ENVIRONMENTAL LAW & POLICY CENTER
Protecting the Midwest's Environment and Natural Heritage

October 4, 2019

Via Certified Mail

ArcelorMittal Burns Harbor LLC
250 W. U.S. Highway 12
Burns Harbor, IN 46304

ArcelorMittal USA LLC
One South Dearborn
Chicago, IL 60603

ArcelorMittal Registered Agent
C T CORPORATION SYSTEM
150 West Market Street, Suite 800
Indianapolis, IN 46204

RE: 60-Day Notice of Intent to File a Citizen Suit under Section 505(a) of the Clean Water Act

To whom it may concern:

The Environmental Law & Policy Center ("ELPC"), on behalf of itself and its members, and Hoosier Environmental Council ("HEC"), on behalf of itself and its members, notifies you of our intent to file suit against ArcelorMittal Burns Harbor, LLC, ("ArcelorMittal") and its parent company, ArcelorMittal USA, LLC, in the United States District Court for the Northern District of Indiana pursuant to Section 505(a) of the Clean Water Act. 33 U.S.C. § 1365(a).

This letter notices ongoing violations of the Clean Water Act and ongoing violations of ArcelorMittal's National Pollution Discharge Elimination System ("NPDES") permits No. IN0000175 and INJ060801. If ArcelorMittal fails to remedy its violations and their root causes within 60 days of this notice letter, ELPC intends to pursue appropriate relief, including civil penalties and injunctive relief, to stop and deter ArcelorMittal from committing the same or similar violations in the future.

Background and Timeline of August 2019 Cyanide and Ammonia Spill

The ArcelorMittal Burns Harbor facility discharges into Lake Michigan via the East Branch of the Little Calumet River from Outfall 001. The facility's discharges are regulated by two NPDES Permits. NPDES permit No IN0000175 covers Outfalls 001, 002, 003, and Internal Outfalls 011 and 111. NPDES permit No. INJ060801 covers Outfall 031. These NPDES permits were issued by the Indiana Department of Environmental Management ("IDEM") pursuant to the Clean Water Act.

On August 11, 2019, ArcelorMittal Burns Harbor's Blast Furnace Closed Water Pumping Station lost power and failed.[1] The Blast Furnace Closed Water Pumping Station is used to cool and recycle the waters from the Blast Furnace Scrubber Water system. As a result of the equipment failure, on the same date, the following effluent exceedances occurred at ArcelorMittal from Outfall 001:

- Ammonia concentration of 0.92 mg/L (77% higher than the limit of 0.52).
- Ammonia load of 911.3 lbs/d (69% higher than the limit of 540 lb/d).

On information and belief, ArcelorMittal was aware of significant ammonia exceedances by the following day, Monday, August 12, 2019. ArcelorMittal did not notify IDEM of these significant exceedances on August 12, 2019.

On August 12, 2019, the Indiana Department of Natural Resources ("IDNR") received a citizen complaint of distressed fish in the East Branch of the Little Calumet River.[2] On that same date, the following effluent exceedances occurred at ArcelorMittal Burns Harbor's facilities from Outfall 001:

- Total Cyanide load of 136 lbs/day (548% higher than the limit of 21 lbs/day).
- Free Cyanide concentration of 0.16 mg/L (1718% higher than the limit of 0.0088).
- Free Cyanide load of 179 lbs/day (1708% higher than the limit of 9.9 lbs/day).
- Ammonia concentration of 1.0 mg/L (92% higher than the limit of 0.52).
- Ammonia load of 1,117 lbs/day (107% higher than the limit of 540 lb/d).

On August 13, 2019, IDNR received more citizen complaints of numerous dead fish in the East Branch of the Little Calumet River.[3] On that same date, the following effluent exceedances occurred at ArcelorMittal Burns Harbor's facilities from Outfall 001:

- Total Cyanide load of 187.9 lbs/day (795% higher than the limit of 21 lbs/day).
- Free Cyanide concentration of 0.22 mg/L (2400% higher than the limit of 0.0088).
- Ammonia concentration of .80 mg/L (54% higher than the limit of 0.52).
- Ammonia load of 890.6 lbs/day (65% higher than the limit of 540 lbs/d).

On information and belief, ArcelorMittal Burns Harbor was aware of the significant ammonia and Total Cyanide exceedances on or before Wednesday, August 14, 2019. ArcelorMittal did not notify IDEM of these exceedances on August 14, 2019.

