

overall, flow-weighted average PM concentration for all emission units within each of these two affected sources. One purpose for the flow-weighted average PM concentration procedure is to account for natural variability in the various types of emission units within each affected source, the processing operations, the performance of air pollution control equipment, and source testing procedures.

The PM emission limits for existing sources in the indurating furnace affected source will be rounded to two digits. For both existing straight grate and grate kiln indurating furnaces processing magnetite, the PM emission limit is 0.01 gr/dscf. For existing grate kiln indurating furnaces processing hematite, the PM emission limit is 0.03 gr/dscf. After we considered the amount of PM source test data available in establishing the MACT floor, observed variability in measured PM concentrations from the furnace exhaust stacks, and noted fluctuations in the taconite iron ore process, we determined that it is appropriate to round the PM emission limits for existing indurating furnaces to two decimal places in order to fully account for natural variability. Even after rounding the PM emission limits for existing indurating furnaces, we will still achieve nearly the same level of emission reduction, while offering increased flexibility to the industry to comply with the emission standards of the final rule.

The PM emission limit for existing ore dryers was determined to be the level of control indicated by the existing State limit of 0.052 gr/dscf. Therefore, it is not appropriate to round the PM emission limit for existing ore dryers. The PM emission limit for existing ore dryers is 0.052 gr/dscf in the final rule.

The PM emission limits for all new affected sources represent an actual performance level achieved by the best performing source in each affected source. Thus, the new source emission limits can be achieved through the proper design and construction/reconstruction of a new affected source.

*Comment:* Three commenters stated that the final rule should more clearly describe how to calculate the flow-weighted mean PM emissions concentration for the material handling operations.

*Response:* We agree with the commenters and have written §§ 63.9621 and 63.9622 to provide additional clarification for calculating the flow-weighted mean PM emissions concentration for ore crushing and handling and finished pellet handling.

Specifically, the final rule clarifies that when calculating the flow-weighted mean PM emissions for ore crushing and handling and finished pellet handling, the “average” PM concentration corresponding to each emission unit in an affected source is multiplied by the maximum design volumetric flow rate of the corresponding emission unit. The “average” PM concentration from an emission unit is derived as the arithmetic mean of a PM source test comprised of three valid sampling runs on the emission unit. If the affected source elects to conduct representative compliance testing for a group of similar emission units, the PM concentration determined for the tested emission unit will be assigned to the other emission units identified as similar within the group.

#### *D. How Did We Revise the Continuous Compliance Requirements?*

##### *Operating Limits*

*Comment:* Two commenters objected to using operating limits established during the performance test to determine continuous compliance. The commenters stated that a performance test is only a snapshot of an operation at a point in time and may not encompass the full operational variability that occurs. The commenters stated that this approach effectively sets a new more stringent NESHAP emission limit at the emissions level actually emitted during the performance test. Therefore, the commenters stated that any operation outside of the operating parameter range should not be classified as a deviation. The commenters stated that the D.C. Circuit Court has made it clear that MACT standards are to represent the best performing source on its worst day (see *National Lime v. EPA*, 233 F.3d 625, 51 ERC 1737 (D.C. Cir. 2000), and *Cement Kiln Recycling Coalition v. EPA*, 255 F.3d 855, 52 ERC 1865 (D.C. Cir. 2001)). The commenters asserted that as long as a source is operating properly, follows procedures in the malfunction plan, and proceeds appropriately to corrective action, then variations within the range of proper operation should not constitute deviations. The commenters stated that the EPA may require plants to log such information and even report it, but not necessarily as a deviation under title V.

*Response:* In follow-up discussions with the industry, we were able to determine that the taconite industry’s primary concern regarding the operating limits was being able to maintain the equipment so that they did not exceed the established operating limit.

Specifically, their concerns included their ability to maintain the pressure drop above the operating limit for venturi-rod deck units with a fixed throat and/or a volumetric flow dependent of process conditions; and, their ability to operate and obtain meaningful readings of opacity from dry ESP using a COMS in conditions of high moisture and low opacity.

Regarding the measurement of the pressure drop, we have increased the averaging time from hourly to daily. The daily averaging period addresses industry’s concerns about their ability to control pressure drop during short periods of time when the scrubber may experience a pressure drop lower than the operating limit. In addition, for dynamic wet scrubbers, we have provided the flexibility of monitoring either the daily average pressure drop or the daily average fan amperage, in addition to the daily average scrubber water flow rate. This addresses industry’s concern that for dynamic wet scrubbers, both pressure drop and fan amperage are good indicators of proper performance.

Regarding the measurement of opacity using COMS, we have verified with equipment vendors that COMS are available that will provide accurate readings under the moisture and low opacity conditions present at taconite facilities. However, we understand that currently there are no COMS in operation at taconite plants and that due to costs or site-specific operating conditions a COMS may not be the best option. Therefore, in the final rule we have provided plants the flexibility to establish their operating limit either as the 6-minute average opacity or as the daily average secondary voltage and the daily average secondary current for each field.

In addition, we have included language in the final rule to clarify when not meeting an operating limit becomes an exceedance. Specifically, after the first two times that you do not meet the operating limit, you must take corrective action. After the third time that you do not meet the operating limit, you must submit a written report within 5 calendar days and report the third unsuccessful attempt of corrective action as a deviation and continue corrective action.

##### *Bag Leak Detection Systems*

*Comment:* Two commenters stated that the requirement in § 63.9634(d)(1) of the proposed rule that requires that the bag leak detection system not alarm for more than 5 percent of the time should be deleted from the final rule.