STATE OF MINNESOTA
Minnesota Pollution Control Agency

In the Matter of: **ADMINISTRATIVE ORDER BY CONSENT**
Xcel Energy – Northern States Power Company
Sherburne County Generating Station

The Commissioner of the Minnesota Pollution Control Agency (MPCA) and Xcel Energy – Northern States Power Company (Xcel) enter into this Administrative Order by Consent for the Sherburne County Generating Station (Sherco), Becker, Sherburne County, Minnesota, pursuant to Minn. Stat. § 116.07, subd. 9 (2010).

FINDINGS OF FACT

BACKGROUND

1. On July 6, 2005, the U.S. Environmental Protection Agency (EPA) published regulations to address visibility impairment in our nation's largest national parks and wilderness ("Class I") areas (70 FR 39103). This rule is commonly known as the "Regional Haze Rule". 40 CFR §§ 51.300-51.309.

2. The Regional Haze Rule (Rule) requires that Minnesota establish and achieve visibility goals for each of its Class I areas by 2018. The Rule regulates the emission of pollutants that contribute to regional haze. The MPCA has determined that the key contributing pollutants are particulate matter (PM, measured as PM_{10}), sulfur dioxide (SO_2), and nitrogen oxides (NO_X).

3. The Rule regulates certain older stationary sources that could contribute to visibility impairment in Class I areas and requires Best Available Retrofit Technology (BART) emission limits on contributing pollutants for these sources.

4. The Rule requires that Minnesota submit a Regional Haze State Implementation Plan (SIP) to U.S. EPA that identifies the older sources that cause or contribute to visibility impairment in its Class I areas. The Regional Haze SIP submittal must also include a schedule for implementation of BART limits and other control measures.

5. The Rule includes 40 CFR Part 51, Appendix Y *"Guidelines for BART Determinations Under the Regional Haze Rule"* which provides direction for determining which sources may need to install BART and for determining BART.

6. To satisfy the Rule, the MPCA determined what constitutes BART for each BART-eligible unit and established emission limits consistent with its determination of BART. BART limits take into consideration the technology available, the costs of compliance, the energy and the non-air quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology.

7. To identify the BART-eligible emission units, MPCA used the following criteria:

a. One, or more, emission(s) units at the facility fit within one of the twenty-six (26) categories listed in the 40 CFR Part 51, Appendix Y *Guidelines*;

b. The emission unit(s) were in existence on August 7, 1977 and began operation at some point on or after August 7, 1962; and

c. The sum of the potential emissions from all emission unit(s) identified in the previous two bullets was greater than 250 tons per year of the visibility-impairing pollutants: sulfur dioxide (SO_2), nitrogen oxide (NO_x), and PM_{10}.

8. The MPCA requested BART analyses from BART-eligible electric generating facilities that were found through modeling to be subject-to-BART, unless the facility was scheduled for future emissions reductions and all of the following criteria were met:

   a. The MPCA had sufficient information about planned emission reductions at the time facilities were notified that they were subject to BART;

   b. Public Utility Commission (PUC) approvals for the reductions were in place; and

   c. The MPCA determined that planned emission reductions likely represented presumptive BART emissions levels as described in the *Guidelines*.

9. In July 2005, EPA determined that the Clean Air Interstate Rule (CAIR) provided more emission reductions of NO_X and SO_2 than would be required under BART, and thus states could choose in their Regional Haze SIPs to let participation in CAIR substitute for BART for electric generating facilities for these pollutants. The MPCA originally pursued this option.

10. In May 2009, EPA published a proposed rule to stay application of CAIR in Minnesota. *See* Stay of Clean Air Interstate Rule for Minnesota; Stay of Federal Implementation Plan To Reduce Interstate Transport of Fine Particulate Matter and Ozone for Minnesota (74 FR 22147). In November 2009, EPA finalized the stay of CAIR in Minnesota. *See* Administrative Stay of Clean Air Interstate Rule for Minnesota; Administrative Stay of Federal Implementation Plan To Reduce Interstate Transport of Fine Particulate Matter and Ozone for Minnesota (74 FR 56721). Thus, the MPCA decided it could no longer determine that CAIR would substitute for BART for electric generating facilities.

