

EXHIBIT 3

From: Bob Hutton
To: Armitage, Julie; Brodsky, Valeriy; Hatch, Marcus; Patel, Kunj; Pressnall, Chris
Date: 9/13/00 1:37PM
Subject: Re: Fwd: NACME Steel Processing

FYI: The City of Chicago was/is implementing a Consent Order w/ NACME which requires, among other things, installation of an HCl CEMS. We assisted the City by providing technical information (e.g., performance specifications, costs, vendors, etc.). Recently, Marcus found that an HCl CEMS was already in place at NACME. From his observations, that data being reported is highly suspect (much too low). SMU has no record of this unit - no idea it existed. Any HCl concentration data provided by NACME should be thoroughly investigated and verified. I know some stack test data is available which may or may not be valid but any data based on their CEMS is probably worthless.

Robert Hutton
Illinois EPA
epa2206@epa.state.il.us
(217)782-9281

>>> Julie Armitage 09/13/00 11:24AM >>>

yes, Chris and I noted that in our comments on the Vn and I believe the issue appeared in the Wells letter the permit section sent. our position, however, is that Nacme is a major source of HAPS as it is part of Acme Steel and should be cited accordingly. Pls ask Hank for the concentration level that NAcme is committed to and the level it must not exceed as we should craft an alternative citation for this if our major source theory flops on us. Kunj, pls send a redraft back by me ASAP thanks.

>>> Kunj Patel 09/13/00 09:53AM >>>

Does this means that facility is in violations of NESHAP standards too?

EXHIBIT 4



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

P.O. Box 19506, SPRINGFIELD, ILLINOIS 62794-9506

RENEE CIPRIANO, DIRECTOR

217/782-2113

CERTIFIED MAIL
7002 3150 0000 1106 6332

NOTICE OF INCOMPLETENESS

April 13, 2005

NACME Steel Processing, LLC
Attn: John Dubrock
429 West 127th Street
Chicago, Illinois 60628

Application No.: 96020074
I.D. No.: 031600FWL
Applicant's Designation:
Date Received: April 4, 2005
Operation of: Steel Pickling Plant
Location: 429 West 127th Street, Chicago

Illinois EPA has determined the above referenced operating permit application(s) to be incomplete because information was not provided as required by the 35 Ill. Adm. Code 201.157.

Specifically, the following information must be supplied in order for the application to be considered complete:

1. Updated information on production rate and emissions based on the most recent stack test (April 16, 2002) data.
2. Detailed calculations of the plant-wide actual emission and potential to emit (PTE) of hazardous air pollutant (HAP), hydrogen chloride. PTE shall be calculated based on the maximum rated production capacity and year round operations. The credits for the control device efficiency may be taken only to the extent required by applicable environmental regulations.

If emission calculations demonstrate that actual or potential emission of HAP exceeds major source threshold levels of 10 tons/year for a single HAP the Permittee shall apply for Clean Air Act Permit Program (CAAPP) permit. To avoid the CAAPP permitting requirements, you may want to consider applying for a Federally Enforceable State Operating Permit (FESOP). A FESOP is an operating permit that contains federally enforceable limits in the form of permit conditions which effectively restrict the potential emissions of a source to below major source threshold, thereby excluding the source from the Clean Air Act Permit Program (CAAPP).

The Illinois EPA will be pleased to review a reapplication for this permit that includes the information and documentation necessary to correct the deficiencies noted above. In accordance with 35 Ill. Adm. Code 201.157, this reapplication may incorporate by reference the data and information submitted to the Illinois EPA in the original permit application, provided that you certify that the data and information previously submitted remains true, correct, and current. The reapplication will be considered filed on the date it is received by the Illinois EPA and will constitute a new permit application for purposes of Section 39(a) of the Act. Two copies of this information must be submitted and should reference the application and I.D. numbers assigned above.

ROD R. BLAGOJEVICH, GOVERNOR

PRINTED ON RECYCLED PAPER

Page 2

If you have any questions on this, please call Valeriy Brodsky at 217/782-2113.

DES

Donald E. Sutton, P.E.
Manager, Permit Section
Division of Air Pollution Control

DES:VJB:jar *VJB EMB 9/17/2013*

cc: Region 1

COPY
Original Signed by
Donald E. Sutton, P.E.

EXHIBIT 5



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19506, SPRINGFIELD, ILLINOIS 62794-9506 - (217) 782-2113

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

217/785-5151

filed

CAAPP APPLICATION COMPLETENESS DETERMINATION
AND SOURCE FEE DETERMINATION

APPLICANT

NACME Steel Processing, LLC
Attn: William Reichel
429 West 127th Street
Chicago, Illinois 60628

Date of Determination: December 6, 2005
Application/Permit No.: 05100052
I.D. Number: 031600FWL
Date Received: October 25, 2005
Source Name: NACME Steel Processing, LLC
Location of Source: 429 West 127th Street, Chicago, 60628

Dear Mr. Reichel:

This letter provides notification that your Clean Air Act Permit Program (CAAPP) application received on the date indicated above, has been determined by the Agency to be complete pursuant to Section 39.5(5) of the Illinois Environmental Protection Act (Act).

As provided in Section 39.5(18) of the Act, a CAAPP source shall pay a fee. Attached is the annual fee bill for this CAAPP source as determined from information included in your application, on form 292-CAAPP - FEE DETERMINATION FOR CAAPP PERMIT. Payment of the fee is due within 45 days of the billing date indicated on the billing statement.

Notwithstanding the completeness determination, the Agency may request additional information necessary to evaluate or take final action on the CAAPP application. If such additional information affects your allowable emission limits, a revised form 292-CAAPP-FEE DETERMINATION FOR CAAPP PERMIT must be submitted with the requested information. The failure to submit to the Agency the requested information within the time frame specified by the Agency, may force the Agency to deny your CAAPP application pursuant to Section 39.5 of the Act.

If you have any questions regarding this matter, please contact the Division of Air Pollution Control Permit Section at 217/785-5151.

Sincerely,

COPY

Original Signed by
Donald E. Sutton, P.E.

