

RESPONSE TO COMMENTS
Title V Permit to Operate
Permit No.: V-ML-2711500031-2010-01

On February 25, 2010, the United States Environmental Protection Agency (EPA) published notices in the *Hinckley News* notifying the public that a Title V operating permit and a modification of an existing air quality construction permit for Grand Casino Hinckley had been drafted and available for comment.

In accordance with 40 C.F.R. 71.11(j), the following is a summary of the comments received during the public notice period and a brief EPA response.

Comments received from the Minnesota Historical Society, State Historic Preservation Office (May 24, 2010):

Comment #1: Based on available information, we conclude that no buildings or structures eligible for or listed on the National Register of Historic Places will be affected by the project.

Response #1: EPA appreciates the review and feedback from the State Historic Preservation Officer.

Comment #2: The Mille Lacs Tribal Historic Preservation Officer has assumed partial [National Historic Preservation Act] Section 106 review responsibilities for projects located within the reservation area as approved by the National Park Service. Since this project is located in that area, you should consult with the Tribal Historic Preservation Office as well.

Response #2: The Tribal Historic Preservation Office was directly notified by EPA of this project.

Comments received from Grand Casino Hinckley (April 6, 2010):

Comment #3: For Type of Fuel, the draft permit currently specifies "Low-sulfur (0.05%) diesel fuel only". Grand Casino Hinckley would like to change the specification to "Diesel fuel with a maximum sulfur content of 0.05%" to avoid the need for a permit amendment if fuel with sulfur content lower than 0.05% will be used. Ultra-low sulfur diesel and biodiesel fuel may be used or required in the future.

Response #3: EPA agrees to make this change (page 5 of the final Title V permit).

Comment #4: The draft permit requires performance tests within 180 days of permit issuance for SO₂, VOC, CO, PM, PM₁₀ and HAPs in order to determine whether the actual emission levels represent the limited potential emissions estimates. Grand Casino Hinckley believes this requirement is unnecessary and expensive. The limited potential emissions for all three engines combined are 1.38 tons per year for VOC, 3.66 tons per year for CO, 1.05 tons per year for PM, 0.87 tons per year for PM₁₀, 1.09 tons per year for SO₂, and 0.03 tons per year for HAPs. Each criteria pollutant is emitted far below the Prevention of Significant Deterioration threshold of 250 tons per year. The limited potential combined HAPs emissions are far below the 25 tons per year threshold. There is no reason to test the *de minimis* pollutants to verify applicability of emissions standards. The engines are subject to 40 CFR 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines. Grand Casino Hinckley will be required to test CO emissions to determine compliance with Subpart ZZZZ within 180 days of the compliance date of the standard, or by October 30, 2013. Compliance with Subpart ZZZZ should be sufficient performance testing for *de minimis* pollutants.

Response #4: EPA agrees to change the performance testing requirement from "within 180 days of issuance of this permit" to "upon request of the EPA" (page 10 of the final permit, paragraph "g") which is consistent with the construction permit.

Comment #5: Grand Casino Hinckley would like to replace the requirement to use the Excess Emissions Form attached to the permit with the Six-Month Monitoring Report required for Part 71 permits. The information submitted is equivalent but the form for the Six-Month Monitoring Report is available electronically from the EPA website and is easier to use.

Response #5: EPA agrees and has removed language from page 21, paragraph "e" requiring that the attached form be used.