



## **GROUP AGAINST SMOG & POLLUTION**

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February 25, 2020

### **VIA EMAIL**

Allegheny County Health Department  
Air Quality Program  
301 39th St., Bldg. 7  
Pittsburgh, PA 15201  
[aqpermits@alleghenycounty.us](mailto:aqpermits@alleghenycounty.us)

**Re: Comments of Group Against Smog and Pollution Regarding the  
RACT Determination and Draft Installation Permit for U.S. Steel  
Edgar Thomson Plant (Permit # 0051-I008)**

Dear Sir or Madam:

Please accept these comments regarding the draft Installation Permit (#0051-I008) (the "Permit") for the U.S. Steel Edgar Thomson Plant (the "Facility"), which I am submitting on behalf of the Group Against Smog and Pollution. According to the notice posted on its website, the Allegheny County Health Department ("ACHD") is accepting comments on the Permit through February 25, 2020.

Very truly yours,

/s

John K. Baillie  
Senior Attorney

**COMMENTS OF THE GROUP AGAINST SMOG AND POLLUTION REGARDING  
THE REASONABLY AVAILABLE CONTROL TECHNOLOGY DETERMINATION  
AND INSTALLATION PERMIT 0051-I008  
FOR U.S. STEEL EDGAR THOMSON PLANT (#0051)**

The National Ambient Air Quality Standard (the “NAAQS”) for ozone was revised in 2008.<sup>1</sup> Allegheny County was designated as a moderate nonattainment area for the 2008 NAAQS for ozone effective July 20, 2012.<sup>2</sup> The Final Rule implementing the 2008 NAAQS for ozone required Pennsylvania and other states in the Ozone Transport Region created by section 184 of the Clean Air Act to submit revisions to their State Implementation Plans to include revised Reasonably Available Control Technology (“RACT”) determinations for major sources of oxides of nitrogen (“NOx”) and volatile organic compounds (“VOCs”) within 24 months of a nonattainment designation, and to implement RACT within five years of a nonattainment designation.<sup>3</sup> Thus, Allegheny County was to have made RACT determinations by July 20, 2014, and major sources within the county were to have implemented RACT by July 20, 2017.

**I. A NUMERIC EMISSION LIMIT MAY QUALIFY AS RACT**

ACHD has determined that RACT for the Facility’s three Riley Boilers is lower emission limits for NOx, based on data from the continuous emission monitoring systems (“CEMS”) on the Boilers’ stacks.<sup>4</sup> Further, ACHD has determined that RACT for the Facility’s Blast Furnace Stoves is lower emission limits for NOx based on previous stack testing.<sup>5</sup> The proposed

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<sup>1</sup> National Ambient Air Quality Standards for Ozone, 73 Fed. Reg. 16436 (March 27, 2008).

<sup>2</sup> Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards, 77 Fed. Reg. 30088, 30143 (May 21, 2012).

<sup>3</sup> See 40 C.F.R. § 51.1116(b).

<sup>4</sup> See Allegheny County Health Department Air Quality Program, *Reasonably Available Control Technology (RACT II) Determination for the U.S. Steel Edgar Thomson Plant*, at 5 (Jan. 23, 2020).

<sup>5</sup> See *id.*, at 6-7.

emissions limits would reduce the Facility's potential to emit ozone-forming NO<sub>x</sub> from 4,368.34 tons per year to 1,169 tons per year,<sup>6</sup> a reduction of more than 70%.

Article XXI of ACHD's regulations define "Reasonably Available Control Technology" to mean "any pollution control equipment, process modifications, operating and maintenance standards, or other apparatus or techniques which may reduce emissions and which [the Allegheny County Health Department ("ACHD")] determines is available for use by the source ... in consideration of the necessity for obtaining the emission reductions, the social and economic impact of such reductions, and the availability of alternative means of providing for the attainment and maintenance of the NAAQS."<sup>7</sup> Thus, in contrast to the Pennsylvania Code,<sup>8</sup> Article XXI does not expressly include "emission limits" in its definition of RACT.

Nevertheless, numeric emission limits, such as the new NO<sub>x</sub> limits proposed for the Riley Boilers and Blast Furnace Stoves, may qualify as RACT. In its approval of the regulations that implement the RACT requirement in areas of Pennsylvania outside of Allegheny and Philadelphia Counties, the United States Environmental Protection Agency stated:

RACT generally requires the establishment of "emission limitations." Since the 1970's, **EPA has consistently defined "RACT" as the lowest emission limit that a particular source is capable of meeting** by the application of the control technology that is reasonably available considering technological and economic feasibility ... CAA section 302(k) defines an emissions limitation as "a requirement established by the State or the Administrator which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis including any requirement relating to the operation or maintenance of a source to

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<sup>6</sup> See *id.*, at 7.

<sup>7</sup> Article XXI of the Rules and Regulations of the Allegheny County Health Department ("Art. XXI"), § 2101.20.

<sup>8</sup> See 25 Pa. Code § 121.1 (defining RACT to mean "the lowest emission limit for VOCs or NO<sub>x</sub> that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility").

assure continuous emission reduction, and any design, equipment, work practice or operational standard promulgated under this chapter.”<sup>9</sup>

Accordingly, the proposed numeric emission limits for the Facility’s Riley Boilers and Blast Furnace Stoves may qualify as RACT.

**II. NEW EMISSION LIMITS FOR RILEY BOILERS 1-3, BLAST FURNACE NO. 1 STOVES, AND BLAST FURNACE NO. 3 STOVES MAY QUALIFY AS RACT IF THEY ARE “CONSISTENTLY ACHIEVABLE”**

For a numeric emission limit to qualify as RACT, it must be “consistently achievable.”<sup>10</sup>

The review memo for ACHD’s RACT determination for the Facility states that the proposed NOx emission limits for the Facility’s Riley Boilers are based on monitoring data from the CEMS units on the boilers’ stacks, but does not show that data or identify which time periods it is from. Similarly, the review memo states that the proposed NOx emission limits for the Facility’s Blast Furnace Stoves are based on “previous stack testing,” but does not show the results of that testing or otherwise identify it.

ACHD’s review memo should disclose, or at least more fully identify, the CEMS monitoring data and stack test results on which its RACT determinations for the Facility’s Riley Boilers and Blast Furnace Stoves are based. Such data and results will help refute any assertion that the proposed NOx emission limits are not “consistently achievable.”

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<sup>9</sup> Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Regulatory Amendments Addressing Reasonably Available Control Technology Requirements Under the 1997 and 2008 8-Hour Ozone National Ambient Air Quality Standards, 84 Fed. Reg. 80274, 20280 (May 9, 2019) (emphasis added and footnote omitted).

<sup>10</sup> See *id.*, at 20277.