



United States Steel

March 31, 2025

Hon. Lee M. Zeldin
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

VIA E-MAIL
airaction@epa.gov

Dear Administrator Zeldin:

***Re: United States Steel Corporation – Edgar Thomson Plant, Gary Works, Granite City Works, and Great Lakes Works
Request for Clean Air Act Section 112(i)(4) Presidential Exemption from
National Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel
Manufacturing Facilities, 89 Fed. Reg. 23,294 (April 3, 2024)***

United States Steel Corporation (U. S. Steel) respectfully requests a two-year Presidential Exemption for the compliance with the 2024 amendments to the National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities, 89 Fed. Reg. 23,294 (April 3, 2024 (the "IIS RTR Rule") for the following U. S. Steel integrated iron and steel manufacturing facilities¹:

- **United States Steel Corporation - Mon Valley Works, Edgar Thomson Plant**
13th Street and Braddock Avenue
Braddock, Pennsylvania 15104
- **United States Steel Corporation - Gary Works**
One North Broadway
Gary, Indiana 46402
- **United States Steel Corporation – Granite City Works**
20th and State Street
Granite City, Illinois 62040
- **United States Steel Corporation – Great Lakes Works**
1 Quality Drive
Ecorse, Michigan 48229

¹ U. S. Steel is requesting a Presidential Exemption for its Granite City Works located at 20th and State Street in Granite City Illinois, and its Great Lakes Works located at 1 Quality Drive, Ecorse, Michigan. The facilities are currently idled but could be put back online, and if so, an exemption is necessary and appropriate for these facilities as well.

As specifically noted herein, technology to implement the requirements to comply with the IIS RTR Rule is not available, which has been recognized as including “unavailable in time for installation and operation,”² and it is in the national security interests which includes economic security,³ interests of the United States that a two-year Presidential Exemption be granted.

On March 12, 2025, EPA announced that it was taking appropriate action to advance President Trump’s initiative of “Powering the Great American Comeback.” As part of that effort, EPA indicated that it was reconsidering the IIS RTR Rule as well as several other rules; and advised that “any source interested in a Presidential exemption, should provide their recommendations to EPA by March 31, 2025;” and that sources need only provide why technology is unavailable and why it is in the national security interests of the United States to provide the exemption. In response to that announcement, and consistent with our previously submitted petition for judicial review, and petition for administrative stay and reconsideration, U. S. Steel is submitting its request for a Presidential Exemption pursuant to Clean Air Act Section 112(i)(4) for the IIS RTR Rule for the above-referenced integrated iron and steel facilities owned by U. S. Steel.

EXECUTIVE SUMMARY

U. S. Steel is respectfully requesting a two-year Clean Air Act § 112(i)(4) Presidential Exemption from all of the 2024 amendments to the IIS RTR Rule because, as U. S. Steel has clearly shown in prior submissions to EPA, no integrated iron and steel facility is actually meeting the HAP limits; nor does any integrated iron and steel facility employ technology that demonstrates the limits can consistently be met. Furthermore, even outside the integrated iron and steel industry, no technology exists that has demonstrated that the limits can consistently be met. U. S. Steel’s efforts to comply with the 2024 amendments would result in significant, adverse financial and operational impacts to the company and the domestic steel industry. Without a Presidential Exemption, U. S. Steel’s and the domestic steel industry’s ability to provide for infrastructure, investments and national security would be significantly compromised.

EXEMPTION REQUEST

The President has the authority to grant exemptions from NESHAP emissions standards of up to two years pursuant to Clean Air Act (CAA) § 112(i)(4) and 40 C.F.R. § 63.6(j).

U. S. Steel is requesting a two-year Presidential Exemption, with the possibility to extend the exemption for additional periods if necessary and appropriate as authorized under the Clean

² 90 Fed. Reg. 6,773, 6,774 (Jan. 17, 2025).

³ See America First Investment Policy, <https://www.whitehouse.gov/presidential-actions/2025/02/america-first-investment-policy/> (Feb. 21, 2025) (“Economic security is national security.”)

Air Act, for the IIS RTR Rule compliance requirements for its three integrated iron and steel manufacturing facilities, as identified above. U. S. Steel specifically requests a two-year Presidential Exemption to the amendments to the 2024 National Emission Standards for Hazardous Air Pollutants (NESHAP) for its Integrated Iron and Steel Manufacturing Facilities, which imposes unavailable technology and impractical, impossible, unsafe requirements including:

- New fugitive emissions work practices, observations, planning, reporting, recordkeeping and other requirements for Blast Furnace Bell Leaks, Unplanned Bleeder Valve Openings, Planned Bleeder Valve Openings, Slag Processing, Handling, and Storage Operations; and Beaching; (*See amendments to 40 CFR 63 Subpart FFFFF, including but not limited to 40 CFR §§ 63.7793(c), (c)(1), and (c)(2); 63.7793(d), (d)(1), and (d)(2); 63.7793(e), (e)(1), and (e)(2)); 63.7783(g), (g)(1), (g)(2), (g)(3) and (g)(4); 63.7800(h)(8) and (h)(9); 63.7821(i) 63.7821(k), (k)(1) and (k)(2); 63.7821(l); 63.7823(f), (f)(1) and (f)(2); 63.7823(g), (g)(1), (g)(2) and (g)(3); 63.7823(h)(1)-(2); 63.7833(j), (j)(1) and (j)(2); and 63.7842(d); and 63.7783(g); 63.7793(b), (b)(2)-(7) (b)(3); 63.7821(j); 63.7823(f); 63.7823(g), (g)(1), and (g)(2); 63.7823(h); and Subpart FFFFF Tables 1, 2, 3, 4, 5, and 6).*)
- New carbonyl sulfide (COS), carbon disulfide (CS₂), mercury (Hg), hydrochloric acid (HCl), and hydrogen fluoride (HF) standards and associated performance testing, monitoring, reporting, and recordkeeping requirements; and revised standards and associated monitoring, reporting, and recordkeeping requirements for D/F (TEQ) and polycyclic aromatic hydrocarbons (PAH) for sinter plants; (*See amendments to 40 CFR 63 Subpart FFFFF, including but not limited to 40 CFR §§ 63.7783(g), (g)(1), (g)(2), (g)(3), and (g)(4); 63.7821(f); 63.7821(g) and Subpart Tables 1, 2, 3, 4, 5, and 6.*)
- New Total hydrocarbons (THC), HCl, and dioxins/furans (D/F) or TEQ standards and associated performance testing, monitoring, reporting, and recordkeeping requirements for blast furnace (BF) stoves and basic oxygen process furnaces (BOPF); (*See amendments to 40 CFR 63 Subpart FFFFF, including but not limited to 40 CFR §§ 63.7783(g), (g)(1), (g)(2), (g)(3), and (g)(4); 63.7821(f); 63.7821(g); and Subpart FFFFF Tables 1, 2, 3, 4, 5, and 6.*)
- New or revised THC and HCl and associated monitoring, reporting, and recordkeeping requirements standards for blast furnace primary control devices; (*See amendments to 40 CFR 63 Subpart FFFFF, including but not limited to 40 CFR §§ 63.7783(g), (g)(1), (g)(2), (g)(3), and (g)(4); 63.7821(f); 63.7821(g); and Subpart FFFFF Tables 1, 2, 3, 4, 5, and 6.*)
- New work practice standards and modified monitoring, reporting and recordkeeping requirements for blast furnaces and basic oxygen process furnace (BOPF) shops; (*See amendments to 40 CFR 63 Subpart FFFFF, including but not*

