



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

AUG 07 2014

REPLY TO THE ATTENTION OF:

Ms. Kristin Hart
Chief
Permits and Stationary Source Modeling Section
Bureau of Air Management
Wisconsin Department of Natural Resources
PO Box 7921
Madison, Wisconsin 53707-7921

Dear Ms. Hart:

The U.S. Environmental Protection Agency has the following comment on the Wisconsin Department of Natural Resources (WDNR)'s draft of renewal for the Title V Operating permit for Five Star Coatings Group, INC. (#230197000-P10).

In order to ensure that the project meets Federal Clean Air Act requirements, that the permit will provide necessary information so that the basis for the permit decision is transparent and readily accessible to the public, and that the permit record provides adequate support for the decision, EPA has the following comment:

The permit contains over 15 footnotes. In some cases where the footnote is purely informational, such as footnote (b) on page 10 which provides a note of the year of construction of a flow coating line, the use of a footnote may be appropriate. However, the majority of the footnotes included in the permit seem to contain permit conditions that should be enforceable. For example, footnote (1) on page 10 states, "It is assumed that a thermal oxidizer is used as the add-on control option. If the add-on control device is not a thermal oxidizer, the owner or operator shall comply with all applicable requirements in s. NR 465.38, Wis. Adm Code, for such add-on control device(s)." In this case, as with the footnotes on pages 8, 10, 28, and 31, the footnote indicates that if the permittee chooses to follow a different option than what is assumed in the permit, they would be subject to a different requirement. As EPA has previously communicated to WDNR, EPA does not believe that information included in footnotes are federally enforceable permit conditions. Many of these footnotes seem to represent alternate operating scenarios and should be included as enforceable permit conditions along with appropriate compliance demonstration methods. Alternatively, the footnotes could be removed from the permit entirely and the source could be required to request a revision to their permit in order to make changes to the method of operation. Please review all the footnotes in the permit and ensure that any footnote that contains requirements that are intended to be enforceable are included in the permit as permit conditions.

We look forward to working with you to address all of our comments. If you have any further questions, please feel free to contact Andrea Morgan, of my staff, at (312) 353-6058.

Sincerely,



Genevieve Damico
Chief
Air Permits Section