

July 31, 2020

**VIA ONLINE SUBMISSION**

Policy Office  
Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063

**Re: Comments on RACT II Case-By-Case Proposed SIP Revision**

To Whom It May Concern:

On behalf of ArcelorMittal Monessen LLC (“AMM”), I am writing to provide comments on *Proposed State Implementation Plan Revision; Certification of the Commonwealth's Submittal of All Case-By-Case Reasonably Available Control Technology Determinations and Averaging Plans to the United States Environmental Protection Agency for the 1997 and 2008 8-Hour Ozone*, 50 Pa.B. 3172, June 27, 2020 (Proposed Action). Although not included in the *Pennsylvania Bulletin* notice for this Proposed Action, the Department has published Table 1, an Excel spreadsheet listing the permits that purportedly include the case-by-case Reasonably Available Control Technology (“RACT”) II determinations the Department would like to include as part of the State Implementation Plan (“SIP”).

In Table 1, the Department identifies Title V Permit No. 65-00853, issued on April 22, 2020, as AMM’s RACT II permit. On May 22, 2020, AMM timely appealed this permit and the appeal is pending before the Environmental Hearing Board, Docket No. 2020-051-M. As currently drafted, the Proposed Action and Table 1 do not state or otherwise indicate that AMM has appealed certain case-by-case RACT II determinations in Title V Permit No. 65-00853.

AMM respectfully requests that the Department inform the U.S. Environmental Protection Agency (“EPA”) that case-by-case RACT II determinations in Title V Permit No. 65-00853 may change as a result of AMM’s pending appeal. Until AMM’s pending appeal of Title V Permit No. 65-00853 is resolved and/or adjudicated, it would be premature to SIP-approve any case-by-case RACT II determinations in Title V Permit No. 65-00853. The Department should inform EPA that the case-by-case RACT II determinations in Title V Permit No. 65-00853 are subject to change based on AMM’s pending appeal. In addition, the Department should request that EPA not take action to revise the SIP to incorporate case-by-case RACT II determinations in Title V Permit No. 65-00853 until AMM’s pending appeal has been resolved and/or adjudicated and any revisions to Title V Permit No. 65-00853 are finalized.

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Thank you for considering and addressing these comments. Please contact me at [randy.shelton@arcelormittal.com](mailto:randy.shelton@arcelormittal.com) or (724) 684-1005 with any questions about these comments.

Sincerely,

A handwritten signature in black ink, reading "Randy E. Shelton, Sr." in a cursive style.

Randy E. Shelton, Sr.  
Division Manager