

publish another final rule addressing the public comments. Adverse comments were received regarding the direct final rule and USEPA, therefore, withdrew the direct final rule on September 15, 1994 (59 FR 47263). This final rule addresses the comments that were received during the public comment period and announces USEPA's final action regarding the base year ozone precursor emissions inventory for Lake and Porter Counties.

II. Public Comments

The following discussion summarizes the comments received regarding the emissions inventory. All comments were submitted by a single commentor, Bethlehem Steel Corporation.

Comment

Bethlehem Steel Corporation notes that the base year emissions inventory developed by IDEM used a VOC emission factor of 1.246 pounds VOC per ton of sinter to estimate sinter plant windbox emissions for all steel plants except Inland Steel (an emission factor of 0.359 pounds VOC per ton of sinter was used for the sinter plant windbox emissions at this steel plant). This produced a total VOC emission rate of 43,480.5 pounds per day (3,783.77 tons per year) for this source category. Bethlehem Steel Corporation notes that sampling of Bethlehem Steel Corporation's sinter plant exhaust emissions, conducted to support the preparation of 1993 emission statements, has led to the conclusion that the actual VOC emission rate for Bethlehem Steel Corporation's sinter plant windbox exhausts is approximately 0.15 pounds VOC per ton of sinter. Given the significant magnitude of the VOC emissions from this source category, the commentor believes the emissions inventory must be changed to take into account the measured emission rate. The commentor further recommends that other steel plants, in particular US Steel, should be requested to forward measured sinter plant windbox emission rates to further correct the base year emissions inventory.

Comment

Bethlehem Steel Corporation raises a concern regarding the conversion of calculated annual emissions to ozone season daily emissions. The commentor notes that, for sinter plants with single sinter strands operating over 90 percent of the available hours in a year, the assumption that the non-operating hours each year are outside of the ozone season day is a reasonable assumption. However, for the US Steel plant, where

each sinter plant is operated only 1,877 hours per year, the assumption that each plant emits 4.66 times its annual average daily emissions during the ozone season will significantly overestimate the likely ozone season daily emissions. It is unlikely that all three of US Steel's sinter plants would be operated on the same schedule during the ozone season. If actual 1990 ozone season operating information can not be obtained from US Steel, the three sinter plants should be treated as one for the purposes of calculating ozone season daily emissions. This would change the total ozone season daily VOC emission rate (using the 1.246 pounds VOC per ton of sinter emission rate) from 27,285 pounds per day to 9,039.3 pounds per day without reducing the reported annual emissions.

Comment

Bethlehem Steel Corporation notes that the VOC emissions from coke oven underfiring have been measured for the Bethlehem Steel facility and it has been found that the level of VOC emissions depend significantly upon the condition of the individual battery. The 1993 VOC emission rate for this source type was found to be 46.43 tons per year. IDEM's 1990 base year emissions inventory credits these sources with emissions of 2,339 tons VOC per year. The commentor believes that similar overestimates are present for other coke oven batteries addressed in the emissions inventory.

Comment

Bethlehem Steel Corporation notes that other changes may be needed in the inventory based on actual emission measurements. Due to the shortness of the comment period for the direct final/ proposed rulemaking, however, the commentor was unable to itemize other recommended emission changes. Bethlehem Steel Corporation recommends that the USEPA consider using actual emission measurements instead of assumed emission rates for the steel plants.

Based on the above comments, Bethlehem Steel Corporation recommends that the USEPA disapprove Indiana's 1990 base year ozone precursor emissions inventory for Lake and Porter Counties.

III. State Response

The IDEM has prepared responses to the comments presented above and has requested that these responses be included in the record of this rulemaking. The following summarizes IDEM's responses as conveyed in a

September 12, 1994 letter from IDEM to the USEPA.

First, IDEM notes that the 1990 base year emission inventory was intended by the Clean Air Act (Act) to be a "snapshot in time", a tool to be used by IDEM as it develops its attainment strategies. Bethlehem Steel's information, if accurate, may not be relevant to the 1990 baseline operating conditions. Particularly for a facility as complicated as a steel mill, it is extremely difficult to establish a perfect inventory for a specific time period. When IDEM submitted the final inventory in January 1994, it represented IDEM's best effort, developed in accordance with USEPA procedures and incorporating an opportunity for public comment, for quantifying 1990 emissions. IDEM believes that the emission factors that it used for sinter plants were the appropriate ones based on USEPA guidance.

Second, although the base year inventory was the subject of public review with opportunity for public comments during the State's development process, the commentor did not raise the above issues. A properly noticed public hearing was held in Gary, Indiana on July 1, 1993. The commentor did not make any comments during that hearing, nor were written comments filed by the State's comment deadline of July 9, 1993. If the commentor had major concerns about the accuracy of the inventory developed by IDEM, the State's public comment process was the appropriate mechanism for raising those concerns.

Third, the primary issue raised by the commentor relates to the emission factors used to quantify emissions from one operation at the mill—the sinter plant. The method used to quantify the emissions from this particular type of facility is an extremely complex issue, for which there is considerable uncertainty, variation in time, and difference of approach.

IDEM has commenced a State rulemaking to develop controls for emissions of VOC. As part of that rulemaking process, IDEM will directly raise the issue of emission factors with the steel companies and other interested parties. The results of that effort may lead IDEM to request a change in the 1990 base year emissions inventory. IDEM, however, does not at this time have sufficient information to conclude that changes in the 1990 base year emissions inventory are appropriate.

IV. USEPA Response

With regard to the commentor's comments summarized in II. above, it is