11. The MPCA submitted a Regional Haze SIP to U.S. EPA on December 30, 2009, which identified the BART-eligible and subject-to-BART sources and gave the MPCA's determination of what constitutes BART and associated emission limits.

12. On August 8, 2011, EPA promulgated the Cross State Air Pollution Rule (CSAPR), also known as the Transport Rule. This trading program rule replaced CAIR, and Minnesota was covered by the rule. *See* Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals (76 FR 48208).

13. On December 19, 2011, the MPCA placed on public notice a Supplemental Regional Haze SIP that proposed to determine that participation in CSAPR would substitute for source-specific BART determinations for power plants.

14. On December 30, 2011, EPA proposed that CSAPR provided more emission reductions of NO_X and SO_2 than would be required under BART, and thus states could choose in their Regional Haze SIPs to let participation in CSAPR substitute for BART for electric generating facilities for these pollutants. *See* Regional Haze: Revisions to Provisions Governing Alternatives to Source-Specific Best Available Retrofit Technology (BART) Determinations, Limited SIP Disapprovals, and Federal Implementation Plans (76 FR 82219).

15. Under 40 CFR 51.308(e)(4), a state that opts to participate in the trading program in lieu of source-specific BART may also adopt provisions for a geographic enhancement to the program, to address the requirement under 40 CFR 51.302(c) related to BART for reasonably attributable visibility impairment. In addition, EPA has said that states may also include in their SIPs provisions applicable to a specific source even if there is no such reasonable attribution for that source (76 FR 82224).

16. MPCA is choosing to include in the SIP a source-specific BART requirement applicable only to Sherco.

17. As is required for all SIP conditions, the MPCA must make BART emission limits enforceable. The MPCA is making the BART emission limits applicable to the Sherco facility enforceable through this Administrative Order.

THE FACILITY

18. Xcel Energy – Northern States Power Company owns and operates Sherco. Sherco has two emission units, Unit 1 and Unit 2, which are BART-eligible. Unit 1 (690 MW net, operational beginning in 1976) and Unit 2 (683 MW net, operational beginning in 1977) are tangentially fired and discharge emissions to the atmosphere through a common 650 foot stack, identified as SV001.

19. The MPCA determined that Sherco Units 1 and 2 are subject to BART. *See* RESULTS of Best Available Retrofit Technology (BART) Modeling to Determine Sources Subject-to-BART in the State of Minnesota at http://proteus.pca.state.mn.us/publications/aq-sip2-07.pdf.

BEST AVAILABLE RETROFIT TECHNOLOGY (BART)

20. The MPCA requested a BART analysis from Xcel for Sherco. Xcel submitted the analysis in October 2006. *See* Best Available Retrofit Technology (BART) Analysis For Sherburne County Generating Plant Units 1 and 2 http://www.pca.state.mn.us/index.php/view-document.html?gid=2231

21. After the Administrative Stay of the Clean Air Interstate Rule, the MPCA requested updated BART information from the facility. This was received in November 2008. http://www.pca.state.mn.us/index.php/view-document.html?gid=2234

22. After considering the five statutory factors as documented in the MPCA's BART determination memorandum dated October 26, 2009, the MPCA determined that BART for Units 1 and 2 is represented by the emission limitations set forth in this Order. These limitations are based on:

    a. Installation of sparger tubes and lime injection in the existing scrubber to control SO_2 emissions;

    b. Low NO_X burners and overfire air on Unit 1 and additional computerized combustion controls on Unit 2 to control NO_X emissions; and

    c. Existing wet electrostatic precipitators to control PM emissions.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED:

Xcel Energy will install and operate control equipment in order to meet the following requirements, which the parties agree represent BART for Sherco.

