Air Quality Permitting
Response to Public Comments

September 18, 2017

Tier I Operating Permit No. T1-2016.0017
Project 61695

The Amalgamated Sugar Company LLC
Twin Falls, Idaho

Facility ID No. 083-00001

Prepared by:
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AIR QUALITY DIVISION

Final

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BACKGROUND

The Idaho Department of Environmental Quality (DEQ) provided for public comment draft Tier I operating permit to The Amalgamated Sugar Company LLC – Twin Falls from June 19, 2017 through July 19, 2017, in accordance with IDAPA 58.01.01.364. During this period, comments were submitted in response to DEQ's proposed action. Each comment and DEQ's response is provided in the following section. All comments submitted in response to DEQ's proposed action are included in the appendix of this document.

PUBLIC COMMENTS AND RESPONSES

Public comments regarding the technical and regulatory analyses and the air quality aspects of the proposed permit are summarized below. Questions, comments, and/or suggestions received during the comment period that did not relate to the air quality aspects of the permit application, the Department's technical analysis, or the proposed permit are not addressed. For reference purposes, a copy of the Rules for the Control of Air Pollution in Idaho can be found at:

http://adminrules.idaho.gov/rules/current/58/0101.pdf.

Comment 1: This permit is approximately twice the number of pages as previous Title V permits, due in large part to the inclusion of federal rules recited verbatim from the Code of Federal Regulations (CFR), and creation of lengthy summary tables. Reciting the rules from the CFR could lead a reviewer to conclude that certain provisions are applicable to TASCO, when under the site- specific circumstances, they are not. Rule summary tables can be misleading because they are not the complete rule and require referring to the entire rule for context and completeness. TASCO observes that this approach to including federal requirements subjects the permittee to potential scrutiny and increases the burden to comply. TASCO proposes that instead the Department include a reference to the federal part in the relevant portion of the permit, plus language that holds the permittee accountable for determining applicability and for compliance.

For example, in Section 13 of the draft permit "Boiler MACT" TASCO suggests that DEQ delete the thirty-five pages (35pp) that recite the rule, including provisions that apply, as well as those that do not apply, to the plant. Insert for Section 13 "Boiler MACT" using Tables 13.1 and 13.2: *The permittee is subject to 40 CFR Part 63, Subpart DDDDD. The permittee shall review 40 CFR Part 63, Subpart DDDDD, determine which portions of the Boiler MACT apply to the Keeler, Foster Wheeler, and B&W boilers, develop a compliance summary of those provisions, and ensure compliance with the applicable requirements. The compliance summary may be requested by the Department for review at any time.*

A similar approach may be applied to other federal requirements to streamline the permit without compromising completeness. A more streamlined document would ease implementation, compliance certifications, and recordkeeping for sources. This approach is consistent with EPA's current policies to reduce redundancy and clarify regulatory obligations.

Response 1: Title V permits require the inclusion of all applicable requirements to a source. DEQ has therefore incorporated all applicable requirements by recitation of the rule. DEQ reviews the facility's application to tailor federally applicable requirements to meet the facility's needs. Specific to the facility, non-applicable requirements have been removed from the permit as requested by the facility during the facility draft comment period.

Comment 2: Over the past couple of years, IDEQ has issued various PTC's to TASCO facilities for a variety of projects. Following the issuance of the PTC's, IDEQ has also required revisions to the Tier I Operating Permits prior to final approval to operate an existing modified source, modified facility or new source.

The increased regulatory burden to obtain a final PTC along with a revised Tier I Operating has significantly increased the PTC processing time. PTC processing time frames processes have approximately doubled to almost 1 year when both a PTC and revised Tier I Permit are required. The additional permitting time is not warranted, especially for minor modifications. Updates to the Tier I Operating Permit for minor modification generally involves only minor word changes or minor emissions changes.