limited to 40 CFR §§ 63.7793(a), 63.7793(b), (b)(1), (b)(2), and (b)(3); 63.7793(c), (c)(1), and (c)(2); 63.7793(d), (d)(1), and (d)(2); 63.7793(e), (e)(1), and (e)(2); and 63.7793(f), including (f)(1) through (f)(8);

- New fence-line monitoring, reporting and recordkeeping requirements for total chromium (Cr), including requirements for root cause analyses and purported corrective actions at integrated iron and steel facilities. *See amendments to 40 CFR 63 Subpart FFFFF, including but not limited to 40 CFR §§ 63.7792; 63.7841(h); and 63.7842(f).*

A two-year Presidential Exemption for these requirements is in the national security interest because it is necessary and appropriate to prevent irreparable harm to the domestic steel industry, which is vital to national security, and is supported for the reasons below.

BACKGROUND

In CAA § 112(i)(4), Congress gave exclusive authority to the President to “exempt any stationary source from compliance with any standard or limitation under this section [Clean Air Act Section 112] for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security, which includes economic security,⁴ interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years. The President shall report to Congress with respect to each exemption (or extension thereof) made under this paragraph.” While the provision has very little precedent in being exercised, if there were ever a time to exercise such authority, the time to do so is now with respect to the IIS RTR Rule as the IIS RTR Rule, without such an exemption and if left in place, would result in materially adverse consequences on U. S. Steel and domestic steel industry. These consequences would significantly and harmfully alter domestic steel production as well as the United States’ infrastructure, investments and economic security landscape which as the current and prior administrations have determined the domestic steel industry is a key, vital component.

While the President has broad authority in issuing such exemptions and while not controlling to issuing Presidential Exemptions, we note that in implementing extensions under Clean Air Act Section 112(i)(3)(B), EPA has broadly construed “standards” to include compliance measures. (See 66 Fed. Reg. 16318, 16328 (Mar. 23, 2001) Such “other compliance measures” include, among other things, “... obtaining or implementing technology hardware or software systems and process changes to accommodate pollution prevention or other emission reduction measures.” *Id.*

It is significant to note that in 2020, EPA conducted a residual risk and technology review for the II&S source category. 85 Fed. Reg. 42,074 (July 13, 2020). There, EPA concluded that “risks due to emissions of air toxics from this source category are acceptable and that the current

⁴ See America First Investment Policy, <https://www.whitehouse.gov/presidential-actions/2025/02/america-first-investment-policy/> (Feb. 21, 2025) (“Economic security is national security.”)

NESHAP provides an ample margin of safety to protect public health.” *Id.* Further, “[u]nder the technology review, we found no developments in practices, processes, or control technologies that necessitate revision of the standards.” *Id.*

Just three years later, without identifying any error in the original 2003 rule or 2020 residual risk and technology review, and while affirming the risks are acceptable and provide an ample margin of safety, EPA inexplicably proposed a raft of revisions, purportedly to “complete the required CAA section 112(d)(6) technology review promulgated on July 13, 2020.” 88 Fed. Reg. 49,402 (July 31, 2023). EPA asserted that several amendments were necessary due to a broad overarching interpretation of the D.C. Circuit’s decision in *Louisiana Environmental Action Network v. EPA*, 955 F.3d 1088 (D.C. Cir. 2020) (“*LEAN*”). It also proposed several revisions to existing standards, purportedly to “improve the emissions standards for this source category based on new information regarding developments in practices, processes and control technologies” in direct contrast to what it determined in 2020.

The concerns noted herein are the subject of petitions for administrative reconsideration and stay of the IIS RTR Rule that are currently pending with EPA⁵ as well as petitions for judicial review with the United States Court of Appeals for the District of Columbia Circuit. We are pleased that EPA granted reconsideration and a 90-day administrative stay of the rule, but a two-year Presidential Exemption is necessary to prevent irreparable harm to the domestic steel industry while EPA reconsiders the IIS RTR Rule and proceeds with any necessary rule changes. Granting the Presidential Exemption is in the interest of national security as it is critical to prevent disruption of the domestic steel industry and the critical supply chain; and is appropriate while EPA reconsiders the IIS RTR Rule.

TECHNOLOGY IS UNAVAILABLE

A. Planned Bleeder Valve Openings (40 CFR §§ 63.7821(i); 63.7823(f), (f)(1) and (f)(2); Subpart FFFF Table 1 (16), Table 2 (16), and Table 3 (16))

The rule imposes an 8% opacity limit on planned bleeder openings and a requirement that all planned bleeder openings be monitored. 40 CFR 63. § 7821(i). These requirements are arbitrary and capricious. First, the dataset EPA used does not support an 8% opacity limit. EPA’s own data suggests that the limit should be higher. EPA’s dataset also does not capture variability in actual performance of both large and small furnaces. Significantly, the data does not establish a limit with which the best-performing sources have or can consistently comply. Furthermore, there is no known technology that would ensure that sources can consistently comply with an opacity limit for planned bleeder valve openings; nor has EPA identified any such technology or work practice. Therefore, if the requirement remains, sources with planned

⁵ See U. S. Steel Petition for Reconsideration and of the National Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel Manufacturing Facilities, EPA-HQ-OAR-2002-0083, 89 Fed. Reg. 23,294 (April 3, 2024), dated June 3, 2024; and Cleveland-Cliffs, Inc. Petition for Reconsideration and Request for Administrative Stay of the National Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel Manufacturing Facilities Technology Review, 89 Fed. Reg. 23294 (April 3, 2024) dated June 3, 2024.

bleeders with opacity exceeding 8% are either forced to incur potential significant penalties or shutdown.

