



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590**

**VIA ELECTRONIC MAIL**  
**DELIVERY RECEIPT REQUESTED**

Mark Hessler, Operation Manager  
Heidtman Steel  
[Mark.hessler@heidtman.com](mailto:Mark.hessler@heidtman.com)

Re: Finding of Violation  
Heidtman Steel  
Granite City, Illinois

Dear Mark Hessler:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Heidtman Steel (you) under Section 113(a) of the Clean Air Act, 42 U.S.C. § 7413(a). We find that you are violating the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Steel Pickling – HCL Process Facilities and Hydrochloric Acid Regeneration Plants, 40 C.F.R. Part 63, Subpart CCC; the NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 C.F.R. Part 63, Subpart DDDDD; and regulations promulgated pursuant to Title V of the Clean Air Act at 40 C.F.R. Part 70 at your Granite City, Illinois facility.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Daniel Schaufelberger. You may call him at (312) 886-6814 or email him at [schaufelberger.daniel@epa.gov](mailto:schaufelberger.daniel@epa.gov) to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

Sarah Marshall  
Supervisor, Air Enforcement and Compliance Assurance Section (MI/WI)

Enclosure

cc: Kent Mohr, Manager  
Compliance Section  
Bureau of Air  
Illinois Environmental Protection Agency  
[kent.more@Illinois.gov](mailto:kent.more@Illinois.gov)

4. Pursuant to Section 112(c) of the CAA, EPA promulgated a list of categories and subcategories of major sources of the air pollutants listed pursuant to Section 112(b) of the CAA, 42 U.S.C. § 7412(b).

5. Pursuant to Section 112(d) of the CAA, EPA promulgated regulations implementing the NESHAP at 40 C.F.R. Part 63.

6. Section 112(a) of the CAA, 42 U.S.C. § 7412(a), and 40 C.F.R. § 63.2 define “major source” as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tpy or more of any HAP or 25 tpy or more of any combination of HAPs.

7. Section 112(i)(3) of the CAA, 42 U.S.C. § 7412(i)(3), and 40 C.F.R. § 63.4, prohibit the owner or operator of any source from operating such source in violation of any NESHAP applicable to such source.

8. The NESHAP, at 40 C.F.R. Part 63, Subpart A, contains general provisions applicable to the owner or operator of any stationary source that contains an “affected source” subject to the NESHAP at Part 63. These general provisions include definitions at 40 C.F.R. § 63.2.

9. The NESHAP, at 40 C.F.R. § 63.2, defines “affected source” as the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a CAA Section 112(c) source category or subcategory for which a Section 112(d) standard or other relevant standard is established pursuant to Section 112 of the CAA.

10. The NESHAP, at 40 C.F.R. § 63.2, defines “existing source” as any affected source that is not a new source.

**NESHAP for Steel Pickling – HCl Process Facilities and Hydrochloric Acid Regeneration Plants at 40 C.F.R. Part 63, Subpart CCC**

11. On June 22, 1999, EPA promulgated the NESHAP for Steel Pickling – HCl Process Facilities and Hydrochloric Acid Regeneration Plants (Pickling NESHAP), codified at 40 C.F.R. Part 63, Subpart CCC. 64 Fed. Reg. 33218.

12. 40 C.F.R § 63.1160(a)(1) provides that the “owner or operator of an affected existing steel pickling facility and/or hydrochloric acid regeneration plant subject to this subpart shall achieve initial compliance with the requirements of this subpart no later than June 22, 2001.”

13. 40 C.F.R. § 63.1156 defines “steel pickling facility” as any facility that operates one or more batch or continuous pickling lines.

14. 40 C.F.R. § 63.1155(a)(1) provides that the provisions of the Pickling NESHAP apply to all new and existing steel pickling facilities or plants that are major sources of HAP and pickle carbon steel using HCl solution that contains 6 percent or more by weight HCl and is at a temperature of 100 degrees Fahrenheit or higher.

15. 40 C.F.R. § 63.1155(b) provides that, for the purposes of implementing the Pickling NESHAP, the affected sources at a facility or plant subject to the Pickling NESHAP include continuous pickling lines and hydrochloric acid storage vessels.

16. 40 C.F.R. § 63.1156 defines “continuous pickling line” as the collection of equipment and tanks configured for pickling metal strip, rod, wire, tube, or pipe that is passed through an acid solution in a continuous or nearly continuous manner and rinsed in another tank or series of tanks to remove residual acid. This definition includes continuous spray towers.

17. 40 C.F.R. § 63.1156 defines “hydrochloric acid storage vessel” as a stationary vessel used for the bulk containment of virgin or regenerated hydrochloric acid.

**NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters at 40 C.F.R. Part 63, Subpart DDDDD**

18. On March 21, 2011, EPA promulgated the NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (Boiler NESHAP), codified at 40 C.F.R. Part 63, Subpart DDDDD. 76 Fed. Reg. 15664. This subpart applies to new and existing industrial boilers and process heaters located at major stationary sources of HAPs.

19. 40 C.F.R. § 63.7495(b) requires the owner or operator of an existing affected source comply with the requirements of the Boiler NESHAP no later than January 31, 2016.

20. 40 C.F.R. § 63.7485 provides that the provisions of the Boiler NESHAP apply to owners or operators of an industrial, commercial, or institutional boiler or process heater as defined in 40 C.F.R. § 63.7575 that is located at, or is part of, a major source of HAP, except as specified in 40 C.F.R. § 63.7491.

21. 40 C.F.R. § 63.7490(a)(1) provides that an existing affected source, as defined for the Boiler NESHAP, is the collection at a major source of all existing industrial, commercial, and institutional boilers and process heaters within a subcategory as defined in 40 C.F.R. § 63.7575.

