



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

FEB 12 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Toni Paulus
Environmental Manager
Alton Steel, Inc.
5 Cut Street
Alton, Illinois 62002

Re: Finding of Violation
Alton Steel, Inc.
Alton, Illinois

Dear Ms. Paulus:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Alton Steel, Inc. (Alton Steel or you). We find that you are violating the Clean Air Act (CAA), 42 U.S.C. §§ 7401-7671q at your facility in Alton, Illinois. We are issuing the enclosed FOV to you for these violations.

EPA has several enforcement options under Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(b) and (c). These options include issuing a compliance order, issuing a penalty order, and commencing an action in federal court for civil and/or criminal action.

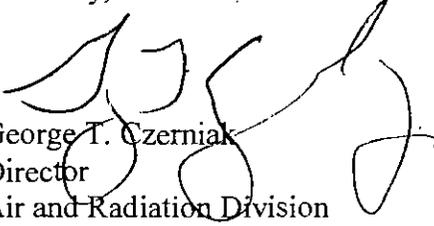
Through this letter, EPA is offering you an opportunity to confer about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

If you choose to meet with EPA, please plan for your 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 EPA contact in this matter is Monica Onyszko. You may call her at 312.353.5139 or e-mail her at onyszko.monica@epa.gov if you wish to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following your receipt of this letter.

EPA encourages Alton Steel to comply with the requirements of the CAA and cease operating in a manner that violates the CAA as described in the enclosed FOV.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

Enclosure

cc: Eric Jones
Manager
Bureau of Air, Compliance Unit
Illinois Environmental Protection Agency

5. 40 C.F.R. §63.7(e)(2) provides that performance tests shall be conducted in accordance with the test methods and procedures set forth in the General Provisions, in each relevant standard, and, if required, in applicable appendices of 40 C.F.R. Parts 51, 60, 61, and 63.

NESHAP for Electric Arc Furnace Steelmaking Facilities

6. Pursuant to Section 112 of the CAA, EPA promulgated the NESHAP for Electric Arc Furnace Steelmaking Facilities at 40 C.F.R. Part 63, Subpart YYYYYY, 40 C.F.R. §§ 63.10680 - 63.10692, on December 28, 2007. 72 Fed. Reg. 74111.
7. The NESHAP at 40 C.F.R. Part 63, Subpart YYYYYY, applies to an owner or operator of an electric arc furnace (EAF) steelmaking facility that is an area source of HAP emissions. 40 C.F.R. § 63.10680(a).
8. 40 C.F.R. § 63.10681(a) provides that the compliance date for an existing affected source is June 30, 2008.
9. 40 C.F.R. § 63.10686(b)(2) provides that an affected source must not discharge or cause the discharge into the atmosphere from an EAF any gases which exit from a melt shop and, due solely to the operations of any affected EAF(s), exhibit 6 percent opacity or greater.
10. 40 C.F.R. § 63.10686(d)(2) provides that an affected source must conduct each opacity test for a melt shop according to the procedures in 40 C.F.R. § 63.6(h) and Method 9 of Appendix A-4 of 40 C.F.R. Part 60.

Title V Requirements

11. Title V of the CAA, 42 U.S.C. §§ 7661-7661f, established an operating permit program for major sources of air pollution. Section 502(d) of the CAA, 42 U.S.C. § 7661a(d), provides that each state must submit to the EPA a permit program meeting the requirements of Title V.
12. Section 503 of the CAA, 42 U.S.C. § 7661c(a), requires that each Title V permit include enforceable emission limitations and standards, a schedule of compliance, and other conditions necessary to assure compliance with applicable requirements, including those contained in a state implementation plan.
13. 40 C.F.R. § 70.6(b)(1) provides that Title V permits are federally enforceable and that all terms and conditions in a Title V permit are enforceable by the EPA.
14. EPA gave interim approval of Illinois' Title V program on March 7, 1995. 60 Fed. Reg. 12478. EPA fully approved the Illinois Title V program on December 4, 2001. 66 Fed. Reg. 62946. The approved Illinois Title V program is known as the Illinois Clean Air Act Permit Program (CAAPP).

Title V Permit

15. The Illinois Environmental Protection Agency issued a CAAPP Permit, Application No. 96020056 (Title V Permit), to the facility on May 13, 2008.
16. Condition 7.1.3(e) of the Title V Permit provides that EAF #7 is subject to the NESHAP, 40 C.F.R. Part 63, Subparts A and YYYYYY.
17. Condition 7.1.7(b)(i) of the Title V Permit provides that Alton shall have opacity from the melt shop openings and the capture systems determined by a certified observer in accordance with EPA Method 9 while EAF #7 is operating.

