v. 326 IAC 6.8-3-2 provides that the Facility's Number 7 blast furnace casthouse shall meet a 15% opacity based on a 6-minute average.
- vi. 326 IAC 6.8-2-17 provides that the Facility's Number 2 basic oxygen furnace number 20 furnace stack shall meet an emission limit of 0.058 lbs/ton TSP and 16.00 lbs/hr TSP.
- vi. 326 IAC 6.8-2-17 provides that the Facility's Number 2 basic oxygen furnace secondary ventilation system scrubber shall meet an emission limit of 0.015 gr/dscf TSP and 12.00 lbs/hr TSP.

- c. Within 30 days following the end of each calendar quarter, ArcelorMittal is required to submit reports to the IDEM documenting all instances of opacity values in excess of the limitations specified in Indiana SIP 326 IAC 5-1-2(2)(B). These reports must detail the date, commencement and completion times, duration, magnitude (percent opacity), reason (if known), and corrective action(s) taken (if any) of each 6-minute block average above the applicable opacity limitation(s).

Iron and Steel NESHAP

The IHE Facility is subject to the Iron and Steel NESHAP, 40 C.F.R. Part 63, Subpart FFFFF.

The following requirements are found in the Iron and Steel NESHAP:

- i. 40 C.F.R. § 63.7790(a) states that the affected facility must meet the applicable emission limit and opacity limit in Table 1 of the subpart. Table 1 at Condition 9a states that each basic oxygen process furnace (BOPF) at a new or existing shop must not cause to be discharged to the atmosphere any gases that exit from a primary emission control system for a BOPF with a closed hood system, on a flow-weighted basis, particulate matter in excess of 0.03 gr/dscf during the primary oxygen blow.
- ii. 40 C.F.R. § 63.7790(b)(2) states that the affected facility must meet the applicable emission limit and opacity limit in Table 1 of the subpart. Table 1 at Condition 9c states that each Basic Oxygen Process Furnace (BOPF) at an existing shop must not cause to be discharged to the atmosphere any gases that exit from a control device used solely for the collection of secondary emissions from the BOPF that contain particulate matter in excess of 0.01 gr/dscf.
- iii. 40 C.F.R. § 63.7790(b)(2) states that the affected facility must meet the applicable emission limit and opacity limit in Table 1 of the subpart. Table 1 at Condition 12 states that each BOPF at an existing shop must not cause to be discharged to the atmosphere secondary emissions that exit any opening in the BOPF shop or any other building housing the BOPF or BOPF shop operation that exhibit opacity greater than twenty percent (20%) on a 3-minute average basis.
- iv. 40 C.F.R. § 63.7790(a) states that the affected facility must meet the applicable emission limit and opacity limit in Table 1 of the subpart. Table 1 at Condition 7 states that each casthouse at an existing blast furnace must not cause to be discharged to the atmosphere secondary emissions that exit any opening in the casthouse or structure housing the blast furnace that exhibit opacity greater than twenty percent (20%) on a 6-minute average basis.

New Source Performance Standards

The IHE Facility is subject to the NSPS, 40 C.F.R. Part 60, Subpart AAa.

- a. 40 C.F.R. § 60.8(a) states that within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, the owner or operator shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
- b. 40 C.F.R. § 60.7(a)(1) requires owners or operators subject to the NSPS to furnish, to the Administrator, written notification of the date construction of an affected facility is commenced, postmarked no later than 30 days after such date.
- c. 40 C.F.R. § 60.7(a)(3) requires owners or operators subject to the NSPS to furnish, to the Administrator, a written notification of the actual date of initial startup of an affected facility, postmarked no later than 15 days after such date.
- d. 40 C.F.R. § 60.272(a)(2) requires that the atmospheric discharge from an electric arc furnace control device shall not exhibit an opacity of 3 percent or greater.
- e. 40 C.F.R. § 60.272(a)(3) requires that the atmospheric discharge from a shop, and due solely to the operations of any affected EAF(s) shall not exhibit an opacity of 6 percent or greater.