Second, the Method 9 testing requirements are not possible over every operating scenario. While called “planned” bleeder openings, EPA has defined this term to include any opening that is performed by an operator. 89 Fed. Reg. at 23,298. A planned bleeder opening can therefore occur at any time without any real notice, even to the operator who initiates it. There are times an operator must immediately initiate furnace curtailment procedures to prevent catastrophic injury to personnel or damage to equipment, resulting in a bleeder opening which meets the definition of “planned,” but provides no opportunity for a trained observer to begin collecting valid compliance data. As a result, reading each planned bleeder opening would require having a reader onsite, in position, and available at any time and even then, depending on the timing and daylight, etc, the observation may not be able to be made. In addition, such a requirement poses significant safety concerns as to needing an observer in a specific area to meet the Method 9 requirements.

EPA has not shown that it is a requirement necessary to control HAP emissions; nor has it identified any technology that would ensure the limit could be consistently met and that required observations of the event could be made on a moment’s notice.

B. Bell Leaks - (40 CFR §§ 63.7793(c), (c)(1), and (c)(2); 63.7793(d), (d)(1), and (d)(2); 63.7800(b)(8); 63.7821(k),(k)(1) and (k)(2); 63.7821(l); 63.7823(h)(1)-(2); 63.7833(j), (j)(1) and (j)(2); and 63.7842(d)

Large Bells

The visible emission observation requirements for large bells are unclear and inconsistent. In addition, the IIS RTR Rule includes monitoring provisions for large bells that were not part of the proposed IIS RTR rule nor are they a logical outgrowth from the proposed rule as they are not logical in any case. In addition, in the IIS RTR Rule, EPA assumes that a reader will know when the large bell is open, which is not observable from where a Method 9 reader will need to be positioned. Further, there is no way to correlate the large bell seal to relief valve emissions due to the physical construction of the furnace. The conditions compromise the integrity of the data collected and would yield results that are not compliant with Method 9 because the source of any opacity cannot necessarily be identified with specificity and Method 9 requires such specificity and it requires that no more than one plume be read at a time. Furthermore, the IIS RTR Rule arbitrarily requires sources to “repair or replace” the bell seal within 4 months if the “average of 3 instantaneous visible emission readings” exceeds 20 percent. EPA has not provided any basis for this “repair or replace” requirement based upon the presence of emissions. Occasional visible emissions from the inter relief valve or large bell is not necessarily an indication that any corrective action is necessary; nor is it an indication that the bell needs to be replaced. There is no technology (or work practice) that can consistently ensure that emissions from an interbell relief valve will not occur or ensure that three instantaneous visible emission readings taken while the interbell relief valve is exhausting are under 20%; nor is there a technology or practice available to read the furnace tops to the specificity required. The IIS RTR Rule would require unnecessary down time; and would arbitrarily require repairs or replacements

for large bells that are not in need of repair or replacement; and has the potential to require some large bells to be replaced every four months even if the bell is in good, proper condition.

Small Bells

For small bells, EPA is effectively imposing a zero-opacity limit, through which corrective action is required when any visible emissions are observed. This is unsupported by data and inconsistent with the Clean Air Act.

First, there is no direct way to distinguish any opacity from the small bell seal from opacity originating from the blast furnace top from other sources and activities. This includes material from skip cars charging the blast furnace and/or material buildup when the small bell is open for the material to feed into the blast furnace. Any readings would be partly based on assumptions. U. S. Steel is not aware of any technology or methodology that would enable such a distinction.

Second, there is no substantive evidence that small bells have visible emissions only if there is improper operation or a need for maintenance. Even more inexplicably, the IIS RTR Rule appears to be based on the assumption that there is a direct correlation between time or metal throughput and emissions. EPA cites no data or documentation to support this conclusion and U. S. Steel is aware of none. Emissions from the small bell are not strictly correlated with metal throughput. New bells with low throughput can on occasion have visible emissions. Other bells can operate for an extended period of time and metal throughput without visible emissions. There is no metal throughput value that U. S. Steel can specify with certainty that has been proven and documented to produce no opacity from the small bell on its double-bell furnaces. Requiring new "metal throughput limits" every time any opacity is observed results in unnecessarily shortening the use of small bells and could result in very small values. This could result in having a short bell throughput of only a few thousand tons if visible emissions are observed after a short period of time. There is no technology available that can ensure that even a new small bell consistently will not result in any visible emissions.

C. Beaching (40 CFR §§ 63.7783(g)(3); and 63.7793(e), (e)(1), and (e)(2)); and as incorporated as applied into 40 CFR Subpart FFFFF Table 4

EPA has not justified the enclosure and work practice requirements in the IIS RTR Rule. EPA has not shown in the record that the beaching requirements are "the average emission limitation achieved" by these sources. 42 U.S.C. § 7412(d)(3). The IIS RTR Rule imposes overly prescriptive requirements for beaching; and EPA inexplicably disregarded comments suggesting alternative work practices. EPA has not shown how its prescriptive requirements, including carbon dioxide shielding and/or full or partial enclosure, comply with the Clean Air Act. By EPA's own interpretation, because of the relative infrequency and short durations associated with it, and EPA's determination that the risks provide an ample margin of safety, spending millions of dollars with no meaningful improvement is not justified.

Even accepting that partial enclosure, CO₂ shielding, and work practices can reduce emissions from beaching, EPA must show more than that before forcing industry to uniformly adopt those controls and practices as a MACT requirement. Even under EPA's reading of the Clean Air Act, which U. S. Steel disagrees with, EPA must show that the requirements it is imposing are the "emission control that is achieved in practice by the best controlled similar source." 42 U.S.C. § 7412(d)(3). EPA has no record basis for finding that the requirements in the Rule meet this requirement.

D. Slag Handling and Processing (40 CFR §§ 63.7783(g); 7821(j); 63.7823(g), (g)(1), and (g)(2); Subpart FFFFF Table 1 (17); Table 2(17); Table 3 (17); and Table 4.