On August 14, 2019, IDEM and IDNR conduced reconnaissance and observed that a significant fish die-off had occurred in the East Branch of the Little Calumet River. On that same date, the following effluent exceedances occurred at ArcelorMittal Burns Harbor's facilities from Outfall 001:

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[1] *IDEM and DNR Responding to Reported Fish Kill*, IN.gov, https://www.in.gov/idem/cleanwater/2576.htm?fbclid=IwAR1Tb-_EgY41ji6F2ebP6FQIcxlGIBYwOm5OFx811Fh6on_q25M7JU3nPvw (last updated August 26, 2019), *archived at* https://perma.cc/83HB-QMBC

[2] IDEM AUGUST 16, 2019 PRESS RELEASE, *Update 2: IDEM and DNR Responding to reported fish kill*, https://www.in.gov/idem/cleanwater/files/fish_kill_20190816_press_release.pdf, *archived at* https://perma.cc/5GTY-3CM3.

[3] *Id*.

- Total Cyanide load of 138 lbs/day (557% higher than the limit of 21 lbs/day).
- Free Cyanide concentration of 0.106 mg/L (1105% higher than the limit of 0.0088).
- Free Cyanide load of 105 lbs/day (961% higher than the limit of 9.9 lbs/day).
- Ammonia concentration of .80 mg/L (54% higher than the limit of 0.52).
- Ammonia load of 890.6 lbs/day (65% higher than the limit of 540 lbs/d).

On August 15, 2019, ArcelorMittal informed IDEM that its Burns Harbor facilitates had exceeded its daily total cyanide limit.[4] On that same date, the following effluent exceedances occurred at ArcelorMittal Burns Harbor from Outfall 001:

- Total Cyanide load of 109 lbs/day (419% higher than the limit of 21 lbs/day).
- Ammonia concentration of .81 mg/L (56% higher than the limit of 0.52).
- Ammonia load of 854.4 lbs/day (58% higher than the limit of 540 lbs/d).

On August 16, 2019, the following effluent exceedances occurred at ArcelorMittal Burns Harbor's facilities from Outfall 001:

- Ammonia concentration of .53 mg/L (2% higher than the limit of 0.52).
- Ammonia load of 554 lbs/day (3% higher than the limit of 540 lbs/d).

On August 19, 2019, IDEM published a Press Release stating that IDNR estimated 3,000 dead fish.[5]

Clean Water Act and NPDES Permit Violations

1. Violations of NPDES Permit's Effluent Limitations

Part I.A of NPDES permit No. IN0000175 (at pages 3–15) provides the relevant numerical effluent limitations governing Outfalls 001, 002, 003, 011, 111. Part I.A of NPDES permit No. INJ060801 (at page 2) provides the relevant numerical effluent limitations governing Outfall 031. ArcelorMittal is alleged to be in violation of its NPDES permit's effluent limitations.

Attachment A, attached to this letter, contains a list of known exceedances of ArcelorMittal's numerical effluent limitations – both concentrations and loading – in both NPDES permits since January 1, 2015.These exceedances violate ArcelorMittal's NPDES permit and constitute violations of the Clean Water Act. There may also be more exceedances of the same or similar pollutants than provided in **Attachment A**. In the event that more exceedances are uncovered, those too are noticed in this letter. The violations in **Attachment A** are capable of repetition and constitute ongoing violations until the causes of such violations have been addressed and the risk of continued violations has been completely eradicated.

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[4] *Id*.

[5] IDEM AUGUST 19, 2019 PRESS RELEASE, *Update 3: IDEM and DNR Responding to reported fish kill* https://www.in.gov/idem/cleanwater/files/fish_kill_20190819_press_release.pdf, *archived at* https://perma.cc/C96L-G7DB.

2. Violations of NPDES Permit's Narrative Water Quality Standards

Part I.B.1 of ArcelorMittal Burns Harbor's NPDES Permit prohibits the discharge from any point source to cause receiving waters to contain pollutants that "are in amounts sufficient to be unsightly or deleterious" and "are in amounts sufficient to be acutely toxic to, or otherwise severely injure or kill aquatic life, other animals, plants, or humans." ArcelorMittal is alleged to be in violation of its NPDES permit's Narrative Water Quality Standards.

From August 11, 2019 to August 16, 2019, ArcelorMittal exceeded its effluent limitations for ammonia, Total Cyanide, and Free Cyanide at Outfall 001 in loads and concentrations great enough to cause significant fish kills in the East Branch of the Little Calumet River. IDNR estimated that 3,000 fish died as a result.[6]

Each of the ammonia, Total Cyanide, and Free Cyanide exceedances between August 11 to August 16, 2019 violates the Narrative Water Quality Standards in ArcelorMittal Burns Harbor's NDPES permit and constitutes a violation of the Clean Water Act. The exceedances caused discharges in amounts apparently sufficient to be acutely toxic to aquatic life, other animals, plants and, possibly, public health. In the event that similar harms occurred from other exceedances or discharges from ArcelorMittal Burns Harbor, those too are noticed. The violations above are capable of repetition and constitute ongoing violations until the causes of such violations have been addressed and the risk of continued violations has been completely eradicated.