Section 113(a)(1)-(3) of the CAA, 42 U.S.C. § 7413(a)(1)-(3), authorizes the Administrator to initiate an enforcement action whenever, on the basis of any available information, the Administrator finds that any person has violated or is in violation of a requirement or prohibition of, among others, any implementation plan or permit, Title I or Title V of the CAA, or any rule promulgated, issued, or approved under Title I or Title V of the CAA.

II. BASIS FOR VIOLATIONS

The violations alleged in this NOV/FOV are based on the following:

- a. Quarterly Deviation and Compliance Monitoring Reports from April, 2006 through March, 2011;
- b. Stack tests performed at the No. 2 BOF #20 Furnace Off-Gas Scrubber on the following dates: August 8, 2006; August 9, 2006; August 11, 2006; September 18, 2006; and September 22, 2006;
- c. Stack tests performed at the No. 2 BOF Secondary Vent Scrubber Stack on the following dates: August 16, 2006; September 14, 2006; November 8, 2006; January 4, 2007; and January 5, 2007;

- d. Method 9 readings at the No. 7 Blast Furnace dust catcher cyclone dump performed during a March 25, 2007 compliance inspection;
- e. Method 22 visual emissions observations of railcar material transfer conducted on March 26, 2007;
- f. Method 9 visual emissions reading conducted at the No. 4 BOF shop roof monitor on July 13, 2006 and September 5, 2006;
- g. Method 9 visual emissions readings conducted at the No. 5 Blast Furnace Casthouse roof monitor on July 2, 2006;
- h. Method 9 visual emissions readings conducted at the No. 6 Blast Furnace Casthouse roof monitor on July 3, 2006, July 7, 2006, and October 15, 2006; and
- i. Method 9 visual emissions readings conducted at the No. 7 Blast Furnace Casthouse roof monitor on September 29, 2006

III. EXPLANATION OF VIOLATIONS

The EPA found the following violations at the IHE Facility:

- 1. In 1996, ArcelorMittal replaced the No. 1 Electric Arc Furnace 65 MVA transformer with a 120 MVA transformer. This transformer project constitutes a modification, as that term is defined in 40 C.F.R. § 60.14 of the NSPS regulations and thus subjects ArcelorMittal to its applicable requirements at 40 C.F.R. Part 60, Subpart AAa.
- 2. No. 5 Blast Furnace Casthouse Roof Monitor Opacity

Regulated by: Title V Permit No. T089-6577-00316, Condition C.1(a)
 Indiana SIP 326 IAC 5-1-2(2)(B)
 Iron and Steel NESHAP, Table 1(7)

Sources: Semiannual Deviation and Compliance Monitoring Report: July - December 2006
 Quarterly Deviation and Compliance Monitoring Report: July – September, 2007
 Quarterly Deviation and Compliance Monitoring Report: October – December, 2009

Date(s)	Limit	Exceedance
07/02/06	20%, 6-min average	1 6-min average
07/01/07	20%, 6-min average	1 6-min average
10/13/09	20%, 6-min average	1 6-min average

3. No. 5 Blast Furnace Casthouse Scrubber Not Operating During Cast

Regulated by: Title V Permit No. T089-6577-00316, Condition D.1.7

Sources: Quarterly Deviation and Compliance Monitoring Reports: January, 2007 – June, 2010

The No. 5 Blast Furnace Casthouse Scrubbers (North and South) were not operating while the blast furnace was in operation on the following dates: 8/08/09, 8/14/09, 8/19/09, 8/20/09, 8/26/09, 9/11/09, 9/25/09, 10/10/09, 10/27/09, 11/11/09, 11/23/09, 12/24/09, 12/28/09, 1/6/10, 1/11/10, 3/15/10, 3/22/10, 4/6/10, 5/5/10, 5/6/10, 5/19/10

4. No. 6 Blast Furnace Casthouse Roof Monitor Opacity

Regulated by: Title V Permit No. T089-6577-00316, Condition C.1(a)
Indiana SIP 326 IAC 5-1-2(2)(B)
Iron and Steel NESHAP, Table 1(7)