In the IIS RTR Rule, EPA imposes a 10% opacity limit on slag processing, handling and storage based on what it claims is a "straight average of the top five performing facilities." 89 Fed. Reg. at 23,301. First, it is important to note that when promulgating the Iron and Steel MACT in 2003, EPA was aware of slag handling and processing but determined it was not appropriate to impose any Federal standards. In the 2003 and 2020 IIS MACT rules, EPA did not include slag handling, processing and storage as part of the source category. In promulgating the IIS RTR Rule, EPA inconsistently describes slag processing, handling and storage activities, creating both material ambiguities in the IIS RTR Rule requirements and an inadequate record basis for the IIS RTR Rule's requirements. Furthermore, EPA's determination of setting a 10% opacity limit is not supported by the data; and is inconsistent with EPA's own UPL methodology to develop limits. (Without any sound basis, EPA simply asserted that the UPL approach is not appropriate.)

In requesting data from sources, EPA requested that the sources conduct Method 9 readings from "each operating piece of equipment handling slag" and "each of the following: slag dumping to a pile, digging from a pile, and dumping to stationary equipment." See Information Collection Request to U. S. Steel, Enclosure 2, EPA-HQ-OAR-2002-0083-1337-attachment 3, at Table 2. EPA knew at the time that this was only a subset of the slag processing, handling, and storage activities that can lead to visible emissions. As noted in the information request, "[p]rocessing operations include, but are not limited to, crushing, grinding, screening, and sizing. Handling and storage events include, but are not limited to: slag flowing in the runners; slag dropping into a slag container (if applicable); slag dropping into the pit; slag flowing and cooling in the pit; end-loader digging and dumping; in-plant truck dumping; use of conveyors, stackers, and reclaimers; storage piles; and loadout for shipping slag offsite, if applicable." *Id.* at 2, n.1.

The IIS RTR Rule, however, EPA requires that initial compliance be demonstrated by conducting Method 9 readings at a different list of activities, including "slag dumping to BF pit, BOPF slag dumping to pit, BF pit digging, BOPF pit digging, slag dumping to a pile, slag dumping to a piece of slag handling equipment such as crusher." 89 Fed. Reg. at 23,324-25. Subsequent performance tests are then to be conducted on "BF pit filling; BOPF slag pit filling; BF pit digging; BOPF slag pit digging; and one slag handling (either truck loading or dumping slag to slag piles)." *Id.* at 23,324. It is not clear if EPA intended any distinction between the list of activities to be monitored for initial and subsequent testing. For example, it is unclear whether "dumping to" a "BF pit" is meant to be the same as "BF pit filling." None of these terms are defined in the Rule and they are not commonly used in the industry, leaving operators with no

clear guidance as to what activities EPA is even trying to require be read. But it is equally clear that these activities are not the same as those for which EPA collected data. EPA cannot claim that its opacity limits are reasonably based on the record when the record has no relevant data.

The IIS RTR Rule slag handling and processing requirements present an additional problem by requiring Method 9 observations “at each” listed step in the processing, handling and storage of slag. *See* 89 Fed. Reg. at 23,324-25. This presents not only an unduly burdensome monitoring requirement, but in some cases, it will present a safety hazard to Method 9 readers and requires monitoring that is, at best, impractical or, at times, simply impossible. Even if a reader could be positioned despite the risk, the readings would not be reliable given the lack of contrast necessary to make valid Method 9 readings.

Many of the IIS RTR Rule slag handling and processing requirements are inconsistent, impractical and impossible. For this reason, U. S. Steel has significant concerns on whether it can compliantly implement such requirements. Furthermore, the IIS RTR Rule opacity limits for slag handling were not properly determined – as EPA did not collect any opacity data for some operations – and it is not clear if a technology is available to ensure the IIS RTR Rule slag handling and processing requirements, including the opacity limits, can consistently be met. If EPA intends to regulate slag handling and processing with opacity limits, a significant departure from the original IIS MACT Rule promulgated in 2003, EPA must determine such limits with valid data and in a manner consistent with the Clean Air Act.

E. Unplanned Bleeder Openings (40 CFR §§ 63.7783(g)(3); 63.7793(b), (b)(1), (b)(2), and (b)(3); 63.7841(b)(14), (b)(14)(i), (b)(14)(ii), and (b)(14)(iii); Subpart FFFFF Table 1 (7)(e), (8)(e); Table 2 (7)(e), (8)(e); Table 3 (7)(f), (8)(f); and Table 4.

The Rule limits the number of unplanned bleeder valve openings in a given year. 89 Fed. Reg. at 23,333. While there are certain furnace-specific work practices that can be employed to minimize the *risks* of occurrences of unplanned bleeder openings, work practices cannot be used to eliminate or reduce unplanned bleeder valve openings to a specific value. Placing a “limit” on unplanned bleeder valves itself is not a “work practice.” In placing a limit to unplanned bleeders, EPA is pitting environmental against safety risks. This is problematic because the steel industry has acknowledged that the valves must be able to open “to mitigate safety issues.”

EPA’s expectations are also based on a misstatement of the cause of unplanned bleeder openings, insufficient data, and improper use of the limited data EPA chose to use. First, EPA’s response to comments makes clear that EPA’s expectation is based on the assumption that unplanned bleeder valve openings arise only from large burden slips, and thus can be managed by attentive material management, monitoring of stockline descent, and timely “checking” of the furnace. As U. S. Steel pointed out in comments, and again in our petition for reconsideration, by placing a hard limit on the number of unplanned bleeder openings, EPA’s actions are not consistent with the real-world operating experiences of industry. Unexpected pressure buildup can occur for several reasons. Burden hanging in the furnace is one possibility, but it is not the only cause. For example, pressure can increase rapidly, simply because a new pathway has opened in the burden that rapidly changes the upward flow of gas. In placing a hard limit, EPA does not appear to understand the multitude of potential causes for unplanned bleeder openings.

Second, even with respect to burden hangs, EPAs required purported “work practices” will not necessarily prevent or reduce unplanned bleeder openings. When the burden hangs, a stockline monitor alarm could sound to warn the operators that a problem has occurred, but checking the furnace at that time is not likely to address the problem as it most likely will be too late to prevent the occurrence. Further, stockline monitoring will provide no warning of other causes. Third, EPA’s asserted connection between the number of unplanned bleeder openings and the mass of HAP emitted is arbitrary and capricious. It is largely based on unwarranted assumptions and oversimplifications that imply a relationship for which there is none.

