UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:

United States Steel Corporation – Gary Works
One North Broadway
Gary, Indiana 46402-3199

ATTENTION: Kenneth Mentzel, Manager, Environmental Control

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring United States Steel Corporation (U.S. Steel or you) to submit certain information and conduct testing at your facilities at one North Broadway in Gary, Indiana. Appendix A specifies the information that you must submit. You must send this information to us according to the schedules outlined in Appendix A.

We are issuing this information request under section 114(a) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

U.S. Steel owns and operates an emission source at its Gary, Indiana facility. We are requesting this information to determine whether your emission source is complying with the Act.

You must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

You may consider the information confidential that you submit to us. You may assert a

claim of business confidentiality for any portion of the submitted information under 40 C.F.R. Part 2, Subpart B. Appendix B specifies the assertion and substantiation requirements for business confidentiality claims.

U.S. Steel must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341. .

We may use any information submitted in response to this request in an administrative, civil, or criminal action.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic record keeping efforts, please provide your response to this request for information without staples. Paper clips, binder clips, and 3-ring binders are acceptable.

Failure to comply fully with this request for information may subject U.S. Steel to an enforcement action under section 113 of the Act, 42 U.S.C. § 7413.

You should direct any questions about this request for information to Brian Dickens at (312) 886-6073.

11/2/09
Date

Cheryl L. Newton
Director
Air and Radiation Division

Appendix A

U.S. Steel – Gary Works shall submit the following information relating to its facility located in Gary, Indiana, according to the schedule below:

1) Perform 40 C.F.R Part 60, Appendix A, EPA Method 9 visual opacity observations of emissions generated by each placement of iron onto any surface that is not refractory lined (e.g. a ladle or torpedo car) or enclosed with active fume capture. This includes, but is not limited to iron "beaching". Perform these observations for three months, beginning two weeks from the date of receipt of this request. For each placement/dumping, record the date, cause, location, and quantity of iron dumped. Submit the results of this request within four months from the date of receipt of this request.

2) Provide the date, start time, end time, and duration of each dirty and semi-clean vent (also termed bleeder or bleeder valve), opening for blast furnaces 4, 6, 8, and 14 from October 1, 2008 until the date of receipt of this request. Submit the data within 30 days of receipt of this request. For each period of opening, state whether the opening was planned or unplanned, the root cause of the opening (i.e. the reason the vent was intentionally opened, the reason for the overpressure, or the maintenance activity that was performed), and any actions taken to prevent recurrence. Periods of leakage are considered periods of opening.

3) Perform 40 C.F.R Part 60, Appendix A, EPA Method 9 opacity readings of each blast furnace dirty gas vent opening for each operating blast furnace for three months, beginning two weeks from the date of receipt of this request. Submit the results within four months of receipt of this request. When the openings are foreseen, such as those done to prepare for furnace maintenance, read the vents during the entire period of opening during daylight hours. If the openings are not planned and occur during daylight hours, begin reading as soon as possible and within 10 minutes of the time that the vent first opens, and read during the remainder of the opening and/or leaking seat, but for a period no less than 15 minutes. In other words, in the event of a near instantaneous opening and closing, readings must still begin as soon as possible after that instantaneous event and must last at least 15 minutes.

4) Record the date, start time, end time, and duration of each blast furnace vent opening (dirty and semi-clean) for each operating blast furnace for three months, beginning two weeks from the date of receipt of this request. Submit the results within four months of receipt of this request. For each period of opening, state whether the opening was planned or unplanned, the root cause of the opening (i.e. the reason the vent was intentionally opened, the reason for the overpressure, or the maintenance activity that was performed), and any actions taken to prevent recurrence.

5) Perform 40 C.F.R Part 60, Appendix A, EPA Method 9 visual observations of emissions from the top of each blast furnace emitted through the equalization valve (the vent relieving pressure between the bells) or any other location near the furnace top except for the dirty gas vent valves. Perform these observations for three months, beginning two weeks from the date of receipt of this request. U.S. Steel shall take readings while any amount of visible emissions are present (above zero percent opacity) and shall record each discrete emission

event (e.g. equalization valve opening, bell opening) on the visual emissions observation sheets. U.S. Steel shall note the start time and end time of each discrete emission event (e.g. equalization valve opening, bell opening). To the extent the event lasts less than 15 seconds, U.S. Steel may note that the start and end time occurred within a single 15 second period. For each period of reading, provide the date, cause (e.g. bell leaks), and location (e.g. equalization valve, bell). Submit the results of this request within four months from the date of receipt of this request.

Appendix B
Confidential Business Information (CBI)
Assertion and Substantiation Requirements

A. Assertion Requirements

You may assert a business confidentiality claim covering all or part of the information requested in the attached letter, as provided in 40 C.F.R. § 2.203(b). To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a legend to indicate the intent to claim confidentiality. The stamped or typed legend, or other suitable form of notice, should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date if any when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by the United States Environmental Protection Agency (EPA) only to the extent permitted and by means of the procedures set forth by Section 114(c) of the Clean Air Act (the Act), 42 U.S.C. § 7414, and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise nonconfidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical and similar files from your responses and include that information on separate sheet(s) marked as "Personal Privacy Information" given that disclosure of such information to the general public may constitute an invasion of privacy.

B. Substantiation Requirements

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. §2.208 which provides in part that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking you to substantiate fully your CBI claim. If you receive such a letter, you must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential. **You must be specific by page, paragraph, and sentence when identifying the information subject to your claim.** Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being

subject to CBI, you must answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.

2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?

3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?

4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?

5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.

6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.

8. Any other issue you deem relevant.

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. "Emission data" means, with reference to any source of emission of any substance into the air-

> Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;
>
> Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and
>
> A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

Emission data includes, but is not limited to, service records stating the amount of refrigerant added to a unit or reclaimed from a unit.

If you receive a request for a substantiation letter from the EPA, <u>you bear the burden of substantiating your confidentiality claim</u>. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by, and by means of the procedures set forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

CERTIFICATE OF MAILING

I, Loretta Shaffer, hereby certify that the attached Request for Information Pursuant to the Clean Air Act was sent by Certified Mail, Return Receipt to:

Kenneth Mentzel, Manager, Environmental Control
United States Steel Corporation – Gary Works
One North Broadway
Gary, Indiana 46402-3199

I also certify that a copy of the Request for Information pursuant to the Clean Air Act was sent by First Class Mail to:

Thomas Easterly, Commissioner
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

on the 3 day of Nov 2009.

Loretta Shaffer

Loretta Shaffer, Secretary
AECAS (MN/OH)

Certified Mail Receipt Number: 7001 0320 0006 0192 1437