



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

JUL 11 2016

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 comments on the Wisconsin Department of Natural Resources' (WDNR) combined draft initial Title V permit and new source review permit for Graymont Western Lime, Inc. - Eden Plant (Graymont), permit number #420042480-P30. In order to ensure that the project meets federal Clean Air Act (CAA) 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 recommends that the following points be addressed:

- 1) 40 CFR 70.5(c)(3) requires the source to provide emission-related information as part of the permit application, including all emissions of pollutants for which the source is major and emissions of all regulated air pollutants. Pursuant to 40 CFR 70.2, "regulated air pollutant" includes "Any pollutant for which a national ambient air quality standard (NAAQS) has been promulgated" and thus includes particulate matter of less than 2.5 micrometers (PM<sub>2.5</sub>). Further, 40 CFR 70.3(d) requires that fugitive emissions from a Part 70 source must "be included in the permit application and Part 70 permit in the same way as stack emissions, regardless of whether the source category in question is included in the list of sources contained in the definition of major source." WDNR's February 2016 report entitled "Air Quality Review of Industrial PM<sub>2.5</sub> from Stationary Sources in Wisconsin" (henceforth referred to as the TSD), states that mechanical units are not likely to "cause or contribute to a violation of the NAAQS". A determination that an emission unit does not cause or contribute to a violation of the NAAQS does not necessarily equate to no emissions from the unit. As frequently seen in ambient air impact analyses, an emission unit can emit significant quantities of a pollutant and still not cause, by itself, a violation of the NAAQS. WDNR's statement that mechanical units are unlikely to "cause or contribute to a violation of the NAAQS" does not address the explicit Part 70 requirements to quantify emissions rates. As WDNR's TSD relies upon an analysis of regional ambient air monitoring and provides little analysis of PM<sub>2.5</sub> emissions at the source level, EPA does not believe that the TSD provides sufficient evidence to substantiate the claim that there are zero or negligible emissions of PM<sub>2.5</sub> from

mechanical sources. Compliance with Title V requires WDNR to quantify the PM<sub>2.5</sub> emissions from the mechanical sources at the facility. WDNR's failure to consider PM<sub>2.5</sub> emissions from mechanical sources, including fugitive emissions, is not allowable under Title V of the CAA and the permit record is currently deficient. EPA urges WDNR to include PM<sub>2.5</sub> emissions calculations for the mechanical units at Graymont using the best available information.<sup>1</sup>

- 2) Footnote 1 on page 7 and footnote 22 on page 25 of the draft permit indicate that the applicable requirement of NR 415.05(1)(o) was not incorporated into the permit because a more stringent limit was required to demonstrate attainment of the NAAQS. While it may be appropriate to streamline similar requirements, EPA White Paper #2 for Improved Implementation of The Part 70 Operating Permits Program, recommends that when such streamlining is utilized the permit should contain language indicating that when the facility is in compliance with the more restrictive limit, they are in compliance with the less restrictive limit. Please at a minimum add the citation to NR 415.05(1)(o) to the origin and authority for Conditions I.B.1.a.(2) and I.F.1.a.(1) and consider moving the language from footnotes 1 and 7 into the permit and clarifying that when the facility is in compliance with the more restrictive limit, they are in compliance with NR 440.15.05(1)(o).
- 3) Footnote 6 on page 11 and footnote 15 on page 18 of the draft permit indicate that the limit's origin is from the New Source Performance Standards (NSPS), however, the citation to the federal NSPS is not included in the origin and authority of the permit condition. Please add the citation to 40 CFR 60.342(a)(1) to the origin and authority of permit conditions I.D.1.a.(1)(c) and I.E.1.a.(1)(c).
- 4) Permit Condition I.D.2.a.(3) and Condition I.E.2.a.(2) require that the rotary lime kiln #1 and #2 only burn coal or natural gas, however there is no associated recordkeeping requirements. It is unclear from the permit record if the dryer is physically capable of burning additional fuel types. The permit should require the facility to maintain records of the fuel burned in the kilns or confirm that the kilns are only physically capable of burning coal or natural gas.
- 5) Condition I.G.2.b.(1) specifies that the compliance demonstration for Condition I.G.2.a.(1) is compliance with the fugitive dust plan. Because the permit relies upon the fugitive dust plan as a compliance demonstration method for the permit's opacity limits, the plan contains "specific information that may be necessary to implement and enforce" an applicable requirement, i.e., the opacity limit, and must be included in the permit application pursuant to 40 C.F.R. §70.5(c)(5). In addition, the fugitive dust plan is a compliance assurance requirement under 40 C.F.R. §70.6(c)(1) and, thus, must be

