



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
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CHICAGO, IL 60604-3590

FEB 13 2013

REPLY TO THE ATTENTION OF:

Andrew Stewart
Chief
Permits and Stationary Source Modeling Section
Bureau of Air Management
Wisconsin Department of Natural Resources
PO Box 7921
Madison, Wisconsin 53707-7921

Dear Mr. Stewart:

I am writing with respect to the draft permit for the 3M Prairie du Chien facility, permit numbers 11-SJZ-179 and 612023940-P10. EPA has reviewed the Preliminary Determination and draft permit and has the following comments:

1. The first sentence of the introductory paragraph under Part I of the permit is confusing. While the intent is to say that the terms of Part I are effective without regard to the status of the Green Tier Participant Contract, it seems to actually say Part I is only effective if the Participant Contract is effective. We also feel the discussion of Part III of the permit is not relevant to this section. Rather than having the introductory paragraph under Part I, we recommend expanding the discussion of each section of the permit under the preamble.
2. The facility wide cap in I.ZZZ.5 of the permit establishes the facility as a synthetic minor source. EPA recommends specifying that relaxation of this limit to allow 250 tons per year or more of volatile organic compound emissions at the facility in the future would constitute a relaxation under 40 CFR 52.21(r)(4) and NR 405.16(2).
3. The compliance demonstration method in I.I.1.b.2, I.N.1.b.1 (a), I.O.1.b.3 (a), I.T.1.b.1 (a), and I.U.3.b.1 (a) all use the equation " $X = (EF) * (\text{Throughput}/2000 \text{ lb/ton})$ ", where EF is an emission factor of lb VOC/ lb material throughput. The permit does not describe how the emission factor is to be determined, nor does it specify the records required to determine the emission factor. The corresponding recordkeeping provisions require 3M to keep records of the "emission factors, process throughput, and any other information used to calculate the volatile organic compound emissions," and "the method used to calculate the volatile organic compound emissions." The monitoring requirements at 40 CFR 70.6(a)(3)(i)(A) and (B) and 70.6(c)(1) are designed to address the statutory requirement that "[e]ach permit issued under [title V] shall set forth...monitoring...requirements to assure compliance with permit terms and conditions." 42 U.S.C. § 7661c(c). Permitting authorities must take three steps to satisfy the monitoring requirements of the part 70 regulations. First, under 40 CFR

70.6(a)(3)(i)(A), permitting authorities must ensure that monitoring requirements contained in applicable requirements are properly incorporated into the title V permit. Second, if the applicable requirement contains no periodic monitoring, 40 CFR 70.6(a)(3)(i)(B) requires the addition of “periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source’s compliance with the permit.” Third, pursuant to 40 CFR 70.6(c)(1), if there is some periodic monitoring in the applicable requirement, but that monitoring is not sufficient to assure compliance with permit terms and conditions, permitting authorities must supplement monitoring to assure such compliance. It is EPA’s position that the monitoring and compliance demonstration requirements in the permit sections identified do not meet the monitoring requirements of part 70. The permit should include the specific data to be collected and the specific method to be used to calculate emissions.

4. The requirements for Process P40 in section I.I of the permit provide a limitation on visible emissions. The compliance demonstration for visible emissions for this process states that “the compliance demonstration requirements in I.I.1.b for particulate matter emissions also serve as the compliance demonstration requirements for visible emissions.” Process P40 does not have any particulate matter limitations. The section referenced is for volatile organic compound emissions. Please provide an appropriate compliance demonstration for the visible emissions limitation for Process P40.
5. The compliance demonstration and recordkeeping and monitoring requirements for the total facility volatile organic compound synthetic minor cap in I.ZZZ.5 are not enforceable as a practical matter. The permit should reflect the specific method that will be used to determine facility emissions and specify the specific data that must be collected.

In addition, we believe that some of the citations to other permit conditions in I.ZZZ.5.b.(2).(b) are incorrect. For example, I.U.1.b.(2) is the compliance demonstration for particulate matter emissions at Process P69. Please correct the citations.

6. Part III of the permit appears to contain Alternative Operating Scenarios (AOS) in sections III.F, III.G, III.H, III.J, and III.L. In accordance with the Flexible Air Permitting Rule, “when deciding to approve an AOS, the permitting authority must ensure that the proposed operating scenarios are adequately described for each relevant emissions unit such that all applicable requirements associated with each scenario are identified and appropriate terms and conditions to assure compliance with these requirements...are included in the permit.” 74 FR 51418. The provisions in III.G, III.H, III.J and III.L do not provide adequate detail, as certain limitations would be determined at a later date. Additionally, the compliance demonstration for certain volatile organic compound emissions have the same deficiencies identified in the comments above. Additionally, the permit should require the facility to record the change to an AOS in a log. 40 CFR 70.6(9)(i).

We look forward to working with you to address all of our comments. If you have any further questions, please contact Rachel Rineheart, of my staff, at (312) 886-7017.

Sincerely,

A handwritten signature in cursive script that reads "Genevieve Damico".

Genevieve Damico
Chief
Air Permits Section