3. Violations of NPDES Permit's Noncompliance Reporting Requirements

Part I.C of ArcelorMittal Burns Harbor's NPDES permit No. IN0000175 requires the company to notify IDEM when ArcelorMittal violates a term or condition or limitation of its NPDES permit and submit a noncompliance report within 5 days of reporting such noncompliance to IDEM. On multiple occasions, ArcelorMittal failed to submit a noncompliance report in compliance with Part I.C. ArcelorMittal is alleged to be in violation of its NPDES permit's reporting requirements.

Attachment B, attached to this letter, contains a list of exceedances of ArcelorMittal's numerical effluent limitations where there is either: (1) no record of ArcelorMittal ever notifying IDEM of such noncompliance or submitting the required noncompliance report, or (2) a noncompliance report submitted after the timeline required by the NPDES permit. These failures to notify and report violate ArcelorMittal's NPDES permit and constitute violations of the Clean Water Act. In the event that more noncompliance events occurred and ArcelorMittal failed to notify and/or provide the appropriate noncompliance report, those too are noticed. The violations in **Attachment B** are ongoing.

In addition, ArcelorMittal's failure to notify IDEM of the ammonia and cyanide exceedances beginning on August 11, 2019 constitute additional failures to comply with Part I.C of NPDES permit No. IN0000175. Part I.C. of ArcelorMittal Burns Harbor's NPDES permit requires Arcelor to notify IDEM "as soon as" ArcelorMittal becomes aware of "noncomplying

[6] *Id*.

circumstances" that "may pose a significant danger to human health or the environment." ArcelorMittal failed to comply with this requirement when it failed to notify IDEM "as soon as possible" following the ammonia and cyanide spills that began on August 11, 2019. These failures to notify as soon as possible are also recorded in **Attachment B**.

On August 12, 2019, ArcelorMittal was or should have been aware of the significant exceedances of its NPDES permit's numerical limitations for ammonia that occurred on August 11, 2019. The August 11th exceedances were significant enough that they "may pose a significant danger to human health or the environment," ArcelorMittal's failure to notify IDEM or otherwise report such significant noncompliance is a violation of Part I.C. and the Clean Water Act.

On August 14, 2019, ArcelorMittal was aware of the significant ammonia and Total Cyanide exceedance of its NPDES permit's numerical limitations that occurred on August 13, 2019. The August 13th exceedances were significant enough that they "may pose a significant danger to human health or the environment," ArcelorMittal's failure to notify IDEM or otherwise report such significant noncompliance is a violation of Part I.C. and the Clean Water Act.

It was not until August 15, 2019, after a significant fish kill occurred and multiple citizens had complained to IDEM and IDNR, that ArcelorMittal finally notified IDEM of its significant "noncomplying circumstances" that assuredly "pose[d] a significant danger to human health or the environment." ArcelorMittal's failures to notify IDEM on August 12, 2019, August 13, 2019, or August 14, 2019 violate the reporting requirements of its NPDES Permit and put the environment and public health at risk. These NPDES permit violations also violate the Clean Water Act.

4. Violations of NPDES Permits: Duty to Mitigate Noncompliance during the August 11 to August 16 Ammonia and Cyanide Spill

Part II.A.2 of NPDES Permit No. IN0000175 provides that ArcelorMittal shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with its permit. During periods of noncompliance, the permittee shall conduct such accelerated or additional monitoring for the affected parameters, as appropriate or requested by IDEM, to determine the nature and impact of the noncompliance. ArcelorMittal is alleged to be in violation of its NPDES permit's duty to mitigate.

First, ArcelorMittal's failure to notify IDEM, IDNR, and the public of its significant exceedances beginning on August 11, 2019 constitutes a failure to mitigate the harmful effects of ArcelorMittal Burns Harbor's noncompliance during the dangerous ammonia and cyanide spill.

Second, ArcelorMittal failed to minimize the adverse impacts to the environment resulting from its August 11 to August 16, 2019 ammonia and cyanide spills because it failed to conduct accelerated and additional monitoring of ammonia after August 11, 2019 and Total Cyanide after August 13, 2019. Such additional monitoring was "appropriate" due to the high levels of the exceedances. As such, ArcelorMittal should have conducted daily monitoring for ammonia beginning on and after August 12, 2019 and, for Total Cyanide, on or after August 14, 2019.

Likewise, due to the significant exceedance of Total Cyanide on August 13, 2019, ArcelorMittal should have begun conducting additional and accelerated monitoring of Free Cyanide on and after August 14, 2019.

