



## AIR OPERATING PERMIT

Puget Sound Clean Air Agency  
1904 Third Ave, Suite 105  
Seattle, Washington 98101

Issued in accordance with the provisions of Puget Sound Clean Air Agency Regulation I, Article 7; and Chapter 173-401 WAC.

Pursuant to Puget Sound Clean Air Agency Regulation I, Article 7, and Chapter 173-401 WAC, Nucor Steel Seattle, Inc. is authorized to operate subject to the terms and conditions in this permit.

<b>PERMIT NO.:10281</b>	<b>DATE OF ISSUANCE: April 12, 2006</b> <b>Modification: March 4, 2008</b>
<b>ISSUED TO: Nucor Steel Seattle, Inc.</b>	
<b>PERMIT EXPIRATION DATE: April 12, 2011</b>	

SIC Code, Primary: 3312  
NAICS Code: 331111  
Nature of Business: Iron and Steel Mills

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## **NOTE REGARDING CHANGE IN OWNERSHIP OF THE PERMITTED FACILITY**

Nucor Steel Seattle Inc. (“Nucor”) acquired the Seattle plant from Birmingham Steel Corporation on December 9, 2002. Certain underlying documents referred to in this air operating permit, such as Orders of Approval, have not been reopened to change the name of the company, but any terms and conditions in those documents that applied to Birmingham Steel Corporation now apply in exactly the same manner to Nucor Steel Seattle, Inc.

### **I. EMISSION LIMITS AND PERFORMANCE STANDARDS**

The following tables list the citation for each “applicable requirement” in the second column. This can be a Puget Sound Clean Air Agency requirement, a Washington State Department of Ecology requirement, or a federal requirement. All requirements are federally enforceable unless they are identified in column two by the words “*STATE ONLY*.”

The third column (Date) contains the adoption or effective date of the requirement. In some cases, the effective dates of the Federally Enforceable Requirement and the State Only Requirement are different because only rules approved by EPA through Sections 110, 111, and 112 of the federal Clean Air Act are federally enforceable and either the state has not yet submitted the regulation to the EPA or the EPA has not yet approved it. “*STATE ONLY*” adoption dates are in *italicized* font. When the EPA does approve the new requirement by adopting it into the State Implementation Plan (SIP), the old requirement will be replaced and superseded by the new requirement. This replacement will take place automatically, with no changes being made to this permit until the permit is renewed. The new requirement will be enforceable by the EPA as well as the Puget Sound Clean Air Agency from the date that it is adopted into the SIP, and the old requirement will no longer be an applicable requirement.

The first column is used as an identifier for the requirement, and the fourth (Requirement Paraphrase) column paraphrases the requirement. The first and fourth columns are for information only and are not enforceable conditions of this permit. The actual enforceable requirement is embodied in the requirement cited in the second and third columns.

The fifth column (Monitoring, Maintenance & Recordkeeping Method) identifies the methods described in Section II of the permit. Following these methods is required to “reasonably assure continuous compliance” with, and is an enforceable requirement of, this air operating permit. Note that all inspections, tests, and other actions must be documented (see paragraph 4 of Subsection V.O for specific requirements).

The sixth (Emission Standard Period) column identifies the averaging time for the reference test method. The last column (Reference Test Method) identifies the reference method associated with an applicable emission limit that is to be used if and when a source test is required. In some cases where the applicable requirement does not cite a test method, one has been added.

In the event of conflict or omission between the information contained in the fourth and sixth columns and the actual statute or regulation cited in the second column, the requirements and language of the actual statute or regulation cited shall govern. For more information regarding any of the requirements cited in the second and third columns, refer to the actual requirements cited.

**A. FACILITY-WIDE APPLICABLE REQUIREMENTS**

The requirements in this section apply facility-wide to all the emission units regulated by this permit except that monitoring methods specified elsewhere in the permit for specific applicable requirements at specific emission units supersede the general monitoring requirements listed in Section I.A.

**Table 1 Facility-Wide Applicable Requirements**

<b>Reqmt No.</b>	<b>Enforceable Requirement</b>	<b>Adoption or Effective Date</b>	<b>Requirement Paraphrase (Information Only)</b>	<b>Monitoring, Maintenance &amp; Recordkeeping Method</b>	<b>Emission Standard Period</b>	<b>Reference Test Method</b>
<b>General</b>						
I.A.1	WAC 173-400-040 WAC 173-400-040 (STATE ONLY)	9/23/93 2/10/05	All emission units are required to use RACT.	No monitoring required	N/A	N/A
<b>Opacity Standards</b>						
I.A.2	Puget Sound Clean Air Agency Reg I: 9.03 (except for 9.03(e)) Puget Sound Clean Air Agency Reg. I: 9.03 (STATE ONLY) WAC 173-400-040(1) WAC 173-400-040(1) (STATE ONLY)	3/11/99 3/25/04 9/23/93 2/10/05	Nucor shall not emit any air pollutants which exhibit greater than 20% opacity for a period or periods aggregating more than 3 minutes in any hour	II.A.1(a) Opacity Monitoring	More than 3 min. in any 1 hr	Ecology Reference Method 9A, 7/12/1990 (See Section X)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
<b>Particulate Matter Standards</b>						
I.A.3	Puget Sound Clean Air Agency Reg I: 9.09	4/9/98	Nucor shall not emit particulate matter in excess of 0.05 gr/dscf from equipment used in a manufacturing process.	II.A.1(a) Opacity Monitoring II.C Compliance Assurance Monitoring (CAM)	(3) 1-hour runs	Puget Sound Clean Air Agency Method 5 (See Section X)
I.A.4	WAC 173-400-060 WAC 173-400-060 (STATE ONLY).	3/22/91 2/10/05	Nucor shall not emit particulate matter in excess of 0.1 gr/dscf uncorrected for excess air from general process units	II.A.1(a) Opacity Monitoring II.C Compliance Assurance Monitoring (CAM)	(3) 1-hour runs	EPA Method 5 (40 CFR Part 60, Appendix A, July 1, 2005)
I.A.5	WAC 173-400-050(1) WAC 173-400-050(1) (STATE ONLY)	3/22/91 2/10/05	Nucor shall not emit particulate matter in excess of 0.1 gr/dscf corrected to 7% O <sub>2</sub> from combustion and incineration units.	II.A.1(c) Facility-Wide Inspections	(3) 1-hour runs	EPA Method 5 (40 CFR Part 60, Appendix A, July 1, 2005)
<b>SO<sub>2</sub> Standards</b>						
I.A.6	Puget Sound Clean Air Agency Reg I: 9.07 WAC 173-400-040(6) first paragraph only. WAC 173-400-040(6) (STATE ONLY)	4/14/94 9/23/93 2/10/05	Nucor shall not emit SO <sub>2</sub> in excess of 1,000 ppmv (dry) corrected to 7% O <sub>2</sub> for fuel burning equipment	No monitoring required	(3) 1-hour runs	EPA Method 6C (40 CFR Part 60, Appendix A, July 1, 2005)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
<b>HCl Standards</b>						
I.A.7	Puget Sound Clean Air Agency Reg. I: 9.10(a) (STATE ONLY)	6/9/88	Nucor shall not emit HCl in excess of 100 ppm (dry) corrected to 7% O <sub>2</sub> for combustion sources	No monitoring required	(3) 1-hour runs	EPA Method 26 or 26A (40 CFR Part 60, Appendix A; July 1, 2005)
<b>Nuisance Standards</b>						
I.A.8	WAC 173-400-040(5) <i>Puget Sound Clean Air Agency Reg. I: 9.11 (STATE ONLY)</i> WAC 173-400-040(5) (STATE ONLY) WAC 173-400-040(2) (STATE ONLY) RCW 70.94.040 (STATE ONLY)	8/20/93 3/11/99 2/10/05 2/10/05 1996	Nucor shall not emit air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	NA	NA
I.A.9	WAC 173-400-040(4) (STATE ONLY)	2/10/05	Nucor shall use recognized good practice and procedures to reduce to a minimum odors which may unreasonably interfere with any other property owners' use and enjoyment of their property	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	NA	NA

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
<b>Fugitive Emissions Standards</b>						
I.A.10	WAC 173-400-040(3) WAC 173-400-040(3) <i>(STATE ONLY)</i> WAC 173-400-040(8) WAC 173-400-040(8) <i>(STATE ONLY)</i>	9/23/93 2/10/05 9/23/93 2/10/05	Nucor shall take reasonable precautions to prevent release of fugitive dust.	II.A.1(b) Complaint Response II.A.2(c) Meltshop Opacity Monitoring II.A.1(d) Fugitive Dust II.A.1(e) Road Dust II.A.1(f) Scrap Yard Fugitive Dust	NA	NA

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
I.A.11	Puget Sound Clean Air Agency Reg. I: 9.15	3/11/99	<p>(a) Nucor shall not cause or allow visible emissions of fugitive dust unless reasonable precautions are employed to minimize the emissions. Reasonable precautions include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>(1) The use of control equipment, enclosures, and wet (or chemical) suppression techniques, as practical, and curtailment during high winds;</li> <li>(2) Surfacing roadways and parking areas with asphalt, concrete, or gravel;</li> <li>(3) Treating temporary, low-traffic areas (e.g., construction sites) with water or chemical stabilizers, reducing vehicle speeds, constructing pavement or rip rap exit aprons, and cleaning vehicle undercarriages before they exit to prevent the track-out of mud or dirt onto paved public roadways; or</li> <li>(4) Covering or wetting truck loads or allowing adequate freeboard to prevent the escape of dust-bearing materials</li> </ol> <p>(b) Compliance with the provisions of this section shall not relieve Nucor of the responsibility of complying with Reg. I:9.11.</p>	<p>II.A.1(b) Complaint Response</p> <p>II.A.1(d) Fugitive Dust</p> <p>II.A.1(e) Road Dust</p> <p>II.A.1(f) Scrap Yard Fugitive Dust</p>	NA	NA

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
I.A.12	Order of Approval No. 9669 condition 10	2/14/08	Nucor shall minimize fugitive emissions from paved roads by dispatching a vacuum truck to clean paved roads on a weekly basis when dry conditions persist and by dispatching a water truck to wet down paved roads when dry conditions persist.	II.A.1(e) Road Dust	NA	NA
I.A.13	Order of Approval No. 9669 condition 11	2/14/08	Nucor shall minimize fugitive emissions from scrap handling by maintaining and operating a sprinkler system in the scrap yard. The sprinklers shall be controlled by an automatic timer that will be adjusted to operate more frequently when dry conditions persist.	II.A.1(f) Scrap Yard Fugitive Dust	NA	NA
<b>Operations and Maintenance Standards</b>						
I.A.14	Puget Sound Clean Air Agency Reg. I: 9.20	6/9/88	Nucor shall maintain equipment in good working order	II.B Operation and Maintenance (O & M) Plan Requirements	N/A	N/A
I.A.15	Puget Sound Clean Air Agency Reg. I: 7.09(b)	9/10/98	Nucor shall develop and implement an O & M Plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III	II.B Operation and Maintenance (O & M) Plan Requirements	NA	NA
I.A.16	RCW 70.94.152(7) (STATE ONLY)	1996	Must maintain and operate equipment requiring an NOC in good working order	II.B Operation and Maintenance (O & M) Plan Requirements	NA	NA