Donald E. Sutton, P.E.
Manager, Permit Section
Division of Air Pollution Control

DES:YMC:psj

Enclosure(s)

cc: FOS, Region 1
Application File
Compliance & Systems Management Section

EXHIBIT 6

EXHIBIT A



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
 James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

TIER III

Date: September 29, 2010 **Inspection Date:** September 28, 2010
To: Steve Youngblut *ok* **Last Inspection:** December 21, 2006
From: George Ordija *go* **Region/District:** 1/ 16
Source: *10/1/10* Nacme Steel Processing LLC **Identification No.:** 031600FWL
Address: 429 W. 127th Street **Sic No.:** 3316
City/State/Zip: Chicago, IL 60628
Contact/Title: Bob Hendrickson/Plant Manager **Telephone No.:** 219-397-5088
 Ext. 177
Purpose: Workplan Inspection (FESOP)

<u>Permit No.</u>	<u>Type</u>	<u>Issued</u>	<u>Expires</u>	<u>Unit</u>
05100052	FESOP*	Pending		Steel Pickling Line
96020074	State	02-08-2001	10-25-2005	Steel Pickling Line
01040081	Construction	04-12-2002		Turbo-tunnel Enclosure
	-Revised			

* FESOP application was received on October 25, 2005. A revision to the FESOP requesting a higher allowable steel throughput was received on April 12, 2007.

1.0 Source/Process Description

Nacme Steel Processing LLC owns and operates a 90 ton per hour continuous coil pickling line at the subject location. Four pickling tanks utilize hydrochloric acid (HCl) at various concentrations and at a temperature of 190°F to remove "mill scale" or rust and impurities from hot rolled steel. During the hot rolling of steel in the presence of air, an oxide scale forms on the steel coil and must be removed before the steel coil can be used. After pickling the steel coil goes through an aqueous based four stage washer followed by slitting, oil coating, and finally recoiling. Emissions from the pickling tanks and four stage washer are vented to a Pro-Eco 12,000 cfm four tray scrubber. The scrubber uses city water in a once-through operation.

2.0 Non-Compliance History

Violation Notice A-2000-00202 was issued on September 18, 2000. The violation notice cited violations involving HCl emissions to the environment causing citizen complaints, HCl emissions in excess of permit limits, operating control equipment in a manner that the performance of the control equipment causes a violation of the Act or allowable emission limits

Nacme Steel Processing LLC
ID#: 031600FWL
Inspection Date: September 28, 2010
Page 2

established in the operation permit, failure to apply for a CAAPP permit, failure to submit an ERMS baseline, failure to submit a Seasonal Emissions Report, and failure to demonstrate compliance with 40 CFR, Subpart CCC for its acid pickling operation. Based on available information on file, the violations appeared to have been resolved.

3.0 Date of Communications

None

4.0 Inspection Narrative

09-28-2010 – G. Ordija

The author met with Bob Hendrickson, plant manager at Nacme Steel Processing. Mr. Hendrickson explained the process including the operation of the Pro-Eco Scrubber. The pickling line consists of four pickling tanks arranged in series followed by a four stage washer. The pickling tanks, which are heated to approximately 190°F, range in acid concentration from 3 percent at #1 pickle tank to 12 percent at #4 pickle tank. Makeup HCl is fed to #4 pickle tank at a specified amount based footage of steel processed through a footage monitoring system. The HCl makeup rate is not directly monitored. The pickling tanks are enclosed in a turbo tunnel enclosure that was installed in April 2002 under Construction Permit 01040081. HCl emissions from the pickling tanks and the four stage washer, which according to the FESOP application is also enclosed, are vented to the Pro-Eco Scrubber. City water at the rate of 1.5 to 2.0 gpm is continuously fed to the scrubber in a once-through process. A digital readout mounted on the scrubber continuously monitors the incoming city water flow rate to the scrubber. The spent water from the scrubber is pumped to #4 pickle tank and ultimately recycled to the pickling tanks.

The author, Mr. Hendrickson, and Britt Wenzal of Mostardi Platt Environmental by phone discussed the current permitting status at the facility. The author maintains that, with the pending FESOP application, the facility is currently subject to Operating Permit 96020074 and the conditions contained therein. Mr. Wenzal disagrees and maintains that the facility is only subject to revised Construction Permit 01040081. Operating Permit 96020074 specifies emission limits, monitoring requirements, recordkeeping requirements, and reporting requirements. Construction Permit 01040081 specifies higher production and emission limits, applicable only during stack testing, and the requirement to perform a stack test to measure HCl at the stack outlet. The construction permit does not specify any monitoring requirements, recordkeeping requirements, or reporting requirements. Furthermore, there is no language in the construction permit allowing the construction permit to supersede the operating permit. On the day after inspection, the author confirmed with Valeriy Brodsky (Permit Section) that the facility was subject to the operating permit and not the construction permit.

The author conducted a records review pursuant to Condition 7 of Operating Permit 96020074. Refer to Section 5.0, Inspection Findings for details.

The author, accompanied by Mr. Hendrickson, conducted a walkthrough of the facility. The author noted that tank covers on the four stage washer were partially missing exposing

Naome Steel Processing LLC
 ID#: 031600FWL
 Inspection Date: September 28, 2010
 Page 3

some of the rinse tanks to atmosphere. Visible vapors were observed coming off the exposed tanks. Piping, which were apparently used to duct emissions from the washer to the Pro-Eco Scrubber, were observed lying in pieces on top of the rinse tank covers. Contrary to the FESOP application, emissions from the four stage washer are not being vented to the scrubber. The author reviewed monitoring logs on the scrubber. According to the logs, HCl concentration is monitored every two hours by method of titration. The log confirmed that the pickling tanks are maintained in the range of 3 to 12 percent. The pickling solution temperature is measured every two hours using a hand held meter. The temperature is not monitored continuously as required by the operating permit. The logs confirmed that pickling temperatures are maintained in the neighborhood of 190°F. As indicated earlier, the HCl makeup rate is not monitored continuously as required by the operating permit. No records of HCl makeup rates are maintained. The scrubber makeup water flow rate, which is taken from the scrubber mounted digital readout, is recorded every two hours in the log. The log confirmed that the scrubber makeup water flow rate is in the range of 1.5 to 2.0 gpm.

No visible emissions or odors were observed coming from the scrubber exhaust stack. According to Mr. Hendrickson, the facility has been operating 24 hours per day and five days per week.

5.0 Emission Unit Information

001 [Steel Pickling Line]

Inspection Date: 09-28-2010

Inspector: G. Ordija

Control Equipment Name: Pro-Eco Scrubber

Control Efficiency: 97-99% (estimated)

Applicable Regulations:

40 CFR, Subpart CCC—National Emission Standards for Hazardous Air Pollutants for Steel Pickling. No owner or operator of an existing affected continuous or batch pickling line at a steel pickling facility shall cause or allow to be discharged into the atmosphere from the affected pickling line any gases that contain HCl in a concentration in excess of 18 parts per million by volume (ppmv).