I. BART Emission Limitations and Compliance

A. BART for Nitrogen Oxides (NO_X)

1. Emission Limitations

a) NO_X emissions from SV001 shall not exceed 0.15 lb/MMBtu on a 30-day rolling average basis.

2. Compliance with the NO_X emission limits above will be determined through use of a continuous emission monitor in accordance with 40 CFR 75.10 and Minnesota Rules 7017.1002 through 7017.1180, as applicable.

a) The 30-day rolling average shall be calculated from the daily averages, with each daily average calculated from the valid hourly averages in each day. Biased data shall be used, following Appendix A to 40 CFR 75, but not substituted data.

B. BART for Sulfur Dioxide (SO_2)

1. Emission Limitations

a) SO_2 emissions from SV001 shall not exceed 0.12 lb/MMBtu on a 30-day rolling average basis.

2. Compliance with the SO_2 emission limits above will be determined through use of a continuous emission monitor in accordance with 40 CFR 75.10 and Minnesota Rules 7017.1002 through 7017.1180, as applicable.

a) The 30-day rolling average shall be calculated from the daily averages, with each daily average calculated from the valid hourly averages in each day.

Biased data shall be used, following Appendix A to 40 CFR 75, but not substituted data.

C. BART for Particulate Matter (PM)

1. Emission Limitations

a) PM_{10} emissions, including filterable plus organic and inorganic condensables, from SV001 shall not exceed 0.09 lb/MMBtu, based on an averaging period consistent with the particulate matter test reference methods stated below.

2. Compliance with the PM emission limit above will be determined through:

a) Operation of a continuous opacity monitor in accordance with Minnesota Rules Parts 7017.1190 to 7017.1220, as applicable;

b) Maintaining opacity for SV001 at less than or equal to 20 percent using a 3-hour average.

c) Performance testing at a frequency consistent with that required under EPA's Mercury and Air Toxics Standards Rule (40 CFR Part 63, Subpart UUUUU), or at least every 3 years. Particulate matter testing shall be conducted according to Minn. R. 7017.2001 to 7017.2060, using US EPA Method 201A or Method 5, and Method 202.

D. Compliance Deadline for BART

1. Initial compliance with these limits shall be demonstrated no later January 1, 2015.

II. Recordkeeping and Reporting Requirements

A. Recordkeeping Requirements

1. CEMS and COMS data shall be recorded and retained at the facility available for review by the MPCA or EPA inspectors

2. Retain onsite at the stationary source an operation and maintenance plan for all air pollution control equipment, keeping copies of the O & M Plan available for use by staff and MPCA or EPA staff.

3. Retain all records at the facility for a period of five (5) years from the date of monitoring, sample, measurement or report. Records which must be kept at this location include all calibration and maintenance records and all electronic recordings for continuous monitoring instrumentation.

B. Reporting Requirements

1. Excess Emission Reports

a) Excess emissions/downtime reports shall be submitted 30 days after end of each calendar quarter. The Excess Emissions Report (EER) shall indicate all periods of monitor downtime, monitor bypass and all periods of exceedances of the limit. The EER must be submitted even if there were no excess emissions, downtime or bypasses during the quarter.

2. Compliance Certification

a) A compliance certification report is due 30 days after end of each calendar year (for the previous calendar year). It is to be submitted on a form approved by the Commissioner. This report covers all deviations from the BART NO_X, SO_2, and PM limits experienced during the calendar year.

General Conditions

23. Nothing in this Order shall relieve Xcel of its obligation to meet permitting requirements for any physical or operational change at Sherco.

24. This Order by Consent is not transferable or assignable to any person without the express written approval of the MPCA.

25. This Order by Consent is effective upon the date that it is signed by the MPCA Commissioner or his designee.

26. The terms of this Order by Consent may be amended by the written agreement of the parties.

27. By their signatures below, the signatories to this Order represent that they have authority to enter into and bind their respective parties.