TASCO proposes to meet with IDEQ to discuss this general comment and develop a streamlined process to change the Tier 1 permit. A streamlined process will expedite combined PTC and Tier I permit project time frames. If agreeable, language for a new general permit condition can be developed and incorporated into Section 3 (Facility Wide Conditions).

Response 2: DEQ acknowledges the comment and is available to meet to discuss the permitting process and timelines. If a permit condition in a new PTC contravenes a condition in the Tier I permit, the Tier I permit must be amended via one of the options in IDAPA 58.01.01.209. The requirements contained in IDAPA 58.01.01.209 lay out the options available for Tier I sources that apply for a Permit to Construct. These options vary depending on the nature and impact the Permit to Construct can have on the Tier I operating permit. The process can range from administratively amending the Tier I permit to incorporate the new PTC or to a modification of the Tier I permit that can increase the permitting timeframes.

Comment 3: Page 13, P.C. 3.22, Table 3.2 - This table was not included in the previous Tier I permit and is not needed. Many of these requirements have been addressed. At minimum, this condition should state that NSPS applies only to the FW boiler. Also, if kept, for continuity Table 3.3 should be moved to follow permit condition 3.33.

Response 3: NSPS/NESHAP general provisions tables are included in the Tier I operating permit when there are sources that are applicable to these requirements. In this case, the FW Boiler is subject to the NSPS and therefore the NSPS Subpart A general provisions are included.

Comment 4: Page 14, P.C. 3.22, Table 3.2, Section 60.13, Second bullet - The first sentence is difficult to understand and should be clarified.

Response 4: The first sentence of the second bullet in section 60.13 reads "A performance evaluation of the COMS or CEMS shall be conducted before or during any performance test and a written report of the results of the performance evaluation furnished." This sentence is verbatim from 40 CFR 60, Subpart A. This table is the standard table used in all DEQ issued Tier I operating permits when the facility has sources that are applicable to NSPS requirements.

Comment 5: Page 15, P.C. 3.23, Table 3.3 - This summary table was not included in the previous Tier I permit and is not needed. It could be a point of confusion since it does not include all the provisions of the rule. The permit only needs to reference 40 CFR Part 63. At minimum this condition should specify that NESHAPS only applies only to industrial boilers. Also, if kept, for continuity Table 3.3 should be moved to follow permit condition 3.33.

Response 5: Table 3.3 in the permit is taken from 40 CFR 63, Subpart A and is included in this Tier I renewal because the facility now has sources that are applicable to NESHAP requirements or in this case Boiler MACT. This table is the standard table used in all DEQ issued Tier I operating permits when the facility has sources that are applicable to NESHAP requirements.

Comment 6: Page 17, P.C. 3.24. The reference to strip-chart recordings should be deleted. TASCO does not use this technology.

Response 6: Permit Condition 3.24 is standard DEQ developed template language in all Tier I operating permits. Although TASCO does not use strip-chart recordings it is included in the template language for facilities that do employ this technology.

Comment 7: Page 18, P.C. 3.29. The semi-annual reports required under Subpart DDDDD are due on January 31 and July 31, which are more than 30 days specified in this permit condition. The mailing address for EPA should be the same as that cited in Table 3.3.

Response 7: Permit condition 3.29 has been changed to read that unless specified elsewhere in the permit, all periodic reports and certification required by the permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. The semi-annual report required under Subpart DDDDD are due on January 31 and July 31 as specified in permit condition 13.25.

Comment 8: Page 20, P.C. 3.33. For continuity if tables 3.2 and 3.3 are retained in the permit, they should be moved to follow this permit condition because it refers to Part 60 and Part 63.

Response 8: Permit Condition 3.33 is a DEQ developed permit facility wide condition that incorporates all NSPS and NESHAP requirements by reference.

Comment 9: Page 47, P.C. 3.33. IDEQ appears to have adjusted the Subpart DDDDD regulations copied into Section 13 to include IDEQ and exclude EPA in some instances. If EPA is still listed in a Section 13 permit condition (like in 13.8), is it supposed to be IDEQ or EPA?

