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Ohio EPA Issues Air Permit to Middletown Coke Company

Ohio EPA has issued a final air permit-to-install to Sunoco's Middletown Coke Company. The plant would provide coke to AK Steel, Middletown Works for its steel-making operation.

The new permit has the most stringent requirements in the country for coke-making facilities and sets a new standard for similar coke-making facilities. State-of-the-art controls are required for particulate, sulfur dioxide (SO₂) and mercury. Hazardous air pollutants emissions and other combustion pollutants are controlled by the combustion processes inherent in the design. The permit contains multiple systems designed to ensure compliance including, but not limited to:

- the requirement to continuously monitor SO₂ emissions and mercury emissions from the main stack;
- extensive monitoring, record keeping and reporting of key operational information to verify the plant is operating in compliance;
- required emissions testing to ensure compliance; and
- the requirement to purchase (so the Hamilton County Department of Environmental Services [HCOES] can install and operate) multiple ambient monitors to measure the air quality near the plant. These monitors will measure ambient concentrations of particulate (both PM₁₀ and PM_{2.5}), volatile organic hazardous air pollutants and SO₂.

Ohio EPA analyzed the technologies and emission rates proposed and compared them to state and federal regulations and guidelines as well as other state air regulations to ensure that the proposed technologies and emission rates meet all applicable rules and are protective of human health and the environment.

This is the second air permit Ohio EPA has issued for the same coke making facility. The first permit (the "netting permit") was issued November 25, 2008, based on a permitting scenario that did not include the prevention of significant deterioration (PSD) and nonattainment new source review (NNSR) requirements. The second permit (the PSD/NNSR permit) requires compliance with these more stringent regulations. Both permits meet applicable air pollution rules and regulations.

Under the NNSR rules, companies must certify that all of their "major" facilities are either in compliance with Clean Air Act requirements or are following an expeditious schedule to come back into compliance. Both SunCoke and AK Steel submitted letters certifying that their facilities are in compliance. After conducting its own review of the operations of these facilities, Ohio EPA believes that these certifications meet all requirements under the NNSR rules. Ohio EPA found only one ongoing violation at AK Steel's Mansfield facility. In that case, Ohio EPA took enforcement action and AK Steel Mansfield is now under a compliance schedule to bring that facility into compliance.

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The NNSR rules also require new facilities to obtain emission offset credits to counter the increased emissions from the new facility. The amount of pollution reduced due to these offsets will be more than the amount of pollution expected from SunCoke such that there will be a net improvement in air quality in the region. In this case, the overall reduction in air emissions will be 117.8 to 112.2 tons per year for PM_{2.5} (decrease of 5.6 tons per year); 1,209.9 to 1,153.2 for SO₂ (decrease of 56.7 tons per year); and 479.6 to 477.4 for NO_x (decrease of 2.2 tons per year).

SunCoke obtained emission offset credits from Procter & Gamble (Hamilton County) and the former AK Steel sinter plant.

On September 2, 2009, Ohio EPA held a public hearing at Miami University's Middletown Branch to discuss the second draft air permit and accept comments from the community. Before making a final decision, Ohio EPA considered all public comments and responded to them in writing. A copy of the final permit and response to comments is available online at: <http://www.epa.ohio.gov/pic/middletowncoke.aspx>.

Comments were also received from the public regarding the coke conveyor system. In response to these comments Ohio EPA required AK Steel to resubmit its application for the coke conveyor system. (The Coke conveyor system would transport finished coke from Middletown Coke Company to AK Steel.)

This resubmission is required so that the conveyor permit follows the same permitting scenario as the coke plant, i.e., follows PSD and NNSR rules. AK Steel will need to obtain this final permit before constructing the conveyor.

Issuance of the final air permit can be appealed to the Environmental Review Appeals Commission (ERAC). Appeals must be filed within 30 days of issuing the final action; therefore, Ohio EPA recommends that anyone wishing to file an appeal contact ERAC at (614) 466-8950 for more information. More information on the Middletown Coke Company project and the permits issued is online at: <http://www.epa.ohio.gov/pic/middletowncoke.aspx>.

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