RESERVATION OF AUTHORITY

Nothing in this Order shall prevent the MPCA from taking action to enforce the requirements of this Order, or from requiring additional action by the Regulated Party if necessary to ensure compliance with the Regional Haze rule and other MPCA rules and statutes.

IT IS SO ORDERED AND AGREED.

Xcel Energy – Northern States Power Company

Judy M. Poferl

President and CEO

Minnesota Pollution Control Agency

Paul W. Aasen 5/2/12

Paul W. Aasen

Commissioner

STATE OF MINNESOTA

Minnesota Pollution Control Agency

In the Matter of: **ADMINISTRATIVE ORDER**

ArcelorMittal – Minorca Mine Inc.

This Administrative Order (Order) is issued by the Minnesota Pollution Control Agency (MPCA) to ArcelorMittal Minorca Mine, Inc (Arcelor) pursuant to Minn. Stat. 116.07, subd. 9 (2011).

FINDINGS OF FACT

BACKGROUND

1. On July 6, 2005, the U.S. Environmental Protection Agency (U.S. EPA) published regulations to address visibility impairment in our nation's largest national parks and wilderness ("Class I") areas ((70 Fed. Reg. 39103). This rule is commonly known as the "Regional Haze Rule" ((40 CFR 51.300-51.309). The Regional Haze Rule (Rule) requires that Minnesota establish and achieve visibility goals for each of its mandatory Class I areas by 2018.

2. The Rule regulates the emission of pollutants that contribute to regional haze. The MPCA has determined that the key pollutants contributing to regional haze are particulate matter (PM), sulfur dioxide (SO_2), and nitrogen oxides (NO_X).

3. The Rule requires that Minnesota submit a Regional Haze State Implementation Plan (SIP) to U.S. EPA for its approval. The SIP must include:

    a. Reasonable Progress Goals – Minnesota must establish, for each Class I area within the state, "goals (expressed in deciviews) that provide for reasonable progress towards achieving natural visibility conditions." (40 CFR 51.308(d)(1)).

    b. Long-Term Strategy – Minnesota must submit a long-term strategy that addresses regional haze visibility impairment, and includes "measures as necessary to achieve the reasonable progress goals established by States having mandatory Class I Federal areas." (40 CFR 51.308(d)(3)).

    c. Best Available Retrofit Technology – The Rule regulates certain stationary sources that could contribute to visibility impairment in Class I areas. States, including Minnesota, must determine what constitutes the best available retrofit technology (BART) to control for PM, SO_2, and NO_X and to establish emissions limits that are consistent with BART for these sources. The limits must be included in the SIP for U.S. EPA approval.

4. The MPCA submitted a Regional Haze SIP to U.S. EPA on December 30, 2009, which included the required Reasonable Progress Goals and Long-Term Strategy and identified the BART-eligible and subject-to-BART sources, listed the MPCA's BART determinations, and included associated BART emission limits where MPCA had sufficient emissions data to set such limits. On April 1, 2010, U.S. EPA notified the MPCA that the submittal was complete.

5. Subsequently, MPCA prepared a supplemental SIP submittal that revised the long-term strategy and included BART emission limits where additional data had been collected. The supplemental SIP submittal also included this Order and supporting documents.

6. On December 19, 2011, the MPCA put its proposed supplemental SIP submittal on public notice for 45 days. (36 SR 684). The public comment period provided Arcelor and members of the general public an opportunity to comment on this Order and the other elements of the proposed supplemental SIP, including the BART emission limits, prior to U.S. EPA's final decision on the SIP.

THE FACILITY

7. ArcelorMittal Minorca Mine Inc. (Arcelor) owns and operates a mine and taconite pellet production plant at its facility ("Facility") located near Virginia, Minnesota. Arcelor makes fully fluxed pellets using one straight grate indurating furnace. The furnace burns a maximum of 370 MMBtu/hr of natural gas and is capable of handling 400 tons of pellets per hour. The Facility has three main areas where emissions are created: the mine, the tailings basin, and the pellet plant. The larger sources of regulated air emissions at Arcelor are the indurating furnace operations and the mining activities, with lesser amounts from other processing operations and fugitive dust sources, including haul roads and the tailings basin.