Emission Limitations:

Pursuant to Condition 2 of Operating Permit 96020074, the operation and hydrogen chloride (HCl) emission from the pickling line shall not exceed the following limits:

<u>Steel Throughput</u>		<u>Emission Factor</u>	<u>HCl Emission</u>	
<u>(Tons/Mo)</u>	<u>(Tons/Yr)</u>	<u>(Lb/10³ Ton)</u>	<u>(Lb/Mo)</u>	<u>(Tons/Yr)</u>
55,000	600,000	4.8	240	1.4

Nacme Steel Processing LLC
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These limits are based on the maximum production rate and emission factor derived from the most recent stack test. Operational parameters shall not exceed those during the stack test at which the emission factor was derived. Those are: steel process rate no more than 69 Ton/Hr, the highest HCl concentration in the pickling tanks 12%, the highest pickling solution temperature 190° F, HCl makeup rate no more than 235.3 Gal/Hr, and scrubber makeup water flow rate no less than 1.5 Gal/min. Compliance with annual limits shall be determined from a running total of 12 months of data.

Monitoring Requirements:

Pursuant to Condition 6 of Operating Permit 96020074, the Permittee shall monitor the following operational parameters:

- a. HCl concentration in the pickling tanks - every 4 hours;
- b. Pickling solution temperature in each tank - continuously;
- c. HCl makeup rate - continuously;
- d. Scrubber makeup water flow - continuously.

Recordkeeping Requirements:

Pursuant to Condition 7 of Operating Permit 96020074, the Permittee shall maintain monthly records of the following items:

- a. Steel throughput (Ton/Mo, Ton/Yr)
- b. Hydrochloric acid usage (Gal/Mo, Gal/Yr) and its concentration (Wt. %);
- c. Pickling line operating hours (Hr/Mo, Hr/Yr);
- d. Monitoring devices records;
- e. HCl emission calculations (Lb/Mo, Ton/Yr).

Reporting Requirements:

Pursuant to Condition 9 of Operating Permit 96020074, if there is an exceedance of the requirements of this permit as determined by the records required by this permit, the Permittee shall submit a report to the Illinois EPA's Compliance Section in Springfield, Illinois within 30 days after the exceedance. The report shall include the emissions released in accordance with the recordkeeping

Nacme Steel Processing LLC
ID#: 031600FWL
Inspection Date: September 28, 2010
Page 5

requirements, a copy of the relevant records, and a description of the exceedance or violation and efforts to reduce emissions and future occurrences.

Inspection Findings:

A stack test to measure HCl at the scrubber exhaust stack was performed on December 21, 2006 to measure HCl emissions at increased steel throughput rates. The results of the test, which was voluntarily performed by the facility, were used as revised input to the pending FESOP application. The results indicated that at an average steel throughput rate of 119.998 tons per hour, a maximum HCl concentration in the pickling tanks of 16%, a maximum pickling solution temperature of 190°F, and a maximum HCl makeup rate of 236 gallons per hour, gaseous emissions of HCl at the scrubber exhaust were measured to be below 0.01 part per million by volume (ppmv) which is below the permissible level of 18 ppmv, pursuant to 40 CFR 63.1157(a) (1).

Records requested pursuant to Condition 7 of Operating Permit 96020074 were emailed to the author on day after inspection. The records contained monthly steel production and HCl emissions and rolling twelve-month HCl emissions. The records did not contain HCl usage (gal/month and gal/year) and pickling line operating hours as required by the permit. Scrubber monitoring records were not included but were previously inspected at the facility. Based on the emailed records, steel throughput and HCl emissions during calendar 2009 and 2010 to date are well within operating permit limits. It should be noted that due to the recession, the facility did not operate during the first nine months of 2009. The emailed records confirm that the HCl emission calculations are based on the operating permit specified emission factor of 4.8 lbs HCl/1000 tons steel.

6.0 Miscellaneous Information

a) Fugitive Dust Program

Fugitive dust plan is not required.

b) Section 9(a) Factors

Complaints of acid fallout were received in August 2000. The complaints and other violations uncovered during an inspection conducted on August 8, 2000, resulted in the issuance of Violation Notice A-2000-00202.

c) Attainment/Non-Attainment

Nacme Steel Processing LLC
 ID#: 031600FWL
 Inspection Date: September 28, 2010
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This source is located in an area that, is designated non-attainment for the National Ambient Air Quality Standards for ozone and PM_{2.5} and attainment or unclassifiable for all other criteria pollutants (CO, lead, NO₂, PM₁₀ and SO₂).

d) AER Date of last submission: 04-27-2010

e) Stack Test Performed? Yes No

Emission unit name(s): Steel Pickling Line

Date stack test conducted: December 21, 2006

Results of Stack Test: The results indicate that at an average steel throughput rate of 119.998 tons per hour, a maximum HCl concentration in the pickling tanks of 16%, a maximum pickling solution temperature of 190°F, and a maximum HCl makeup rate of 236 gallons per hour, gaseous emissions of HCl at the scrubber exhaust were measured to be below 0.01 part per million by volume (ppmv).

f) CEM on site? Yes No

Emission unit name(s): Steel Pickling Line Contaminant: HCl

CEM checklist attached? Yes No

The CEM, which was not operating on the day of inspection due to malfunction, is apparently required by the City of Chicago. It is designed to measure HCl concentration, in ppm, at the scrubber stack outlet.

g) Annual Plant Wide Emissions

	<u>2009/TPY</u>
HCl	0.306296

h) Other/Miscellaneous Issues

None

EXHIBIT B



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

TDD 217/782-9143

MAR 03 2011

CERTIFIED MAIL #7008 1830 0001 4716 4512
RETURN RECEIPT REQUESTED

Bob Hendrickson
Nacme Steel Processing LLC
429 W. 127th Street
Chicago, Illinois 60628

RE: Violation Notice A-2010-00151
I.D. 031600FWL

Dear Mr. Hendrickson:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of violations of environmental laws, regulations or permits as set forth in Attachment A to this letter. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the violations cited, please be advised that resolution of the violations may require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. The response must address each violation specified in Attachment A and include for each an explanation of the activities that will be implemented and the time schedule for the completion of each activity. The written response will constitute a proposed Compliance Commitment Agreement ("CCA") pursuant to Section 31 of the Act. The Illinois EPA will review the proposed CCA and will accept or reject it within 30 days of receipt.

03/03/2011 12:26 2193782251

NMC-NPC HR DEPT

PAGE 03

Page 2
Violation Notice A-2010-00151
Nacme Steel Processing LLC, I.D. 031600FWL

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with a referral to the prosecutorial authority.

Written communications should be directed to YASMINE KEPPNER-BAUMAN, Illinois EPA, Bureau of Air, Compliance Unit, P.O. Box 19276, Springfield, Illinois 62794-9276. All communications must reference the Violation Notice number in this matter.