22. 40 C.F.R. § 63.7490(d) defines a boiler or process heater as existing if it is not new or reconstructed.

23. 40 C.F.R. § 63.7490(d) defines a boiler or process heater as new if construction of the unit commenced after June 4, 2010.

24. 40 C.F.R. § 63.7490(c) defines a boiler or process heater as reconstructed if the criteria contained in § 63.2 are met, reconstruction commenced after June 4, 2010, and the applicability criteria are met at the time reconstruction commenced.

25. 40 C.F.R. § 63.7575 defines an industrial boiler as a boiler used in manufacturing, processing, mining, and refining or any other industry to provide steam, hot water, and/or electricity.

## **Title V**

26. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), provides that it is unlawful for any person to, among other things, operate a major source subject to Title V except in compliance with a Title V permit after the effective date of any permit program approved or promulgated under Title V of the CAA.

27. Section 503(c) of the CAA, 42 U.S.C. § 7661b(c), provides that any person required to have a Title V permit shall apply for such permit not later than 12 months after the date on which the source become subject to the permit program.

28. Pursuant to Section 502(b) of the CAA, 42 U.S.C. § 7661a(b), on July 21, 1992, EPA promulgated regulations establishing the minimum elements of a Title V permit program to be administered by any air pollution control agency. 57 Fed. Reg. 32295. Those regulations are codified at 40 C.F.R. Part 70.

29. EPA granted interim approval of the State of Illinois' Title V operating permit program on March 7, 1995. 60 Fed. Reg. 12478. EPA granted final approval on December 4, 2001. 66 Fed. Reg. 62946. The Illinois Clean Air Act Permit Program (CAAPP) is codified at 415 Illinois Compiled Statutes (ILCS) 5/39.5 *et seq.*

30. 40 C.F.R. § 70.5(a), provides that each Title V source must submit a timely and complete permit application in accordance with that section. *See also* ILCS 5/39.5.5.

31. 40 C.F.R. § 70.7(b) provides that no Title V source may operate after the time that it is required to submit a timely and complete application except in compliance with a Title V permit issued under an approved permit program. *See also* ILCS 5/39.5.6.b.

32. 40 C.F.R. § 70.2 defines “major source,” in part, as any stationary source that emits or has the potential to emit 10 tons per year (tpy) or more of any hazardous air pollutant (HAP) which has been listed pursuant to section 112(b) of the CAA. *See also* ILCS 5/39.5.2.c.i.A.

33. 40 C.F.R. § 70.2 defines “potential to emit” as “the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by the Administrator.”

## **Findings of Fact**

34. Heidtman owns and operates a continuous pickling line at its steel pickling facility at 10 Northgate Industrial Drive, Granite City, Illinois (the Facility).

35. At the Facility, Heidtman operates one industrial natural gas-fired boiler, installed in 2004 and rated at 14.6 MMBtu/hour.

36. At the Facility, Heidtman operates a push-pull steel pickling line consisting of three HCl tanks and four rinse tanks connected in series. Steel strip is uncoiled and push-pulled through the pickle and rinse tanks. The HCl is applied to steel strip at a weight percent concentration of up to 13%, and at a temperature of approximately 180 degrees Fahrenheit. The HCl fumes from the pickle line and associated storage tanks are collected and directed to a wet scrubber prior to being vented through an exhaust stack to the atmosphere.

37. On July 18, 2018, Heidtman conducted EPA Method 26A HCl tests at the pickle line scrubber inlet duct and exhaust stack while operating at maximum production rate. The results of the tests, provided in an August 13, 2018 report, indicate that Heidtman's steel pickling line has the potential to emit HCl in an amount greater than 10 tpy.

38. On May 9, 2023, EPA conducted a CAA compliance inspection at the Facility.

39. Heidtman operates a "major source" of HAP, as defined at 40 C.F.R. §§ 63.2 and 70.2.

40. Since June 22, 2001, Heidtman has been required to comply with the requirements of the Pickling NESHAP at its steel pickling line, 40 C.F.R. Part 63, Subpart CCC.

41. Since January 31, 2016, Heidtman has been required to comply with the requirements of the Boiler NESHAP for existing industrial boilers at its 14.6 MMBtu/hr natural gas-fired industrial boiler, 40 C.F.R. Part 63, Subpart DDDDD.

42. Heidtman is subject to the requirements of Title V of the CAA, 42 U.S.C. §§ 7661 *et seq.*

43. Heidtman has not applied for nor obtained a Title V operating permit from the State of Illinois.

### **Violations**

44. Heidtman failed to submit a timely Title V permit application to the State of Illinois, in violation of 40 C.F.R. § 70.5(a) and Section 503 of the CAA, 42 U.S.C. § 7661b.

45. Heidtman operated the Facility after the time it was required submit a timely and complete Title V application, in violation of 40 C.F.R. § 70.7(b) and Section 502 of the CAA, 42 U.S.C. § 7661a.

46. Heidtman has failed to comply with applicable requirements of the Pickling NESHAP, which include a complete scrubber operation and maintenance plan, requirements to demonstrate initial and continuous compliance with emission limits, operating limits, work practice standards, and recordkeeping and reporting requirements associated with the Facility's steel pickling line.

47. Heidtman has failed to comply with the applicable requirements of the Boiler NESHAP, which include the completion of a boiler energy assessment, required regular boiler

tune-ups and other work practice standards, submission of compliance notifications, and submission of boiler tune-up compliance reports.

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Michael D. Harris  
Division Director  
Enforcement and Compliance Assurance Division