BEST AVAILABLE RETROFIT TECHNOLOGY (BART)

8. The Rule includes 40 CFR Part 51, Appendix Y "*Guidelines for BART Determinations Under the Regional Haze Rule*" which provides direction for determining which sources may need to install BART and for determining BART.

9. To satisfy the Rule, the MPCA determined what constitutes BART for each BART-eligible unit and established emission limits consistent with its determination of BART. As required, the MPCA took into consideration the technology available, the costs of compliance, the energy and the non-air quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology. (40 CFR 51.308(e)(ii)).

10. To identify the BART-eligible emission units, MPCA used the following criteria:

    a. One, or more, emission(s) units at the facility fit within one of the twenty-six (26) categories listed in the 40 CFR 51, Appendix Y *Guidelines*;

    b. The emission unit(s) were in existence on August 7, 1977 and began operation at some point on or after August 7, 1962; and

    c. The sum of the potential emissions from all emission unit(s) identified in the previous two bullets was greater than 250 tons per year of the visibility-impairing pollutants: SO_2, NO_X, and PM.

11. The Facility includes units that are subject to BART. *See* RESULTS of Best Available Retrofit Technology (BART) Modeling to Determine Sources Subject-to-BART in the State of Minnesota at http://proteus.pca.state.mn.us/publications/aq-sip2-07.pdf.

12. Arcelor has one unit, the indurating furnace identified as Emission Unit 026 in Air Emissions Permit No. 13700062-003, that is subject-to-BART and for which Arcelor performed a BART analysis. This

unit has four stack vents. The stack vents associated with the unit are SV014, SV015, SV016, and SV017.

13. MPCA determined and Arcelor agreed that its indurating furnace (EU026) is subject-to-BART.

14. The MPCA determined that BART for this unit consists of:

    a. Operation of the existing wet scrubber to control SO_2 emissions; and

    b. Good combustion practices and operation of low NO_X burners in the pre-heat zone to control NO_X emissions; and

    c. Implementation of the taconite Maximum Achievable Control Technology (MACT) standard to control PM emissions. (40 CFR 63, Subp. RRRRR).

15. The MPCA must place BART emission limits in an enforceable document. (40 CFR 51.308(e)(1)(iv)). The MPCA has chosen to issue this Administrative Order as the enforceable document by which to establish the BART emission limit for Arcelor.

LONG-TERM STRATEGY

16. In the SIP, the MPCA established, as part of the long-term strategy, a target or goal of a reduction in combined SO_2 and NO_X emissions from large point sources located in St. Louis, Lake, Cook, Carlton, Itasca and Koochiching counties that emitted over 100 tons per year of either SO_2 or NO_X in 2002.

17. The MPCA also determined that the six taconite facilities in Minnesota may be undercontrolled, and that very few emission control technologies are known to be effective for the industrial processes involved in taconite production. The MPCA therefore also established a requirement for these facilities to investigate control technologies and pollution prevention practices for their indurating furnaces as part of the long-term strategy.

18. The MPCA has determined that an appropriate mechanism for implementing the long-term strategy for the taconite facilities, including Arcelor, is their demonstration that their facilities are in attainment with the one-hour National Ambient Air Quality Standards (NAAQS) for SO_2 (40 CFR 50.17) and nitrogen dioxide (NO_2) (40 CFR 50.11). As a result, Arcelor must model compliance with the one-hour and SO_2 and NO_2 NAAQS. This Order establishes the tasks and schedules by which the modeling for Arcelor will be completed.

ORDER

NOW, THEREFORE, ARCELOR IS ORDERED:

19. To install and operate any necessary control equipment or undertake any necessary work practices to meet the following requirements, which represent BART for Arcelor.