Questions regarding this matter should be directed to GEORGE ORDIJA at 847/294-4000.

Sincerely,



Raymond E. Pilapil, Manager
Compliance Section
Bureau of Air

REP: ykb

Attachments

Violation Notice A-2010-00151
Nacme Steel Processing LLC, I.D. 031600FWL

ATTACHMENT A

Per observations by George Ordija on September 28, 2010, and other available information:

VIOLATIONS:

1. Section 39.5(6)(b) of the Act: Nacme Steel Processing may have potential hydrogen chloride (HCl) emissions greater than 10 tons per year and may be required to obtain a Clean Air Act Permit Program (CAAPP) permit or Federally Enforceable State Operating Permit (FESOP). Nacme Steel Processing may have failed to timely file a CAAPP permit application and may now operate without the required CAAPP permit.
2. Section 9(b) of the Act and standard condition 7 of operating permit 96020074: Nacme Steel Processing LLC failed to maintain the enclosure and associated scrubber exhaust piping on the four stage washer.
3. Section 9(b) of the Act and condition 2 of operating permit 96020074: Nacme Steel Processing LLC may have exceeded the HCl emissions limits delineated in condition 2 of operating permit 96020074.
4. Section 9(b) of the Act and condition 6(b) of operating permit 96020074: Nacme Steel Processing LLC failed to continuously monitor the pickling solution temperature.
5. Section 9(b) of the Act and condition 6(c) of operating permit 96020074: Nacme Steel Processing LLC failed to continuously monitor the HCl makeup rate.
6. Section 9(b) of the Act and condition 7(b) of operating permit 96020074: Nacme Steel Processing LLC failed to maintain records of the hydrochloric acid usage.
7. Section 9(b) of the Act and condition 7(c) of operating permit 96020074: Nacme Steel Processing LLC failed to maintain records of the pickling line operating hours.
8. Section 9(b) of the Act and condition 9 of operating permit 96020074: Nacme Steel Processing LLC failed to submit exceedance reports to the Illinois EPA, Bureau of Air, Compliance Section.

Violation Notice A-2010-00151
Nacme Steel Processing LLC, I.D. 031600FWL

ATTACHMENT A (continued)

RECOMMENDATIONS:

The Illinois EPA suggests that Nacme Steel Processing LLC take the following actions to address the violations stated above:

1. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA estimations of the "potential to emit" for HCl emissions from the facility, together with supporting calculations. The potential to emit of the source represents the maximum capacity of the source to emit HCl emissions under its physical and operational design.
2. Within 45 days of receipt of this Violation Notice, submit a construction permit application and a revision to the existing FESOP application to reflect the emission factor and steel throughput from the most recent performance testing conducted at the source.
3. Immediately repair the enclosures and associated scrubber exhaust piping on the four stage washer. Furthermore, all future repairs on ductwork associated with pollution control equipment must be performed promptly. Within 45 days of receipt of this Violation Notice, submit documentation to the Illinois EPA that demonstrates the necessary repairs have been made.
4. Immediately establish and maintain a system for continuously monitoring the pickling solution temperature. Within 45 days of receipt of this Violation Notice, provide documentation to the Illinois EPA that demonstrates the appropriate monitoring systems have been implemented.
5. Immediately establish and maintain a system for continuously monitoring the HCl makeup rate. Within 45 days of receipt of this Violation Notice, provide documentation to the Illinois EPA that demonstrates the appropriate monitoring systems have been implemented.
6. Immediately establish and maintain records of the hydrochloric acid usage. Within 45 days of receipt of this Violation Notice, provide a sampling of the required records to the Illinois EPA, Bureau of Air, Compliance Section.
7. Immediately establish and maintain records of the pickling line operating hours. Within 45 days of receipt of this Violation Notice, provide a sampling of the required records to the Illinois EPA, Bureau of Air, Compliance Section.

03/08/2011 12:26 2193782251

NMC-NPC HR DEPT

PAGE 05

Violation Notice A-2010-00151
Nacme Steel Processing LLC, I.D. 031600FWL

ATTACHMENT A (continued)

RECOMMENDATIONS (continued):

8. In the future, submit exceedance reports within 30 days of each exceedance to the Illinois EPA, Bureau of Air, Compliance Section.

03/09/2011 12:25 2193782251

NMC-NPC HR DEPT

PAGE 01

NATIONAL PROCESSING

219-397-5088

FAX 219-397-5720

FACSIMILE TRANSMITTAL SHEET

TO: Britt Wenzal

FROM: Bob Hendrickson

DATE: March 8, 2011

TOTAL NO. OF PAGES INCLUDING COVER: 12

RE:

- URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

EXHIBIT C

JUL-27-2011 13:07

DLC LEGAL

P.02



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

217/782-5544
217/782-9143 (TTY)

July 15, 2011

Certified Mail # 7004 2510 0001 8619 1937
Return Receipt Requested

Bob Hendrickson
Nacme Steel Processing LLC
429 W. 127th Street
Chicago, Illinois 60628

**RE: Notice of Intent to Pursue Legal Action
Violation Notice A-2010-00151
I.D. 031600FWL**

Dear Mr. Hendrickson:

This Notice of Intent to Pursue Legal Action is provided pursuant to Section 31(b) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(b)(2000).

The Illinois Environmental Protection Agency ("Illinois EPA") is providing this notice to inform Nacme Steel Processing LLC of its intention to pursue legal action for the violations of environmental laws and regulations specified in Attachment A. This Notice of Intent to Pursue Legal Action provides Nacme Steel Processing LLC an opportunity to schedule a meeting with representatives of the Illinois EPA in an effort to resolve the violations prior to the filing of a formal complaint. If a meeting is requested, it must be held within thirty (30) days of receipt of this notice unless an extension of time is agreed to by the Illinois EPA.

If you wish to schedule a meeting with representatives of the Illinois EPA or have any questions, please contact the undersigned or Maureen Wozniak, the attorney assigned to this matter at 217/782-5544, at the earliest possible convenience.

