

OhioEPA
Division of Air Pollution Control

**Response to Comments
Proposed Rule Language Comment Period**

Rule: OAC rules 3745-110-01, 110-02, 110-03, 110-04, and 110-05; NOx RACT

Agency Contact for this Package

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Ohio EPA provided a 30-day comment period which ended on February 25, 2013. This document summarizes the comments received during the associated comment period.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. The name of the commenter follows the comment in parentheses.

Specific Comments

Rule 3745-110-03, “RACT limitations for emissions of NOx from stationary sources”

Comment 1:

OAC rule 3745-110-03(P)(1)

Number 3 seamless mill rotary reheat furnace P035, rated at 296.0 MMBtu/hr, shall not exceed 0.09 lb/MMBtu/hr. As we discussed in our February 14th telephone conversation, the 0.09 lb/MMBtu was inserted in error. The correct limit for P035 should be 0.11 lb/MMBtu. Note that we intend to retest this unit and P039 which may adjust the limits. **(Joseph Pricener, United States Steel Corporation)**

Response 1:

The Ohio EPA agrees with the comment. Reference to emissions unit's P035 and P039 will be removed from the draft revision to this rule. Ohio EPA will allow additional NOx emissions testing to be conducted for these two reheat furnaces before establishing a final NOx emission limitation rate.

Comment 2:

Ohio EPA's proposed NOx RACT rule amendments contain a new presumptive NOx emission limitation to be added for reheat furnaces. Specifically, new paragraph (G) to OAC rule 3745-110-03 in the Draft Rule states:

(G) Reheat Furnaces

Except as otherwise provided in paragraphs (J) and (K) of this rule, on and after the compliance deadline specified by rule 3745-110-04 of the Administrative Code, no owner or operator of a reheat furnace with a maximum heat input capacity of greater than 50.0 MMBtu/hr shall allow or permit the discharge into the ambient air of any NOx emissions in excess of 0.09 lb/MMBtu.

Paragraph (J) of the Draft Rule contains the requirements for conducting a NOx RACT study for the purpose of obtaining site-specific NOx RACT limits from Ohio EPA. ArcelorMittal Cleveland previously submitted such a study and obtained site-specific limits for all existing units at its facility subject to OAC Chapter 3745-110, including its three reheat furnaces. These limits were subsequently incorporated into the rule, and are contained in paragraph (M) of OAC rule 3745-110-03 the Draft Rule.

The site-specific NOx RACT limits for ArcelorMittal Cleveland satisfy all of the criteria for a RACT determination and Ohio EPA has not demonstrated a need, or a legal justification, to revisit those determinations. Thus, we believe that it was not Ohio EPA's intent for this rule to apply to the ArcelorMittal Cleveland reheat furnaces subject to source-specific NOx RACT limits under paragraph (M) of the Draft Rule. Therefore, ArcelorMittal Cleveland requests that the beginning of new OAC rule 3745-110-03(G) be revised as follows: *"Except as otherwise provided in paragraphs (J) and (K) of this rule, and excluding furnaces subject to source-specific NOx RACT limits under other paragraphs of this rule, ..."*

(Douglas A. McWilliams, Squire Sanders (US) LLP on behalf of ArcelorMittal Cleveland LLC)

Response 2:

The Ohio EPA agrees with the comment. The intent of draft rule revision is to address new reheat furnaces that may become subject to the rule on and after the effective date of this rule revision, not those reheat furnaces that have

already satisfied the applicable requirements (e.g., NOx RACT study). The Ohio EPA will amend this paragraph to include most of the recommended language suggested by the commenter with a minor change. This minor change is consistent in meaning with the commenter's original language.

Specifically, the wording in OAC rule 3745-110-03(G) be revised to include the following text:

"Except as otherwise provided in paragraphs (J) and (K) of this rule, and excluding furnaces subject to a source-specific NOx RACT limit established in this rule ..."

Rule 3745-110-05, "Compliance testing and monitoring"

Comment 3:

3745-110-05(G)

For paragraph (G) of rule 3745-110-03 of the Administrative Code, compliance demonstrations shall be performed while the affected reheat furnace is operating at or close as practically possible to its maximum permitted operating capacity.

Due to product specifications reheat furnaces do not operate at their maximum permitted operating capacity, therefore requiring compliance testing be performed while the furnace is operating at maximum capacity is not practical. While the draft language seems to account for this, it is unclear what factors may be considered when evaluating what is "as close as practically possible." We recommend that the rule expressly state that operating factors, such as product specification and production rates, may be considered.

Suggested Language

For paragraph (G) of rule 3745-110-03 of the Administrative Code, compliance demonstrations shall be performed while the affected reheat furnace is operating at or close as practically possible to its maximum permitted operating capacity, taking into account relevant factors, including but not necessarily limited to product specifications and production rates. **(Joseph Pricener, United States Steel Corporation)**

Response 3:

Compliance demonstrations for emission sources are required to be conducted at or near the sources maximum (nameplate) heat input capacity. Emissions testing conducted at this higher heat input level is designed to account for NOx emissions at what should be the most challenging condition at which the furnace

may be operated, even though “normal” facility operations may be well below this level.

If an emissions source, in this case a reheat furnace, does not, or cannot operate at or near its maximum heat input capacity rating, then operation (heat input rate) of the source, and compliance emissions testing procedures, will be revised in the facility’s operating permit to account for this.

Comment 4:

OAC rule 3745-110-05

Concern is for the addition of paragraph (G) to this rule. My concern is that the stipulation is to only perform a “demonstration” when the furnace is “at or close as practically possible” a condition for maximum capacity. If the reheat furnace is not normally “at or close as practically possible” at maximum, then my solution is to test that reheat furnace at a normal capacity for that furnace.

(Mr. Scott Bushbaum)

Response 4:

As stated in Response #3 above, if an emissions source, in this case a reheat furnace, does not, or cannot operate at or near its maximum heat input capacity rating, then operation (heat input rate) of the source, and compliance emissions testing procedures, will be revised in the facility’s operating permit to account for this.

End of Response to Comments