<b>Reqmt No.</b>	<b>Enforceable Requirement</b>	<b>Adoption or Effective Date</b>	<b>Requirement Paraphrase (Information Only)</b>	<b>Monitoring, Maintenance &amp; Recordkeeping Method</b>	<b>Emission Standard Period</b>	<b>Reference Test Method</b>
I.A.17	RCW 70.94.040 <i>(STATE ONLY)</i>	1996	Except where specified in a variance permit, as provided in RCW <a href="#">70.94.181</a> , it shall be unlawful for any person to cause air pollution or permit it to be caused in violation of chapter 70.94 RCW, or of any ordinance, resolution, rule or regulation validly promulgated thereunder.	No monitoring required	N/A	N/A

NA = Not Applicable

**B. EMISSION UNIT SPECIFIC APPLICABLE REQUIREMENTS**

The requirements in Section I.B. only apply to the specific emission units cited; however, the requirements in Section I.A. also apply. If the monitoring and recordkeeping method for any requirement in Section I.A was more extensive for specific emission units, the requirement was repeated in this section with the additional monitoring and recordkeeping requirements.

**1. Emission Unit #1 (EU-1): Electric Arc Furnace**

This emission unit consists of an electric arc furnace (EAF) in the meltshop that vents directly to a high temperature baghouse. Fugitive emissions from the arc furnace and any other shop process vent to a roof monitor pick-up, which is routed to a separate low temperature baghouse. The ancillary meltshop operations are addressed in EU-2.

**Table 2 Emission Unit #1 (EU-1): Electric Arc Furnace**

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-1.1	Puget Sound Clean Air Agency Reg I: 9.03 WAC 173-400-040(1)	4/09/98 9/20/93	Shall not emit air contaminants in excess of 20% opacity for more than 3 minutes per hour	II.A.2(b) Baghouse Opacity Monitoring II.A.2(c) Meltshop Opacity Monitoring	More than 3 min in any 1 hr	Ecology Method 9A (See Section IX)
EU-1.2	40 CFR 60.272a(a)(2) 40 CFR 60.11(c)	10/31/84 10/17/00	Shall not emit air contaminants in excess of 3% opacity from an EAF control device, except during startup, shutdown and malfunction (SSM) periods <sup>1</sup>	II.A.2(b) Baghouse Opacity Monitoring	Average of 6 consecutive min	EPA Method 9 as described in 40 CFR 60.275a(e)(3)

<sup>1</sup> 40 CFR §60.2 Definitions. **Startup** means the setting in operation of an affected facility for any purpose. **Shutdown** means the cessation of operation of an affected facility for any purpose. **Malfunction** means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-1.3	40 CFR 60.272a(a)(3) 40 CFR 60.11(c)	10/31/84 10/17/00	Shall not emit air contaminants in excess of 6% opacity from a shop due solely to emissions from an EAF, except during SSM periods	II.A.2(c) Meltshop Opacity Monitoring	Average of 6 consecutive min	EPA Method 9 as described in 40 CFR 60.275a(e)(3)
EU-1.4	40 CFR 60.272a(b) 40 CFR 60.11(c)	10/31/84 10/17/00	Shall not emit air contaminants equal to or greater than 10% opacity from the dust loadout system of the EAF baghouses, except during SSM periods	II.A.2(b) Baghouse Opacity Monitoring	Average of 6 consecutive min	EPA Method 9 as described in 40 CFR 60.275a(e)(3)
EU-1.5	40 CFR 60.272a(a)(1) 40 CFR 60.8(c)	10/31/84 10/17/00	Shall not emit particulate matter in excess of 0.0052 gr/dscf, except during SSM periods	II.A.2(d) Baghouse Operation Monitoring II.C Compliance Assurance Monitoring (CAM)	At least 4 hrs per run	EPA Method 5D, as described in 40 CFR 60.275a(e)(1)
EU-1.6	40 CFR 60.11(d)	10/17/00	Shall maintain and operate the EAF and dust handling equipment in a manner consistent with good air pollution control practice for minimizing emissions	No monitoring required	NA	NA
EU-1.7	PSD Permit No. 07-02, approval condition 1	2/15/08	Nucor Steel shall not produce more than 1.1 million tons of billets during each consecutive 12-month rolling period.	II.A.2(a) Compliance with Production Limit Requirement	Any consecutive 12-month period	NA
EU-1.8	Order of Approval No. 9669 Condition 4	2/14/08	Emissions of PM <sub>10</sub> from the low temperature (Wheelabrator) baghouse shall not exceed any of the following limits: a) 0.00165 grain per dry standard cubic foot of exhaust gas. b) 7.93 pounds per hour.	II.A.2(d) Baghouse Operation Monitoring II.A.2(e) PM10 Source Testing II.C Compliance Assurance Monitoring (CAM)	≥ 4 hr and 160 dscf and an integral number of heats per sample run	EPA Methods 5D, 201 or 201A

<b>Reqmt No.</b>	<b>Enforceable Requirement</b>	<b>Adoption or Effective Date</b>	<b>Requirement Paraphrase (Information Only)</b>	<b>Monitoring, Maintenance &amp; Recordkeeping Method</b>	<b>Emission Standard Period</b>	<b>Reference Test Method</b>
EU-1.9	Order of Approval No. 9669 Condition 3	2/14/08	Emissions of PM <sub>10</sub> from the high temperature (Baumco) baghouse shall not exceed any of the following limits: a) 0.0018 grain per dry standard cubic foot of exhaust gas. b) 7.14 pounds per hour.	II.A.2(d) Baghouse Operation Monitoring II.A.2(e) PM <sub>10</sub> Source Testing II.C Compliance Assurance Monitoring (CAM)	≥ 4 hr and 160 dscf and an integral number of heats per sample run	EPA Methods 5D, 201 or 201A
EU-1.10	Order of Approval No. 9669 Condition 6	2/14/08	Emissions of oxides of nitrogen (NO <sub>x</sub> ) from the EAF (high and low-temperature baghouses combined) shall not exceed 0.480 pound per ton of steel produced for any consecutive 30 day period. Compliance is determined by the average of all tests conducted within a consecutive 30 day period.	II.A.2(f) NO <sub>x</sub> and CO Source Testing	Any consecutive 30 day period	EPA Method 7E
EU-1.11	Order of Approval No. 9669 Condition 7	2/14/08	Emissions of carbon monoxide (CO) from the EAF (high and low-temperature baghouses combined) shall not exceed 1.98 pounds per ton of steel produced for any consecutive 30 day period. Compliance is determined by the average of all tests conducted within a consecutive 30 day period.	II.A.2(f) NO <sub>x</sub> and CO Source Testing	Any consecutive 30 day period	EPA Method 10
EU-1.12	Order of Approval No. 9669 Condition 8 and 9	2/14/08	If emissions of PM <sub>10</sub> , NO <sub>x</sub> , SO <sub>2</sub> , VOC, or lead exceed baseline emissions by more than a significant amount, Nucor shall include in the annual emission report required by V.R.5(b), an explanation as to why emissions of that pollutant differ from preconstruction projections.	V.R.5(b) Order of Approval No. 9669 emission report	Calendar Year	NA

NA = Not Applicable

## 2. Emission Unit #2 (EU-2): Meltshop Combustion Sources

This emission unit consists of activities associated with natural gas combustion in the meltshop. These include the ladle preheaters and flying cutting torches.

**Table 3 Emission Unit #2 (EU-2): Meltshop Combustion Sources**

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-2.1	Puget Sound Clean Air Agency Reg I: 9.03 WAC 173-400-040(1)	3/11/99 9/20/93	Shall not emit air contaminants in excess of 20% opacity for more than 3 minutes per hour	II.A.2(c) Meltshop Opacity Monitoring	More than 3 min in any 1 hr	Ecology Method 9A (See Section IX)

NA = Not Applicable

## 3. Emission Unit #3 (EU-3): Reheat Furnace

Emissions occur from the stack of the reheat furnace.

**Table 4 Emission Unit #3 (EU-3): Reheat Furnace**

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU 3. 1.	Order of Approval No. 4492 Condition 4	6/16/92	NO <sub>x</sub> shall not exceed 0.25 lb/MMBtu	No monitoring required	1 hr samples	EPA Method 7E
EU 3. 2.	Puget Sound Clean Air Agency Reg I: 9.09 WAC 173-400-050(1)	4/9/98 3/22/91	Shall not emit particulate matter in excess of 0.05 gr/dscf corrected to 7% O <sub>2</sub> from equipment burning fuel other than wood	II.A.1(a) Opacity Monitoring	At least 1 hr per run	Puget Sound Clean Air Agency Method 5, (See Section IX)

N/A = Not Applicable

## **II. MONITORING, MAINTENANCE AND RECORDKEEPING PROCEDURES**

### ***A. Minimum Monitoring and Maintenance Requirements.***

#### **1. Facility-Wide Monitoring**

##### ***(a) Opacity Monitoring***

Nucor Steel shall conduct quarterly inspections of the facility for visible emissions. Inspections are to be performed while the equipment is in operation during daylight hours. If visible emissions other than uncombined water are observed, Nucor Steel shall, as soon as possible, but no later than 24 hours after the initial observation, take corrective action until there are no visible emissions or, alternatively, record the opacity using the reference test method or shut down the unit or activity until it can be repaired. [WAC 173-401-615(1), 10/17/02]

##### ***(b) Complaint Response***

Nucor Steel shall record and investigate air pollution complaints as soon as possible, but no later than three days after receipt. Upon receiving a complaint, Nucor Steel shall record:

- 1) The date and time of the complaint,
- 2) The name of the person complaining, if known,
- 3) The nature of the complaint, and
- 4) The date, time and nature of any corrective action taken.

Nucor Steel shall also identify complaints regarding these emissions as follows:

- 5) Any emissions that are, or are likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property, or
- 6) Any emissions from fallout, or
- 7) Any track-out onto paved roads open to the public, or
- 8) Any emissions of odor-bearing air contaminants, or
- 9) Other emissions.

