

Practical Enforceability of Limits for Criteria Pollutants

1. Please add permit conditions that reflect testing, recordkeeping, and reporting requirements to ensure the permittee's compliance with the pounds-per-day emission limits for PM10, PM2.5, NOx, CO, ROG, and SO2 in Condition 12 of the proposed permit. Section 70.6(a)(3) of Part 40 of the Code of Federal Regulations (CFR) and section VI.B.5. of District Rule 2.13 (rev. 5/22/01) require sufficient monitoring that would yield reliable data, which are representative of the source's compliance with permit conditions over the relevant time period. While the emission limits in the proposed permit condition are identified and required of the boiler, it is unclear how the permittee would demonstrate compliance with these limits when the proposed permit contains no such requirements for testing, recordkeeping and reporting. We recommend a frequency no less than once every 12 months, consistent with the frequency in Condition 16.
2. Please add permit conditions that reflect testing, recordkeeping, and reporting requirements to ensure the permittee's compliance with the PM2.5 emission limit in Condition 12.b of the proposed permit.
While the PM2.5 emission limit in the proposed permit states 0.022 lbs/Mlbs-steam for the boiler, it is unclear how the permittee would demonstrate compliance with this emission limit when the proposed permit contains no such requirements. We recommend a frequency no less than once every 12 months, consistent with the frequency in Condition 16.
3. Please add conditions to the permit that specify the use of proper EPA Methods for the testing of PM10 and PM2.5. EPA Method 201A, as revised on December 1, 2010, measures filterable PM10 and PM2.5 emissions. Method 202, as revised on December 1, 2010, is the EPA method for measuring condensable particulate matter. Please add conditions to incorporate the following features:
 - o EPA Method 5 to measure filterable PM,
 - o EPA Method 201A to measure filterable PM10 and PM2.5,
 - o EPA Method 202 to measure condensable PM, and
 - o These tests must be performed in accordance with the test methods set forth in 40 CFR § 60.8, 40 CFR Part 60 Appendix A, and 40 CFR Part 51 Appendix M.
4. Please change the periodic testing frequency in Condition 17 (for the pollutants PM10, PM2.5, NOx, CO, ROG, and SO2) from about once every five years to a more frequent basis. Because performance test results would be used to demonstrate compliance, a more frequent basis is warranted. We recommend a frequency no less than once every 12 months, consistent with the frequency in Condition 16 and the testing frequencies to be drafted for the emission limits in Condition 12.

Practical Enforceability of Timely Deviation Reports

5. Please require a time limit of 2 to 10 days during which deviation reporting could be considered prompt for Conditions 34, 54, 60, 66, and 80 of the proposed permit. Section 70.6(a)(3)(iii)(B) requires the permitting authority to define "prompt" in relation to the degree and type of deviation likely to occur and the applicable requirements. In general, EPA believes that "prompt" should be defined as requiring reporting within two to ten days for deviations that may result in emission increases. Allowing two to ten days is sufficient time in most cases to protect public health and safety as well as to provide a forewarning of potential problems. See 61 Fed. Reg. 39619. Also, without such clarification, we note that Conditions 34, 54, 60, 66, and 80, as written, would leave a vague and ambiguous term at the APCO's discretion to determine what would constitute "prompt" reporting, its degree, and type of deviation on the case-by-case basis, as opposed to one based on the source's nature. This would present unnecessary difficulty to resolve disagreements on whether the source had or had not been prompt. Secondly, without an outer limit defined in an open-ended interpretation, a burden may be unnecessarily presented to the APCO to prove that the source could or should have acted sooner.

Applicable Requirements in SIP Rules and Citations to Origin and Authority

6. Please identify the permit conditions that reflect the requirements under SIP Rules 4.1, 4.4, 4.5, and 4.6 (<http://yosemite.epa.gov/R9/r9sips.nsf/Agency?ReadForm&count=500&state=California&cat=Siskiyou+County+APCD-Agency-Wide+Provisions>), which are federally enforceable. It is not readily apparent whether these requirements are currently reflected in the conditions. Under section VI.B.1. of District Rule 2.13, permits must contain conditions that require compliance with all applicable federal requirements which include those in SIP Rules. Under 40 CFR 70.6(a)(1)(i), each permit condition must reference its origin and authority to identify the underlying regulatory bases.
7. Please determine and explain the applicability of SIP Rule 4.5 to the boiler unit in the Statement of Basis, and add to the permit applicable conditions that ensure compliance with this rule. If several multiple overlapping emission limits have been streamlined, please add to the permit either the most stringent existing emission limit or a new "hybrid" emission limit that guarantees compliance with all subsumed emission limits, taking into account the units, averaging periods, and compliance methods associated with each limit. Permitting authorities must document streamlining decisions in the statement of basis in sufficient detail to demonstrate that compliance with all subsumed requirements is assured.

Applicable Requirements under NSPS Subpart Db (ICI SGUs)

8. Please add conditions to the permit to reflect the requirements of §§ 46b(d), 48b(e)(1), 49b(d)(1), 49b(f)(3), 49b(h), and 49b(w) in 40 CFR 60 Subpart Db — Standards of Performance for Industrial, Commercial, and Institutional Steam Generating Units, which are federally applicable. While the Statement of Basis affirms the applicability of NSPS Subpart Db, the requirements of these sections are likely applicable to the emission unit. If they are not applicable, please explain their non-applicability in the Statement of Basis.