Finally, the timeline for implementing screening is not justified or sufficient. The Rule provides 2 years in which to implement unplanned bleeder valve requirements. 89 Fed. Reg. at 23,320. Additional screening will require permitting and purchasing equipment which cannot be guaranteed to be completed within 2 years. In some cases, a new screening area may need to be designed into the existing footprint. This may not be technically feasible, but if required, the work will easily exceed two years.

In sum, while it is true that some practices can assist in reducing the risks for the occurrences of certain unplanned bleeder events, which U. S. Steel currently employs, the technology to ensure that unplanned bleeder events do not exceed a set number is not available. If a blast furnace reaches the limit of such events, the source would be left with a Hobson’s choice of shutting down to void exceeding the “limit” and potential associated penalties or continue to operate knowing that it will be in violation the next time an unplanned bleeder event occurs.

F. IIS RTR Rule New HAP Limits for sinter plants, blast furnaces and basic oxygen furnaces (40 CFR §§ 63.7783(g), (g)(1) and (g)(2); and as provided in 40 CFR 63 Subparts FFFFF Tables 1, 2, 3, 4, 5 and 6)

The IIS RTR Rule includes several new MACT standards covering multiple hazardous air pollutants (HAP). However, the technology to control these HAP at these sources is not available because no such technology has been demonstrated to control and meet the IIS RTR HAP limits for the integrated iron and steel industry, either in the US or internationally.

A Presidential Exemption is warranted for several reasons:

- No technologies employed at any sinter plant, blast furnace or basic oxygen furnace have demonstrated the ability to meet the new MACT standards. No integrated iron and steel facility has installed such controls for the new HAPs; nor are the facilities subject to any existing limits for the new HAPs. EPA’s approach to completing the RTR and purported “gap filling” pursuant to the *LEAN* decision are contrary to a plain reading of the Clean Air Act and are due no deference.
- Contrary to the Clean Air Act, the IIS RTR Rule imposes requirements that no source, domestically or globally, is known to *actually achieve*.

- The new HAP limits were erroneously determined, as more fully explained in U. S. Steel's comments to the proposed IIS RTR rule and in our petition for reconsideration. For example, EPA ignored data with no justified basis when determining the MACT floor. EPA's excuse that it did not have time to consider the data is not sufficient; and is inconsistent with the Clean Air Act and legal precedent. Because the IIS RTR Rule is based upon insufficient data, attempts to continuously comply with the new limits will require the addition of controls. Furthermore, even with the installation of and operation of additional controls, continuous compliance with the new limits remains uncertain because no technology has demonstrated that it is able to continuously achieve such standards. The estimated cost effectiveness of controls for the integrated iron and steel industry would be unprecedented and exorbitant. Because the new limits are not based upon proven technologies as Congress intended and as EPA has historically done to comply with Section 112 of the Clean Air Act, U. S. Steel must incur substantial unrecoverable costs in its attempt to design and implement controls that will attempt to consistently meet the new limits in an impossible time period resulting in irreparable harm to U. S. Steel. Data in EPA's possession suggests that continuous compliance cannot be met without modifications at integrated iron and steel facilities; and there is no technology that has demonstrated the ability to consistently meet the limits.
- U. S. Steel's integrated iron and steel facilities need to generate additional data to better account for raw material and process variability and to determine technology feasibility. The MACT floor datasets are too limited, are not representative of the integrated iron and steel industry, and do not adequately reflect variability in operating conditions. As a result, no technology is available that has demonstrated that the new limits are achievable under all reasonably foreseeable conditions.
- Controlling multiple pollutants and retrofitting controls into existing equipment and operations adds complexity and time due to interactions of the requirements for control, including pollutant interactions, flow rates, chemistry, and temperatures.
- Any additional controls would require permitting, which takes 6-12 months - and sometimes longer - after engineering is completed.
- Contrary to the Clean Air Act and EPA's obligations, EPA failed to consider the IIS RTR Rule's impacts to the domestic integrated iron and steel industry and the nation's economic security and national growth interests.
- EPA relied on fewer than five sources for its MACT "pool" as required by Clean Air Act, Section 112(d)(3). EPA's failure was specifically acknowledged by Judge Walker in his dissenting opinion to the U. S. Court of Appeals for the District of Columbia Circuit's order denying U. S. Steel's motion to stay the effectiveness of the rule. Judge Walker recognized that the IIS RTR Rule "likely violates the Clean Air Act by using fewer than 5 sources to set emission floors. See 42 U.S.C. § 7412(d)(3)(B). That error likely forces the applicants to incur "nonrecoverable" compliance costs during the pendency of this litigation — an irreparable harm. See *Ohio v. EPA*, 144 S. Ct. 2040, 2053 (2024)." Judge

Walker further explained that the IIS RTR Rule “will likely cause irreparable harm by forcing applicants *to develop novel technology* [emphasis added].” Thus, Judge Walker recognized that the technology to comply with the new HAPs was not available. U. S. Steel has given EPA additional data that needs to be included in any limit determination.

- The IIS RTR Rule relies on fewer than 10 data points to calculate many of the Upper Predictive Limits (UPLs) which is contrary to EPA precedent and guidance.⁶
- Many of the IIS RTR Rule new HAP limits are barely above detection limits, and therefore, the derivation of the limits as well as the ability to consistently demonstrate compliance with the new HAP limits may be compromised.
- EPA failed to appropriately consider cost impacts when promulgating the IIS RTR Rule. Furthermore, EPA incorrectly estimated costs for the controls for new HAPs, as more fully explained in our petition for reconsideration.
- Changes to the sinter plants, blast furnaces and basic oxygen furnaces would require several plant outages, affecting the sources’ abilities to produce steel.
- Limited available physical space within the areas of the sinter plants, blast furnaces and basic oxygen furnaces add complexity and time to all related construction and may be infeasible altogether.
- Adding controls to existing controls on existing equipment involves unique engineering challenges compared to installing controls when a facility is being constructed.
- EPA failed to appropriately address start-up, shutdown and malfunction (SSM) events in setting the MACT limits and requirements. U. S. Steel believes a work practice requirement in lieu of hard limits is appropriate to account for SSM events.
- EPA failed to address specific concerns and data submitted by U. S. Steel and other commenters showing that no integrated iron and steel facility is actually meeting all of the HAP limits; nor does any IIS facility employ technology that demonstrates the limits can consistently be met. Furthermore, no technology exists that has demonstrated that the limits can consistently be met.