Instead, upon information and belief, ArcelorMittal did not conduct any additional or accelerated monitoring until it was instructed to do so by IDEM on August 16, 2019. While the Part II.A.2 of the NPDES permit requires ArcelorMittal to conduct such additional and accelerated monitoring at the request of IDEM, it also requires ArcelorMittal to do it without being told to do so when the circumstances for it are "appropriate." The significant ammonia and Total Cyanide exceedances on August 11, 2019 and August 13, 2019 are "appropriate" circumstances for additional and accelerated monitoring. The lack of appropriate accelerated and additional monitoring violates ArcelorMittal's NPDES permit and the Clean Water Act. The violations above are capable of repetition and constitute ongoing violations until the causes of such violations have been addressed and the risk of continued violations has been completely eradicated.

5. Violation of NPDES Permit: Duty to Maintain Facility in Good Working Order.

Part II.B. of NPDES Permit No. IN0000175 provides that ArcelorMittal's Burns Harbor facility shall, at all times, maintain in good working order and efficiently operate all facilities and systems for the collection and treatment of pollutants, which are installed or used by the facility and which are necessary for achieving compliance with the term and conditions of its permit. ArcelorMittal is alleged to be in violation of its NPDES permit's duty to maintain its facility and pollution control technology in good working order.

ArcelorMittal's failure to maintain its Burns Harbor facilities in proper working order caused exceedances of its NPDES permit's numerical effluent limitations. **Attachment C**, attached to this letter, contains a list of effluent limitation exceedances that apparently occurred due to a failure to maintain required equipment in working order and, therefore, may reoccur in the future. In addition, **Attachment D**, attached to this letter, contains a list of the effluent limitation exceedances that apparently have an unknown cause, and, therefore, may reoccur in the future.

In addition, there appear to be serious problems with ArcelorMittal Burns Harbor's electricity supply and keeping the necessary electrical equipment in good working order. The failure of the electrical system and loss of power to the Blast Furnace Closed Water Pumping Station caused the dangerous ammonia and cyanide spill that occurred between August 11 to August 16, 2019. That was not the first instance of a power loss causing equipment failure at the Burns Harbor facilities. On February 5, 2019, a power outage caused a spill of 10,000 gallons of ammonia liquor.[7] Unless ArcelorMittal puts the power delivery and electrical system back in proper working order, future violations of ArcelorMittal's NPDES permit and the Clean Water Act could occur. The violations above are capable of repetition and constitute ongoing violations until the causes of such violations have been addressed and the risk of continued violations has been completely eradicated.

[7] Joseph Pete, *Ammonia Spill Cleaned Up at ArcelorMittal Burns Harbor*, Steelmaker Says, NWI.com, Feb. 12, 2019, *available at* https://www.nwitimes.com/business/ammonia-spill-cleaned-up-at-arcelormittal-burns-harbor-steelmaker-says/article_1413bcf9-9619-52b6-8f74-a39901729729.html, *archived at* https://perma.cc/HBC2-53Z4

Identification of Party Giving Notice and Counsel

The parties giving notice are as follows:

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ELPC and HEC is represented by the legal counsel identified below:

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Attorneys for the Environmental Law & Policy Center and Hoosier Environmental Council

* * *

Please contact the legal counsel identified above as soon as possible to discuss the allegations set forth in this notice letter. If this matter is not resolved to our satisfaction, we will exercise our right to file a citizen suit complaint under the Clean Water Act. Please let us know if ArcelorMittal has taken any steps to rectify the underlying causes of the ongoing violations described above, or if there is anything in this letter that is inaccurate. If ArcelorMittal does not notify us of any remedial actions or inaccuracies within the 60-day period, we will assume that no such actions have been taken, that the information in this letter is accurate, and that such violations are likely to continue or reoccur. We are willing to meet with ArcelorMittal or its representatives within the 60-day notice period to attempt to resolve these issues.

Sincerely,

/s/ Jeffrey Hammons
Jeffrey Hammons
Kiana Courtney

Attorneys for the Environmental Law & Policy

Copies via Certified Mail to:

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ATTACHMENT A

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Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Monitoring Period (Month-Year)	Sample Type	Noncompliance Date (on or about)
31	BOD, 5-day, 20 deg. C	45	mg/L	DAILY MX	**86**	Jun-2015	Grab	6/29/2015
1	Noel Statre 7Day Chronic Ceriodaphnia	100	%	MINIMUM	**48.96**	Jun-2015	24-Hr. Comp.	6/30/2015
1	Toxicity [chronic], Ceriodaphnia dubia	1	toxic	MAXIMUM	**2.04**	Jun-2015	24-Hr. Comp.	6/30/2015
1	LC50 Static Renewal 48Hr Acute Ceriodaphnia dubia	100	%	MINIMUM	**84.78**	Aug-2015	24-Hr. Comp.	10/13/2015
1	Toxicity [acute], Ceriodaphnia dubia	1	toxic	MAXIMUM	**1.18**	Aug-2015	24-Hr. Comp.	10/13/2015
1	Nitrogen, ammonia total [as N]	910	lb/d	DAILY MX	**952**	Feb-2016	24-Hr. Comp.	2/25/2016
1	Nitrogen, ammonia total [as N]	910	lb/d	DAILY MX	**977**	Feb-2016	24-Hr. Comp.	2/28/2016
1	Nitrogen, ammonia total [as N]	0.72	mg/L	7 DA MAX	**0.76**	Feb-2016	24-Hr. Comp.	2/28/2016
1	Nitrogen, ammonia total [as N]	645	lb/d	7 DA MAX	**750**	Feb-2016	24-Hr. Comp.	2/28/2016
31	Solids, total suspended	45	mg/L	DAILY MX	**65**	Mar-2016	Grab	3/25/2016
1	Noel Statre 7Day Chronic Ceriodaphnia	100	%	MINIMUM	**96.95**	Mar-2016	24-Hr. Comp.	3/31/2016
1	Toxicity [chronic], Ceriodaphnia dubia	1	toxic	MAXIMUM	**1.03**	Mar-2016	24-Hr. Comp.	3/31/2016
31	Solids, total suspended	45	mg/L	DAILY MX	**49**	Aug-2016	Grab	8/10/2016
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**577**	Aug-2016	24-Hr. Comp.	8/16/2016
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.55**	Aug-2016	24-Hr. Comp.	8/29/2016
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**604**	Aug-2016	24-Hr. Comp.	8/29/2016
1	Nitrogen, ammonia total [as N]	0.37	mg/L	7 DA MAX	**0.41**	Aug-2016	24-Hr. Comp.	8/30/2016
1	Nitrogen, ammonia total [as N]	385	lb/d	7 DA MAX	**460**	Aug-2016	24-Hr. Comp.	8/30/2016
31	Solids, total suspended	45	mg/L	DAILY MX	**120**	Mar-2017	Grab	3/1/2017
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**88**	Jul-2017	Thermometer	7/21/2017
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**87**	Jul-2017	Thermometer	7/28/2017
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**87**	Jul-2017	Thermometer	7/31/2017

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Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Monitoring Period (Month-Year)	Sample Type	Noncompliance Date (on or about)
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**87**	Aug-2017	Thermometer	8/1/2017
1	Nitrogen, ammonia total [as N]	385	lb/d	7 DA MAX	**450**	Aug-2017	24-Hr. Comp.	8/6/2017
1	Nitrogen, ammonia total [as N]	0.37	mg/L	7 DA MAX	**0.46**	Aug-2017	24-Hr. Comp.	8/6/2017
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**899**	Aug-2017	24-Hr. Comp.	8/6/2017
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.92**	Aug-2017	24-Hr. Comp.	8/6/2017
1	Phenolics, total recoverable	22	lb/d	DAILY MX	**27**	Sep-2017	24-Hr. Comp.	9/12/2017
1	Nitrogen, ammonia total [as N]	645	lb/d	7 DA MAX	**702**	Feb-2018	24-Hr. Comp.	2/26/2018
1	Temperature, water deg. fahrenheit	60	deg F	DAILY MX	**61**	Feb-2018	Thermometer	2/27/2018
1	Temperature, water deg. fahrenheit	60	deg F	DAILY MX	**62**	Feb-2018	Thermometer	2/28/2018
11	Oil and grease, hexane extr method	5584	lb/d	DAILY MX	**8286**	Mar-2018	Grab	3/18/2018
111	2,3,7,8-Tetrachlorodibenzofuran	10	pg/L	DAILY MX	**10.9**	Apr-2018	24-Hr. Comp.	4/10/2018
1	Nitrogen, ammonia total [as N]	0.74	mg/L	7 DA MAX	**0.81**	May-2018	24-Hr. Comp.	5/21/2018
1	Nitrogen, ammonia total [as N]	680	lb/d	7 DA MAX	**828**	May-2018	24-Hr. Comp.	5/21/2018
31	Solids, total suspended	45	mg/L	DAILY MX	**80**	Jun-2018	Grab	6/11/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**87**	Jul-2018	Thermometer	7/13/2018
111	2,3,7,8-Tetrachlorodibenzofuran	10	pg/L	DAILY MX	**29.4**	Jul-2018	24-Hr. Comp.	7/13/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**88**	Jul-2018	Thermometer	7/27/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**87**	Aug-2018	Thermometer	8/2/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**88**	Aug-2018	Thermometer	8/3/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**88**	Aug-2018	Thermometer	8/4/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**87**	Aug-2018	Thermometer	8/5/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**87**	Aug-2018	Thermometer	8/9/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**87**	Aug-2018	Thermometer	8/10/2018