Response 9: DEQ has been delegated authority to implement and enforce the NESHAP standards in Subpart DDDDD. Table 3.3 in Permit Condition 3.23 shows all requests, reports, applications, submittals, and other communications associated with 40 CFR 63 shall be submitted to USEPA and DEQ Twin Falls Regional Office .

Comment 10: Page 63, P.C. 13.25(b)(5). Should this condition [or rather P.C. 13.25 (b)] point to P.C. 16.26 for reporting periods? The Statement of Basis (page 80 DEQ Response to Facility Comment Page 87, P.C. 16.26) appears to support this change. Please clarify if this is incorrect. This would affect when compliance reports are submitted to DEQ and CEDRI that are required by 40 CFR 63.7550(c), 63.7550(h)(3), and Subpart DDDDD Table 9.

Response 10: The semi-annual monitoring reports required for the Title V permit include any monitoring reporting under Subpart DDDDD. In accordance with §63.7550(b)(5), for each affected source that is subject to permitting regulations pursuant to part 70 or part 71 of this chapter, and if the permitting authority has established dates for submitting semiannual reports pursuant to 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), the permittee may submit the first and subsequent compliance reports according to the dates the permitting authority has established in the permit instead of according to the dates in paragraphs (b)(1) through (4) of this section.

Comment 11: Page 78, P.C. 16.22. The second bullet indicates an initial compliance certification that addresses all of the terms and conditions contained in the Tier I Permit. What is the regulatory basis for an initial compliance certification? How does it differ from other certifications?

Response 11: An initial compliance certification would include any new sources that need to be certified during the compliance period. For instance, Subpart DDDDD sources would be considered new sources in this permitting term.

Comment 12: Page 11, Table 5.3. The PTE's for all three boilers should be combined in this table.

Response 12: The PTE for all three boilers was taken from the Tier I operating permit application and verified from an underlying PTC, P-2012.0054. The three boilers PTEs are summed at the bottom of the table with the other point sources at the facility.

Comment 13: Page 62, Section 7.6, (e). The notification of compliance status described here is a one-time event. Notice of Compliance Status (NOCS) have been submitted for both boilers. The Foster Wheeler has demonstrated compliance. For the B&W boiler when firing coal, a plan is being developed to demonstrate compliance. The rule is not clear with regard to the requirement to submit subsequent notices for the B&W. Subsequent compliance should be addressed in semi-annual reports, not with additional NOCS.

Response 13: According to 40 CFR 63.7541(e), the facility is required to submit a Notification of Compliance Status according to §63.9(h)(2)(ii).

Comment 14: Page 77, the second DEQ Response dealing with "Facility Comment: Page 15, P.C. 3.23, Table 3.3, Section 63.13". DEQ states that Permit Condition 13.28 outlines the timing and methods for submission of reports. It appears that the Draft Permit was changed and re-numbered after TASCO's initial comments. The Statement of Basis should reflect the revised number for the intended permit condition (13.25 in the Public Comment Draft Permit).

Response 14: This correction has been made.

Comment 15: According to the EPA's Enforcement and Compliance History Online (ECHO) database, this facility failed a stack test for carbon monoxide, total particulate matter and visible emissions on October 20, 2016. It would be practical for the DEQ to discuss in the Statement of Basis this failed test, the causes that lead to failure, and any changes made in this draft permit to ensure future stack tests have better results. At present, we could not find any mention of this failed stack test within either the Draft Permit or Statement of Basis.

We request that the DEQ provide information on what caused this failure. In addition, we ask the DEQ to describe what additional permit requirements have been included in this renewed permit to assure a failing result – and thus noncompliance with permit conditions – will not happen again.

Response 15: DEQ acknowledges that TASCO failed a stack test for the B&W boiler in 2016. TASCO has committed to running the boiler on natural gas until compliance can be demonstrated through the boiler MACT required performance test. DEQ is evaluating compliance and enforcement options currently. This failed stack test is an unresolved issue and isn't discussed in the Statement of Basis.