Unfortunately, U. S. Steel’s concerns as provided in comments submitted to EPA as well as those raised with the Office of Management and Budget before the IIS RTR rule was finalized were almost entirely ignored. First, during the rule development, EPA grossly underestimated the cost impacts of the rule to the domestic steel industry which is already significantly financially challenged by unfair trade practices by competitors whose operations are not subject to strict, if any, environmental standards that the United States has required for domestic integrated iron and steel facilities for decades. In addition, EPA cherry-picked data to be used in

⁶ United States Environmental Protection Agency, ProUCL Version 5.1 User Guide; Statistical Software for Environmental Applications for Data Sets with and without Nondetect Observations. October 2015

the derivation of limits and requirements, and, most astonishingly, excluded valid data as the process fell short of EPA's statutory obligation and precedent in setting MACT floors.

Contrary to the plain language of the Clean Air Act and decades of precedent, EPA has turned the establishment and determination of MACT Standards under the Clean Air Act Section 112 into a research and development statute. Because technology to meet the limits is currently unavailable, U. S. Steel and other sources will need to conduct research, including bench scale testing, to determine the potential technologies that could be used to meet the limits. This research time could be extensive – therefore the three-year time frame to meet the IIS RTR Rule new limits is insufficient. Congress envisioned a three-year time frame to install controls and meet new limits because it intended that the technology would be proven and known during the rule development. This is not the case for the IIS RTR Rule. U. S. Steel needs more time to better determine process and raw material variability impacts on emissions, evaluate additional emission controls and to assess technical feasibility and to test, engineer, permit, fabricate, and install the new equipment and other controls before the date compliance is required. Additional compliance time would also be needed to retrofit new equipment into existing facilities with limited space and to allow facilities to streamline and consolidate compliance testing of sinter plants, blast furnaces, and basic oxygen furnaces; and the associated control devices at integrated iron and steel facilities with other required source testing. The Presidential Exemption is necessary to account for these factors and to prevent irreparable harm to the domestic steel industry; and is appropriate as EPA reconsiders the IIS RTR Rule.

G. New work practice standards and modified monitoring, reporting and recordkeeping requirements for blast furnaces and basic oxygen process furnace (BOPF) shops; (40 CFR §§ 63.7793(a), 63.7793(b), (b)(1), (b)(2), and (b)(3); 63.7793(c), (c)(1), and (c)(2); 63.7793(d), (d)(1), and (d)(2); 63.7793(e), (e)(1), and (e)(2); and 63.7793(f), including (f)(1) through (f)(8)

Complying with the new work practice standards and modified monitoring, reporting and recordkeeping requirements for blast furnaces and basic oxygen process furnace shops is impractical if not impossible. While not part of the *LEAN* decision, in the IIS RTR Rule, during the proposed rule stage, EPA announced a “reconsideration” of casthouse and BOPF Shop fugitive emissions standards pursuant to 42 U.S.C. § 7412(d)(6). 88 Fed. Reg. at 49,412. U. S. Steel and other commenters raised significant concerns with the proposed standards, including with EPA's authority to impose standards before finding that revisions were necessary considering new technological developments, as required by 42 U.S.C. § 7412(d)(6). EPA has not considered, let alone shown, that revised fugitive emissions requirements for casthouses and BOPF Shops are necessary. These requirements should therefore be removed from the IIS RTR Rule.

There are practical problems with conducting Method 9 readings as required by the IIS RTR Rule. Method 9 observations require several conditions, including a safe place to observe the opening and proper orientation to ensure a valid reading and avoid interference. These conditions cannot always be satisfied at the same time for all openings at a BOPF Shop and casthouse.

For example, conducting Method 9 observations from “all” openings at the BOPF shops and blast furnace casthouses present numerous challenges: safe location to observe all the potential openings, being perpendicular to the openings, and distinguishing potential overlapping plumes at each opening. EPA is making an improper assumption that just because there is an opening that there is potential for emissions from that opening. The BOP buildings and casthouses are very large and process knowledge and airflow inside the buildings can determine if an opening needs to be observed or not as U. S. Steel currently implements the monitoring required by the 2003 and 2020 IIS rules. It’s unnecessary and wasteful to require multiple observers at all openings. Additionally, Method 9 does not allow for reading overlapping plumes. By treating each opening separately, the Rule does not allow for a valid Method 9 position. By nature of the design, it would be impossible to read perpendicular to the opening and not have overlapping plumes from the casthouse. The point of highest opacity should be read wherever it comes from, consistent with current Method 9 practices. U. S. Steel recognizes that this may be an error in the Rule language, as the Preamble to the Rule states that EPA’s intent was to require monitoring “from all openings, or from the one opening known to have the highest opacity.” 89 Fed. Reg. At 23,305-06. The preamble language is consistent with how the 2003 and 2020 visible emissions monitoring was conducted; and how U. S. Steel intends to implement the IIS RTR Rule, but the IIS RTR Rule language – if strictly applied – is impossible as there is no technology or methodology to implement the monitoring consistent with a strict application of the IIS RTR Rule for the reasons expressed above.

H. Fenceline Monitoring (40 CFR §§ 63.7792; 63.7841(h); and 63.7842(f))

The fenceline monitoring requirements are infeasible and unhelpful. The IIS RTR Rule specifically recognizes that the technology to implement the fenceline monitoring is not yet available. It is also significant to note that the EPA has asserted that the authority to implement the fenceline monitoring requirements are based upon an improper and unprecedented application of Section 114 of the Clean Air Act. U. S. Steel and other commenters raised significant concerns with even being on notice as to what EPA had proposed, noting that the methodology and technology to implement is unknown and the methodology impacts almost every important aspect of the program, from its feasibility to its basic requirements, such as the number and location of monitors to the sampling duration, action levels, and time periods in which parties must take, interpret, and respond to results. EPA acknowledges the fenceline monitoring method for metals has not yet been proposed or promulgated. (See EPA’s response to comments at 159.) EPA stated that it needs to “further investigate and revise these approaches for a stationary source regulatory program to ensure improved precision and accuracy in the method” and stating that “EPA is evaluating alternative approaches/methods for metals sampling at the fenceline and when the EPA can validate these method(s) we will move forward with notice and comment rulemaking to formally propose their use.”). Yet, despite all the uncertainties in the yet-to-be determined method, the Rule includes a detailed program for performing fenceline monitoring for chromium, including the very details, such as number of monitors, sampling frequency, sampling duration, action level, and sunset provisions, that will necessarily depend on a new methodology that may differ from the methods facilities employed for the 6-month data collection during the ICR. 89 Fed. Reg. at 23,308. This puts the cart far in front of the horse.

