

Response to Comments For
Shooting Star Casino and Event Center
Air Quality Construction Permit
Permit No. MIN-WE-27087R0001-2013-01

On February 20, 2014, the U.S. Environmental Protection Agency issued for public comment a draft Air Quality Construction Permit, permit number MIN-WE-27087R0001-2013-01, for Shooting Star Casino and Event Center, located in Mahnomon, Minnesota. The public comment period for the permit ended on March 24, 2014. During the public comment period, EPA received one comment letter from the Minnesota Historical Society.

This document provides a summary of all comments received during the public comment period and EPA's response. This document also lists any changes made to the permit or TSD.

Comments from Minnesota Historical Society

During the public comment period, EPA received a letter dated February 25, 2014, from Ms. Sarah J. Beimers, Manager, Government Programs and Compliance, of the Minnesota Historical Society. In her letter, Ms. Beimers explains that the permit has been reviewed pursuant to the responsibilities granted to the State Historic Preservation Officer by the National Historic Preservation Act of 1966 (NHPA) and the implementing federal regulations at 36 C.F.R. § 800. Based on the available information, the Minnesota Historical Society concludes that no buildings or structures eligible for or listed in the National Register of Historic Places (National Register) will be affected by the project.

The letter also includes the following comment:

“Please note that the White Earth Tribal Historic Preservation Officer has assumed partial 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.”

EPA's Response to the Minnesota Historical Society's Comments

EPA thanks the Minnesota Historical Society for submitting its conclusion that this project and permitting action will not affect any buildings or structures eligible for or listed in the National Register.

The draft permit's technical support document (TSD) contains a NHPA analysis which considered the impact that the permit's issuance could have on buildings eligible for or listed in the National Register. In the NHPA analysis, the building's age and the scope of construction required for the project being permitted in this action led EPA to conclude that this project will have no potential effect on historic properties. Since EPA determined that this project will have no potential effect on historic properties, EPA concluded it does not have any further obligations under Section 106 of the NHPA or its implementing regulations at 36 C.F.R. § 800.

While EPA did not have any further obligation under NHPA, EPA recognizes that the review responsibilities listed in Section 106 of the NHPA are shared between state and tribal historic preservation officers. EPA offered the opportunity for both the Minnesota Historical Society and the White Earth Tribal Historic Preservation Office to provide comments on the draft permit. On February 14, 2014, EPA mailed the public notice, draft permit, and the TSD to Ms. Renee Lampi, the Tribal Historic Preservation Officer for the White Earth Band of Minnesota Chippewa. The permit documents sent to Ms. Lampi were the same documents that the Minnesota Historical Society and members of the public had available for review during the draft permit's public comment period. EPA did not receive any comments from the White Earth Tribal Historic Preservation Office during the public comment period.

As a result of this comment, EPA is not making any changes to the permit or TSD.

Other Changes to the Permit

During the public comment period, EPA independently identified several issues with the permit. The identification and explanation for changes made to the permit and TSD are included, below.

- 1.) On November 29, 2013, EPA finalized amendments to the Greenhouse Gas (GHG) Reporting Program. As part of the amendments, EPA revised the global warming potentials (GWPs) contained in 40 C.F.R. § 98, Subpart A, Table A-1. The draft permit uses the GWPs published on October 30, 2009, to calculate the carbon dioxide (CO₂) equivalent (CO₂e) emissions that result from combustion. EPA is revising the CO₂e calculations and the TSD to use the GWPs finalized on November 29, 2013. This revision only incorporates the revised GWPs, which do not subject the facility to any additional requirements. EPA believes that it is not necessary to issue the draft permit for additional public comment and review since the change to the TSD does not add, remove, or change any existing requirements within the permit.

As a result, EPA is making the following changes to the TSD:

- a. CO₂e values in the table "GHG PTE Before Permit Issuance (tons/yr)" on page 5 of the TSD have been calculated using the November 29, 2013, GWP values. The table now reads as follows:

GHG PTE Before Permit Issuance (tons/yr)	CO ₂	CH ₄	N ₂ O	CO ₂ e
2 Fuel Oil-Fired Boilers	7484.61	0.30	0.06	7509.90
2 Propane-Fired Boilers	3976.26	0.06	0.01	3979.81
1 Biomass-Fired Boiler	6469.68	2.21	0.29	6611.18
TOTAL, Before Permit Issuance	17930.55	2.57	0.36	18100.89

- b. CO₂e values in the table "GHG PTE After Permit Issuance (tons/yr)" on page 5 of the TSD have been calculated using the November 29, 2013 GWP values. The table now reads as follows:

GHG PTE After Permit Issuance (tons/yr)	CO ₂	CH ₄	N ₂ O	CO ₂ e
2 Fuel Oil-Fired Boilers	6736.15	0.27	0.05	6758.91
2 Propane-Fired Boilers	3578.64	0.06	0.01	3581.83
1 Biomass-Fired Boiler	4528.77	1.54	0.20	4627.83
TOTAL, After Permit Issuance	14843.56	1.87	0.26	14968.57

- c. The GWP and subsequent CO₂e calculations on page 5 of TSD attachment A have been updated to reflect the November 29, 2013, GWPs. Note [2] has been updated to specify the GWPs are the November 29, 2013, GWPs.
- 2.) The blank page on page 2 of the draft permit has been removed. The permit's page numbering and table of contents have been updated. There are no substantive changes to any permit condition as a result.
- 3.) Minor typographical and formatting errors and references to the Permittee in the TSD and permit have been corrected. There are no substantive changes to any permit condition as a result.