Sincerely,

Julie K. Armitage
Associate Counsel
Division of Legal Counsel

JKA:MW:kt

Attachment

Violation Notice A-2010-00151
Nacme Steel Processing LLC, I.D. 031600FWL

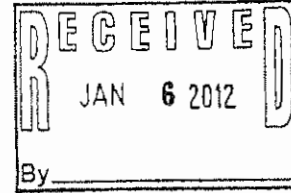
ATTACHMENT A

Per observations by George Ordija on September 28, 2010, and other available information:

VIOLATIONS:

1. Section 39.5(6)(b) of the Act: Nacme Steel Processing may have potential hydrogen chloride (HCl) emissions greater than 10 tons per year and may be required to obtain a Clean Air Act Permit Program (CAAPP) permit or Federally Enforceable State Operating Permit (FESOP). Nacme Steel Processing may have failed to timely file a CAAPP permit application and may now operate without the required CAAPP permit.
2. Section 9(b) of the Act and standard condition 7 of operating permit 96020074: Nacme Steel Processing LLC failed to maintain the enclosure and associated scrubber exhaust piping on the four stage washer.
3. Section 9(b) of the Act and condition 2 of operating permit 96020074: Nacme Steel Processing LLC may have exceeded the HCl emissions limits delineated in condition 2 of operating permit 96020074.
4. Section 9(b) of the Act and condition 6(b) of operating permit 96020074: Nacme Steel Processing LLC failed to continuously monitor the pickling solution temperature.
5. Section 9(b) of the Act and condition 6(c) of operating permit 96020074: Nacme Steel Processing LLC failed to continuously monitor the HCl makeup rate.
6. Section 9(b) of the Act and condition 7(b) of operating permit 96020074: Nacme Steel Processing LLC failed to maintain records of the hydrochloric acid usage.
7. Section 9(b) of the Act and condition 7(c) of operating permit 96020074: Nacme Steel Processing LLC failed to maintain records of the pickling line operating hours.
8. Section 9(b) of the Act and condition 9 of operating permit 96020074: Nacme Steel Processing LLC failed to submit exceedance reports to the Illinois EPA, Bureau of Air, Compliance Section.

EXHIBIT D



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 5, 2012

David Susler
Associate General Counsel
Nacme Steel Processing
1965 Pratt Boulevard
Elk Grove Village, IL 60007

Sent via US mail certified, return receipt

Re: Nacme Steel Processing -Enforcement Action for Alleged Violations of the Illinois
Environmental Protection Act and Illinois Pollution Control Board Regulations

Dear Mr. Susler:

The Illinois Environmental Protection Agency ("Illinois EPA") referred the above-referenced matter to the Office of Attorney General for the initiation of an enforcement action. Specifically, the Illinois EPA alleges the violations listed in the enclosed attachment A against Nacme Steel Processing.

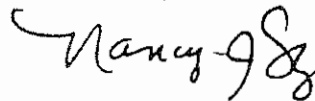
Our office policy is to approach a potential defendant before filing a complaint in an effort to resolve the matter. In your case, an acceptable alternative to litigation would consist of entering into a court enforceable settlement agreement. The settlement agreement would include, among other things, an agreement to cease and desist from future violations of the Illinois Environmental Protection Act ("Act") and related regulations, and payment of a civil penalty. Section 42 of the Act, 415 ILCS 5/42, provides for penalties up to \$50,000.00 per violation plus \$10,000.00 per day each violation continued.

In addition, if we discuss settlement at some point in our future communications, please be advised that no settlement discussion(s) and proposed settlement term(s) are ever final or accepted until and unless approved by the management of our office and the management of the Illinois EPA. Furthermore, any settlement to resolve this or any pending action whether filed in the courts or with the Pollution Control Board must be in writing, memorialized in a Stipulation and Proposal for Settlement or Consent Order, fully executed by all the parties or their duly authorized representatives, and the Illinois EPA by its duly authorized representative. Only after such Stipulation and Proposal for Settlement is accepted by the Illinois Pollution Control Board

through the issuance of a Board Order, or after entry by the Court of the Consent order does such settlement documents become enforceable Orders.

The Office of the Illinois Attorney General offers you the opportunity to meet with representatives of this Office and the Illinois EPA to resolve this matter. A meeting is scheduled for Tuesday, January 24, 2012 at 1:30 p.m. at our office located at 69 West Washington Street, Suite 1800, Chicago. Please call to confirm your attendance by Friday January 20, 2012. If you do not respond to this letter, then a formal complaint will be filed without resolving the matter.

Sincerely,



Nancy J. Tikalsky
Assistant Attorney General
Environmental Bureau
69 W. Washington St., Suite 1800
Chicago, IL 60602
(312) 814-8567

Enc. Attachment A
c. Maureen Wozniak, Legal Counsel, Illinois EPA

Violation Notice A-2010-00151
Nacme Steel Processing LLC, I.D. 031600FWL

ATTACHMENT A

Per observations by George Ordija on September 28, 2010, and other available information:

VIOLATIONS:

1. Section 39.5(6)(b) of the Act: Nacme Steel Processing may have potential hydrogen chloride (HCl) emissions greater than 10 tons per year and may be required to obtain a Clean Air Act Permit Program (CAAPP) permit or Federally Enforceable State Operating Permit (FESOP). Nacme Steel Processing may have failed to timely file a CAAPP permit application and may now operate without the required CAAPP permit.
2. Section 9(b) of the Act and standard condition 7 of operating permit 96020074: Nacme Steel Processing LLC failed to maintain the enclosure and associated scrubber exhaust piping on the four stage washer.
3. Section 9(b) of the Act and condition 2 of operating permit 96020074: Nacme Steel Processing LLC may have exceeded the HCl emissions limits delineated in condition 2 of operating permit 96020074.
4. Section 9(b) of the Act and condition 6(b) of operating permit 96020074: Nacme Steel Processing LLC failed to continuously monitor the pickling solution temperature.
5. Section 9(b) of the Act and condition 6(c) of operating permit 96020074: Nacme Steel Processing LLC failed to continuously monitor the HCl makeup rate.
6. Section 9(b) of the Act and condition 7(b) of operating permit 96020074: Nacme Steel Processing LLC failed to maintain records of the hydrochloric acid usage.
7. Section 9(b) of the Act and condition 7(c) of operating permit 96020074: Nacme Steel Processing LLC failed to maintain records of the pickling line operating hours.
8. Section 9(b) of the Act and condition 9 of operating permit 96020074: Nacme Steel Processing LLC failed to submit exceedance reports to the Illinois EPA, Bureau of Air, Compliance Section.

EXHIBIT 7

2. Yasmine Keppner-Bauman, IEPA, Illinois EPA – Environmental Protection Specialist, Bureau of Air, Division of Air Pollution Control. Ms. Keppner-Bauman is expected to testify about her knowledge and familiarity of violations against the Nacme Facility. Ms. Keppner-Bauman is also expected to testify about her conversations with Nacme personnel. In addition, Ms. Keppner-Bauman is expected to testify about documents and correspondence exchanged between Nacme and the Illinois EPA. Ms. Keppner-Bauman may be contacted through the People's counsel. The People's investigation in this matter is continuing, and the People reserve the right to further supplement and update the extent of Ms. Keppner-Bauman's testimony.

