



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

APR 22 2016

REPLY TO THE ATTENTION OF

Chris Hare,
Saginaw Bay District Supervisor
Air Quality Division
Michigan Department of Environmental Quality
401 Ketchum Street, Suite B
Bay City, Michigan 48708

Dear Mr. Hare:

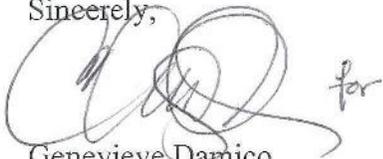
The U.S. Environmental Protection Agency has reviewed the draft renewal of the Renewable Operating Permit (ROP) for Michigan Sugar Company - Bay City, State Registration Number: B1493, located in Bay City, Michigan. To ensure that the source meets Federal Clean Air Act requirements, that the permit will provide necessary information so that the basis of 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 comments:

1. Staff report- source description, processes not in the permit. On March 22, 2016, EPA issued a Notice of Violation (NOV) to Michigan Sugar in Bay City alleging that the facility constructed an aeration pond without applying for and obtaining a Permit to Install. Please supplement the staff report to include this information regarding the NOV. In addition, please describe the aeration pond process and associated units at the facility that are currently not identified in the permit and are generally described the staff report as an "odor neutralization system."
2. Staff report- regulatory analysis. This section of the staff report indicates that the boilers are subject to the Area Source National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers, 40 CFR Part 63 Subpart JJJJJ. However, the draft permit does not include these requirements. Please verify whether the boilers are subject to Subpart JJJJJ, update the staff report, and include any applicable requirements in the draft permit in accordance with the level of detail required by 40 CFR §70.6.
3. Compliance Assurance Monitoring (CAM) applicability. The Staff Report states that EUPELLETPRDCTN is the only unit subject to CAM. Please provide additional information and verification in the staff report regarding CAM applicability for each pollutant specific emission unit (PSEU) with control equipment in accordance with the criteria in 40 CFR §64.2, and include CAM requirements in the permit as applicable. In accordance with 40 CFR 64.2(a)(1), PSEUs subject to both CAM exempt and nonexempt emission limitations or standards are subject to CAM for the nonexempt limitations or standards, i.e., those requirements that do not include a continuous compliance determination method.

4. CAM permit content requirements, EUPELLETPRDCTN. Please include source specific CAM requirements for EUPELLETPRDCTN as required by 40 CFR 64 and addressed in MDEQ's CAM example table template, Sections VI.2. and 4, regarding flow meter operation and corrective actions.
5. Fugitive Dust Control Program. The source wide conditions and Appendix 9 require the source to comply with a fugitive dust plan. The source wide condition indicates that provisions from the plan are included in Appendix 9; however, Appendix 9 only includes a general reference to the source's approved 2008 plan. Please ensure that the fugitive dust control program is readily accessible in the permit record and available online with the source's permit program documentation. As addressed by EPA's March 5, 1996 "White Paper Number 2 for Improved Implementation of The Part 70 Operating Permits Program," information cited or cross-referenced in permits should be current and readily available to the permitting agency and to the public.
6. Fugitive dust control requirements. The source wide section of the draft permit states: "Permittee shall comply with applicable provisions of R 336.1371 and R 336.1372 for fugitive dust emissions. To ensure that the permit includes all applicable requirements as required by 40 CFR §70.6(a)(1), please include any specific requirements for fugitive dust control as required by the rule. In addition, please include any source specific fugitive dust provisions necessary to ensure compliance with R 336.1371 and R 336.1372. This could include provisions contained in the fugitive dust control plan, for example.
7. EUBOILER8 operating plans. The draft permit references requirements for a malfunction abatement plan, carbon monoxide minimization plan, and startup shutdown emissions minimization plan. Please ensure that these plans are readily accessible in the permit record and available online with the source's permit program documentation. As addressed by EPA's March 5, 1996 "White Paper Number 2 for Improved Implementation of The Part 70 Operating Permits Program," information cited or cross-referenced in permits should be current and readily available to the permitting agency and to the public.
8. Emission limits, monitoring/testing methods. The emission limit tables in EUBOILER8, EULIMEKILN, EUPELLETPRDCTN, and FGBOILERS include references to General Condition 14 for monitoring and testing methods. The monitoring/testing method column should reference the specific Special Conditions identified in subsections II through VI as they relate to each emission limit. In accordance with 40 CFR §70.6(a)(3) and 70.6(c)(1), please revise these unit and flexible group sections of the permit as necessary to assure that they include monitoring requirements sufficient to assure compliance with the emission limits.

Thank you for the opportunity to provide comments on this draft permit. If you have any questions, please contact me or Beth Valenziano, of my staff, at (312) 886-2703.

Sincerely,

A handwritten signature in black ink, appearing to be "Genevieve Damico", followed by the word "for" written in a smaller, cursive script.

Genevieve Damico
Chief, Air Permits Section