I. BART Emission Limitations and Compliance Methods

   a. BART for NO_X

i. Emission Limitations

1. NO_X emissions from EU026 shall not exceed 1018.7 lbs/hour at all times that EU026 is operating, measured on a 30-day rolling average.

2. Hours during which EU026 does not operate are not included in the calculation of the rolling average. Periods of startup, shutdown and malfunction are included in the calculation of the rolling average.

3. The NO_X emission limit is effective on and after the date six months after the effective date of U.S. EPA's approval of this BART determination.

ii. Arcelor must demonstrate compliance with the NO_X emission limit above as follows:

1. NO_X stack testing, with simultaneous measurement of emissions from all four stacks for 30 hourly data points, conducted in compliance with Minn. R. 7017.2001 through Minn. R. 7017.2060.

a. Initial BART NO_X performance test. Within 12 months of the date that the emissions limit becomes effective, Arcelor shall conduct a performance test to demonstrate compliance with the BART limit for NO_X emissions.

b. Annual BART NO_X performance tests. Each calendar year after the initial test, Arcelor shall conduct a performance test to demonstrate compliance with the BART limit for NO_x emissions. Performance testing shall include a minimum of six months and a maximum of 18 months between tests.

c. The owner or operator may receive an extension to the schedule in item 1b in the case of seasonal or temporary shutdown of the affected emissions units. Any request for an extension of the time schedule shall be submitted to the commissioner in writing by the owner or operator prior to the date by which the test is required. The request shall specify an alternative test schedule. If the commissioner grants an extension, the owner or operator shall implement the alternative test schedule.

d. Performance tests shall be conducted using methodology and under such conditions as the Commissioner specifies in the Commissioner's test plan approval.

2. As an alternative to the stack testing required in part 1, Arcelor may install and operate continuous emission monitoring systems (CEMS) to demonstrate compliance on a continuous basis. CEMS shall be operated in accordance with Minn. R. 7017.1002 through Minn. R. 7017.1220. Once CEMS are installed and certified, compliance must be determined through use of CEMS.

b. BART for SO_2

i. Emission Limitations

1. SO_2 emissions from EU026 shall not exceed 0.165 lbs per long ton of pellets produced at all times that EU026 is operating, measured on a 30-day rolling average basis.

2. Hours during which EU026 does not operate are not included in the calculation of the rolling average. Periods of startup, shutdown and malfunction are included in the calculation of the rolling average.

3. The limit applies only when the company is burning natural gas.

4. The SO_2 emission limit is effective on and after the date six months after the effective date of EPA's approval of this BART determination.

ii. Arcelor must demonstrate compliance with the SO_2 emission limit above as follows:

1. SO_2 stack testing, with simultaneous measurement of emissions from all four stacks for 30 hourly data points, conducted in compliance with Minn. R. 7017.2001 through Minn. R. 7017.2060.

a. Initial BART SO_2 performance test. Within 12 months of the date that the emissions limit becomes effective, Arcelor shall conduct a performance test to demonstrate compliance with the BART limit for SO_2 emissions.

b. Annual BART SO_2 performance tests. Each calendar year after the initial test, Arcelor shall conduct a performance test to demonstrate compliance with the BART limit for SO_2 emissions. Performance testing shall include a minimum of six months and a maximum of 18 months between tests.

c. The owner or operator may receive an extension to the schedule in item 1B in the case of seasonal or temporary shutdown of the affected emissions units. Any request for an extension of the time schedule shall be submitted to the commissioner in writing by the owner or operator prior to the date by which the test is required. The request shall specify an alternative test schedule. If the commissioner grants an extension, the owner or operator shall implement the alternative test schedule.

d. Performance tests shall be conducted using methodology and under such conditions as the Commissioner specifies in the Commissioner's test plan approval.

2. Operate and maintain a continuous parametric monitoring system (CPMS) to measure and record the daily average scrubber pressure drop and the daily average scrubber water flow rate, to demonstrate that the levels remain at or above the minimum levels established pursuant to the Taconite MACT for this emission control system.

    i. Arcelor shall not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels, or to fulfill a minimum data availability requirement. Arcelor shall use all the data collected during all other periods in assessing compliance. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring failures that are caused in whole or in part by poor maintenance or careless operation are not considered malfunctions.