Comment 16: The first bullet point of permit condition 4.7 states:

Opacity excess emissions are defined as any six-minute period during which the average opacity of emissions exceeds 20% opacity, except that one six-minute average per hour of up to 27% opacity need not be reported.

The language of "need not be reported" is inconsistent with the language of 40 CFR 60.42(a)(2), which states:

Exhibit greater than 20 percent opacity except for one six-minute period per hour of not more than 27 percent opacity.

While the federal regulations allow for one six-minute period with greater than 20% opacity, they do not allow this period to be omitted from reporting. These emission periods are granted to exist by the permit, however they must still be reported by the facility. As such, the DEQ should remove the "need not be reported" language from this permit condition.

Response 16: The overall opacity standard set forth in 40 CFR 60.42(a)(2) does state no gases discharged into the atmosphere shall exhibit greater than 20 percent opacity except for one six-minute period per hour of not more than 27 percent opacity except in the excess emissions case in which 40 CFR 60.45(g)(1) states that excess emissions are defined as any six-minute period during which the average opacity of emissions exceeds 20 percent opacity, except that one six-minute average per hour of up to 27 percent opacity need not be reported. Permit Condition 4.7 is written verbatim from the CFR.

Comment 17: Page 17 of the Statement of Basis notes that the PM limits in permit conditions 4.8 and 5.1 are less stringent than the PM limit in permit condition 13.2. Permit condition 13.2 references 40 CFR 63.7500(f), which provides emission limits that are applicable whenever the boilers are operating, except during periods of startup and shutdown.
Since the requirements of 13.2 are applicable whenever the boilers are operating, we are confused over the multiple PM emission limits contained in permit conditions 4.8, 5.1 and 13.2, particularly given that two of them are less stringent requirements. To be consistent with all applicable federal requirements (e.g. §63.7500(f)), the DEQ must include the most stringent emission limits as permit conditions, which in this case appear to be those codified in permit condition 13.2.

If the DEQ ultimately retains multiple PM emission limits of variable stringency, then we request justification as to how this satisfies all applicable federal requirements.

Response 17: The different PM emission limits are all applicable requirements with different units of measure. Permit Conditions 4.8 and 5.1 are the state grain loading rules and are in units of gr/dscf. The PM limit from Permit Condition 13.2 is in units of lb/MMBtu. In addition, Permit Condition 13.2 applies to the Foster Wheeler and B&W Boilers only when they are fired with coal. When the two boilers are firing natural gas, there are no applicable emission limits under Boiler MACT. Therefore, it is prudent to keep all PM emission limits.

Comment 18: On page 17 of the Statement of Basis, the DEQ notes that the boiler facilities baghouse has historically been bypassed during startup events in order to keep it from getting clogged. This facility should immediately cease using this practice it they haven't done so already.

Table 3 in 40 CFR 63 Subpart DDDDD provides work practices standards that must be followed during startup and shutdown procedures, pursuant to §63.7500(f). Table 3 provides compliance options depending on which definition of "startup" (i.e. startup definition (1) or (2) in §63.7575) the facility choses to use. However, regardless of which definition of startup TASCO utilizes, both options require that the operator *"must vent emissions to the main stack(s) and engage all of the applicable control devices."*

Given this explicit instruction, TASCO cannot bypass its filter media at any point, including during startup and shutdown. The DEQ should include this requirement as a permit condition in order to comply with the requirements of Table 3. If the DEQ chooses not to include this as a permit requirement, we request information on how this permit will ensure compliance with the requirements listed in Table 3.