EPA appears to acknowledge this flaw. See *EPA's Response to Comments on the IIS RTR Rule* on page 158 (recognizing that the monitoring method and Rule will require notice and comment rulemaking to incorporate the method). But U. S. Steel is troubled by EPA's decision to, in the absence of a method, "stipulate[] the number of monitors, the frequency and duration of sampling in the rule." *Id.* EPA must base its decision on the record. *State Farm*, 463 U.S. at 43. EPA cites no authority to "stipulate" to facts that are not in the record and EPA's assertion that it can stipulate to the central facts of a monitoring program before it has a methodology that will support those facts is inconsistent with 42 U.S.C. § 7607(d)(6)(C), which provides that "[t]he promulgated rule may not be based (in part or whole) on any information or data which has not been placed in the docket as of the date of such promulgation."

What will each monitor cost? How accurate will it be? How long will it take to get results? U. S. Steel lacks the information to answer these questions. EPA does not yet know the answers either, and the Clean Air Act and APA do not permit it to guess. Indeed, EPA's acknowledgement that the method will need to undergo public notice and comment is a recognition that the final form of the method cannot be known. Nor, to U. S. Steel's knowledge, has the technology for monitoring chromium undergone assessment through the U.S. Environmental Technology Verification program, which is intended to provide key information on relative accuracy, precision, bias, drift, and detection limits. Without this type of assessment, any newly proposed or implemented method for chromium monitoring will not have qualified data to support fence-line measurement results for the intended use. Having already recognized that it does not yet have a sampling method for fence-line monitoring, and without even the data needed to propose a potential methodology, EPA cannot now finalize a fence-line monitoring requirement.

The monitoring methodology inherently affects the results, making any conclusions based upon past data generated with other methods suspect and unreliable. Different methods frequently have different interferences and factors unique to the method. The fence-line monitoring methods, including the action levels, root cause analyses and corrective actions cannot be determined until the technology becomes available regarding the test method and data generated using the test method.

It is also significant to note that EPA has made no nexus between the monitored parameter, chromium, and the action level. The action level bears no relationship to the Occupational Health and Safety Administration's (OSHA's) Permissible Exposure Limit (PEL) for CR⁶⁺, which is 50 times higher at 5 µg/m³ and, being based on a single six-month dataset from a single facility, it reflects no consideration of seasonal or annual variability, let alone differences in H&S facilities, which vary greatly in location, age, configuration, processes, alloys, products footprints, and weather patterns.

In sum, a two-year Presidential Exemption is necessary and appropriate for the IIS RTR Rule fence-line monitoring requirements because, as EPA acknowledges, the technology to implement the IIS RTR Rule fence-line monitoring requirements has not yet been determined. The IIS RTR Rule language to not require the monitoring until one year after a method is codified is insufficient to address the concerns identified above, namely the fact that no data is currently available using the yet-to-be codified method to determine if EPA's action level is

Hon. Lee M. Zeldin

March 31, 2025

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otherwise appropriate, noting, too, that EPA has failed to provide any reasonable basis or nexus to the Cr action level in the IIS RTR Rule.

THE EXEMPTION IS IN THE INTEREST OF NATIONAL SECURITY

A. U. S. Steel's Integrated Iron and Steel Facilities are Vital to the Production of Steel at U. S. Steel

U. S. Steel's integrated iron and steel facilities are key and essential operations of U. S. Steel; and are critical for U. S. Steel to produce steel. The facilities have a tremendous impact on the local, regional, and national economy. The facilities employ several thousands of highly skilled United Steelworkers union-represented and non-represented employees. In addition, these integrated operations have a multiplier effect in supporting thousands of additional steel, maintenance, construction, energy, transportation, and supplier jobs, not only in the regions in which they are located, but also across the United States.

B. U.S. Steel Contributes to the Economic Security of the United States, and Economic Security is National Security

U. S. Steel is a leading steel manufacturer in the United States and Europe. U. S. Steel has over 22,000 dedicated employees and produces over 1,000 grades of steel. For more than 100 years, while consistently meeting new challenges, U. S. Steel has been a vital part of America's history, economy, and infrastructure. U. S. Steel's operations located throughout the United States include, among others, coke production, taconite production and integrated iron and steel production, which contribute to the U.S. economy and key industries.

Continued domestic production, including the production by U.S. Steel, is critical to national infrastructure investments and national economic growth. The domestic steel industry is responsible for over \$520 billion in economic output, supporting over 2 million jobs. It generates over \$56 billion in tax revenues annually. U. S. Steel specifically supplies steel to the U.S. transportation and automotive sectors, including major U.S. automakers; the construction sector; containers and packaging sector; appliances and electrical equipment sector; and oil, gas, and petrochemicals sector. For these industries – which are critical to U.S. economic security – U. S. Steel provides high quality domestically produced steel. U. S. Steel is also a major contributor to the communities in which it operates – including, among others, in Alabama, Arkansas, Pennsylvania, Indiana, Illinois, Minnesota, and Michigan – directly and indirectly supporting jobs and economic growth, which underpin the United States' economic security. As stated in the President's America First Investment Policy, "economic security is national security." Consistent with this, the Federal government has determined that the steel industry is "critical to minimum operations of the *economy and government*."⁷

In the case of steel, the history of U.S. Government actions to ensure the continued viability of the domestic steel industry demonstrates that, across decades and Administrations,

⁷ Department of Commerce, Bureau of Export Administration; *The Effect of Imports of Iron Ore and Semi-Finished Steel on the National Security*, October 2001

there has been consensus that domestic steel production is vital to our national interest. The overall security of the nation is dependent upon a strong economy and investments in industry and infrastructure. All of these goals are supported by the steel industry, and it needs to have protection from the proposed rules until such time as a proper review can take place.