ATTACHMENT A

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Monitoring Period (Month-Year)	Sample Type	Noncompliance Date (on or about)
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**89**	Aug-2018	Thermometer	8/12/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**90**	Aug-2018	Thermometer	8/13/2018
1	Temperature, water deg. fahrenheit	86	deg F	DAILY MX	**87**	Aug-2018	Thermometer	8/14/2018
31	Solids, total suspended	45	mg/L	DAILY MX	**55**	May-2019	Grab	5/2/2019
31	BOD, 5-day, 20 deg. C	45	mg/L	DAILY MX	**68**	May-2019	Grab	5/2/2019
31	Solids, total suspended	45	mg/L	DAILY MX	**70**	May-2019	Grab	5/30/2019
31	Solids, total suspended	45	mg/L	DAILY MX	**410**	Jun-2019	Grab	6/21/2019
31	BOD, 5-day, 20 deg. C	45	mg/L	DAILY MX	**80**	Jun-2019	Grab	6/21/2019
31	Solids, total suspended	30	mg/L	MO AVG	**37.7**	Jun-2019	Grab	Jun-19
1	Nitrogen, ammonia total [as N]	0.51	mg/L	DAILY MX	**0.63**	Jul-2019	24-Hr. Comp.	7/26/2019
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**673**	Jul-2019	24-Hr. Comp.	7/26/2019
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.91**	Aug-2019	24-Hr. Comp.	8/5/2019
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**892**	Aug-2019	24-Hr. Comp.	8/5/2019
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.92**	Aug-2019	24-Hr. Comp.	8/11/2019
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**911.3**	Aug-2019	24-Hr. Comp.	8/11/2019
11	Total Cyanide	21	lb/d	DAILY MX	**136**	Aug-2019	24-Hr. Comp.	8/12/2019
1	Free Cyanide	0.009	mg/L	DAILY MX	**0.16**	Aug-2019	24-Hr. Comp.	8/12/2019
1	Free Cyanide	9.9	lb/d	DAILY MX	**179**	Aug-2019	24-Hr. Comp.	8/12/2019
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**1**	Aug-2019	24-Hr. Comp.	8/12/2019
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**1117**	Aug-2019	24-Hr. Comp.	8/12/2019
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.8**	Aug-2019	24-Hr. Comp.	8/13/2019
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**890.6**	Aug-2019	24-Hr. Comp.	8/13/2019
1	Free Cyanide	0.009	mg/L	DAILY MX	**0.22**	Aug-2019	24-Hr. Comp.	8/13/2019

ATTACHMENT A

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Monitoring Period (Month-Year)	Sample Type	Noncompliance Date (on or about)
11	Total Cyanide	21	lb/d	DAILY MX	**187.9**	Aug-2019	24-Hr. Comp.	8/13/2019
11	Total Cyanide	21	lb/d	DAILY MX	**138**	Aug-2019	24-Hr. Comp.	8/14/2019
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.57**	Aug-2019	24-Hr. Comp.	8/14/2019
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**562**	Aug-2019	24-Hr. Comp.	8/14/2019
1	Free Cyanide	0.009	mg/L	DAILY MX	**0.106**	Aug-2019	24-Hr. Comp.	8/14/2019
1	Free Cyanide	9.9	lb/d	DAILY MX	**105**	Aug-2019	24-Hr. Comp.	8/14/2019
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.81**	Aug-2019	24-Hr. Comp.	8/15/2019
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**854.4**	Aug-2019	24-Hr. Comp.	8/15/2019
11	Total Cyanide	21	lb/d	DAILY MX	**109**	Aug-2019	24-Hr. Comp.	8/15/2019
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.53**	Aug-2019	24-Hr. Comp.	8/16/2019
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**554**	Aug-2019	24-Hr. Comp.	8/16/2019
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.53**	Aug-2019	24-Hr. Comp.	8/17/2019
11	Total Cyanide	21	lb/d	DAILY MX	**33.3**	Aug-2019	24-Hr. Comp.	8/17/2019