Response 18: Permit Condition 13.3 (Work Practice Provisions) includes two startup options for complying with the work practice standards. Startup definition 1 in §63.7575 states that emissions must be vented to the main stack and all applicable control devices must be engaged except a fabric filter (among others). The facility must start the fabric filter as expeditiously as possible. Startup ends when steam or heat is supplied for any purpose. Startup definition 2 in §63.7575 states that once the boilers are firing fuels that are not clean fuels, the emissions must be vented to the main stack(s) and all applicable control devices must be engaged. The facility must engage and operate PM control within one hour of first feeding fuels that are not clean fuels. The facility is also required to implement a written startup and shutdown plan as specified in §63.7505(e).

Comment 19: Permit Conditions 3.25 through 3.28 of the Draft Permit stipulate that the permittee notify the DEQ of their intent to conduct performance testing at least fifteen (15) days prior to the scheduled test. Please note, 40 CFR 60.8(d) requires the owner or operator of a facility to provide at least 30 days prior notice of any performance test.

We request that the DEQ revise the Draft Permit to require at least 30 days prior notice of any performance test to be consistent with 40 CFR 60.8(d). As noted in previous comments, the facility has recently failed certain performance tests. In light of this, it may be prudent for DEQ staff to be present during future testing. Providing thirty (30) days notice of upcoming tests will better support DEQ's scheduling efforts and provide greater assurance that DEQ could be present on site if necessary.

Response 19: Permit Conditions 3.25 through 3.28 are standard template conditions in a Tier I operating permit per IDAPA 58.01.01.157. The NSPS Subpart A, General Provisions provides for 30 days prior notice of any NSPS required performance tests as shown in Permit Condition 3.22.

Comment 20: Section 7.5 in the Statement of Basis states that the facility is not subject to any NESHAP standards in 40 CFR 61. However, neither the SOB nor the Draft Permit includes an emission inventory of individual HAPs. Therefore, anyone reviewing this draft is unable to assess whether this facility is in fact not subject to 40 CFR 61.

The DEQ should include a HAPs emission inventory that lists individual HAPs and their corresponding emission volumes. We request to see such an inventory to assess the NESHAP applicability status.

Response 20: A HAPs emission summary is included in Appendix A of the Statement of Basis. HAPs and associated regulations are evaluated in underlying PTCs. Please see P-2012.0054 issued on November 9, 2012 for more information.

Appendix

Public Comments Submitted for

Tier I Operating Permit

T1-2016.0017

Amalgamated Sugar
Pure. Sweet. Grower-Owned.

July 18, 2017

Tanya Chin
Air Quality Division
Department of Environmental Quality
1410 N. Hilton St.
Boise, ID 83706

Re: Facility ID No. 083-00001, The Amalgamated Sugar Company LLC, Twin Falls
Comments on Draft Tier 1 Operating Permit No. T1-2016.0017

Dear Ms. Chin:

Amalgamated Sugar has reviewed the draft permit and associated statement of basis for our Twin Falls beet sugar manufacturing facility which were made available for public review on June 19, 2017. Amalgamated Sugar previously submitted comments on the facility draft permit documents on May 31, 2017. We appreciate seeing that the permit documents were updated to accommodate many of our comments. However, our company has general and specific comments on the updated Draft Permit and Statement of Basis. These comments are included in the attached document:

-General and specific comments on Draft Tier I Operating Permit No. T1-2016.0017 and supporting Statement of Basis.

Thank you for this opportunity to comment on the draft operating permit documents. Should you have any questions or wish to meet to discuss any details of the permit, please contact Gary Lowe, Environmental Manager at (208) 733-4104 or Bob Braun, Corporate Environmental Engineering Manager at (208) 383-6500.