Nucor Steel shall correct any problems identified by these inspections or complaint investigations as soon as possible, but no later than 24 hours after identification or shut down the unit or activity until it can be repaired or corrected or report the problem as a deviation under Section V.R. [WAC 173-401-615(1), 10/17/02]

***(c) Facility-Wide Inspections***

Nucor Steel shall conduct a facility-wide inspection at least once per calendar quarter. These inspections shall include checking for prohibited activities under Section III of the permit and activities that require additional approval under Section IV of the permit. The inspections shall also examine the general state of compliance with the general applicable requirements and the general effectiveness of the Operation & Maintenance (O & M) Plan.

The facility-wide inspection shall include an inspection of the facility for odor-bearing contaminants and emissions of any air contaminant in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property. Nucor Steel shall also conduct quarterly inspections for fugitive dust and track-out if there are any activities underway, such as construction, that are likely to generate fugitive dust or track-out.

Nucor Steel shall correct any problems identified by these inspections as soon as possible, but no later than 24 hours after identification or shut down the unit or activity until the problem can be corrected or report the problem as a deviation under Section V.R.

[WAC 173-401-615(1), 10/17/02]

***(d) Fugitive Dust***

Nucor Steel shall conduct weekly inspections of building openings, and baghouse dust unloading areas for visible fugitive particulate emissions. Daily meltshop opacity monitoring performed pursuant to Condition II.A.2(c) meets the requirements of this condition for meltshop building openings.

Inspections are to be performed while the equipment or processes are in operation during daylight hours. If visible fugitive particulate emissions are observed, Nucor Steel shall record results of the observation; and, as soon as possible, but no later than 24 hours after initial observation, take corrective action until there are no visible emissions or shut down the unit or activity until it can be repaired or report the problem as a deviation under Section V.R.

[WAC 173-401-615(1)(b), 10/17/02]

***(e) Road Dust***

Nucor Steel shall conduct weekly inspections of areas likely to generate fugitive dust or track-out including the areas occupied by the parking lots, roadways, haul roads, storage areas or construction areas. Nucor Steel shall clean up any dust spillage that is likely to cause track-out promptly, but no later than within 24 hours, or report the problem as a deviation under Section V.R. [WAC 173-401-615(1), 10/17/02]

***(f) Scrap Yard Fugitive Dust***

Nucor Steel shall conduct weekly inspections of the scrap yard for visible fugitive particulate emissions. Inspections are to be performed while scrap handling activities are underway during daylight hours. If an inspection reveals visible fugitive particulate emissions, inspect immediately to determine whether sprinklers are operating properly. If an inspection reveals that sprinklers are not operating properly, take corrective action within 24 hours to repair sprinklers, or shut down scrap handling activities until sprinklers are repaired, or report the emissions as a deviation under Section V.R. [WAC 173-401-615(1), 10/17/02]

***(g) Maintenance and Repair of Insignificant Emission Units***

Nucor Steel shall use good industrial practices to maintain insignificant emission units<sup>2</sup>. For such equipment<sup>3</sup>, Nucor Steel shall also promptly repair defective equipment or shut down the unit until defective equipment can be repaired. Records under Section V.P are not required for such equipment except when such equipment is inspected under II.A.1(c) and a problem requiring prompt repair is discovered during the inspection. [WAC 173-401-615(1)(b), 10/17/02]

**2. Specific Monitoring**

***(a) Compliance with Production Limit Requirement***

Nucor Steel shall keep a log of the monthly and 12 rolling month production of tons of billets. . Records shall be updated no later than thirty days after the end of the month. Report as provided in V.R.5(b). [PSD Permit 07-02, approval conditions 3, 4, (2/15/08)]

***(b) Baghouse Opacity Monitoring***

Observations of the opacity of the visible emissions from each EAF baghouse shall be performed by a certified visible emission observer as follows: visible emission observations shall be conducted at least once per day when the furnace is operating in the melting and refining period. A certified reader shall take these observations in accordance with EPA Method 9 and, for at least three 6-minute periods, the opacity shall be recorded for any point(s) where visible emissions are observed. Where no visible emissions are observed from either baghouse the reader may observe the emissions from both baghouses during the same three 6-minute periods. Where it is possible to determine that a number of visible emission sites relate to only one incident of the visible emissions, only one set of three 6-minute observations will be required. In

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<sup>2</sup> WAC 173-401-200(16) states: "Insignificant activity" or "insignificant emissions unit" means any activity or emissions unit located at a chapter 401 source which qualifies as insignificant under the criteria listed in WAC 173-401-530. These units and activities are exempt from permit program requirements except as provided in WAC 173-401-530. WAC 173-401-530 contains criteria for identifying insignificant activities and emissions units. It also states that "Designation of an emission unit or activity as insignificant for purposes of this chapter does not exempt the unit or activity from any applicable requirement."

<sup>3</sup> Puget Sound Clean Air Agency Regulation I, Section 1.07(s) states, "EQUIPMENT means any stationary or portable device or any part thereof that emits or may emit any air contaminant into the atmosphere."

this case, EPA Method 9 observations must be made for the site of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident. Records shall be maintained of any 6-minute average that is in excess of the emission limit specified in 40 CFR 60.272a(a). Report exceedances as provided in V.R.1 and 3. [40 CFR 60.273a(c); 2/22/05]

***(c) Meltshop Opacity Monitoring***

Observations of the opacity of the visible emissions from the meltshop shall be performed by a certified visible emission observer as follows: shop opacity observations shall be conducted at least once per day when the furnace is operating in the meltdown and refining period. Shop opacity shall be determined as the arithmetic average of 24 consecutive 15-second opacity observations of emissions from the shop taken in accordance with EPA Method 9. Shop opacity shall be recorded for any point(s) where visible emissions are observed. Where no visible emissions are observed from the meltshop or baghouses the reader may observe the emissions from the meltshop during one of the 6-minute periods in which baghouse opacity is monitored under condition II.A.2(b). Where it is possible to determine that a number of visible emission sites relate to only one incident of the visible emissions, only one observation of shop opacity will be required. In this case, EPA Method 9 observations must be made for the site of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident. Maintain records of all exceedances of the opacity limit in condition EU-1.3. Report exceedances as provided in V.R.1 and 3. [40 CFR 60.273a(d); 3/2/99, 40 CFR 60.276a(g), 10/17/00]

***(d) Baghouse Operation Monitoring***

Nucor Steel shall check and record the control system fan motor amperes and damper position on a once-per-shift basis according to 40 CFR 60.274a(b). Nucor Steel shall report fan motor amperage readings that are outside the ranges established according to 40 CFR 60.274a(c), as provided in Section V.R.3. [40 CFR 60.274a(b); 3/2/99;]

Nucor Steel shall perform monthly operational status inspections of the equipment that is important to the performance of the total capture system (i.e., pressure sensors, dampers, and damper switches). This inspection shall include observations of the physical appearance of the equipment (e.g., presence of holes in ductwork or hoods, flow constrictions caused by dents or accumulated dust in ductwork, and fan erosion). Any deficiencies shall be noted and proper maintenance performed. [40 CFR 60.274a(d); 3/2/99]

***(e) PM<sub>10</sub> Source Testing***

Source testing for compliance with the PM<sub>10</sub> emission limits in Order of Approval No. 9669 Conditions 3 and 4 (Requirements contained in EU-1.8 and EU-1.9) shall utilize EPA Reference Test Methods 5D, 201, or 201A, and shall comply with requirements in Puget Sound Clean Air Agency Regulation I, Section 3.07. Source testing for PM<sub>10</sub> shall be conducted at a frequency no less than once per calendar year, with not less than 6 or more than 18 months between any two annual tests. Nucor shall report the results of each test as provided in Section V.N.1. [Order of Approval No. 9669, condition 5 (2/14/08)]

***(f) NO<sub>x</sub> and CO Source Testing***

Source testing for CO and NO<sub>x</sub> shall be conducted on the inlets of the high temperature and low temperature baghouses no less often than once every calendar year. Source testing shall utilize EPA Reference Methods 10 and 7E respectively, and shall comply with requirements in Puget Sound Clean Air Agency Regulation I, Section 3.07. [Order of Approval No. 9669, conditions 6 and 7 (2/14/08)]

Compliance with the NO<sub>x</sub> and CO emission limits shall be determined by the average of all tests conducted within a consecutive 30 day period. Nucor shall report the results of each test as provided in Section V.N.1. [Order of Approval No. 9669, conditions 6 and 7 (2/14/08)]

***B. Operation and Maintenance (O & M) Plan Requirements***

Nucor Steel's O & M Plan shall include procedures specifying how Nucor Steel will assure continuous compliance with emission limits and operational requirements within this permit, as well as Puget Sound Clean Air Agency Regulations I, II and III, and how Nucor Steel will carry out the Minimum Monitoring and Maintenance provisions specified in Sections II.A.1(a) through (f) of this permit. For insignificant emission units, the O & M Plan shall refer to the requirements stated in Section II.A.1(g). The plan shall reflect good industrial practice. In most instances, following the manufacturer's operations manual or equipment operational schedule, minimizing emissions until the repairs can be completed and taking measures to prevent recurrence of the problem may be considered good industrial practice. Determination of whether good industrial practice is being used will be based on available information such as monitoring results, opacity observations, review of operations and maintenance procedures, and inspections of the emission unit or equipment. The specific provisions of the O & M Plan, other than those required by Condition Section II.A, shall not be deemed part of this permit. [Puget Sound Clean Air Agency Reg. I: 7.09(b) (9/10/98)]

## **C. Compliance Assurance Monitoring (CAM)**

### **1. Applicability**

The compliance assurance monitoring (CAM) requirements in 40 CFR Part 64 apply to Emission Unit No. 1 (EU-1), the electric arc furnace, with respect to the particulate emission limitations identified in requirements I.A.3, I.A.4, EU-1.5, EU-1.8 and EU-1.9. [40 CFR 64.2 (10/22/97)]

### **2. Monitoring Approach**

Nucor shall monitor baghouse opacity and baghouse operation, using the methods specified in permit Sections II.A.2(b) and (d). [40 CFR 64.3 and 64.6(c)(1) (10/22/97)]

### **3. Quality Assurance and control procedures**

Visible emissions observers shall be trained and certified as provided in EPA Method 9. Nucor shall conduct annual PM<sub>10</sub> source tests, as provided in Section II.A.2(e), to confirm compliance with requirements EU-1.8 and EU-1.9. [40 CFR 64.3(b)(3) and 64.6(c)(1) (10/22/97)]

### **4. Obligation to monitor and data availability requirement**

Nucor shall perform the monitoring specified in this Sections II.A.2(b) and (d) whenever the EAF is in operation. [40 CFR 64.7 and 64.6(c)(3)-(4) (10/22/97)]