3. Valeriy Brodsky, Illinois EPA, Environmental Protection Engineer, Bureau of Air, Division of Air Pollution Control. Mr. Brodsky is expected to testify in support of the violations alleged in the People's Complaint, including his familiar with permit applications and permit-related communications and documentation, including stack tests, associated with the Nacme Facility. Mr. Brodsky is also expected to testify about his conversations with Nacme personnel and Nacme's environmental consultants. In addition, Mr. Brodsky is expected to testify about documents and correspondence submitted by Nacme and its environmental consultants to the Illinois EPA. Mr. Brodsky may be contacted through the People's counsel. The People's investigation in this matter is continuing, and the People reserve the right to further supplement and update the extent of Mr. Brodsky's testimony.

4. Harish Narayen, Illinois EPA, Regional Manager, Bureau of Air, Division of Air Pollution Control, Des Plaines Field Operation Section. Mr. Narayen is expected to testify in support of the violations alleged in the People's Complaint, including his familiar with permit applications and permit-related communications and documentation, including stack tests,

associated with the Nacme Facility. In addition, Mr. Narayen is also expected to testify about his conversations with Nacme personnel and Nacme's environmental consultants; and about documents and correspondence submitted by Nacme and its environmental consultants to the Illinois EPA. Mr. Narayen may be contacted through the People's counsel. The People's investigation in this matter is continuing, and the People reserve the right to further supplement and update the extent of Mr. Narayen's testimony.

5. Bob Bernoteit, Illinois EPA, Manager, Bureau of Air, Division of Air Pollution Control, Federally Enforceable State Operating Permit Unit. Mr. Bernoteit is expected to testify in support of the violations alleged in the People's Complaint, including his familiarity with permit applications and permit-related communications and documentation, including stack tests, associated with the Nacme Facility. Mr. Bernoteit is also expected to testify about his conversations with Nacme personnel and Nacme's environmental consultants. In addition, Mr. Bernoteit is expected to testify about documents and correspondence submitted by Nacme and its environmental consultants to the Illinois EPA. Mr. Bernoteit may be contacted through the People's counsel. The People's investigation in this matter is continuing, and the People reserve the right to further supplement and update the extent of Mr. Bernoteit's testimony.

6. David Bloomberg, Illinois EPA, Manager, Bureau of Air, Division of Air Pollution Control, Air Quality Planning Section; formerly Manager, Air Compliance Section. Mr. Bloomberg is expected to testify in support of the violations alleged in the People's Complaint, including his knowledge regarding the sending of Violation Notice, the rejection of the Compliance Commitment Agreement ("CCA"), and Notice of Intent to Pursue Legal Action ("NITPLA") processes. Mr. Bloomberg may be contacted through the People's counsel. The

People's investigation in this matter is continuing, and the People reserve the right to further supplement and update the extent of Mr. Bloomberg's testimony.

7. John DuBrock, Nacme, General Manager of the Facility. Mr. DuBrock is expected to testify about Nacme's operations at its Facility and about the violations alleged in the People's Complaint.

8. Bob Hendrickson, Nacme, Plant Manager of the Facility. Mr. Hendrickson is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

9. Tom Beach, Nacme, Vice President and Plant Manager. Mr. Beach is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

10. William Reichel, Nacme, Plant Manager of the Facility. Mr. Reichel is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

11. Vytas Ambutas, Nacme. Mr. Ambutas is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

12. Bob Wisdom, Nacme, Manager. Mr. Wisdom is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

13. Britt Wenzel, Mostardi Platt Environmental Services, Inc., Manager, Environmental Compliance Management/environmental consultant for Nacme for the Facility.

Mr. Wenzel is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

14. Jamie C. Iatropulos, Mostardi Platt Environmental Services, Inc., Staff Consultant, Environmental Compliance Management/environmental consultant for Nacme for the Facility. Mr. Iatropulos is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

15. Chris E. Jensen, Mostardi Platt Environmental Services, Inc., Program Manager, Environmental Compliance Management/environmental consultant for Nacme for the Facility. Mr. Jensen is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

16. Timothy E. Russ, Mostardi Platt Environmental Services, Inc., Program Manager, Environmental Compliance Management/environmental consultant for Nacme for the Facility. Mr. Russ is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

17. James F. Robertson, Mostardi Platt Environmental Services, Inc., Project Manager, Environmental Compliance Management/environmental consultant for Nacme for the Facility. Mr. Robertson is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

18. Jeffrey M. Crivlare, Mostardi Platt Environmental Services, Inc., Project Manager, Environmental Compliance Management/environmental consultant for Nacme for the Facility. Mr. Crivlare is expected to testify about Nacme's operations and air permits at its Facility and about the violations alleged in the People's Complaint.

19. Gayle E. O'Neill, Ph.D., TEI Analytical, Inc. for Mostardi Platt Environmental Services, Inc., Environmental Compliance Management/environmental consultant for Nacme for the Facility. Dr. O'Neill is expected to testify about Laboratory Reports of stack test data.

20. Rebuttal Witnesses. The People intend to call rebuttal witnesses at trial as necessary. The People further state that their investigation continues and that they reserve the right to supplement their response to this Interrogatory and the disclosure of lay witnesses and the subjects on which each witness will testify as additional information becomes available (*e.g.* after the Board's decision on the People's Motion to Strike and Dismiss Respondent's Amended Affirmative Defenses, conducting depositions and/or Nacme's Supplementing its Discovery Responses).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
LISA MADIGAN,
Attorney General of the State of Illinois

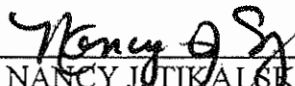
BY: 
NANCY J. TIKALSKY
Assistant Attorney General
Environmental Bureau
69 West Washington St., Suite 1800
Chicago, Illinois 60602
(312) 814-8567
ntikalsky@atg.state.il.us

EXHIBIT 8

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB No. 13 - 12
)	(Enforcement - Air)
NACME STEEL PROCESSING, LLC,)	
a Delaware limited liability corporation,)	
)	
Respondent.)	

COMPLAINANT'S RESPONSE TO NACME STEEL PROCESSING, L.L.C.'s
FIRST REQUESTS TO ADMIT FACTS TO RESPONDENT

Pursuant to Illinois Supreme Court Rule 216, Complainant, PEOPLE OF THE STATE OF ILLINOIS ("People"), hereby states its objections and responds to Respondent's, NACME STEEL PROCESSING, L.L.C., ("NACME") First Requests to Admit Facts to Respondent ("Requests") as follows:

GENERAL OBJECTIONS

The People state these general objections and hereby incorporates them as objections to each and every of the requests for admission of facts.