Sources: Semiannual Deviation and Compliance Monitoring Report: July - December 2006
Quarterly Deviation and Compliance Monitoring Report: April – June 2008
Quarterly Deviation and Compliance Monitoring Report: July – September 2008
Quarterly Deviation and Compliance Monitoring Report: January – March 2010
Quarterly Deviation and Compliance Monitoring Report: April – June 2010

Date(s)	Limit	Exceedance
07/03/06	20%, 6-min average	1 6-min average
07/07/06	20%, 6-min average	1 6-min average
10/15/06	20%, 6-min average	1 6-min average
06/06/08	20%, 6-min average	2 6-min averages
08/23/08	20%, 6-min average	1 6-min average
02/23/10	20%, 6-min average	4 6-min average
03/16/10	20%, 6-min average	1 6-min average
05/18/10	20%, 6-min average	2 6-min average

5. No. 6 Blast Furnace Casthouse Scrubber Not Operating During Cast

Regulated by: Title V Permit No. T089-6577-00316, Condition D.1.7

Sources: Quarterly Deviation and Compliance Monitoring Reports: January, 2007 – June, 2010

The No. 6 Blast Furnace Casthouse Scrubber was not operating while the blast furnace was in operation on the following dates: 1/25/07, 1/30/07, 3/27/07, 7/11/07, 7/21/07, 9/25/07,

10/19/07, 12/21/07, 1/22/08, 2/15/08, 5/13/08, 5/19/08, 9/03/08, 9/25/08, 8/14/08, 8/26/08, 9/11/09, 9/25/09, 12/02/09, 1/13/10, 1/31/10, 2/9/10, 2/10/10, 3/12/10, 4/8/10, 4/22/10, 5/5/10, 5/19/10

6. No. 7 Blast Furnace Casthouse Roof Monitor Opacity

Regulated by: Title V Permit No. T089-6577-00316, Condition D.2.3
 Indiana SIP 326 IAC 6.8-3-2
 Iron and Steel NESHAP, Table 1(7)

Sources: Semiannual Deviation and Compliance Monitoring Report: July - December 2006
 Visible emission observations conducted by a certified inspector in accordance with the EPA Method 9, 40 C.F.R. Part 60, Appendix A
 Semiannual Deviation and Compliance Monitoring Report: July - December 2008
 Quarterly Deviation and Compliance Monitoring Report: January – March 2009
 Quarterly Deviation and Compliance Monitoring Report: July – September 2009
 Quarterly Deviation and Compliance Monitoring Report: October – December 2009
 Quarterly Deviation and Compliance Monitoring Report: July – September 2010
 Quarterly Deviation and Compliance Monitoring Report: Jan.- March 2011

Date(s)	Limit	Exceedance
09/29/06	15%, 6-min average 20%, 6-min average	2 6-min averages 2 6-min averages
09/06/07	15%, 6-min average	1 6-min average
09/08/07	15%, 6-min average 20%, 6-min average	1 6-min average 1 6-min average
09/11/07	15%, 6-min average 20%, 6-min average	1 6-min average 1 6-min average
10/02/08	15%, 6-min average 20%, 6-min average	1 6-min average 1 6-min average
10/17/08	15%, 6-min average	1 6-min average
10/23/08	15%, 6-min average 20%, 6-min average	126 6-min averages 126 6-min averages
11/06/08	15%, 6-min average 20%, 6-min average	36 6-min averages 36 6-min averages
11/14/08	15%, 6-min average 20%, 6-min average	1 6-min average 1 6-min average
02/27/09	15%, 6-min average 20%, 6-min average	1 6-min average 1 6-min average
03/31/09	15%, 6-min average 20%, 6-min average	3 6-min averages 3 6-min averages
07/27/09	15%, 6-min average 20%, 6-min average	2 6-min averages 2 6-min averages
11/14/09	15%, 6-min average 20%, 6-min average	1 6-min average 1 6-min average
07/01/10	15%, 6-min average 20%, 6-min average	1 6-min average 1 6-min average

