



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 14 1995

REPLY TO THE ATTENTION OF:
(AT-18J)

Dale Ziege
Bureau of Air Management
State of Wisconsin
Department of Natural Resources
101 South Webster Street
P.O. Box 7921
Madison, WI 53707

Dear Mr. Ziege:

This letter is in regards to the Wisconsin Department of Natural Resources Title V permit for Metal Container Corporation, permit number 128059250.P01. In reviewing the background information for the Title V permit, we found that in 1988, the source was issued a New Source Review (NSR) Prevention of Significant Deterioration (PSD) permit for a new facility, and that another (NSR) permit, 94-POY-011, had been issued for a proposed modification of 39.3 tons per year (tpy) of Volatile Organic Compounds (VOC). In the 1994 permit, the source made a modification involving a debottlenecking which provided for a VOC emission increase. The increase from this modification was limited to below PSD major modification level by a plant wide emission cap intended to restrict the modification to a 39.3 tpy increase. The cap was defined only in terms of an emission rate.

This emission limitation alone may not restrict Potential to Emit (PTE) according to the EPA issued guidance memorandum of June 13, 1989, entitled "Guidance on Limiting Potential to Emit in New Source Permitting." This memo states that, "An emission limitation alone would limit PTE only when it reflects the absolute maximum that the source could emit without controls or other operational restrictions." It appears that the debottlenecking modification may be subject to Prevention of Significant Deterioration (PSD) requirements, unless further operational limitations are shown in order to appropriately limit the PTE for the facility or the modification, as appropriate. If the emission cap limit appears in the Title V permit without supporting limits, the Title V permit may not be sufficient to keep this source shielded from PSD eligibility. In 40 Code of Federal Regulations 70.6(a)(1), it states that the permit shall include emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance.

We would like to thank WDNR for their cooperation in this matter. If you have any further questions regarding this letter or would like to discuss the matter further, please contact Laura Gire at (312) 886-5031.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert Miller". The signature is fluid and cursive, with a prominent initial "R" and "M".

Robert Miller, Chief
Permits and Grants Section

cc: Renee Lesjak Bashel
Wisconsin Department of Natural Resources