Sincerely,

Jorge deVarona

Jorge deVarona
Plant Manager

Enclosure

cc: Dean DeLorey
Gary Lowe

THE AMALGAMATED SUGAR COMPANY LLC
P.O. Box 127 • Twin Falls, ID 83303 • Phone: (208) 733-4104 • Fax: (208) 735-5433

July 18, 2017

The Amalgamated Sugar Company LLC
Twin Falls Facility, Docket No. AQ-1578
Comments on June 19, 2017 Draft Tier I Operating Permit No. T1-2016.0017

General Comment – Federal Regulation Citations

This permit is approximately twice the number of pages as previous Title V permits, due in large part to the inclusion of federal rules recited verbatim from the Code of Federal Regulations (CFR), and creation of lengthy summary tables. Reciting the rules from the CFR could lead a reviewer to conclude that certain provisions are applicable to TASCO, when under the site-specific circumstances, they are not. Rule summary tables can be misleading because they are not the complete rule and require referring to the entire rule for context and completeness. TASCO observes that this approach to including federal requirements subjects the permittee to potential scrutiny and increases the burden to comply. TASCO proposes that instead the Department include a reference to the federal part in the relevant portion of the permit, plus language that holds the permittee accountable for determining applicability and for compliance.

For example, in Section 13 of the draft permit "Boiler MACT" TASCO suggests that DEQ delete the thirty-five pages (35pp) that recite the rule, including provisions that apply, as well as those that do not apply, to the plant. Insert for Section 13 "Boiler MACT" using Tables 13.1 and 13.2: *The permittee is subject to 40 CFR Part 63, Subpart DDDDD. The permittee shall review 40 CFR Part 63, Subpart DDDDD, determine which portions of the Boiler MACT apply to the Keeler, Foster Wheeler, and B&W boilers, develop a compliance summary of those provisions, and ensure compliance with the applicable requirements. The compliance summary may be requested by the Department for review at any time.*

A similar approach may be applied to other federal requirements to streamline the permit without compromising completeness. A more streamlined document would ease implementation, compliance certifications, and recordkeeping for sources. This approach is consistent with EPA's current policies to reduce redundancy and clarify regulatory obligations.

General Comment – Permit to Construct & Renewed Tier I Operating Permits

Over the past couple of years, IDEQ has issued various PTC's to TASCO facilities for a variety of projects. Following the issuance of the PTC's, IDEQ has also required revisions to the Tier I Operating Permits prior to final approval to operate an existing modified source, modified facility or new source.

The increased regulatory burden to obtain a final PTC along with a revised Tier I Operating has significantly increased the PTC processing time. PTC processing time frames processes have approximately doubled to almost 1 year when both a PTC and revised Tier I Permit are required. The additional permitting time is not warranted, especially for minor modifications. Updates to

the Tier I Operating Permit for minor modification generally involves only minor word changes or minor emissions changes.

TASCO proposes to meet with IDEQ to discuss this general comment and develop a streamlined process to change the Tier I permit. A streamlined process will expedite combined PTC and Tier I permit project time frames. If agreeable, language for a new general permit condition can be developed and incorporated into Section 3 (Facility Wide Conditions).

Comments on the Tier I Operating Permit

1. Page 13, P.C. 3.22, Table 3.2. This table was not included in the previous Tier I permit and is not needed. Many of these requirements have been addressed. At minimum, this condition should state that NSPS applies only to the FW boiler. Also, if kept, for continuity Table 3.3 should be moved to follow permit condition 3.33.
2. Page 14, P.C. 3.22, Table 3.2, Section 60.13, Second bullet. The first sentence is difficult to understand and should be clarified.
3. Page 15, P.C. 3.23, Table 3.3. This summary table was not included in the previous Tier I permit and is not needed. It could be a point of confusion since it does not include all the provisions of the rule. The permit only needs to reference 40 CFR Part 63. At minimum this condition should specify that NESHAPS only applies to industrial boilers. Also, if kept, for continuity Table 3.3 should be moved to follow permit condition 3.33.
4. Page 17, P.C. 3.24. The reference to strip-chart recordings should be deleted. TASCO does not use this technology.
5. Page 18, P.C. 3.29. The semi-annual reports required under Subpart DDDDD are due on January 31 and July 31, which are more than 30 days specified in this permit condition. The mailing address for EPA should be the same as that cited in Table 3.3.
6. Page 20, P.C. 3.33. For continuity if tables 3.2 and 3.3 are retained in the permit, they should be moved to follow this permit condition because it refers to Part 60 and Part 63.
7. Page 47, P.C. 3.33. IDEQ appears to have adjusted the Subpart DDDDD regulations copied into Section 13 to include IDEQ and exclude EPA in some instances. If EPA is still listed in a Section 13 permit condition (like in 13.8), is it supposed to be IDEQ or EPA?
8. Page 63, P.C. 13.25(b)(5). Should this condition [or rather P.C. 13.25 (b)] point to P.C. 16.26 for reporting periods? The Statement of Basis (page 80 DEQ Response to Facility Comment Page 87, P.C. 16.26) appears to support this change. Please clarify if this is incorrect. This would affect when compliance reports are submitted to DEQ and CEDRI that are required by 40 CFR 63.7550(c), 63.7550(h)(3), and Subpart DDDDD Table 9.
9. Page 78, P.C. 16.22. The second bullet indicates an initial compliance certification that addresses all of the terms and conditions contained in the Tier I Permit. What is the