Performance Testing

18. EPA Method 9 is found in Appendix A-4 of 40 C.F.R. Part 60.
19. EPA Method 9 provides the required procedures to visually determine the opacity of emissions, which includes, in part, that the certified observer shall stand at a distance sufficient to provide a clear view of the emissions with the sun oriented in the 140° sector to their back.

Relevant Factual Background

20. Alton Steel owns and operates a steel making facility located at 5 Cut Street in Alton, Illinois (the facility).
21. Alton Steel is a major source of carbon monoxide, sulfur dioxide, particulate matter, and nitrogen oxide emissions. Alton Steel is not a major source of HAPs, but is considered an area source of HAPs and is therefore subject to the requirements of 40 C.F.R. Part 63, Subpart YYYYYY.
22. The Title V permit for Alton Steel includes emission units, among others, EAF #7. EAF #7, which is located in the facility's melt shop, receives scrap metal that is melted and refined to make steel products.
23. On January 24 and 25, 2013, EPA inspected the facility.
24. On January 24, 2013, EPA inspectors observed smoke exiting the facility's melt shop. A certified EPA inspector read the opacity of smoke in accordance with Method 9 at the melt shop roof. From 4:03 PM to 4:09 PM, the average opacity during the six-minute period was 6.9 percent.
25. On May 7, 2013, EPA sent an information request to Alton under Section 114(a) of the CAA, 42 U.S.C. § 7414(a).
26. In response to the information request, for the period January 1, 2008 to May 7, 2013, Alton reported that the 6-minute average opacity at their melt shop roof was 8.2 percent on February 2, 2012 and 7.3 percent on January 3, 2013.

27. Review of "Method 9 – Visible Observation" sheets used by Alton Steel for measuring opacity between May 29, 2008 to May 7, 2013 showed a flaw. The "sun location line" angle shown on the sheets is greater than 140° to the observer's back, which is not in accordance with Method 9.
28. The "Method 9 – Visible Observation" sheets indicated that the sun was oriented outside the "sun location line" angle while opacity readings were being conducted on numerous days, such as on April 29, 2013.

Violations

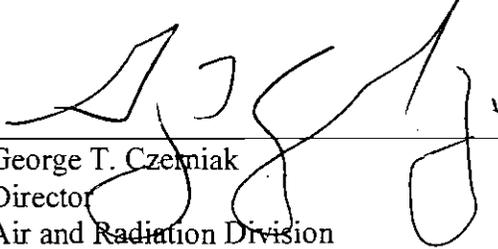
29. Alton Steel's exceedance of 6 percent opacity on February 2, 2012, January 3, 2013, and January 24, 2013 constitutes a violation of the opacity limit at 40 C.F.R. § 63.10686(b)(2) and Condition 7.1.3(e) of the Title V Permit.
30. Alton Steel conducting opacity observations not done in accordance with EPA Method 9 constitutes a violation of 40 C.F.R. §63.7(e)(2) and Condition 7.1.7(b)(i) of the Title V Permit.

Environmental Impact of Violations

31. These violations have caused excess emissions of opacity, which is often used as a surrogate indicator of the degree of particulate matter emissions. Particulate matter, especially fine particulates, contains microscopic solids or liquid droplets, which can get deep into the lungs and cause serious health problems. Particulate matter exposure contributes to:
 - irritation of the airways, coughing, and difficulty breathing;
 - decreased lung function;
 - aggravated asthma;
 - chronic bronchitis;
 - irregular heartbeat;
 - nonfatal heart attacks; and
 - premature death in people with heart or lung disease.

Date

2/12/14


George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-14-IL-02, by

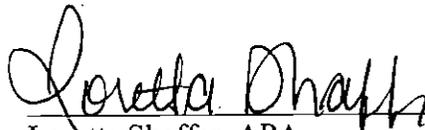
Certified Mail, Return Receipt Requested, to:

Toni Paulus
Alton Steel, Inc.
5 Cut Street
Alton, Illinois 62002

I also certify that I sent copies of the Finding of Violation by first-class mail to:

Eric Jones, Manager
Bureau of Air
Compliance Unit
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

on the 12 day of February 2014.



Loretta Shaffer, APA
Planning and Administrative Section

CERTIFIED MAIL RECEIPT NUMBER: 70091680 0000 7672 8768