

ArdaghGroup



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Julie Armitage  
Bureau Chief  
Bureau of Air  
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December 1, 2017

Dear Ms. Armitage:

I am writing today to request that USEPA and Illinois EPA consider and approve a modification to the federal Consent Decree entered in 2010 by the United States District Court for the Western District of Washington at Seattle, Civil Action No. 2:10-CV-TSZ (hereinafter the "GCD"), pursuant to Paragraph 99 thereof.

Specifically, Ardagh Glass Inc.1 ("AGI") requests a modification of Paragraph 7.b. to delete reference to the Lincoln plant in Table 2 which establishes a deadline of December 31, 2018 to install NOx emission controls on the glass melting furnace.

Since the date of the GCD, the glass container manufacturing market has seen increased competition from alternative materials, such as PET and aluminum, and increased imports of containers from China and Mexico. Moreover, the amount of glass bottles produced in the United States for mass beer, long a stalwart of the glass container market, has decreased by 50,000 tons annually. In the current competitive environment, the additional cost of installing BACT-level NOx emissions control equipment at a one-furnace operation would make Lincoln non-viable. AGI will have little choice other than to shut down operations at Lincoln, causing the elimination of 153 jobs.

Although AGI is seeking a modification of its commitment under the GCD, it is important to note that AGI is committed to and will fulfill the benefit of the bargain as envisioned by all parties when they entered into the GCD. As discussed more fully below, even without the installation of NOx emissions controls at Lincoln, AGI will have met or far exceeded the anticipated emissions reductions for all pollutants in the GCD by the end of 2019.

The GCD covers all of the AGI furnaces operating in 2010<sup>2</sup> at 14 facilities, and for each furnace imposes emission limits and control requirements for NOx, SO2, PM and H2SO4. Among the commitments that AGI made in the GCD was to install the first-ever selective catalytic reduction on a glass melting furnace on three furnaces at our Dolton, Illinois plant. That system, anticipated to result in an emission factor of 1.3 lbs. NOx per ton of glass produced, actually achieved

<sup>1</sup> Ardagh Glass Inc. is, by name change after merger, the successor to Saint Gobain Containers, Inc., the signatory to the GCD.

<sup>2</sup> Due to adverse market conditions as discussed above, two furnaces originally subject to the GCD have been permanently closed.

an emission rate of 1.0 lb./ton. After the success of the SCR at Dolton, AGI installed SCR on 2 additional furnaces.<sup>3</sup>

It must be noted that AGI has met every obligation under the GCD, installing and implementing specified emission controls and methods to reduce emissions of NOx at 24 furnaces over a 7-year period. When announcing the GCD in 2010, USEPA estimated that NOx emissions from AGI's facilities would be reduced by 4,162 tons per year by the end of the 9-year period of implementation (2019). By achieving even lower emissions than required to comply with the GCD for individual furnaces, during the last year of reporting (2016) NOx emissions were reduced by 3,954 tons per year across all of AGI's facilities from the baseline used by USEPA in estimating the results of implementing the GCD requirements, thus achieving 95% of the 2019 GCD goal. It is anticipated that - even with approval of this request - the overall NOx reductions will meet the goal by the end of 2019.

This request only addresses NOx emissions at one furnace. The emission limits in the GCD for SO2, PM and H2SO4 have already been met at the Lincoln facility and will continue to be met in the future if this GCD modification request is approved. In fact, AGI estimates that it will have achieved 200% of the anticipated PM reductions and 130% of the SO2 reductions across all of the GCD facilities by the end of 2019.

We would welcome the opportunity to discuss this request with appropriate individuals within your respective agencies.

Sincerely,



James Warner  
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Governmental Affairs

JW

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<sup>3</sup> USEPA approved the use of catalyst imbedded ceramic filters as a form of SCR.