ATTACHMENT B

ATTACHMENT B

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Monitoring Period (Month-Year)	Noncompliance Date (on or about)	Part I.C. Failure to Report or Timely Report
1	Noel Statre 7Day Chronic Ceriodaphnia	100	%	MINIMUM	**48.96**	Jun-2015	6/30/2015	Y
1	Toxicity [chronic], Ceriodaphnia dubia	1	toxic	MAXIMUM	**2.04**	Jun-2015	6/30/2015	Y
1	LC50 Static Renewal 48Hr Acute Ceriodaphnia dubia	100	%	MINIMUM	**84.78**	Aug-2015	10/13/2015	Y
1	Toxicity [acute], Ceriodaphnia dubia	1	toxic	MAXIMUM	**1.18**	Aug-2015	10/13/2015	Y
31	Solids, total suspended	45	mg/L	DAILY MX	**65**	Mar-2016	3/25/2016	Y
1	Noel Statre 7Day Chronic Ceriodaphnia	100	%	MINIMUM	**96.95**	Mar-2016	3/31/2016	Y
1	Toxicity [chronic], Ceriodaphnia dubia	1	toxic	MAXIMUM	**1.03**	Mar-2016	3/31/2016	Y
1	Nitrogen, ammonia total [as N]	0.37	mg/L	7 DA MAX	**0.41**	Aug-2016	8/30/2016	Y
1	Nitrogen, ammonia total [as N]	385	lb/d	7 DA MAX	**460**	Aug-2016	8/30/2016	Y
31	Solids, total suspended	30	mg/L	MO AVG	**37.7**	Jun-2019	Jun-19	Y
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.92**	Aug-2019	8/11/2019	Y
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**911.3**	Aug-2019	8/11/2019	Y
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.8**	Aug-2019	8/13/2019	Y
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**890.6**	Aug-2019	8/13/2019	Y
11	Total Cyanide	21	lb/d	DAILY MX	**187.9**	Aug-2019	8/13/2019	Y

ATTACHMENT C

ATTACHMENT C

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Noncompliance Date (on or about)	Failure to Maintain?	Cause
1	Nitrogen, ammonia total [as N]	910	lb/d	DAILY MX	**952**	2/25/2016	Y	**Failure to maintain high lift pump at Blast Furnace Closed Water Pump Station**
1	Nitrogen, ammonia total [as N]	910	lb/d	DAILY MX	**977**	2/28/2016	Y	**Failure to maintain high lift pump at Blast Furnace Closed Water Pump Station**
1	Nitrogen, ammonia total [as N]	0.72	mg/L	7 DA MAX	**0.76**	2/28/2016	Y	**Failure to maintain high lift pump at Blast Furnace Closed Water Pump Station**
1	Nitrogen, ammonia total [as N]	645	lb/d	7 DA MAX	**750**	2/28/2016	Y	**Failure to maintain high lift pump at Blast Furnace Closed Water Pump Station**
31	Solids, total suspended	45	mg/L	DAILY MX	**49**	8/10/2016	Y	**Failure to maintain plant and prevent upset that occurred on August 9, 2016**
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**577**	8/16/2016	Y	**Failure to maintain, prevent, and remove uncovered pile of concrete containinated with ammonia sulfate**

ATTACHMENT C

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Noncompliance Date (on or about)	Failure to Maintain?	Cause
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.55**	8/29/2016	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and its automatic controls that maintain water balance**
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**604**	8/29/2016	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and its automatic controls that maintain water balance**
1	Nitrogen, ammonia total [as N]	0.37	mg/L	7 DA MAX	**0.41**	8/30/2016	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and its automatic controls that maintain water balance**
1	Nitrogen, ammonia total [as N]	385	lb/d	7 DA MAX	**460**	8/30/2016	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and its automatic controls that maintain water balance**
31	Solids, total suspended	45	mg/L	DAILY MX	**120**	3/1/2017	Y	**Failure to maintain plant and avoid bypass caused by precipitation and stormwater sources to sanitary sewers**
1	Temperature, water deg. fahrenheit	60	deg F	DAILY MX	**61**	2/27/2018	Y	**Failure to maintain water cannon intake and Lakewater Pump Stations in a manner that would not result in water cannon being offline when needed**

ATTACHMENT C

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Noncompliance Date (on or about)	Failure to Maintain?	Cause
1	Temperature, water deg. fahrenheit	60	deg F	DAILY MX	**62**	2/28/2018	Y	**Failure to maintain water cannon intake and Lakewater Pump Stations in a manner that would not result in water cannon being offline when needed**
111	2,3,7,8-Tetrachlorodibenzofuran	10	pg/L	DAILY MX	**10.9**	4/10/2018	Y	**Failure to maintain sludge bed to properly move sludge to center well**
31	Solids, total suspended	45	mg/L	DAILY MX	**55**	5/2/2019	Y	**Failure to maintain plant and avoid bypass caused by precipitation and stormwater sources to sanitary sewers**
31	BOD, 5-day, 20 deg. C	45	mg/L	DAILY MX	**68**	5/2/2019	Y	**Failure to maintain plant and avoid bypass caused by precipitation and stormwater sources to sanitary sewers**
31	Solids, total suspended	45	mg/L	DAILY MX	**70**	5/30/2019	Y	**Failure to maintain plant and prevent wet weather from causing sludge buildup in ponds onsite**
31	Solids, total suspended	45	mg/L	DAILY MX	**410**	6/21/2019	Y	**Failure to maintain plant and avoid bypass caused by precipitation and stormwater sources to sanitary sewers**