7. No. 7 Blast Furnace Dust Catcher Dump Opacity

Regulated by: Title V Permit No. T089-6577-00316, Condition C.1
Indiana SIP 326 IAC 6.8-10-3(7)(D)

Sources: Visible emission observations conducted on March 25, 2007 by a certified inspector in accordance with the EPA Method 9 and Method 22, 40 C.F.R. Part 60, Appendix A
Quarterly Deviation and Compliance Monitoring Report: July, 2007 – March, 2009

Date(s)	Limit	Exceedance
03/25/07	0%	1 Up to 100%
07/07 – 09/07	0%	12 Up to 100%
10/07 – 12/07	0%	12 Up to 100%
01/08 – 03/08	0%	12 Up to 100%
04/08 – 06/08	0%	12 Up to 100%
07/08 – 09/08	0%	12 Up to 100%
10/01/08	0%	1 Up to 100%
10/07/08	0%	1 Up to 100%
10/15/08	0%	1 Up to 100%
10/26/08	0%	1 Up to 100%
10/29/08	0%	1 Up to 100%
02/25/09	0%	1 Up to 100%

8. No. 7 Blast Furnace Slag Production

Regulated by: Title V Permit No. T089-6577-00316, Condition D.2.8

Sources: Quarterly Deviation and Compliance Monitoring Reports: January, 2006 – December, 2008

ArcelorMittal exceeded its Title V operating permit Condition D.2.8 rolling annual slag production limit for Blast Furnace No. 7 of 227,472 tons per year from 2006 through October, 2008.

9. No. 2 BOF Shop Roof Monitor Opacity

Regulated by: Title V Permit No. T089-6577-00316, Condition D.5.2(f)
Indiana SIP 326 IAC 6.8-3-2
Iron and Steel NESHAP, Table 1(12)

Sources: Semiannual Deviation and Compliance Monitoring Report: July – December, 2006
Quarterly Deviation and Compliance Monitoring Report: July-Sept. 2007

Quarterly Deviation and Compliance Monitoring Report: January – March, 2008

Quarterly Deviation and Compliance Monitoring Report: April – June, 2008

Quarterly Deviation and Compliance Monitoring Report: July – September, 2009

Quarterly Deviation and Compliance Monitoring Report: October – December, 2009

Quarterly Deviation and Compliance Monitoring Report: January – March, 2010

Quarterly Deviation and Compliance Monitoring Report: July – September, 2010

Quarterly Deviation and Compliance Monitoring Report: April – June, 2010

Date(s)	Limit	Exceedance
07/06/06	20%, 3-min average	20 3-min averages
08/17/06	20%, 3-min average	1 3-min average
10/06/06	20%, 3-min average	2 3-min average
10/12/06	20%, 3-min average	4 3-min averages
11/08/06	20%, 3-min average	2 3-min averages
08/27/07	20%, 3-min average	1 3-min average
10/26/07	20%, 3-min average	1 3-min average
12/04/07	20%, 3-min average	1 3-min average
12/18/07	20%, 3-min average	3 3-min averages
01/03/08	20%, 3-min average	1 3-min average
02/09/08	20%, 3-min average	5 3-min averages
02/14/08	20%, 3-min average	2 3-min averages
03/20/08	20%, 3-min average	1 3-min average
03/30/08	20%, 3-min average	1 3-min average
04/14/08	20%, 3-min average	2 3-min averages
06/28/08	20%, 3-min average	1 3-min average
09/01/09	20%, 3-min average	1 3-min average
09/02/09	20%, 3-min average	1 3-min average
09/09/09	20%, 3-min average	1 3-min average
09/17/09	20%, 3-min average	1 3-min average
09/20/09	20%, 3-min average	1 3-min average
09/21/09	20%, 3-min average	1 3-min average
10/05/09	20%, 3-min average	1 3-min average
11/11/09	20%, 3-min average	1 3-min average
11/13/09	20%, 3-min average	1 3-min average
12/15/09	20%, 3-min average	1 3-min average
12/23/09	20%, 3-min average	2 3-min averages
01/25/10	20%, 3-min average	1 3-min average
02/12/10	20%, 3-min average	1 3-min average
03/05/10	20%, 3-min average	1 3-min average
03/12/10	20%, 3-min average	1 3-min average
05/17/10	20%, 3-min average	1 3-min average
05/29/10	20%, 3-min average	1 3-min average