regulatory basis for an initial compliance certification. How does it differ from other certifications?

Comments on Draft Statement of Basis

1. Page 11, Table 5.3. The PTE's for all three boilers should be combined in this table.
2. Page 62, Section 7.6, (e). The notification of compliance status described here is a one-time event. Notice of Compliance Status (NOCS) have been submitted for both boilers. The Foster Wheeler has demonstrated compliance. For the B&W boiler when firing coal, a plan is being developed to demonstrate compliance. The rule is not clear with regard to the requirement to submit subsequent notices for the B&W. Subsequent compliance should be addressed in semi-annual reports, not with additional NOCS.
3. Page 77, the second DEQ Response dealing with "Facility Comment: Page 15, P.C. 3.23, Table 3.3, Section 63.13". DEQ states that Permit Condition 13.28 outlines the timing and methods for submission of reports. It appears that the Draft Permit was changed and re-numbered after TASCO's initial comments. The Statement of Basis should reflect the revised number for the intended permit condition (13.25 in the Public Comment Draft Permit).

IDAHO
CONSERVATION
LEAGUE

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7/19/17

Tanya Chin
Air Quality Division
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1410 N. Hilton
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Submitted via email: kelli.wetzel@deq.idaho.gov and tanya.chin@deq.idaho.gov

RE: Tier I Air Quality Permit Renewal for Amalgamated Sugar, Twin Falls

Dear Ms. Chin and Ms. Wetzel:

Thank you for the opportunity to comment on the draft Tier I permit renewal for Amalgamated Sugar in Twin Falls, ID.

Since 1973, the Idaho Conservation League has been Idaho's leading voice for clean water, clean air and wilderness—values that are the foundation for Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through public education, outreach, advocacy and policy development. As Idaho's largest state-based conservation organization, we represent over 25,000 supporters, many of whom have a deep personal interest in protecting Idaho's air quality.

Our detailed comments are provided following this letter. Please do not hesitate to contact me at 208-345-6933 ext. 23 or ahopkins@idahoconservation.org if you have any questions regarding our comments or if we can provide you with any additional information on this matter.

Sincerely,

Austin Hopkins
Conservation Associate

Recent Failures in Stack Testing

According to the EPA's Enforcement and Compliance History Online (ECHO) database, this facility failed a stack test for carbon monoxide, total particulate matter and visible emissions on October 20, 2016[1]. It would be practical for the DEQ to discuss in the Statement of Basis this failed test, the causes that lead to failure, and any changes made in this draft permit to ensure future stack tests have better results. At present, we could not find any mention of this failed stack test within either the Draft Permit or Statement of Basis.

We request that the DEQ provide information on what caused this failure. In addition, we ask the DEQ to describe what additional permit requirements have been included in this renewed permit to assure a failing result – and thus noncompliance with permit conditions – will not happen again.