### **5. Definition of an excursion**

An excursion is defined as each baghouse opacity reading taken in accordance with Section II.A.2(b) that shows opacity above zero percent, and every baghouse fan motor amperage reading taken in accordance with Section II.A.2(d) that is outside of the range established under 40 CFR 60.274a(c). An excursion does not necessarily indicate an exceedance of the applicable particulate emission standards referenced in II.C.1 above, nor does evidence of an excursion preclude Nucor from certifying continuous compliance as provided in Section V.M of this permit, if Nucor has other data on which to base a determination of compliance during the reporting period in which the excursion occurred. [40 CFR 64.6(c)(2) (10/22/97); 40 CFR 70.6(c)(5)(iii)(C) (6/27/03)]

### **6. Response to an excursion**

Upon detecting an excursion, Nucor shall restore operation of the EAF and the affected baghouse to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practice for minimizing emissions. [40 CR 64.7(d) and 64.6(c)(3) (10/22/97)]

### **7. Quality Improvement Plan (QIP)**

Nucor will develop a QIP if there are more than six reportable excursions during any semi-

annual reporting period referenced in Section V.R.3 of this permit. [40 CFR 64.8 and 64.6(c)(3) (10/22/97)]

## **8. Reporting**

The monthly deviation report required by Section V.R.1 shall include:

- 1) Summary information on the number, duration and cause (including unknown cause, if applicable) of each excursion and the corrective action taken;
- 2) Summary information on every failure to meet the data availability requirement in II.C.4; and
- 3) A description of the actions taken to implement a QIP during the reporting period, if required. Upon completion of a QIP, Nucor shall include documentation that the implementation of the plan has been completed and describe how that plan has reduced the likelihood of occurrence of similar excursions in the next monthly deviation report required by Section V.R.1.

[40 CFR 64.9(a) and 64.6(c)(3) (10/22/97)]

## **9. Recordkeeping**

The recordkeeping required by Section V.P shall include records of the monitoring data described in this section, corrective actions taken pursuant to II.C.6, any QIP prepared under II.C.7, and any activities taken to implement a QIP. Instead of paper records, Nucor may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks or microfiche, provided that the use of such alternative media allows for expeditious inspection and review. [40 CFR 64.9(b) and 64.6(c)(3) (10/22/97)]

### **III. PROHIBITED ACTIVITIES**

Nucor Steel is prohibited from conducting, causing, or allowing the following activities:

#### ***A. Adjustment for Atmospheric Conditions***

Varying the rate of emissions of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant is prohibited, except as directed according to air pollution episode regulations. [WAC 173-400-205, 9/20/93]

#### ***B. Open Burning***

Nucor Steel shall not conduct open burning during any stage of an air pollution episode or period of impaired air quality and shall not conduct any open burning other than the following types:

- (1) Fires consisting solely of charcoal, propane, natural gas, or wood used solely for the preparation of food, and
- 4) Fires for instruction in the methods of fighting fires, provided that the person conducting the training fire complies with Puget Sound Clean Air Agency Regulation I, Section 8.07.

[Puget Sound Clean Air Agency Regulation I, Sections 8.02(a) and 8.06, 5/13/93], [WAC 173-425-020(1), 1/1/93; WAC 173-425-050(1) 1/1/93; RCW 70.94.743, 1998 c68 p1; and RCW 70.94.775(2) 1995 c 362p2 State/Puget Sound Clean Air Agency only]

#### ***C. Refuse Burning***

Nucor Steel shall not cause or allow the burning of combustible refuse except in a multiple chamber incinerator provided with control equipment. Nucor Steel shall not operate refuse burning equipment any time other than daylight hours. [Puget Sound Clean Air Agency Regulation I, Section 9.05, 12/9/93]

#### ***D. Concealment***

Nucor Steel shall not cause or allow the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminant emitted, conceals an emission of an air contaminant that would otherwise violate Puget Sound Clean Air Agency Regulation I, Article 9 or Chapter 173-400 WAC. [Puget Sound Clean Air Agency Regulation I, Section 9.13(a), 6/9/88 and WAC 173-400-040(7) 9/20/93]

#### ***E. Masking***

Nucor Steel shall not cause or allow the installation or use of any device or use of any means designed to mask the emission of an air contaminant that causes detriment to health, safety or welfare of any person or conceals or masks an emission of an air contaminant that would

otherwise violate Regulation I, Article 9 or Chapter 173-400 WAC. [Puget Sound Clean Air Agency Regulation I, Section 9.13(b), 6/9/88 and WAC 173-400-040(7), 9/20/93]

***F. Circumvention***

Nucor Steel shall not build, erect, install, or otherwise use any article, machine, equipment or process, the use of which would otherwise constitute a violation of an applicable standard in 40 CFR Part 60. [40 CFR 60.12, 3/8/74]

## **IV. ACTIVITIES REQUIRING ADDITIONAL APPROVAL**

Nucor Steel shall file notification and obtain the necessary approval from the Puget Sound Clean Air Agency before conducting any of the following:

### **A. New Source Review**

#### **1. Notice of Construction**

Nucor Steel shall not construct, install, establish, or modify an air contaminant source, except those sources that are excluded by Puget Sound Clean Air Agency Regulation I, Section 6.03(b), unless a “Notice of Construction and Application for Approval” has been filed with and approved by the Puget Sound Clean Air Agency. [Puget Sound Clean Air Agency Regulation I, Section 6.03, 9/12/96], [Puget Sound Clean Air Agency Regulation I, Sections 6.01 and 6.03, 3/25/04; WAC 173-460-040, 1/14/94; RCW 70.94.152, 1996 c 67p1, 1996 c 29p1 State/Puget Sound Clean Air Agency only]

#### **2. Reconstruction of the EAF**

At least 60 days before commencing construction on a project to replace components of the EAF such that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a new EAF, Nucor shall notify the Control Officer of the proposed replacements. The notice must contain the information described in 40 CFR 60.15(d). [40 CFR 60.15; 12/16/75]

### **B. Replacement or Substantial Alteration of Emission Control Technology**

Nucor Steel shall file a Notice of Construction and Application for Approval according to WAC 173-400-114 with the Puget Sound Clean Air Agency before replacing or substantially altering any emission control technology installed at the facility. [Puget Sound Clean Air Agency Regulation I, Sections 6.01 and 6.03, 3/25/04; WAC 173-400-114, 9/20/93; RCW 70.94.153, 1991 c 199p303 State/Puget Sound Clean Air Agency only]

### **C. Asbestos**

- (1) Nucor Steel shall comply with 40 CFR 61.145 and 61.150 when conducting renovation or demolition activities at the facility. [40 CFR 61.145 and 61.150]
- (2) Nucor Steel shall comply with Puget Sound Clean Air Agency Regulation III, Article 4 when conducting any asbestos project, renovation or demolition activities at the facility. [Puget Sound Clean Air Agency Regulation III, Article 4, 2/12/98 State/Puget Sound Clean Air Agency only]

**D. Spray Coating**

- (a) Puget Sound Clean Air Agency Regulation I, Section 9.16 applies to Nucor.
- (b) Exemptions. The following activities are exempt from the provisions of Sections 9.16(c) and (d) of this regulation. Persons claiming any of the following spray-coating exemptions shall have the burden of demonstrating compliance with the claimed exemption.
  - (1) Application of architectural or maintenance coatings to stationary structures (e.g., bridges, water towers, buildings, stationary machinery, or similar structures);
  - (2) Aerospace coating operations subject to 40 CFR Part 63, Subpart GG. This includes all activities and materials listed in 40 CFR 63.741(f);
  - (3) Use of high-volume, low-pressure (HVLP) spray guns when:
    - (A) Spray-coating operations do not involve motor vehicles or motor vehicle components;
    - (B) The gun cup capacity is 8 fluid ounces or less;
    - (C) The spray gun is used to spray-coat less than 9 square feet per day per facility;
    - (D) Coatings are purchased in containers of 1 quart or less; and
    - (E) Spray-coating is allowed by fire department, fire marshal, or other government agency requirements.
  - (4) Use of air-brush spray equipment with 0.5 to 2.0 cfm airflow and a maximum cup capacity of 2 fluid ounces;
  - (5) Use of hand-held aerosol spray cans with a capacity of 1 quart or less; or
  - (6) Indoor application of automotive undercoating materials using organic solvents having a flash point in excess of 100°F.
- (c) General Requirements for Indoor Spray-Coating Operations. It shall be unlawful for any person subject to the provisions of this section to cause or allow spray-coating inside a structure, or spray-coating of any motor vehicles or motor vehicle components, unless the spray-coating is conducted inside an enclosed spray area. The enclosed spray area shall employ either properly seated paint arresters, or water-wash curtains with a continuous water curtain to control the overspray. All emissions from the spray-coating operation shall be vented to the atmosphere through an unobstructed vertical exhaust vent.
- (d) General Requirements for Outdoor Spray-Coating Operations. It shall be unlawful for any person subject to the provisions of this section to cause or allow spray-coating outside an enclosed structure unless reasonable precautions are employed to minimize the overspray. Reasonable precautions include, but are not limited to the use of:
  - (1) Enclosures and curtailment during high winds; and

- (2) High-volume low-pressure (HVLP), low-volume low-pressure (LVLP), electrostatic, or air-assisted airless spray equipment. Airless spray equipment may be used where low viscosity and high solid coatings preclude the use of higher-transfer efficiency spray equipment.
- (e) Compliance with Other Regulations. Compliance with this regulation does not exempt any person from compliance with Regulation I, Section 9.11 and all other applicable regulations including those of other agencies.