The unprecedented and exorbitant costs that U. S. Steel would need to incur to attempt to comply with the IIS RTR Rule would risk U. S. Steel losing viable commercial production capabilities and will jeopardize the domestic industry's ability to meet the full spectrum of infrastructure and investment needs. Ensuring that U. S. Steel and other steel producers are able to continue to produce steel in the market for U.S. commercial and infrastructure needs is necessary to grow the U. S. market and economy.

The IIS RTR Rule, as well as the other rules affecting the domestic steel industry, will result in unprecedented costs which will jeopardize the long-term operations of U. S. Steel (and other steel producers.) If U. S. Steel is not financially viable to invest in the latest technologies, facilities, and long-term research and development, nor retain skilled workers while attracting a next-generation workforce, it will be unable to support the nation's infrastructure, economy and commercial needs.

C. Cumulative Burden

In 2024, EPA promulgated three new steel sector rules⁸ resulting in dozens of new emission limits and work practices materially impacting the domestic iron and steel critical operations in the United States. A Presidential Exemption is necessary to prevent significant direct adverse impacts and irreparable harm to domestic steel production and infrastructure.

The promulgation of these three rules, simultaneously with other recent significant EPA actions, including most notably, the lowering of the PM2.5 NAAQS and the adoption of the overreaching Good Neighbor Rule, harm the competitiveness of the domestic steel industry and jeopardizes the domestic steel industry's ability to support the economy, growth and critical needs of the nation. These rules, individually and collectively, result in marginal, if any, benefits, yet result in unprecedented capital expenditures of billions of dollars for the domestic steel industry. These draconian, job-killing, unlawful rules were promulgated notwithstanding that EPA determined that the existing MACT regulations provide acceptable risks with an ample margin of safety.

⁸ The three rules at issue are:

- 1) National Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel Manufacturing Facilities (EPA-HQ-EPA-OAR-2002-0083), April 3, 2024, *Federal Register*, (89 Fed. Reg. 23294)
- 2) National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks, and Coke Oven Batteries. (EPA-HQ-OAR-2002-0085 and EPA-HQ-OAR-2003-0051), July 5, 2024, *Federal Register*, (89 Fed. Reg. 55684); and
- 3) National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing Amendments (EPA-HQ-OAR-2017-0664), March 6, 2024, *Federal Register*, (89 Fed. Reg. 16408).

In addition, it is significant to note that in 2020 EPA previously completed its statutory obligation to determine risks and to review technological developments for the taconite and integrated iron and steel categories and determined that no significant revisions to these rules were necessary. However, in 2024, EPA unilaterally reversed course and mandated that the industry comply with dozens of new limits and requirements that will require hundreds of millions if not billions in capital expenditures – and even then – compliance with some of the new limits cannot be assured as the limits are based upon insufficient data and are based upon unproven, untested technologies for the limits imposed. If left in place, the domestic steel industry may be left to choose between prematurely shuttering mills, resulting in job losses and irreparable harm to their local communities, or making huge investments to develop technologies that have no proven application in the steel sector. In short, these rules stand to paralyze an industry that currently leads the world in the pathway to clean steel production. These rules, if left in place, would further skew the market to the benefit of foreign manufacturers and state-owned enterprises – in particular, Chinese state-owned steel producers, which dominate the global steel industry – and which are held to less stringent environmental standards.

Without a Presidential Exemption, the IIS RTR Rule would create significant, unprecedented burdens for domestic steel industry and manufacturers and negatively impact the workforce, who are a vital part of the U.S. economy. In addition, the IIS RTR Rule would substantially raise costs to consumers across the country and would likely cause harm to the domestic economy and supply of materials for infrastructure and growth.

The importance of avoiding these harms to the coke and steel industry is emphasized in a December 6, 2023 letter from eight U.S. Senators – including then-Senator JD Vance – to EPA warning that the Coke Ovens Rule and two other rules aimed at the steel sectors “... would dramatically undermine the domestic steel industry and national security while driving production overseas likely resulting in no net reduction in emissions from the steel industry globally.”⁹

Likewise, in a June 14, 2024, letter six U.S. Senators – again including then-Senator Vance – urged EPA to reconsider the Coke Ovens Rule and two other rules aimed at the steel industry, warning that “... the steel industry will be forced to proceed with planning and spending for unproven technologies and work practices while the final provisions of the rules remain uncertain. Given that these regulations will impact nearly every aspect of the integrated iron and steelmaking process, it is imperative that EPA grant both the petitions for reconsideration and requests for stay of the rules.”¹⁰ Similar concerns were raised in a letter to EPA from Congress Members Crawford and Mrvan of the Congressional Steel Caucus.¹¹

Without a Presidential Exemption, the IIS RTR Rule would require immediate actions by U. S. Steel that unfairly burden U. S. Steel, impose actions that are either unsafe, unlawful,

⁹ Letter from U.S. Senators Vance, Brown, Braun, Manchin, Casey, Klobuchar, Capito, and Young to Administrator Regan, p. 1 (Dec. 6, 2023) (Att. A).

¹⁰ Letter from U.S. Senators Vance, Brown, Braun, Casey, Klobuchar, and Young to Administrator Regan, p. 2 (June 14, 2024) (Att. B).

¹¹ Letter from Congressmen Crawford and Mrvan to Administrator Regan, p. 1 (Dec. 18, 2023) (Att. C).

impossible, impractical and/or are ineffective; and require U. S. Steel to spend tens of millions if not hundreds of millions of dollars on unproven technologies, thereby impacting its ability to support the nation's growing economy, infrastructure needs, and continued thriving national investments.

CONCLUSION

Thank you for the opportunity to provide this Request for a Presidential Exemption. The bases of granting an exemption are well grounded in the facts that support a clear finding that the technologies to implement the HHS RTR Rule are not available, and because of the financial and infrastructure implications, it is in the interest of national security to grant the request. Furthermore, while not a factor specifically listed as a basis for the exemption, it is important to note that granting the request will not result in any unacceptable risks to the public or the environment as EPA has determined that the integrated iron and steel source category presents acceptable risks with an ample margin of safety with the present controls, and requirements and limits already in effect to which U. S. Steel consistently demonstrates compliance. If you have questions or need additional information, please contact Matthew DeLibero at (412) 233-1200 or Alexis Piscitelli at (219) 888-5280.

Sincerely,

Matthew J. DeLibero
U. S. Steel Mon Valley Works
Director Environmental, Reliability, & Operational Excellence



Alexis Piscitelli
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