1. The People object to the requests to admit facts insofar as they purport to seek information which is protected from discovery by the attorney-client privilege, the work product doctrine, the deliberative due process privilege, or any other doctrine or privilege protecting information from discovery.

2. The People do not concede the relevancy of any information sought or discovered in responding to these Requests.

3. The People object to the instructions and definitions to these Requests insofar as they require the People to undertake or investigate or produce information in excess of what is required of it under the Illinois Code of Civil Procedure.

4. Responses to the Requests shall not be construed as a waiver of these objections.

RESPONSE TO RESPONDENT'S FIRST REQUESTS TO ADMIT FACTS

1. Admit that the IEPA never sent to NACME a written renewal request with respect to NACME's state operating permit issued on February 8, 2001.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

THE PEOPLE FURTHER RESPOND THAT UNDER THE ILLINOIS ENVIRONMENTAL PROTECTION ACT ("ACT"), THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("IEPA") HAS NEITHER THE DUTY TO INFORM A PERMITTEE OF ITS PERMITTING OBLIGATIONS NOR OF THE IMPENDING EXPIRATION OF PERMITS.

2. Admit that as of on or about February 8, 2001 IEPA had information that the estimated potential to emit (PTE) for hydrochloric acid (HCL) emissions at NACME's subject facility ("Facility") was greater than 10 tons per year of HCL from a single source.

OBJECTION: VAGUE AND AMBIGUOUS AND OVERLY BROAD. WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE DENY THIS REQUEST.

THE PEOPLE FURTHER RESPOND THAT IEPA BELIEVED NACME WAS A MAJOR SOURCE FOR AIR POLLUTION EMISSIONS BASED ON ITS SINGLE SOURCE STATUS WITH ACME STEEL

3. Admit that as of on or about April 12, 2002 IEPA had information that the estimated potential to emit (PTE) for hydrochloric acid (HCL) emissions at NACME's Facility was greater than 10 tons per year of HCL from a single source.

OBJECTION: VAGUE AND AMBIGUOUS AND OVERLY BROAD. WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE DENY THIS REQUEST.

THE PEOPLE FURTHER RESPOND THAT THE IEPA DID NOT CALCULATE NACME'S POTENTIAL TO EMIT ("PTE") AT THIS TIME.

4. Admit that as of on or about May 28, 2002 IEPA had information that the estimated potential to emit (PTE) for hydrochloric acid (HCL) emissions at NACME's Facility was greater than 10 tons per year of HCL from a single source.

OBJECTION: VAGUE AND AMBIGUOUS AND OVERLY BROAD. WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE DENY THIS REQUEST.

THE PEOPLE FURTHER RESPOND THAT THE IEPA'S REVIEW OF A STACK TEST CONDUCTED AT THE NACME FACILITY IN APRIL 2002 INDICATED THE HCL

EMISSION WOULD INCREASE BUT IEPA DID NOT CALCULATE THE PTE AT THIS TIME.

5. Admit that IEPA's September 20, 2005 Notice of Incompleteness was the first time that IEPA notified NACME that IEPA had determined that the estimated PTE for HCL emissions at the Facility was greater than 10 tons per year of HCL from a single source.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

6. Admit that IEPA's September 20, 2005 Notice of Incompleteness was the first time that IEPA notified NACME that NACME required a Clean Air Act Permit Program (CAAPP) permit or, alternatively, a Federally Enforceable State Operating Permit ("FESOP") for its Facility.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE DENY THIS REQUEST.

THE PEOPLE FURTHER RESPOND THAT THE IEPA FIRST INFORMED NACME THAT IT WOULD NEED A CAAPP PERMIT WITHIN AN OPERATING PERMIT DOCUMENT ISSUED ON OCTOBER 25, 2000, WHICH HAD AN EXPIRATION DATE OF OCTOBER 25, 2005.

7. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit issued on February 8, 2001, during 2001.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

8. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit issued on February 8, 2001, during 2002.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

9. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit issued on February 8, 2001, during 2003.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

10. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit on February 8, 2011, during 2004.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

11. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit issued on February 8, 2001, during 2005.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

12. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit issued on February 8, 2011, during 2006.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

13. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit issued on February 8, 2001, during 2007.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

14. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit issued on February 8, 2001, during 2008.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

15. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit issued on February 8, 2001, during 2009.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

16. Admit that NACME did not exceed the operation and HCL emission limits set forth in NACME's state operating permit issued on February 8, 2001, during 2010.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE LACK SUFFICIENT INFORMATION TO EITHER ADMIT OR DENY THE REQUEST.

17. Admit that actual emissions from NACME's Facility have always been below the applicability levels for a Clean Air Act Permit Program (CAAPP) permit.

OBJECTION: IRRELEVANT AS 'ACTUAL' EMISSIONS ARE NOT THE SOLE FACTOR THAT DETERMINES THE APPLICATION OF CAAPP PERMIT REQUIREMENTS FOR A SOURCE. NOTWITHSTANDING THE OBJECTIONS HEREIN, THE PEOPLE DENY THIS REQUEST.

18. Admit that in its permit application of October 25, 2005, NACME requested a permit shield for its Facility.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

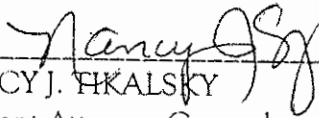
THE PEOPLE FURTHER RESPOND THAT REQUESTING A SHIELD DOES NOT AUTOMATICALLY QUALIFY A FACILITY FOR THE PERMIT SHIELD. TO QUALIFY FOR A PERMIT SHIELD, THE APPLICATION MUST HAVE BEEN TIMELY AND COMPLETE. THE IEPA DOES NOT ADMIT THAT THE APPLICATION WAS TIMELY OR COMPLETE.