[Puget Sound Clean Air Agency Regulation I, Section 9.16, 7/12/01]

## **V. STANDARD TERMS AND CONDITIONS**

### ***A. Duty to comply***

Nucor Steel shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Chapter 70.94 RCW and, for federally enforceable provisions, a violation of the Federal Clean Air Act (FCAA). Such violations are grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. [Puget Sound Clean Air Agency Regulation I, Section 7.05 10/28/93; WAC 173-401-620(2)(a), 11/4/93]

### ***B. Permit actions***

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by Nucor Steel for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [WAC 173-401-620(2)(c), 11/4/93]

### ***C. Property rights***

This permit does not convey any property rights of any sort, or any exclusive privilege. [WAC 173-401-620(2)(d), 11/4/93]

### ***D. Duty to provide information***

Nucor Steel shall furnish to the Puget Sound Clean Air Agency, within a reasonable time, any information that the Puget Sound Clean Air Agency may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, Nucor Steel shall also furnish to Puget Sound Clean Air Agency copies of records required to be kept by the permit or, for information claimed to be confidential, Nucor Steel may furnish such records directly to EPA Region 10 along with a claim of confidentiality. The Puget Sound Clean Air Agency shall maintain the confidentiality of such information in accordance with RCW 70.94.205. [WAC 173-401-620(2)(e), 11/4/93]

### ***E. Permit fees***

Nucor Steel shall pay fees as a condition of this permit in accordance with Puget Sound Clean Air Agency Regulation I, Article 7. Failure to pay fees in a timely fashion shall subject Nucor Steel to civil and criminal penalties as prescribed in Chapter 70.94 RCW. [WAC 173-401-620(2)(f), 11/4/93]

### ***F. Emissions trading***

No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit. [WAC 173-401-620(2)(g), 11/4/93]

### ***G. Severability***

If any provision of this permit is held to be invalid, all unaffected provisions of the permit shall remain in effect and be enforceable. [WAC 173-401-620(2)(h), 11/4/93]

### ***H. Permit appeals***

This permit or any condition in it may be appealed only by filing an appeal with the Pollution Control Hearings Board and serving it on the Puget Sound Clean Air Agency within thirty days of receipt, pursuant to RCW 43.21B.310 and WAC 173-401-735. The provision for appeal in this section is separate from and additional to any federal rights to petition and review found under §505(b) of the FCAA. [WAC 173-401-620(2)(i) and WAC 173-401-735, 11/4/93]

### ***I. Permit continuation***

This permit and all terms and conditions contained therein, including any permit shield provided under WAC 173-401-640, shall not expire until the renewal permit has been issued or denied if a timely and complete application has been submitted. An application shield granted under WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued or denied if a timely and complete permit application has been submitted. [WAC 173-401-620(2)(j), 11/4/93]

### ***J. Federal enforceability***

All terms and conditions of this permit are enforceable by the EPA Administrator and by citizens under the FCAA, except for those terms and conditions designated in the permit as not federally enforceable. "State/Puget Sound Clean Air Agency only" designates such terms and conditions. [WAC 173-401-625, 11/4/93]

### ***K. Inspection and entry***

Upon presentation of credentials and other documents as may be required by law, Nucor Steel shall allow the Puget Sound Clean Air Agency or an authorized representative to:

- (1) Enter Nucor Steel's premises or where records must be kept under the conditions of this permit;
- (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

- (3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices or operations regulated or required under the permit; and
- (4) As authorized by WAC 173-400-105 and the FCAA, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

[WAC 173-401-630(2), 11/4/93, PSD Permit 07-02, approval condition 8 (2/15/08)], [RCW 70.94.200 State/Puget Sound Clean Air Agency only]

#### **L. Compliance requirements**

Nucor Steel shall continue to comply with all applicable requirements with which the source is currently in compliance. Nucor Steel shall meet on a timely basis any applicable requirements that become effective during the permit term. [WAC 173-401-630(3), WAC 173-401-510(2)(h)(iii), 11/4/93]

#### **M. Compliance certifications**

Nucor Steel shall submit a certification of compliance with permit terms and conditions once per year, for the period from January 1 through December 31. Each certification shall include:

- (1) The identification of each term or condition of the permit that is the basis of the certification;
- (2) The compliance status;
- (3) Whether compliance was continuous or intermittent; and
- (4) The method(s) used for determining the compliance status of the source, currently and over the reporting period. These methods must be consistent with the permit Monitoring Maintenance and Recordkeeping Methods.

All compliance certifications shall be submitted to EPA Region 10 and to the Puget Sound Clean Air Agency, at the following addresses, within 30 days after the close of the period covered by the certification:

Puget Sound Clean Air Agency  
Attn.: Operating Permit Certification  
1904 Third Avenue, Suite 105  
Seattle, Washington 98101

EPA Region 10, Mail Stop OAQ-107  
Attn.: Air Operating Permits  
1200 Sixth Avenue  
Seattle, Washington 98101

[WAC 173-401-630(5), 11/4/93]

## ***N. Emission testing***

### **1. General**

- (a) For the purpose of determining compliance with an emission standard, the Puget Sound Clean Air Agency or Ecology may conduct testing of an emission unit or require Nucor Steel to have it tested. In the event the Puget Sound Clean Air Agency or Ecology conduct the test, Nucor Steel shall be given an opportunity to observe the sampling and to obtain a sample at the same time. [Puget Sound Clean Air Agency Regulation I, Section 3.05(b), 2/10/94], [WAC 173-400-105(4), 9/20/93, 10/23/98 State/Puget Sound Clean Air Agency only]
- (b) Testing of sources for compliance with emissions standards shall be performed in accordance with the Reference Test Methods identified in Section I of this permit, except where this permit indicates that a specific Reference Test Method is not needed or appropriate. [Puget Sound Clean Air Agency Regulation I, Section 3.07(a), 2/9/95], [WAC 173-400-105(4), 10/14/96 State/Puget Sound Clean Air Agency only]
- (c) Nucor Steel shall notify the Puget Sound Clean Air Agency in writing at least 21 days prior to any compliance test. Notification of a compliance test shall be submitted on forms provided by the Agency. Test notifications using the Agency forms do not constitute test plans. Compliance with this notification provision does not satisfy any obligation found in an order or other regulatory requirement, including the NSPS test requirement in Section V.N.2, to submit a test plan for Agency review. Notification under Section 3.07(b) of this regulation does not waive or modify test notification requirements found in other applicable regulations. [Puget Sound Clean Air Agency Regulation I, Section 3.07(b), 3/23/06 (*State Only*)]
- (d) Unless otherwise specified, each test for particulate, PM<sub>10</sub>, NO<sub>x</sub>, CO, and sulfur dioxide shall consist of three separate runs and compliance shall be determined from the arithmetic average of the three runs. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of circumstances beyond the operator's control, compliance may, upon Control Officer approval, be determined from the arithmetic average of the two other runs. [Puget Sound Clean Air Agency Regulation I, Section 3.07(a), 2/9/95, WAC 173-400-105(4), 10/14/96 State/Puget Sound Clean Air Agency only]
- (e) Nucor Steel, if required by the Puget Sound Clean Air Agency to perform a compliance test, shall submit a report to the Puget Sound Clean Air Agency no later than 60 days after the test. The report shall include:
  - (1) A description of the source and the sampling location;
  - (2) The time and date of the test;
  - (3) A summary of results, reported in units and for averaging periods consistent with the applicable emission standard;

- (4) A description of the test methods and quality assurance procedures employed;
- (5) The amount of fuel burned or raw material processed by the source during the test;
- (6) The operating parameters of the source and control equipment during the test;
- (7) Field data and example calculations; and
- (8) A statement signed by the senior management official of the testing firm certifying the validity of the source test report

[Puget Sound Clean Air Agency Regulation I, Section 3.07(c), 2/9/95, WAC 173-400-105(4), 10/14/96 State/Puget Sound Clean Air Agency only].

- (f) Sampling ports and platforms shall be provided on the low temperature and high temperature baghouse stacks, after any final pollution control device. The ports shall meet the requirements of 40 CFR 60 Appendix A, Method 5D, Figure 5D-2. Adequate permanent and safe access to the test ports shall be provided. [PSD Permit 07-02, approval condition 6 (2/15/08)]

## **2. New Source Performance Tests**

- (a) At such times as may be required by the EPA Administrator under section 114 of the Act, Nucor Steel shall conduct performance test(s) and furnish the EPA Administrator and Control Officer a written report of the results of such performance test(s). [40 CFR 60.8(a), 2/12/99]
- (b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the EPA Administrator:
  - (i) Specifies or approves, in specific cases, the use of a reference method with minor changes in methodology;
  - (ii) Approves the use of an equivalent method;
  - (iii) Approves the use of an alternative method the results of which have been determined to be adequate for indicating whether a specific source is in compliance;
  - (iv) Waives the requirement for performance tests because Nucor Steel has demonstrated by other means to the EPA Administrator's satisfaction that the affected facility is in compliance with the standard; or
  - (v) Approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the EPA Administrator's authority to require testing under Section 114 of the Act.

[40 CFR 60.8(b), 2/12/99]

- (c) Performance tests shall be conducted under such conditions as the EPA Administrator or the Control Officer shall specify to Nucor Steel based on representative performance of the affected facility. Nucor Steel shall make available to the EPA Administrator and Control Officer such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of start-up, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard. [40 CFR 60.8(c), 2/12/99]
- (d) Nucor Steel shall provide the Control Officer at least 30 days prior notice of any NSPS performance test to afford the Control Officer the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, Nucor Steel shall notify the Control Officer as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Control Officer by mutual agreement. [40 CFR 60.8(d), 2/12/99]
- (e) Nucor Steel shall provide, or cause to be provided, performance testing facilities as follows:
  - (i) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures, and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures;
  - (ii) Safe sampling platform(s);
  - (iii) Safe access to sampling platform(s); and
  - (iv) Utilities for sampling and testing equipment.

[40 CFR 60.8(e), 2/12/99]

- (f) Each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond Nucor Steel's control, compliance may, upon the EPA Administrator's or Control Officer's approval, be determined using the arithmetic mean of the results of the two other runs.

[40 CFR 60.8(f), 2/12/99]

- (g) Nucor Steel shall furnish the Control Officer the information that is listed in 40 CFR 60.274a(h) and 40 CFR 60.276a(f) with each compliance report demonstrating compliance with 40 CFR 60.272a(a). [40 CFR 60.276a(f), 2/12/99]

## **O. Compliance determination**

### **1. Credible Evidence**

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of this permit, nothing in Puget Sound Clean Air Agency Regulation I shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. [40 CFR 51.212, 40 CFR 52.12, 40 CFR 52.33, Puget Sound Clean Air Agency Regulation I, Section 3.06, 10/8/98]

### **2. Compliance with New Source Performance Standards**

Compliance with standards in 40 CFR part 60 shall be determined according to the requirements in 40 CFR 60.11. [40 CFR 60.11, 11/17/00]

## **P. Recordkeeping**

Nucor Steel shall maintain the following:

- (1) Records of required monitoring information that include the following if applicable:
  - (a) The date, place as defined in the permit, and time of sampling or measurements;
  - (b) The date(s) analyses were performed;
  - (c) The company or entity that performed the analyses;
  - (d) The analytical techniques or methods used;
  - (e) The results of such analyses; and
  - (f) The operating conditions existing at the time of sampling or measurement.
- (2) Records describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes. [WAC 173-401-615(2), 10/17/02]
- (3) CAM records described in condition II.C.9 [40 CFR 64.9(b) and 64.6(c)(3), 10/22/97].
- (4) Records of all monitoring data and support information required by this permit shall be retained by Nucor Steel for a period of five years from the date of the monitoring, sample,

measurement, record or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. [WAC 173-401-615(2), 10/17/02]

- (5) Records of the measurements required in 40 CFR 60.274a must be retained for at least two years following the date of the measurement. [40 CFR 60.8(f), 2/12/99; 60 CFR 276a(a), 3/2/99]
- (6) Nucor Steel shall document all inspections, tests and other actions required by the O & M Plan and Section II.A of this permit, including who conducted the inspection, tests or other actions; and the date and the results of the inspection, tests or other actions including corrective actions. All such records shall be signed and dated. Nucor Steel shall maintain records of all inspections, tests, and other actions required by the O & M Plan on site and available for Puget Sound Clean Air Agency review. [Puget Sound Clean Air Agency Regulation I, Section 7.09(b), 9/12/96]
- (7) Nucor Steel shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the electric arc furnace at the facility; any malfunction of control equipment serving the electric arc furnace; and any periods during which a continuous monitoring device or system serving the electric arc furnace is inoperative. [40 CFR 60.7(b), 2/12/99]
- (8) Nucor Steel shall maintain a contemporaneous record of all deviations. [WAC 173-401-615 (3)(b), 10/17/02]
- (9) Nucor Steel shall maintain billet production records as described in II.A.2(a). Records shall be maintained onsite for a period of not less than 5 years. [PSD Permit 07-02, approval conditions 4 and 5.2 (2/15/08)]

### **Q. Data recovery**

Nucor shall recover valid monitoring and recordkeeping data for each parameter according to any specific monitoring and recordkeeping requirements identified in Section II of this permit. However, if such requirements are silent on data recovery provisions, data recovery is assumed to be 100% [WAC 173-401-615(1)(b) 10/17/2002].