ATTACHMENT C

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Noncompliance Date (on or about)	Failure to Maintain?	Cause
31	BOD, 5-day, 20 deg. C	45	mg/L	DAILY MX	**80**	6/21/2019	Y	**Failure to maintain plant and avoid bypass caused by precipitation and stormwater sources to sanitary sewers**
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.92**	8/11/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**911.3**	8/11/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
11	Total Cyanide	21	lb/d	DAILY MX	**136**	8/12/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Free Cyanide	0.009	mg/L	DAILY MX	**0.16**	8/12/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Free Cyanide	9.9	lb/d	DAILY MX	**179**	8/12/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**

ATTACHMENT C

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Noncompliance Date (on or about)	Failure to Maintain?	Cause
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**1**	8/12/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**1117**	8/12/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.8**	8/13/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**890.6**	8/13/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Free Cyanide	0.009	mg/L	DAILY MX	**0.22**	8/13/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
11	Total Cyanide	21	lb/d	DAILY MX	**187.9**	8/13/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**

ATTACHMENT C

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Noncompliance Date (on or about)	Failure to Maintain?	Cause
11	Total Cyanide	21	lb/d	DAILY MX	**138**	8/14/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.57**	8/14/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**562**	8/14/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Free Cyanide	0.009	mg/L	DAILY MX	**0.106**	8/14/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Free Cyanide	9.9	lb/d	DAILY MX	**105**	8/14/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.81**	8/15/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**

ATTACHMENT C

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Noncompliance Date (on or about)	Failure to Maintain?	Cause
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**854.4**	8/15/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
11	Total Cyanide	21	lb/d	DAILY MX	**109**	8/15/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.53**	8/16/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**554**	8/16/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.53**	8/17/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**
11	Total Cyanide	21	lb/d	DAILY MX	**33.3**	8/17/2019	Y	**Failure to maintain Blast Furnace Closed Water Pump Station and prevent loss of power to system**

ATTACHMENT D

ATTACHMENT D

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Noncompliance Date (on or about)	Cause
31	BOD, 5-day, 20 deg. C	45	mg/L	DAILY MX	**86**	6/29/2015	Unknown
1	Noel Statre 7Day Chronic Ceriodaphnia	100	%	MINIMUM	**48.96**	6/30/2015	Unknown
1	Toxicity [chronic], Ceriodaphnia dubia	1	toxic	MAXIMUM	**2.04**	6/30/2015	Unknown
1	LC50 Static Renewal 48Hr Acute Ceriodaphnia dubia	100	%	MINIMUM	**84.78**	10/13/2015	Unknown
1	Toxicity [acute], Ceriodaphnia dubia	1	toxic	MAXIMUM	**1.18**	10/13/2015	Unknown
31	Solids, total suspended	45	mg/L	DAILY MX	**65**	3/25/2016	Unknown
1	Noel Statre 7Day Chronic Ceriodaphnia	100	%	MINIMUM	**96.95**	3/31/2016	Unknown
1	Toxicity [chronic], Ceriodaphnia dubia	1	toxic	MAXIMUM	**1.03**	3/31/2016	Unknown
1	Nitrogen, ammonia total [as N]	385	lb/d	7 DA MAX	**450**	8/6/2017	Unknown
1	Nitrogen, ammonia total [as N]	0.37	mg/L	7 DA MAX	**0.46**	8/6/2017	Unknown
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**899**	8/6/2017	Unknown
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.92**	8/6/2017	Unknown
1	Phenolics, total recoverable	22	lb/d	DAILY MX	**27**	9/12/2017	Unknown
1	Nitrogen, ammonia total [as N]	645	lb/d	7 DA MAX	**702**	2/26/2018	Unknown
11	Oil and grease, hexane extr method	5584	lb/d	DAILY MX	**8286**	3/18/2018	Unknown
1	Nitrogen, ammonia total [as N]	0.74	mg/L	7 DA MAX	**0.81**	5/21/2018	Unknown
1	Nitrogen, ammonia total [as N]	680	lb/d	7 DA MAX	**828**	5/21/2018	Unknown
31	Solids, total suspended	45	mg/L	DAILY MX	**80**	6/11/2018	Unknown
111	2,3,7,8-Tetrachlorodibenzofuran	10	pg/L	DAILY MX	**29.4**	7/13/2018	Unknown
31	Solids, total suspended	30	mg/L	MO AVG	**37.7**	Jun-19	Unknown
1	Nitrogen, ammonia total [as N]	0.51	mg/L	DAILY MX	**0.63**	7/26/2019	Unknown
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**673**	7/26/2019	Unknown

ATTACHMENT D

Outfall	Pollutant	Limit	Limit Unit	Type of Limit	DMR Value	Noncompliance Date (on or about)	Cause
1	Nitrogen, ammonia total [as N]	0.52	mg/L	DAILY MX	**0.91**	8/5/2019	Unknown
1	Nitrogen, ammonia total [as N]	540	lb/d	DAILY MX	**892**	8/5/2019	Unknown