ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

MEMORANDUM

file 112813AAI
88070071

EPA Region 5 Records Ctr.

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JUN 27 1991
IEPA—DAPC—SPFLD.

DATE: June 26, 1991

TO: Miles Zamco, FOS Manager
Don Sutton, Permits Manager

FROM: Theresa Pella

SUBJECT: Permit Appeal filed by National Steel
EPA File #353-91
PCB File #91-105

Penni Livingston has been assigned the above file. Attached are your copies for assignment to your respective Division personnel.

TP:cw/9

cc: Penni Livingston (w/o enc.)
John Justice

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NATIONAL STEEL CORPORATION GRANITE CITY DIVISION, 20th and State Streets Granite City, Illinois 62040, Petitioner, v. ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, 2200 Churchill Road Springfield, Illinois 62794-9276 Respondent.	)	EPA 353-91 Docket No. PCB 91-105 Petition for Review of Permit

Notice is hereby given that National Steel Corporation, Granite City Division ("Granite City"), by and through its counsel Babst, Calland, Clements and Zomnir, P.C., hereby appeals to the Illinois Pollution Control Board, from the Operating Permit, Application No. 88070071, issued by the Illinois Environmental Protection Agency ("IEPA") to Granite City. (A copy of the Operating Permit is attached hereto as Exhibit A). Granite City received notice of the operating permit on May 23, 1991.

In support of this Petition for Review of Permit, Granite City states as follows:

1. Granite City operates a steel manufacturing operation in Granite City, Illinois. As an integral part of this operation, Granite City operates two coke oven batteries, Battery A and Battery B.

2. Batteries A and B are among the most environmentally sound facilities of their kind in the United States. Both batteries are subject to stringent emission limitations that have been met on a consistent basis since the batteries began operation.

3. At the end of the coking cycle, coke is pushed from a coke oven into a "hot" car which is equipped with a highly sophisticated emission control system.

4. The pushing emission control system was developed by and first installed at Granite City. The system is covered by U. S. Patents and proved to be so successful in capturing pushing emissions that it was marketed and sold to other coking operations where it has demonstrated compliance with applicable state emission limitations.

5. The emission control systems are used to reduce particulate emissions during pushing operations at Coke Oven

Batteries A and B consistent with the requirements of Title 35 of the Illinois Administrative Code, Section 212.443(c) and the Operating Permit.

6. Granite City has maintained compliance with the requirements of Section 212.443(c) and the Operating Permit, including, but not limited to the opacity standards, process weight rates and minimum availability requirements (95% for Battery B and 90% for Battery A).

7. New pushing emission control cars were installed within the last year and well developed standard operating procedures have been followed since the batteries began operation.

8. On May 20, 1991, IEPA issued an Operating Permit for pushing emission control systems, 1, 2, 3 and 4 which service Batteries A and B. This permit set forth seven special conditions pertaining to the operation of these emission control systems.

9. Condition 6 requires Granite City to provide IEPA with written notice of a "change in the normal target blend of coal charged to the ovens, on a permanent or trial basis, from the coal blends that were specified as the normal target blends on November 7 and 18, 1989," within two weeks of the change.

10. The coal blend is one of a great many operating parameters that can influence the efficiency of the pushing emission control systems.

11. Variations in the coal blend occur almost daily.

12. Although variations in the coal blend rarely affect compliance with applicable pushing emission control standards, Granite City maintains an extensive quality control program to insure that variations in coal blend which result in an exceedance of Section 212.443(c) are modified to maintain compliance.

13. It is not possible to determine in advance of actual use whether or not a variation in coal blend will adversely impact the efficiency of the pushing emission control systems.

14. Thus, Condition 6 would require almost daily notices to IEPA of past variations in the coal blend. Such notices would provide no ability to determine whether or not the variation impacted the efficiency of the pushing emission control system.

15. Granite City has monitored the impact of various operational parameters, including coal blends, on the efficiency

of the pushing emission control systems since the batteries began operations and has maintained an exemplary compliance record during that entire period of time.

16. In view of the foregoing, Granite City sets forth the following assignments of error upon which this appeal is based:

a. Special Condition 6 constitutes an arbitrary, unreasonable, capricious, and unlawful interference with Granite City's business activities in that it requires daily notifications of events which occurred two weeks prior to the notification and which provide no ability to determine the effect on compliance with Section 121.4439(c);

b. Special Condition 6 violates constitutional protections afforded to Granite City under both the State and federal Constitutions, in that no other steel company is burdened with pointless notification requirements regarding coal blend changes; and

c. Special Condition 6 is not necessary to accomplish any purpose under the Illinois Environmental Protection Act in that it has no bearing on compliance and, because of the frequency of variations in the coal blend, provides no meaningful information to the agency.

The above-stated assignments of error constitute Granite City's assignments of error in this matter. However, by setting forth said assignments of error, Granite City does not intend to limit its objections thereto; rather, Granite City specifically reserves the right for expansion and amendment in this regard.

WHEREFORE, Granite City respectfully requests that the Board (1) summarily vacate Special Condition No. 6, and (2) grant such further relief this Board deems just and equitable.

Respectfully submitted,

Dated: June 21, 1991

Chester R. Babst, III
Attorney for National Steel Corporation, Granite City Division