### **R. Reporting**

#### **1. Deviation Report**

Nucor Steel shall report in writing to Puget Sound Clean Air Agency Operating Permit Certification any and all instances of deviations from the permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of the deviations, and any corrective actions or preventive measures taken. For each CAM excursion recorded under Section II.C of the permit the report shall include the information described in Condition

II.C.8 of the permit, including any required information on implementation of a QIP. Nucor Steel shall maintain a contemporaneous record of all deviations. Nucor Steel shall report any deviations to the Puget Sound Clean Air Agency that represent a potential threat to human health or safety by FAX (206-343-7522) as soon as possible but no later than 12 hours after such a deviation is discovered. Nucor Steel shall report other deviations in writing to Puget Sound Clean Air Agency Operating Permit Certification no later than 30 days after the end of the month during which the deviation is discovered. No deviation report is required for a month in which no deviation is discovered. A Deviation Report *may* be certified by a responsible official as provided in V.R.4 at the time of submittal; however it is not required to be certified at the time of submittal. Any Deviation Report *not* certified at the time of submittal must be certified in the semiannual Certification of Reports as per V.R.2 [WAC 173-401-615(3)(b), 10/17/02; 40 CFR 64.9(a) and 64.6(c)(3), 10/22/97]

## **2. Certification of Reports (semiannual)**

Nucor Steel shall submit in writing to Puget Sound Clean Air Agency Operating Permit Certification a semi-annual report which shall summarize each permit report filed during the six-month period. Each Certification of Reports shall cover a six month interval ending June 30 and December 31, and shall be submitted within 31 days after the end of the period covered by the report. Each Certification of Reports shall be certified by a responsible official as provided in V.R.4. The “Certification of Reports” need not duplicate information contained in another report. Deviation reports that are submitted pursuant to V.R.1 within a given six-month reporting period may be summarized and certified by the responsible official in this semiannual Certification of Reports. If there were no instances of deviations from permit requirements during the six month period, the semi-annual report shall state that there were no instances of deviations from permit requirements. [WAC 173-401-615(3)(a), 10/17/02]

## **3. NSPS Subpart AAa Reports (semiannual)**

Nucor shall submit a written report of the following NSPS Subpart AAa exceedances semiannually to Puget Sound Clean Air Agency Operating Permit Certification:

- (1) All 6-minute periods, other than during SSM, during which the average opacity from air pollution control equipment used to remove particulate matter from the effluent gas stream generated by the electric arc furnace is 3 percent or greater. [40 CFR 60.276a(b), 3/2/99; 40 CFR 60.11(c), 10/17/00]
- (2) All shop opacity observations made in accordance with 40 CFR 60.273a(d) in excess of 6%, other than SSM periods. [40 CFR 60.276a(g), 2/12/99; 40 CFR 60.11(c), 10/17/00]

In addition, the report shall describe each period of operation of the control system fan motor amperes at values exceeding  $\pm 15$  percent of the value established under 40 CFR 60.274a(c) other than during SSM. [40 CFR 60.276a(c), 2/12/99; 40 CFR 60.8(c), 3/2/99]

These reports may be certified by the responsible official, or they may be listed and certified in the Certification of Reports pursuant to V.R.2. Each NSPS Subpart AAa report shall cover a six

month interval ending June 30 and December 31, and shall be submitted within 31 days after the end of the period covered by the report.

#### **4. Certification by Responsible Official**

Any application form, report, or compliance certification submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. [WAC 173-401-520, 11/4/93]

#### **5. Emission reporting**

##### ***(a) Annual facility-wide emission report***

Nucor Steel shall report annually to the Puget Sound Clean Air Agency listing those air contaminants emitted during the previous calendar year that equal or exceed the following in tons per year:

Carbon monoxide (CO) emissions.....	25
Facility combined total of all toxic air contaminants (TAC) emissions.....	6
Any single toxic air contaminant (TAC) emissions.....	2
Nitrogen oxide (NO <sub>x</sub> ) emissions .....	25
Particulate matter (PM <sub>10</sub> ) emissions .....	25
Particulate matter (PM <sub>2.5</sub> ) emissions.....	25
Sulfur oxide (SO <sub>2</sub> ) emissions.....	25
Volatile organic compounds (VOC) emissions .....	25

Annual emissions rates shall be reported to the nearest whole ton per year for only those contaminants that equal or exceed the thresholds above. Nucor Steel shall maintain records of information necessary to document any reported emissions or demonstrate that the emissions were less than the above amounts. [Puget Sound Clean Air Agency Regulation I, Section 7.09(a), 9/10/98]

Nucor Steel shall submit to the Puget Sound Clean Air Agency any additional information required by WAC 173-400-105(1) or Puget Sound Clean Air Agency Regulation III, Section 1.11. [Puget Sound Clean Air Agency Regulation III, Section 1.11, 12/12/96; WAC 173-400-105, 9/20/93, WAC 173-400-105, 2/10/05 State/Puget Sound Clean Air Agency only]

***(b) Order of Approval No. 9669 emission report***

Nucor Steel shall calculate and maintain a record of annual emissions, in tons per year, on a calendar year basis for a period of ten years following resumption of regular operations after installation of the new crane, as follows:

Nucor Steel shall calculate the emissions of PM10, NOX, SO2, VOC and lead from the electric arc furnace and reheat furnace, plus fugitive emissions of PM10 from vehicle travel on paved and unpaved surfaces, slag handling, and scrap handling using the average of the emission factors from all Nucor Steel stack tests conducted during the calendar year or using emission factors from AP-42 or other literature sources if Nucor Steel stack test information is not available;

Nucor Steel shall submit an annual report to the Puget Sound Clean Air Agency stating the emissions of PM10, NOX, SO2, VOC and lead during the preceding calendar year. The report shall be submitted to the Puget Sound Clean Air Agency at the same time as Nucor Steel's annual emissions report submitted in compliance with Agency Regulation I Section 7.09(a), discussed above in Section V.R.5(a). If the reported annual emissions of PM10, NOX, SO2, VOC or lead exceed the "baseline actual emissions" established in Condition 9 of this Order by a "significant" amount, as listed below, the report shall also include an explanation as to why the emissions of that pollutant differ from the preconstruction projection.

"Baseline actual emissions" and "significant" emission increases are as follows:

<u>Pollutant</u>	<u>"Baseline actual emissions"</u> tons per year	<u>"Significant emission increases"</u> tons per year
a. PM10	32.6	15
b. SO2	39.6	40
c. NOX	171.4	40
d. VOC	24.7	40
e. Lead	0.11	0.6

[Order of Approval No. 9669, conditions 8 and 9 (2/14/08)]

**6. Scrapyard Crane PSD Reports**

***(a) Initial start-up report***

Nucor shall notify the Washington Department of Ecology and Puget Sound Clean Air Agency in writing at least three days prior to startup of the scrapyard crane permitted under PSD 07-02. [PSD 07-02 approval condition 7 (2/15/08)]

***(b) Semi-annual production report***

Nucor shall submit semi-annual reports to the Puget Sound Clean Air Agency of the tons of billets produced during each of the 12 rolling month periods that terminate during the reporting period. The first report shall be filed within 30 days of completion of the first 12 month operating period following startup of the rebuilt scrapyards crane. Following reports shall be filed on July 30<sup>th</sup> for the period of January 1 through June 30<sup>th</sup> and January 30<sup>th</sup> for the period of July 1 through December 30<sup>th</sup>. [PSD 07-02 approval condition 5.1 (2/15/08)]

**7. Summary of “Routine” required reports**

Name of Report	Reqmt	Due date(s)	Certification requirement
Monthly Deviation Report	V.R.1	30 days after the end of the month deviation occurs	May certify each report, but normal practice is to summarize and certify Deviation Reports in semiannual Certification of Reports as per V.R.2
Certification of Reports (semiannual)	V.R.2	January 31, July 31	Yes, in accordance with V.R.4
Annual Compliance Certification	V.M	Annually, January 31	Yes, in accordance with V.R.4
Order of Approval No. 9669 emission reports	V.R.5	Annually, for 10 years following installation of new crane	Certify in semiannual Certification of Reports as per V.R.2
Emission inventory statement	V.R.5	Annually	Certify in semiannual Certification of Reports as per V.R.2
PSD 07-02 semi-annual production report	I.A.1 (a)	Semi-annually	May certify each report or certify in semiannual Certification of Reports as per V.R.2

**S. Emergencies**

An emergency, as defined in WAC 173-401-645(l), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the conditions of WAC 173-401-645(3) are met.

The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that Nucor Steel can identify the cause(s) of the emergency;
- (2) Nucor Steel was at the time being properly operated;
- (3) During the period of the emergency Nucor Steel took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in the permit; and
- (4) Nucor Steel submitted notice of the emergency to the Puget Sound Clean Air Agency within two (2) working days of the time when the emissions limitations were exceeded due

to the emergency or shorter periods of time specified in an applicable requirement. This notice fulfills the requirement of WAC 173-401-615(3)(b) unless the excess emissions represent a potential threat to human health or safety. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

In any enforcement proceeding, Nucor Steel has the burden of proof to establish the occurrence of an emergency. This provision is in addition to any emergency or upset provision contained in any applicable requirement. [WAC 173-401-645, 11/4/93]

#### ***T. Unavoidable excess emissions***

Excess emissions due to startup or shutdown conditions, scheduled maintenance or upsets that are determined to be unavoidable under the procedures and criteria in WAC 173-400-107 shall be excused and not subject to penalty. For any excess emissions that Nucor Steel wants the Puget Sound Clean Air Agency to consider unavoidable and excusable under WAC 173-400-107, Nucor Steel shall report as required by Section V.R.1 of this permit the following:

- (1) Why the event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;
- (2) Why the event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and
- (3) How Nucor Steel took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.

