



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

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Eric J. Holcomb  
Governor

Brian C. Rockensuess  
Commissioner

July 15, 2022

Tecumseh Redevelopment Inc  
c/o CT Corporation System  
334 N Senate Ave  
Indianapolis, IN 46204

Cleveland-Cliffs Burns Harbor LLC  
c/o CT Corporation System  
334 N Senate Ave  
Indianapolis, IN 46204

Re: Violation Letter  
ArcelorMittal Burns Harbor  
250 W US Hwy 12  
Burns Harbor, Porter County  
UST Facility ID # **2498**

Dear owners and operators:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on April 27, 2022.

The inspection was conducted pursuant to Indiana Code (IC) 13-14-2-2 to determine compliance with the provisions of IC 13-23 and 329 IAC 9. In accordance with IC 13-14-5, a summary of the inspection is provided below:

Type of Inspection: Initial

Results of Inspection: Violations were discovered and require a submittal.

Within thirty (30) days of receipt of this letter, documentation demonstrating compliance with each of the requirements listed in the attached Inspection Report and Description of Violations (DOV) must be submitted to IDEM. Failure to submit this documentation may lead to this facility being referred for enforcement.

An enforcement action may include civil penalties of up to \$10,000 per UST. Enforcement actions may also affect the owner's and/or operator's eligibility for reimbursement from the Excess Liability Trust Fund (ELTF). Additionally, IDEM may deem the UST's at this facility ineligible for delivery, deposit or acceptance of regulated substances pursuant to IC 13-23-1-4. Finally, federal and criminal penalties may apply for failure to provide required notification; or submitting false information pursuant to IC 13-23-14-2 and liable under IC 13-30-10.

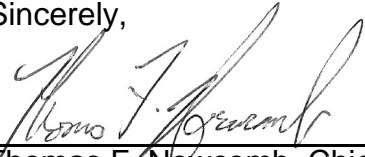
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # **2498**.

Inspector: John Metz  
Phone: (317) 296-0383

Direct any questions regarding the inspection to:

Compliance Manager: Chuck Phipps  
Phone: (317) 234-2808

Sincerely,



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Thomas F. Newcomb, Chief  
UST Compliance Section  
Office of Land Quality

cc: Chuck Phipps  
John Metz  
UST Facility ID File # 2498  
ArcelorMittal Burns Harbor LLC  
Attn: John Brett, CEO  
250 W US Highway 12  
Burns Harbor, IN 46304

ArcelorMittal Burns Harbor LLC  
Attn: Daniel Amling, [daniel.amling@arcelormittal.com](mailto:daniel.amling@arcelormittal.com)  
Attn: Robert Maciel, [robert.maciell@arcelormittal.com](mailto:robert.maciell@arcelormittal.com)  
Attn: [info@clevelandcliffs.com](mailto:info@clevelandcliffs.com)

### DESCRIPTION OF VIOLATIONS

This inspection or records review revealed that the owner and/or operator of this facility is in violation of Indiana UST Rule 329 IAC 9. 329 Indiana Administrative Code ("IAC") 9 incorporates certain federal underground storage tank requirements found in 40 Code of Federal Regulations ("CFR") Part 280, including those identified below. The Description of Violations (DOV) and corrective measures are as follows:

FACILITY NAME: <b>Arcelor Mittal Burns Harbor</b>	UST FACILITY ID: <b>2498</b>
ADDRESS: <b>250 W US Hwy 12, Burns Harbor, Porter County</b>	INSPECTION DATE: <b>04/27/2022</b>

### VIOLATIONS NOTED IN THIS INSPECTION

**§ 280.32(a)** – Failure to use a UST system that is compatible with the substance stored

Citation:

Pursuant to 40 CFR 280.32(a), owners and operators must use an UST system made of or lined with materials that are compatible with the substance stored in the UST system.

Violation Details:

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because the tank containing gasoline is not compatible with ethanol-blended fuels.*

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within fifteen (15) days of receipt of this notice submit documentation to IDEM proving the UST system or tank liners are fully compatible with the product found stored in the tanks during the inspection. If the owner and/or operator cannot prove compatibility, they must immediately cease storing the substance in the UST system until such a time as they can prove compatibility, upgrade the UST system or switch the product to one that is compatible. The UST owner and/or operator must submit proof of compliance with these requirements within forty five (45) days of receipt of this notice.



# UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **2498**

Inspector's Name:	John Metz
Date:	April 27, 2022
Time In:	11:40
Time Out:	13:20
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Arcelor Mittal Burns Harbor			FACILITY ADDRESS (number and street) 250 W US Hwy 12		
ADDRESS (line 2)		CITY Burns Harbor	STATE IN	ZIP CODE 46304	COUNTY Porter
UST OWNER					
UST Owner Name (If in Individual Capacity) Cleveland-Cliffs Burns Harbor, Inc.				BUSINESS ID (From the Secretary of State) 2004032600070	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS			
UST OPERATOR					
UST Operator Name (If in Individual Capacity) Cleveland-Cliff Burns Harbor LLC				BUSINESS ID (From the Secretary of State) 2004032600070	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
Mr	Daniel	A	Amling		
TELEPHONE NUMBER (219) 787-2712		EMAIL ADDRESS daniel.amling@clevelandcliffs.com			
PROPERTY OWNER					
UST Property Owner Name (If in Individual Capacity) Tecumseh Redevelopment Inc				BUSINESS ID (From the Secretary of State) 2002041200019	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> UNK
Notification Form submitted post-inspection					
O/O is in compliance with reporting & record keeping requirements			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> UNK
O/O is in compliance with release reporting or investigation			<input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> UNK
O/O is in compliance with all UST closure requirements			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> UNK
O/O has met all financial responsibility requirements			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> UNK
40 CFR 280, Subpart A installation requirements (partially excluded) met			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> UNK
40 CFR 280, Subpart B installation and upgrade requirements met			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> UNK
40 CFR 280, Subpart C spill/overfill control requirements met			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> UNK
40 CFR 280, Subpart C compatibility requirements met			<input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A <input type="checkbox"/> UNK
Tanks are not compatible with ethanol (see email)					
40 CFR 280, Subpart C O&M and testing requirements met			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> UNK
40 CFR 280, Subpart D release detection requirements met			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> UNK
40 CFR 280, Subpart J operator training requirements met			<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO <input type="checkbox"/> UNK
Submitted post-inspection					

The information contained on this page is based upon a review of files related to this site and/or observations from an underground storage tank inspector. This page may contain information not specifically related to possible violations found during the review or inspection and is meant to give the owners and/or operator specific information to assist them.

#### Site Maintains:

- Two (2) FG SW USTs (Owens Corning O-3)
- One (1) 12K REG GSL installed in January 1975
- One (1) 12K DSL installed in January 1977

Section Chief Note: The normal operational lifespan of a UST before failing is 25 to 30 years old. The USTs at this site are now 45 and 47 years old, likely out of warranty and the owner should start planning on removing or replacing them immediately.

- Piping is FG DW and European Suction

RD UST = ATG

RD Piping = Not Applicable

Overfill/Spill = Spill Buckets + Auto Shutoff (consistent)

ATG Certification = Y/N (date) - If fail, see comments

Overfill Protection Test = Y/N (date)- If fail see comments

Spill bucket Test = Y/N (date) - If fail see comments

Containment Sumps Test Required Y/N = (date) - If fail see comments

#### Site History:

Site is a facility with fueling capability. Eleven (11) USTs were removed/closed in place between 1988 and 1990 (Closure NF in VFC). Two (2) more USTs (tank 14 and 15) were registered but were then considered exempt since they stored heating oil and were connected to furnaces. Those were 4K and 30K USTs. Tanks are on 10th street, but inspectors must report to office at Hwy 12 cloverleaf prior to entering facility.

#### Contact Information

Daniel Amling daniel.amling@clevelandcliffs.com (contact prior to inspection)

#### Documentation provided at the time of the file review:

- (NF 8/2/2016, Approval 8/3/2016 - incorrect ownership/operator information)
- Certificate of Financial Responsibility (Policy 6/2021 to 6/2022)
- Operator Certificates A, B
- Release Detection Records CSLD 0.2 (REG, DSL) 3/2021 to 3/2022
- Tank Tightness Test 11/18/2021 (REG) - completed because no records on REG in November
- Testing invoice 2/3/2022 (Spill bucket testing, Overfill test, ATG test) - no test report provided
- Monthly walkthrough 6/2021 to 2/2022

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The following are AREAS OF CONCERN found during the inspection that will need to be addressed by the owner and/or operator:

1. Both spill buckets contained fluid and/or debris, and should be cleaned out.
2. Both UDCs contained

The following are VIOLATIONS discovered during the inspection that will need to be corrected within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program:

3. The tanks are not compatible with ethanol (owner/operator has expressed plans to pull tanks).