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<sup>1</sup> AP-42 is only one resource, WDNR may use other available resources to determine a more reliable emission factor, including site-specific emission factors, other scientific literature, or emission testing from similar sources must be used to determine the PM<sub>2.5</sub> emissions. Even if the studies used to develop AP-42 are excluded, several scientific studies give EPA reason to believe that mechanical sources such as haul roads do emit some level PM<sub>2.5</sub>, EPA has provided several of these studies in Attachment A.

included in the Title V permit. Finally, because the plan is required to be in the permit application and the permit, the plan must be available for review during the Title V public comment process pursuant to 40 C.F.R. §70.7(h)(2).<sup>2</sup> EPA suggests that the plan either be attached to the permit and re-public noticed, or the key elements of the plan necessary to assure compliance with the opacity limitation be included directly into the permit the compliance demonstration.

- 6) Numerous footnotes in the permit provide that the origin and authority for a permit condition was an NSPS or Maximum Achievable Control Technology, or that the limit represents Best Available Control Technology, for example footnotes 13-16. If the origin and authority is provided in the body of the permit with the permit term, a footnote is not necessary. For clarity, it may be appropriate to remove unnecessary footnotes.

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,



for

Genevieve Damico  
Chief  
Air Permits Section

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<sup>2</sup> See page 14 of EPA's Title V petition response Order for Alliant Energy- WPL Edgewater Generating Station, August 17, 2010 at [https://www.epa.gov/sites/production/files/2015-08/documents/edgewater\\_response2009.pdf](https://www.epa.gov/sites/production/files/2015-08/documents/edgewater_response2009.pdf)

## Attachment A

Chang-Tang, C. (2004). "Assessment of Influential Range and Characteristics of Fugitive Dust in Limestone Extraction Processes." *Journal of the Air & Waste Management Association* 54(2): 141-148.  
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Ferm, M. and K. Sjöberg (2015). "Concentrations and emission factors for PM<sub>2.5</sub> and PM<sub>10</sub> from road traffic in Sweden." *Atmospheric Environment* 119: 211-219. DOI: <http://dx.doi.org/10.1016/j.atmosenv.2015.08.037>

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Kundu, Shuvashish, and Elizabeth A. Stone. "Composition and Sources of Fine Particulate Matter across Urban and Rural Sites in the Midwestern United States." *Environmental science. Processes & impacts* 16.6 (2014): 1360-1370. *PMC*. Web. 20 Apr. 2016.

Piras, L., V. Dentoni, G. Massacci and I. S. Lowndes (2014). "Dust dispersion from haul roads in complex terrain: the case of a mineral reclamation site located in Sardinia (Italy)." *International Journal of Mining Reclamation and Environment* 28(5): 323-341. DOI: <http://dx.doi.org/10.1080/17480930.2014.884269>

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Yuen, W., K. Du, S. Koloutsou-Vakakis, M. J. Rood, B. J. Kim, M. R. Kemme, R. A. Hashmonay and C. Meister (2015). "Fugitive Particulate Matter Emissions to the Atmosphere from Tracked and Wheeled Vehicles in a Desert Region by Hybrid-Optical Remote Sensing." *Aerosol and Air Quality Research* 15(4): 1613-1626. DOI: <http://dx.doi.org/10.4209/aaqr.2014.12.0310>