[WAC 173-400-107(2), 9/20/93]

#### ***U. Need to halt or reduce activity not a defense***

It shall not be a defense for Nucor Steel in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [WAC 173-401-620(2)(b), 11/4/93]

#### ***V. Stratospheric ozone and climate protection***

- (1) Nucor Steel shall comply with the following standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must

comply with the required practices pursuant to 40 CFR 82.156;

- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158;
  - (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
- 5) Nucor Steel may switch from any ozone-depleting substance to any alternative approved pursuant to the Significant New Alternatives Program (SNAP), 40 CFR Part 82, Subpart G, without a permit revision but shall not switch to a substitute listed as unacceptable pursuant to such program. [40 CFR 82.174]
  - 6) Any certified technician employed by Nucor Steel shall keep a copy of their certification at their place of employment. [40 CFR 82.166(1)]
  - 7) Nucor Steel shall not willfully release any regulated refrigerant and shall use refrigerant extraction equipment to recover regulated refrigerant when servicing, repairing or disposing of commercial air conditioning, heating, or refrigeration systems. [RCW 70.94.970(2) and (4), 11/12/97 State/Puget Sound Clean Air Agency only]

#### ***W. RACT satisfied***

Emission standards and other requirements contained in rules or regulatory orders in effect at the time of this permit issuance shall be considered RACT for the purposes of issuing this permit. [WAC 173-401-605(3), 11/4/93] and [RCW 70.94.031 State/Puget Sound Clean Air Agency only]

#### ***X. Risk management programs***

In accordance with 40 CFR part 68, if Nucor Steel has or receives more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, Nucor Steel shall comply with the requirements of the Chemical Accident Prevention Provisions of 40 CFR part 68 no later than the following dates:

- 1) Three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or
- 2) The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR 68.10.]

## **Y. Definitions**

Unless otherwise defined in this permit, the terms used in this permit shall have the same meaning ascribed to them in the referenced regulation. [WAC 173-401-200, 10/17/02]

## **Z. Duty to supplement or correct application**

Upon becoming aware that it has failed to submit any relevant facts in a permit application or that it has submitted incorrect information in a permit application, Nucor Steel shall promptly submit such supplementary facts or corrected information to the Puget Sound Clean Air Agency. [WAC 173-401-500(6), 10/17/02]

## **AA. Insignificant emission units and activities**

Insignificant emission units and activities at Nucor Steel are subject to all applicable requirements set forth in Sections I.A, III and IV. This permit does not require testing, monitoring, reporting or recordkeeping for insignificant emission units or activities except as required by Sections II.A.1(a) through (f) of this permit. Compliance with Sections II.A.1(a) through (f) of this permit shall be deemed to satisfy the requirements of WAC 173-401-615 and 173-401-630(1). [WAC 173-401-530(2)(c), 10/17/02]

Where this permit does not require testing, monitoring, recordkeeping and reporting for insignificant emissions units or activities, Nucor may certify continuous compliance if there were no observed, documented, or known instances of noncompliance during the reporting period. Where this permit requires testing, monitoring, recordkeeping and reporting for insignificant emission units or activities, Nucor may certify continuous compliance when the testing, monitoring, and recordkeeping required by the permit revealed no violations during the period, and there were no observed, documented, or known instances of noncompliance during the reporting period. [WAC 173-401-530(2)(d), 10/17/02]

An emission unit or activity that qualifies as insignificant solely on the basis of WAC 173-401-530(1)(a) shall not exceed the emission thresholds specified in WAC 173-401-530(4) until this permit is modified pursuant to Section VI.E of this permit and WAC 173-401-725. [WAC 173-401-530(6), 10/17/02]

## VI. PERMIT ACTIONS

### ***A. Permit Renewal, Revocation and Expiration***

- (1) **Renewal application.** Nucor Steel shall submit a complete permit renewal application to the Puget Sound Clean Air Agency no later than 12 months prior to the expiration of this permit. The Puget Sound Clean Air Agency will send Nucor Steel a renewal application no later than 18 months prior to the expiration of this permit. Failure of the Puget Sound Clean Air Agency to send Nucor Steel a renewal application shall not relieve Nucor Steel from the obligation to file a timely and complete renewal application. [WAC 173-401-710(1), 10/17/02; WAC 173-401-500(2), 10/17/02]
- (2) **Expired permits.** Permit expiration terminates Nucor Steel's right to operate unless a timely and complete renewal application has been submitted consistent with WAC 173-401-710(1) and WAC 173-401-500. All terms and conditions of the permit shall remain in effect after this permit expires if a timely and complete permit application has been submitted. [WAC 173-401-710(3), 10/17/02]
- (3) **Revocation of permits.** The Puget Sound Clean Air Agency may revoke a permit only upon the request of Nucor Steel or for cause. The Puget Sound Clean Air Agency shall provide at least thirty days written notice to Nucor Steel prior to revocation of the permit or denial of a permit renewal application. Such notice shall include an explanation of the basis for the proposed action and afford Nucor Steel an opportunity to meet with the Puget Sound Clean Air Agency prior to Puget Sound Clean Air Agency's final decision. A revocation issued under this condition may be issued conditionally with a future effective date and may specify that the revocation will not take effect if Nucor Steel satisfies the specified conditions before the effective date. Nothing in this subsection shall limit Puget Sound Clean Air Agency's authority to issue emergency orders. [WAC 173-401-710(4), 10/17/02]

### ***B. Administrative Permit Amendments***

- (1) **Definition.** An "administrative permit amendment" is a permit revision that:
  - (a) Corrects typographical errors;
  - (b) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at Nucor Steel;
  - (c) Requires more frequent monitoring or reporting by Nucor Steel;
  - (d) Allows for a change in ownership or operational control of a source where the Puget Sound Clean Air Agency determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and

new permittee has been submitted to the Puget Sound Clean Air Agency;

- (e) Incorporates into the permit the terms, conditions, and provisions from orders approving notice of construction applications processed under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of WAC 173-401-700, 173-401-725, and 173-401-800 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in WAC 173-401-600 through 173-401-650. [WAC 173-401-720(1), 11/4/93]
- (2) Acid rain provisions not required.
- (3) **Administrative permit amendment procedures.** An administrative permit amendment may be made by the Puget Sound Clean Air Agency consistent with the following:
  - (a) Puget Sound Clean Air Agency shall take no more than sixty days from receipt of a request for an administrative permit amendment to take final action on such request, and may incorporate such changes without providing notice to the public or affected states provided that it designates any such permit revisions as having been made pursuant to this paragraph.
  - (b) Puget Sound Clean Air Agency shall submit a copy of the revised permit to EPA.
  - (c) Nucor Steel may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request. [WAC 173-401-720(3), 11/4/93]
- (4) **Permit shield.** The Puget Sound Clean Air Agency shall, upon taking final action granting a request for an administrative permit amendment, allow coverage by the permit shield in WAC 173-401-640 for administrative permit amendments made pursuant to part (1)(e) of this condition. [WAC 173-401-720(4), 11/4/93]

### ***C. Changes not Requiring Permit Revisions***

- (1) **General.**
  - (a) Nucor Steel is authorized to make the changes described in this section without a permit revision, providing the following conditions are met:
    - (i) The proposed changes are not Title I modifications as defined in WAC 174-401-200(35);
    - (ii) The proposed changes do not result in emissions that exceed those allowable under the permit, whether expressed as a rate of emissions, or in total emissions;

- (iii) The proposed changes do not alter permit terms that are necessary to enforce limitations on emissions from units covered by the permit; and
    - (iv) Nucor Steel provides EPA and the Puget Sound Clean Air Agency with written notification at least seven days prior to making the proposed changes except that written notification of a change made in response to an emergency shall be provided as soon as possible after the event.
  - (b) Permit attachments. Nucor Steel and the Puget Sound Clean Air Agency shall attach each notice to their copy of the relevant permit.
- (2) **Section 502(b)(10) changes.** Pursuant to the conditions in subsection (1) of this section, Nucor Steel is authorized to make section 502(b)(10) changes (as defined in WAC 173-401-200(30)) without a permit revision.
  - (a) For each such change, the written notification required under subsection (1)(a)(iv) of this condition shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
  - (b) The permit shield authorized under WAC 173-401-640 shall not apply to any change made pursuant to this paragraph.
- (3) **SIP authorized emissions trading.** Pursuant to the conditions in subsection (1) of this condition, Nucor Steel is authorized to trade increases and decreases in emissions in the permitted facility, where the Washington state implementation plan provides for such emissions trades without requiring a permit revision. This provision is available in those cases where the permit does not already provide for such emissions trading.
  - (a) Under this subsection (3), the written notification required under subsection (1)(a)(iv) of this condition shall include such information as may be required by the provision in the Washington state implementation plan authorizing the emissions trade, including at a minimum, when the proposed change will occur, a description of each such change, any change in emissions, the permit requirements with which Nucor Steel will comply using the emissions trading provisions of the Washington state implementation plan, and the pollutants emitted subject to the emissions trade. The notice shall also refer to the provisions with which Nucor Steel will comply in the applicable implementation plan and that provide for the emissions trade.
  - (b) The permit shield described in WAC 173-401-640 shall not extend to any change made under this paragraph. Compliance with the permit requirements that Nucor Steel will meet using the emissions trade shall be determined according to requirements of the applicable implementation plan authorizing the emissions trade. [WAC 173-401-722, 11/4/93]

#### **D. Off Permit Changes**

- (1) Nucor Steel shall be allowed to make changes not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided that the proposed changes do not weaken the enforceability of existing permit conditions. Any change that is a Title I modification or is a change subject to the acid rain requirements under Title IV of the FCAA must be submitted as a permit revision.
- (2) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.
- (3) Nucor Steel must provide contemporaneous written notice to the Puget Sound Clean Air Agency and EPA of each such change, except for changes that qualify as insignificant under WAC 173-401-530. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
- (4) The change shall not qualify for the permit shield under WAC 173-401-640.
- (5) Nucor Steel shall keep a record describing changes made at Nucor Steel that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.
- (6) When making a change under this section, Nucor Steel shall comply with applicable preconstruction review requirements established pursuant to RCW 70.94.152 and Puget Sound Clean Air Agency Regulation I, Article 6. [WAC 173-401-724, 11/4/93]

#### **E. Permit Modification**

- (1) **Definition.** A permit modification is any revision to this permit that cannot be accomplished under provisions for administrative permit amendments under WAC 173-401-720.
- (2) **Procedures.** Minor permit modification procedures.
  - (a) Criteria.
    - (i) Minor permit modification procedures shall be used for those permit modifications that:
      - (A) Do not violate any applicable requirement;
      - (B) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;

- (C) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
  - (D) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that Nucor Steel has assumed to avoid an applicable requirement to which Nucor Steel would otherwise be subject. Such terms and conditions include:
    - (I) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the FCAA; and
    - (II) An alternative emissions limit approved pursuant to regulations promulgated under Section 112(i)(5) of the FCAA;
  - (E) Are not modifications under any provision of Title I of the FCAA;
- (ii) Notwithstanding (a)(i) of this subsection, and subsection (3) of this section, the Puget Sound Clean Air Agency may allow the use of minor permit modification procedures for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that the use of such minor permit modification procedures are explicitly provided for in the Washington state implementation plan or in applicable requirements promulgated by EPA and in effect on April 7, 1993.
- (b) Application. An application requesting the use of minor permit modification procedures shall meet the requirements of WAC 173-401-510 and shall include the following:
- (i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
  - (ii) Nucor Steel's suggested draft permit;
  - (iii) Certification by a responsible official, consistent with WAC 173-401-520, of the truth, accuracy, and completeness of the application and that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and
  - (iv) Completed forms for the Puget Sound Clean Air Agency to use to notify EPA and affected states as required under WAC 173-401-810 and 173-

401-820.