19. Admit the IEPA has sent to NACME "Air Pollution Control Title V Permit Fee" invoices for the subject Facility, and NACME has paid the invoices, in the amount of \$1,800 per year for years 2008, 2009, and 2010.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
LISA MADIGAN,
Attorney General of the State of Illinois

BY: 
NANCY J. HKALSKY
Assistant Attorney General
Environmental Bureau North
69 West Washington St., Suite 1800
Chicago, Illinois 60602
(312) 814-8567

RESPONSE TO RESPONDENT'S FIRST REQUESTS TO ADMIT
GENUINENESS OF DOCUMENTS

1. Admit that the document attached as Exhibit A is genuine, true, and correct copy of a document from IEPA's files.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

2. Admit that the document attached as Exhibit B is genuine, true and correct copy of a document from IEPA's files.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

3. Admit the document attached as Exhibit C is a genuine, true and correct copy of a document from IEPA's files.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

4. Admit that the documents attached as Exhibit D are genuine, true and correct copies of documents from IEPA's files.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

5. Admit that the document attached as Exhibit E is a genuine, true and correct copy of a document from IEPA's files.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

6. Admit that the documents attached as Exhibit F is a genuine, true, and correct copy of a document from IEPA's files.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

7. Admit that the document attached as Exhibit G is a genuine, true and correct copy of a document from IEPA's files.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

8. Admit that the document attached as Exhibit H is a genuine, true and correct copy of a document from IEPA's files.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

9. Admit that the documents attached as Exhibit I are genuine, true and correct copies of documents from IEPA's files.

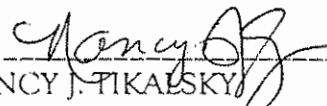
WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

10. Admit that the document attached as Exhibit J is a genuine, true and correct copy of a document from IEPA's files.

WITHOUT WAIVING AND SUBJECT TO GENERAL AND SPECIFIC OBJECTIONS SET FORTH HEREIN, THE PEOPLE ADMIT THIS REQUEST.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
LISA MADIGAN,
Attorney General of the State of Illinois

BY: 
NANCY J. TIKALSKY
Assistant Attorney General
Environmental Bureau North
69 West Washington St., Suite 1800
Chicago, Illinois 60602
(312) 814-8567

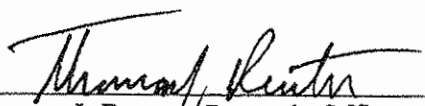
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB No. 13 - 12
)	(Enforcement - Air)
NACME STEEL PROCESSING, LLC,)	
a Delaware limited liability corporation,)	
)	
Respondent.)	

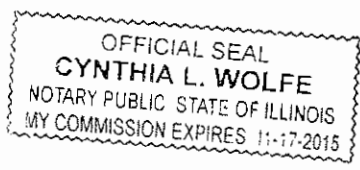
VERIFICATION

I, Thomas J. Reuter, do hereby certify that:

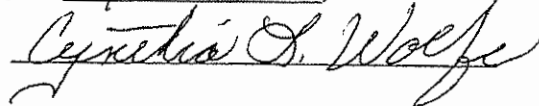
- 1) I am employed by the Illinois Environmental Protection Agency (Illinois EPA), and serve as the Records Officer;
- 2) As part of my duties I am responsible for the control, care, and safekeeping of the records of the Illinois EPA located in Springfield, Illinois;
- 3) I directed staff to review the Illinois EPA files located in Springfield, Illinois and to locate the records attached to NACME Steel Processing, L.L.C.'s First Request to Admit Genuineness of Documents; and
- 4) I state to the best of my belief that the copies of records attached to NACME Steel Processing, L.L.C.'s First Request to Admit Genuineness of Documents are true and accurate copies of material present in the Illinois EPA's files located in Springfield, Illinois.



 Thomas J. Reuter, Records Officer



SUBSCRIBED AND SWORN TO BEFORE ME,
 a notary public in and for the State of Illinois,
 this 21 day of November, 2012.

Notary Public: 

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB No. 2013 - 12
)	(Enforcement - Air)
NACME STEEL PROCESSING, LLC,)	
a Delaware limited liability corporation,)	
)	
Respondent.)	

COMPLAINANT'S RESPONSE TO
NACME STEEL PROCESSING, L.L.C.'s INTERROGATOR

Pursuant to Illinois Supreme Court Rule 216, Complainant, PEOPLE OF THE STATE OF ILLINOIS ("People"), hereby states its objections and responds to Respondent's, NACME STEEL PROCESSING, L.L.C.'s, ("NACME") Interrogatories.

GENERAL OBJECTIONS

The Complainant states these general objections and hereby incorporates them as objections to each and every one of the Interrogatories.

1. The Complainant has not completed its investigation and discovery in this action nor its preparation for trial. Accordingly, all responses below are based only upon such information and documents that are presently available and specifically known to the Complainant. As discovery progresses, the Complainant reserves the right to supplement its responses to these discovery requests.

2. The Complainant objects to the Interrogatories insofar as they purport to seek information that is protected from discovery by the attorney-client privilege, the work product

doctrine, the deliberative due process privilege, or any other doctrine or privilege protecting information from discovery.

3. The Complainant does not concede the relevancy of any information sought or discovered in responding to these interrogatories for production.

4. The Complainant objects to these Interrogatories to the extent that they are oppressive, vague, ambiguous, unduly broad and burdensome, or seek information not in the possession, custody or control of the Complainant and expressly note that several of the following responses may be based on incomplete information.

5. The Complainant objects to Respondent's Interrogatories to the extent that they require the drawing of legal conclusions or the acceptance of factual premises.

6. The Complainant objects to Respondent's Interrogatories to the extent that they are not reasonably limited in time and scope and not reasonably calculated to lead to the production of admissible evidence.

7. The Complainant objects to the instructions and definitions to these Interrogatories insofar as they require Complainant to undertake or investigate or produce information in excess of what is required of it under the Illinois Code of Civil Procedure.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify all persons with knowledge or information regarding any of the allegations in IEPA's Complaint, and for each such person describe in detail that person's knowledge or information related to the allegations in IEPA's Complaint

RESPONSE:

The Complainant hereby incorporate by reference each and every general objection set forth above as if set forth herein. Specifically, the Complainant objects to Interrogatory No. 3 on the grounds that it is overly broad and burdensome. Notwithstanding the objections herein, the Complainant responds as follows:

All IEPA personnel referenced herein can be located at 1021 N. Grand Avenue East, Springfield, Illinois, 62794-9276, 217-782-3397.

George Ordija, IEPA—conducted inspections of NACME and participated in violation notice (“VN”) process.

Yasmine Keppner-Bauman, IEPA—participated in the VN process.

David Bloomberg, IEPA—limited knowledge regarding the sending of VN, the rejection of the Compliance Commitment Agreement (“CCA”), and Notice of Intent to Pursue Legal Action (“NITPLA”) processes.

Valeriy Brodsky, IEPA—familiar with permit applications and permit-related communications and documentation, including stack tests, submitted to IEPA, and participated in the VN process

Bob Bernoteit, IEPA— familiar with permit applications and permit-related communications and documentation, including stack tests, submitted to the IEPA.

Maureen Wozniak (“MW”), IEPA—IEPA legal counsel involved in the VN, CCA and NITPLA processes.

INTERROGATORY NO. 2:

Identify each and every communication by and between IEPA and any representative of NACME regarding any of the claims asserted by IEPA in the Complaint.