Visible Opacity Emission Limits

The first bullet point of permit condition 4.7 states:

> *Opacity excess emissions are defined as any six-minute period during which the average opacity of emissions exceeds 20% opacity, except that one six-minute average per hour of up to 27% opacity need not be reported.*

The language of "need not be reported" is inconsistent with the language of 40 CFR 60.42(a)(2), which states:

> *Exhibit greater than 20 percent opacity except for one six-minute period per hour of not more than 27 percent opacity.*

While the federal regulations allow for one six-minute period with greater than 20% opacity, they do not allow this period to be omitted from reporting. These emission periods are granted to exist by the permit, however they must still be reported by the facility. As such, the DEQ should remove the "need not be reported" language from this permit condition.

Discrepancy between PM Emission Limits

Page 17 of the Statement of Basis notes that the PM limits in permit conditions 4.8 and 5.1 are less stringent than the PM limit in permit condition 13.2. Permit condition 13.2 references 40 CFR 63.7500(f), which provides emission limits that are applicable whenever the boilers are operating, except during periods of startup and shutdown[2].

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[1] For Detailed Facility Report see: https://echo.epa.gov/detailed-facility-report?fid=110000468388

[2] During these periods emissions must comply with Table 3 in Subpart DDDDD

Since the requirements of 13.2 are applicable whenever the boilers are operating, we are confused over the multiple PM emission limits contained in permit conditions 4.8, 5.1 and 13.2, particularly given that two of them are less stringent requirements. To be consistent with all applicable federal requirements (e.g. §63.7500(f)), the DEQ must include the most stringent emission limits as permit conditions, which in this case appear to be those codified in permit condition 13.2.

If the DEQ ultimately retains multiple PM emission limits of variable stringency, then we request justification as to how this satisfies all applicable federal requirements.

Emission Control During Startup

On page 17 of the Statement of Basis, the DEQ notes that the boiler facilities baghouse has historically been bypassed during startup events in order to keep it from getting clogged. This facility should immediately cease using this practice it they haven't done so already.

Table 3 in 40 CFR 63 Subpart DDDDD provides work practices standards that must be followed during startup and shutdown procedures, pursuant to §63.7500(f). Table 3 provides compliance options depending on which definition of "startup" (i.e. startup definition (1) or (2) in §63.7575) the facility choses to use. However, regardless of which definition of startup TASCO utilizes, both options require that the operator *"must vent emissions to the main stack(s) and engage all of the applicable control devices."*

Given this explicit instruction, TASCO cannot bypass its filter media at any point, including during startup and shutdown. The DEQ should include this requirement as a permit condition in order to comply with the requirements of Table 3. If the DEQ choses not to include this as a permit requirement, we request information on how this permit will ensure compliance with the requirements listed in Table 3.

Performance Testing Notice

Permit Conditions 3.25 through 3.28 of the Draft Permit stipulate that the permittee notify the DEQ of their intent to conduct performance testing at least fifteen (15) days prior to the scheduled test. Please note, 40 CFR 60.8(d) requires the owner or operator of a facility to provide at least 30 days prior notice of any performance test.

We request that the DEQ revise the Draft Permit to require at least 30 days prior notice of any performance test to be consistent with 40 CFR 60.8(d). As noted in previous comments, the facility has recently failed certain performance tests. In light of this, it may be prudent for DEQ staff to be present during future testing. Providing thirty (30) days notice of upcoming tests will better support DEQ's scheduling efforts and provide greater assurance that DEQ could be present on site if necessary.

NESHAP Applicability

Section 7.5 in the Statement of Basis states that the facility is not subject to any NESHAP standards in 40 CFR 61. However, neither the SOB nor the Draft Permit includes an emission inventory of individual HAPs. Therefore, anyone reviewing this draft is unable to assess whether this facility is in fact not subject to 40 CFR 61.

The DEQ should include a HAPs emission inventory that lists individual HAPs and their corresponding emission volumes. We request to see such an inventory to assess the NESHAP applicability status.