(c) (d) and (e) are requirements for the permitting authority, and are not listed here.

(f) Nucor Steel's ability to make change. Nucor Steel may make the change proposed in its minor permit modification application immediately after it files such application provided that those changes requiring the submissions of a notice of construction application have been reviewed and approved by the Puget Sound Clean Air Agency. After Nucor Steel makes the change allowed by the preceding sentence, and until the Puget Sound Clean Air Agency takes any of the actions specified in WAC 173-401-725(d), Nucor Steel must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, Nucor Steel need not comply with the existing permit terms and conditions it seeks to modify. However, if Nucor Steel fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

(g) Permit shield. The permit shield under WAC 173-401-640 shall not extend to minor permit modifications.

(3) **Group processing of minor permit modifications.** Consistent with WAC 173-401-725(3), the Puget Sound Clean Air Agency may process groups of a source's applications for certain modifications eligible for minor permit modification processing.

(4) **Significant modification procedures.**

(a) Criteria. Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative permit amendments. Every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant. Nothing herein shall be construed to preclude Nucor Steel from making changes consistent with Chapter 173-401 WAC that would render existing permit compliance terms and conditions irrelevant.

(b) Significant permit modifications shall meet all requirements of Chapter 173-401 WAC, including those for applications, public participation, review by affected states, and review by EPA, as they apply to permit issuance and permit renewal. The Puget Sound Clean Air Agency shall complete review on the majority of significant permit modifications within nine months after receipt of a complete application.

[WAC 173-401-725, 11/4/93]

***F. Reopening for Cause***

- (1) **Standard provisions.** This permit shall be reopened and revised under any of the following circumstances:
  - (a) Additional applicable requirements become applicable to Nucor Steel with a remaining permit term of three or more years. Such a reopening shall be completed not later than eighteen months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to WAC 173-401-620(2)(j);
  - (b) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit;
  - (c) The Puget Sound Clean Air Agency or EPA determine that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
  - (d) The Puget Sound Clean Air Agency or EPA determine that the permit must be revised or revoked to assure compliance with the applicable requirements.
- (2) **Procedures.** Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.
- (3) **Notice.** Reopenings under this section shall not be initiated before a notice of such intent is provided to Nucor Steel by the Puget Sound Clean Air Agency at least thirty days in advance of the date that the permit is to be reopened, except that the Puget Sound Clean Air Agency may provide a shorter time period in the case of an emergency.

[WAC 173-401-730, 11/4/93]

## **VII. PERMIT SHIELD**

Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements contained in Sections I through VI of this permit that are specifically identified in this permit as of the date of permit issuance. [WAC 173-401-640(1)]

Nothing in this permit shall alter or affect the following:

- (1) The provisions of Section 303 of the FCAA (emergency orders), including the authority of the EPA Administrator under that section;
- (2) The liability of an owner or operator of Nucor Steel for any violation of applicable requirements prior to or at the time of permit issuance;
- (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the FCAA;
- (4) The ability of EPA to obtain information from a source pursuant to Section 114 of the FCAA; or
- (5) The ability of the Puget Sound Clean Air Agency to establish or revise requirements for the use of reasonably available control technology (RACT) as provided in chapter 252, Laws of 1993.

[WAC 173-401-640(4), 11/4/93]

## VIII. INAPPLICABLE REQUIREMENTS

As of the date of permit issuance, the requirements listed below do not apply to Nucor Steel, or to the specific emissions units specified below for the reasons indicated. The permit shield applies to all requirements so identified. [WAC 173-401-640(2)]

Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Reason
Puget Sound Clean Air Agency Reg. I: 9.08(a) RCW 70.94.610	04/14/94  1991	Fuel Oil Standards	Nucor Steel does not have any fuel burning equipment that is capable of burning fuel oil. If Nucor Steel decides to install or modify an applicable unit to burn oil, it would need to apply for approval from Puget Sound Clean Air Agency first.
Ch. 173-490 WAC	02/19/91	Emission Standards and Controls for Sources Emitting Volatile Organic Compounds (VOC)	This is an inapplicable requirement because Nucor Steel does not conduct any affected activities and must get Puget Sound Clean Air Agency approval before conducting any such activity.
Ch. 173-470 WAC Ch. 173-474 WAC Ch. 173-475 WAC Ch. 173-480 WAC Ch.173-481 WAC	01/03/89 09/03/87 02/29/80 05/07/86 09/16/87	Ambient Air Quality Standards	These are inapplicable requirements by definition in WAC 173-401-200(4)(ix). Ambient Air Quality Standards do not apply to stationary sources.
WAC 173-400-040(3)	09/20/93	Must employ BACT for fugitive dust if source is in attainment for PM <sub>10</sub> and has been identified as a significant contributor to a PM <sub>10</sub> nonattainment area	Subsection (a) applies only to emission units located in an attainment area. Nucor Steel is located in a PM <sub>10</sub> nonattainment area. Subsection (b) applies only to emission units that have been identified as significant contributors to the status of a nonattainment area. No unit at Nucor Steel has been so identified.
WAC 173-400-040(8)(b)	9/20/93	Must employ RACT for fugitive dust if source has been identified as a significant contributor to a PM <sub>10</sub> nonattainment area	Subsection (b) applies only to sources of fugitive dust that have been identified as significant contributors to a PM <sub>10</sub> nonattainment area. No fugitive dust source at Nucor Steel has been so identified.

<b>Requirement</b>	<b>Adoption or Effective Date</b>	<b>Requirement Paraphrase (Information Only)</b>	<b>Reason</b>
WAC 173-400-100 WAC 173-400-101 WAC 173-400-102 WAC 173-400-103 WAC 173-400-104 Puget Sound Clean Air Agency Reg I, Article 5	05/30/94 05/30/94 04/22/95 04/22/95 04/22/95 09/10/98	Registration not required under Article 5 of Regulation I	Puget Sound Clean Air Agency Regulation I, Article 5 does not apply because WAC 173-400-101(7) and Regulation I, Section 5.03 exempt Title V sources from the registration requirements of the WAC and Regulation I, Article 5.
WAC 173-400-151	03/22/91	Best Available Retrofit Technology (BART)	The State Department of Ecology has not identified Nucor Steel as a source that can cause or contribute to visibility impairment in a Class I area.
40 CFR 60.273a(a)	3/2/99	Opacity COM	Section 60.273a(c) (2/22/05) waives the requirement for continuous opacity monitoring for sources that perform Method 9 observations.
40 CFR 60.273a(e) – (g) 40 CFR 60.276a(h)	2/22/05 2/22/05	bag leak detection system	Bag leak detection system is required only for single stack fabric filters, per section 60.273a(e). Nucor's EAF control system does not employ single stacks.
40 CFR 60.274a(c) 40 CFR 60.276a(c)	3/02/99 2/22/05	Requirement to maintain volumetric flow rate through each separately ducted hood at levels established during most recent demonstration of compliance, and to report operation at flow rates lower than those established under § 60.274a(c)	Section 60.274a(c) gives the affected facility a choice between monitoring control system fan motor amperes and damper positions, or monitoring volumetric flow rate. Nucor chose to monitor fan motor amperes.
40 CFR 60.274a(b)&(g)	2/22/05	Furnace static pressure monitoring required	These two sections are not applicable because Sections 60.273a(d) and (f) waive the requirement for furnace static pressure monitoring for sources that monitor for shop opacity.
40 CFR 60.274a(f)	10/17/00	Furnace static pressure monitoring device required	This section is not applicable because Section 60.273a(d) waives the requirement for a furnace static pressure monitoring device for sources that monitor for shop opacity.

<b>Requirement</b>	<b>Adoption or Effective Date</b>	<b>Requirement Paraphrase (Information Only)</b>	<b>Reason</b>
40 CFR 60.276a(b), (c) and (g)	10/17/00	semi-annual report to EPA of control device opacity exceedances, furnace operating parameter anomalies and shop opacity exceedances	By letter of February 5, 2003 from Betty Weise to Dennis McLerran EPA delegated to the Puget Sound Clean Air Agency the authority to receive all notifications and reports required by NSPS promulgated prior to July 1, 2002. Condition V.R.1 requires that these reports be filed with PSCAA.
40 CFR 60: Part Subpart AA	10/31/84	NSPS for electric arc furnaces constructed between 1974 and 1983	Subpart AA is inapplicable because Nucor Steel did not construct, modify or reconstruct an electric arc furnace between October 21, 1974 and August 17, 1983
Order of Approval No. 5690	12/22/94	Order of Approval for electric arc furnace	This Order of Approval has been cancelled and superseded by Order of Approval No. 9669
Order of Approval No. 5710	12/22/94	Order of Approval with PM10 emissions limit	This Order of Approval has been cancelled and superseded by Order of Approval No. 9669
Order of Approval No. 8433	6/19/02	Order of Approval for carbon injection system for electric arc furnace	This Order of Approval has been cancelled and superseded by Order of Approval No. 9669
Order of Approval No. 9089	12/1/04	Order of Approval for modifications to the caster and production increase	This Order of Approval has been cancelled and superseded by Order of Approval No. 9669

## **IX. APPENDIXES**

### ***A. Non-EPA Test Methods***

Puget Sound Clean Air Agency Method 5

Ecology Method 9A