Date(s)	Limit	Exceedance
06/02/10	20%, 3-min average	1 3-min average
06/03/10	20%, 3-min average	1 3-min average
07/09/10	20%, 3-min average	1 3-min average
07/12/10	20%, 3-min average	1 3-min average
07/20/10	20%, 3-min average	1 3-min average
08/07/10	20%, 3-min average	1 3-min average
08/08/10	20%, 3-min average	1 3-min average
08/23/10	20%, 3-min average	1 3-min average

10. No. 2 Basic Oxygen Furnace Secondary Vent Scrubber Stack PM Limit

Regulated by: Title V Permit No. T089-6577-00316, at Condition D.5.1(f)
Indiana SIP 326 IAC 6.8-2-17
Iron and Steel NESHAP, Table 1(9)(c)

Sources: Stack tests performed at the No. 2 BOF Secondary Vent Scrubber Stack on the following dates: August 16, 2006; September 14, 2006; November 8, 2006; January 4, 2007; and January 5, 2007

Date(s)	Limit	Exceedance
08/16/06	0.01 gr/dscf (NESHAP) 0.015 gr/dscf (SIP) 12.00 lbs/hr (SIP)	Tested concentration = 0.0232 gr/dscf Tested rate = 36.76 lbs/hr
09/14/06	0.01 gr/dscf (NESHAP) 0.015 gr/dscf (SIP) 12.00 lbs/hr (SIP)	Tested concentration = 0.0153 gr/dscf Tested rate = 23.32 lbs/hr
11/08/06	0.01 gr/dscf (NESHAP) 0.015 gr/dscf (SIP) 12.00 lbs/hr (SIP)	Tested concentration = 0.0177 gr/dscf Tested rate = 26.52 lbs/hr
01/04/07	0.01 gr/dscf (NESHAP) 0.015 gr/dscf (SIP) 12.00 lbs/hr (SIP)	Tested concentration > 0.01 gr/dscf Tested concentration > 0.015 gr/dscf Tested rate > 12.00 lbs/hr
01/05/07	0.01 gr/dscf (NESHAP) 0.015 gr/dscf (SIP) 12.00 lbs/hr (SIP)	Tested concentration > 0.01 gr/dscf Tested concentration > 0.015 gr/dscf Tested rate > 12.00 lbs/hr

11. No. 2 Basic Oxygen Furnace Primary Scrubber Stack PM Limit

Regulated by: Title V Permit No. T089-6577-00316 at Condition D.5.1(e)
Indiana SIP 326 IAC 6.9-2-17
Iron and Steel NESHAP, Table 1(9)(a)

Sources: Stack tests performed at the No. 2 BOF #20 Furnace Off-Gas Scrubber on the following dates: August 8, 2006; August 9, 2006; August 11, 2006; September 18, 2006; and September 22, 2006.
Quarterly Deviation and Compliance Monitoring Report: July – September, 2010