3. As an alternative to the stack testing required in part 1, Arcelor may install and operate continuous emission monitoring systems (CEMS) to demonstrate compliance on a continuous basis. CEMS shall be operated in accordance with Minn. R. 7017.1002 through Minn. R. 7017.1220.Once CEMS are installed and certified, compliance must be determined through the use of CEMS.

c. BART for Particulate Matter (PM)

    i. Emission Limitations

        1. Filterable (front-half) PM emissions from EU026 shall not exceed 0.01 gr/dscf at all times that EU026 is operating.

    ii. Arcelor must demonstrate compliance with the PM emission limits above using the compliance methods in 40 CFR 63 Subpart RRRRR, the taconite MACT, based on the flow weighted mean concentration of all four stacks associated with EU026.

    iii. Compliance with the PM emission limit must be demonstrated by the deadlines laid out in 40 CFR 63, Subpart RRRRR.

II. Recordkeeping and Reporting

a. Recordkeeping. Arcelor shall maintain electronic files of all information required by this Order in a form suitable for determination of Arcelor's compliance with this Order by EPA or MPCA staff and readily available for EPA or MPCA inspection and review.

i. Arcelor shall maintain monitoring, testing, startup, shutdown, bypass, breakdowns, and excess emissions records from EU026 pertaining to the emission limits established by this Order in the manner required in the total Facility requirements of Arcelor's air emissions permit, pursuant to Minn. R. 7007.0800.

ii. Arcelor shall maintain records of both the Firing Chamber Gas Flow Rate (A+B) and the Preheat Gas Flow Rate in mmcf/hour.

iii. Arcelor shall retain the records for a minimum of five years following the date on which the record was generated. The most recent two years of information must be kept on site**.**

b. Reporting. Arcelor shall, in the Semiannual Deviations Report required under Minn. R. 7007.0800, Subp. 6(A)(2), report each instance in which an emission limit was not met. This includes periods of startup, shutdown, and malfunction.

20. To conduct the following modeling analyses and submit the following information in order to ensure expeditious attainment of the one-hour SO_2 and NO_2 NAAQS as part of the long-term strategy

I. Modeling Protocol

a. By June 1, 2012, submit to the MPCA a modeling protocol for the Arcelor facility for NO_2 emissions. The protocol must be submitted using MPCA's most recent model protocol forms, AQDMP-01 and AQDMPS-01.

II. Modeling and Emission Limits Demonstrating Compliance

a. By December 31, 2012, submit to the MPCA:

i. A modeling demonstration that shows modeled compliance with the one-hour SO_2 NAAQS (40 CFR 50.17) and one-hour NO_2 NAAQS (40 CFR 50.11);

ii. A table of proposed emission limits from the facility, by emission unit and stack vent, that result in modeled compliance with the one-hour SO_2 and NO_2 NAAQS;

iii. A description of the work practices or controls to be implemented in order to meet the proposed emission limits; and

iv. A detailed schedule for implementation of the necessary work practices or controls which ensures that they will be in place and the emission limits achieved by June 30, 2017.

General.

21. Nothing in this Order shall relieve Arcelor of its obligation to meet permitting requirements for any physical or operational change at its facility.

22. This Order is not transferable or assignable to any person without the express written approval of the MPCA.

23. This Order is effective upon the date that it is signed by the MPCA Commissioner or his designee.

RESERVATION OF AUTHORITY

Nothing in this Order shall prevent the MPCA from taking action to enforce the requirements of this Order, or from requiring additional action by the Regulated Party if necessary to ensure compliance with the Regional Haze rule and other MPCA rules and statutes.

IT IS SO ORDERED.

Minnesota Pollution Control Agency

Paul W. Aasen

Commissioner

Dated: 5/2/12