

Document: IC 13-14-9 Notice, **Register Page Number:** 25 IR 943

Source: December 1, 2001, Indiana Register, Volume 25, Number 3

Disclaimer: This document was created from the files used to produce the official (printed) Indiana Register. However, this document is unofficial.

TITLE 326 AIR POLLUTION CONTROL BOARD

FIRST NOTICE OF COMMENT PERIOD #01-407(APCB)

AMENDMENTS TO RULES CONCERNING U.S. STEEL-GARY WORKS PARTICULATE MATTER EMISSION LIMITS

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on amendments to 326 IAC 6-1-10.1 to revise the particulate matter emission limits at U.S. Steel-Gary Works. IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking.

CITATIONS AFFECTED: 326 IAC 6-1-10.1.

AUTHORITY: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

U.S. Steel has requested revisions to the sulfur dioxide (SO₂) and particulate matter (PM₁₀) limits that are specific to its integrated steel making operations located in Gary, Indiana. The SO₂ emission limits are being addressed in a separate rule (LSA Document #00-236), and will not be included in this rulemaking. A First Notice of Public Comment Period printed in the May 1, 1998, Indiana Register (LSA Document #98-94) that included both SO₂ and PM₁₀ emission limits is being withdrawn in this Indiana Register. This First Notice of Public Comment Period will address PM₁₀ emissions limits for U.S. Steel. U.S. Steel must comply with the state implementation plan by being in compliance with a rule approved by U.S. EPA rather than continue to operate under a state variance. The amended rules will be submitted to the U.S. EPA as a state implementation change upon promulgation.

Revisions to U.S. Steel's PM₁₀ emissions limits are necessary to address changes at U.S. Steel since the current rules became effective in 1993. Prior to the development of draft rule language relative to these requested changes, U.S. Steel will update their inventory and develop modeling and other information to evaluate the impact of these changes on ambient concentrations of PM₁₀. The updated inventory will include fugitive dust emissions from the plant area, roadways, storage piles and material handling activities, and an update of emissions sources due to the removal, replacement or installation of equipment. The PM₁₀ emission limits must be based on modeling information that clearly demonstrates compliance with the National Ambient Air Quality Standards. Modeling will be based on the current version of the model approved by U.S. EPA. The overall PM₁₀ emissions from U.S. Steel will be reduced significantly through this rule action.

Given the length of time involved in the rule making process, U.S. Steel-Gary Works submitted a request to the department for a variance, pursuant to IC 13-14-8. A variance from certain provisions of 326 IAC 6-1-10.1 concerning PM₁₀ emission limits in Lake County in the current state implementation plan (SIP) was granted on February 18, 1998, with extensions granted in 1999, 2000, and 2001. This rulemaking is intended to update PM₁₀ emission limits in the rule so that the variance from 326 IAC 6-1-10.1 is no longer needed.

STATUTORY AND REGULATORY REQUIREMENTS

IC 13-14-8-4 requires the board to consider the following factors in promulgating rules:

- (1) All existing physical conditions and the character of the area affected.
- (2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.
- (3) Zoning classifications.
- (4) The nature of the existing air quality or existing water quality, as the case may be.
- (5) Technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality.
- (6) Economic reasonableness of measuring or reducing any particular type of pollution.
- (7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to human, plant, animal, or aquatic life or to the reasonable enjoyment of life and property.

REQUEST FOR PUBLIC COMMENTS

At this time, IDEM solicits the following:

- (1) The submission of alternative ways to achieve the purpose of the rule.
- (2) The submission of suggestions for the development of draft rule language.

Comments, whether mailed, hand delivered, or faxed, should be addressed as follows:

#01-407(APCB) U.S. Steel-Gary Works Particulate Matter Emission Limits

Kathryn A. Watson, Chief

Air Programs Branch

Office of Air Quality

Indiana Department of Environmental Management

P.O. Box 6015

Indianapolis, Indiana 46206-6015.

Hand delivered comments will be accepted by the receptionist on duty at the tenth floor reception desk, Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana, Monday through Friday, between 8:15 a.m. and 4:45 p.m.

Comments may be submitted by facsimile at the IDEM fax number: (317) 233-2342, Monday through Friday, between 8:15 a.m. and 4:45 p.m. Please confirm the timely receipt of faxed comments by calling the Rules Development Section at (317) 233-0426.

COMMENT PERIOD DEADLINE

Comments must be postmarked, hand delivered, or faxed by January 2, 2002.

Additional information regarding this action may be obtained from Chris Pedersen, Rules Development Section, Office of Air Quality, (317) 233-6868 or (800) 451-6027, press 0, and ask for 3-6868 (in Indiana).