Date(s)	Limit	Exceedance
08/08/06	0.03 gr/dscf (NESHAP) 16.00 lbs/hr (SIP)	(1) Tested concentration = 0.0399 gr/dscf (2) Tested concentration = 0.0541 gr/dscf (1) Tested rate = 24.08 lbs/hr (2) Tested rate = 31.37 lbs/hr
08/09/06	0.03 gr/dscf (NESHAP) 16.00 lbs/hr (SIP)	(1) Tested concentration = 0.0484 gr/dscf (2) Tested concentration = 0.0432 gr/dscf (1) Tested rate = 27.21 lbs/hr (2) Tested rate = 25.00 lbs/hr
08/11/06	0.03 gr/dscf (NESHAP) 16.00 lbs/hr (SIP)	Tested concentration = 0.0444 gr/dscf Tested rate = 26.08 lbs/hr
09/18/06	0.03 gr/dscf (NESHAP) 0.058 gr/dscf (SIP) 16.00 lbs/hr (SIP)	Tested concentration = 0.0900 gr/dscf Tested rate = 50.29 lbs/hr
09/22/06	0.03 gr/dscf (NESHAP) 16.00 lbs/hr (SIP)	Tested concentration = 0.054 gr/dscf Tested rate = 32.56 lbs/hr
07/08/10	0.03 gr/dscf (NESHAP) 16.00 lbs/hr (SIP)	Exceedance reported in deviation report. Value not provided
07/12/10	0.03 gr/dscf (NESHAP) 16.00 lbs/hr (SIP)	Exceedance reported in deviation report. Value not provided

12. Hot Metal Car Opacity

Regulated by: Title V Permit No. T089-6577-00316, Condition C.1
Indiana SIP 326 IAC 6.8-10-3(6)(A)

Sources: Visible emission observations conducted on March 26, 2007 by a certified inspector in accordance with the EPA Method 9 and Method 22, 40 C.F.R. Part 60, Appendix A.

ArcelorMittal exceeded its Title V operating permit and the Indiana SIP zero percent frequency of visible emission observations during March 26, 2007 in-plant transportation of a hot metal railcar located near the No. 2 basic oxygen furnace shop desulfurization station.

13. No. 4 BOF Shop Roof Monitor Opacity

Regulated by: Title V Permit No. T089-6577-00316, Condition D.6.4(b)
Title V Permit No. T089-18491-00316, Condition D.6.2(b)
Indiana SIP 326 IAC 6.8-3-2
Iron and Steel NESHAP, Table 1(12)

Sources: Semiannual Deviation and Compliance Monitoring Report: July – December, 2006

Semiannual Deviation and Compliance Monitoring Report: July –
December, 2010

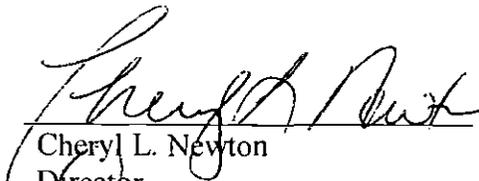
Quarterly Deviation and Compliance Monitoring Report: January – March,
2011

Date(s)	Limit	Exceedance
07/13/06	20%, 3-min average	1 3-min average
09/05/06	20%, 3-min average	1 3-min average
12/20/10	20%, 3-min average	1 3-min average
01/12/11	20%, 3-min average	1 3-min average
02/24/11	20%, 3-min average	1 3-min average

IV. ENVIRONMENTAL IMPACT OF THE VIOLATIONS

Violations of the particulate matter and opacity standards increase public exposure to unhealthy particulate matter. Particulate matter, especially fine particulate, contributes to respiratory problems, lung damage and premature deaths.

10/24/11
Date


Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Notice of Violation and Finding of Violation, No.

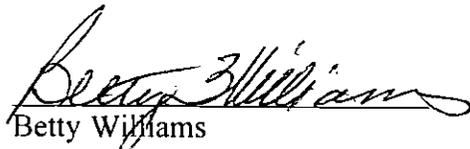
EPA-5-11-IN-14, by Certified Mail, Return Receipt Requested, to:

James Flannery, Environmental Affairs Manager
ArcelorMittal Steel USA - Indiana Harbor East
3210 Watling Street
East Chicago, Indiana 46312

I also certify that I sent a copy of the Finding of Violation and Notice of Violation by first class mail to:

Phil Perry, Chief
Compliance and Enforcement Branch
Office of Air Quality
Indiana Department of Environmental Management
100 North Senate Avenue, Room IGCN 1003
Indianapolis, Indiana 46204-2251

on the 26th day of October, 2011.


Betty Williams
Administrative Program Assistant
Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 700916800000 7672 7969