Applicable Requirements under NESHAP MACT Subpart DDDD (PCWP)

9. Please remove Condition 42 that would inappropriately allow the permittee to operate Emission Units D3-D4 (Veneer Dryers) during time periods that the catalytic oxidizer temperature would not be compliant with the temperature requirements of condition 40. There appears to be no basis to allow the dryers to operate when their emission control units could not ensure compliance with the underlying NESHAP in 40 CFR 63 Subpart DDDD — National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products (PCWP). Although the condition cites 40 CFR 63.2241(a) (Table 3), this section in the regulation does not provide such basis. Although the Statement of Basis indicates the District's desire to give the facility the flexibility to choose the use of a dedicated veneer redryer in the future, please require the permittee to apply for a permit revision before switching compliance options.
10. Please add conditions to the permit to reflect the applicable requirements under §§ 2271(a), 2281, 2282(b), and those for performance tests contained in Table 4 of § 63.2262 of 40 CFR 63 Subpart DDDD — National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products (PCWP). While the Statement of Basis affirms the applicability of NESHAP MACT Subpart DDDD, the requirements of these sections are likely applicable to the affected units. If they are not applicable, please explain their non-applicability in the Statement of Basis.
11. Please clarify Condition 44 to reflect the requirement for the permittee to check the RCO catalyst activity level no less frequently than every 12 months under Table 7(4) of 40 CFR 63 Subpart DDDD — National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products (PCWP).

Applicable Requirements under NESHAP Subpart JJJJJ (ICI Boilers)

12. Please add conditions to the permit to reflect the applicable requirements under §§ 63.11205(a), 63.11210(c), 63.11196(a)(1), 63.11196(a)(3), 63.11214(b) per 63.11223(b),

63.11214(c), 63.11223(a), 63.11225(a)-(d), 63.11226, 63.11235, and those for work practice standards and management practices contained in (6.) and (16.) of Table 2 under § 63.11201(b) of 40 CFR 63 Subpart JJJJJ — National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. While the Statement of Basis affirms the applicability of NESHAP Subpart JJJJJ, the requirements of these sections are likely applicable to the affected unit. If they are not applicable, please explain their non-applicability in the Statement of Basis.

Applicable Requirements under NESHAP Subpart ZZZZ (Stationary RICE)

13. Please add permit conditions that describe the applicable requirements under NESHAP Subpart ZZZZ with sufficient level of detail to ensure each requirement is clear and unambiguous. Conditions 73 and 77 of the proposed permit require the permittee to operate and maintain stationary internal combustion engines (Emission Unit G1) in compliance with NESHAP Subpart ZZZZ and to maintain records concerning their operation and maintenance as described in the NESHAP. However, it is unclear and vague as to what those requirements are.

Applicable Requirements under 40 CFR Part 64 - CAM

14. Please add condition(s) that require the permittee to apply for a future revision of the permit no later than 180 days after the control units have been installed to reflect the addition of CAM-related requirements in accordance with §64.6(c) and section VI.B.5. of District Rule 2.13. Consistent with Condition 20.d., these future conditions must include:
 - requirements to monitor one or more control device operational parameters,
 - a definition of what constitutes an excursion from the indicator range(s) established for CAM,
 - a monitoring frequency that requires some data collection at least once in every 24-hour period, and
 - a compliance certification condition that requires that annual compliance certifications “identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under part 64 of this chapter occurred” pursuant to §70.6(c)(5)(iii).

We recommend that the voltmeter and ammeter readings for the secondary voltage and current measurements of the ESP, respectively, be continuously recorded, or at least once per hour for adequacy. Automated system should be used to alert the permittee if an excursion occurs (by alarm or a similar device).

Applicable Requirements and Standard Permit Conditions

15. In accordance with the "Region 9 Title V Permit Review Guidelines" published Sept. 9, 1999, please add the following Standard Permit Condition into the permit. For more details, please refer to pages III-42 to III-43, and III-48 to III-52.
- Please add the following permit conditions that reflect Accident Prevention Requirements under CAA 112(r)(7) and requirements for National Emission Standard (NESHAP) for Asbestos, 40 CFR 61, Subpart M.

"Should this stationary source, as defined in 40 CFR § 68.3, become subject to the accidental release prevention regulations in part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in § 68.10 and shall certify compliance with the requirements of part 68 as part of the annual compliance certification as required by 40 CFR part 70."

"Permittee shall comply with the requirements of §§ 61.145 through 61.147 of the National Emission Standard for Asbestos for all demolition and renovation projects. [40 CFR Part 61, Subpart M]"
 - Because standard title V permit conditions are missing from the proposed permit, please add all required conditions as provided in p. III-48 to III-52 of the Guidelines (<http://www.epa.gov/region9/air/permit/titlev-guidelines/standard-permit-conditions.pdf>). In the interest of succinctness, we do not restate them verbatim in this set of comments.

Statement of Basis

16. Please document the mass-based and CO₂e-based quantities of all GHG emissions in the Statement of Basis. Starting on January 2, 2011, GHG became subject to regulation pursuant to EPA's Tailoring Rule. See 75 FR 31514 (June 3, 2010). Under subsection 70.5(c)(3) of title 40 of the CFR, the application must include "all emissions of regulated air pollutants." Since GHGs are regulated, the permittee must include them in the application. [See also subparagraph IV.C.1.f.1) of District Rule 2.13] Under 75 FR 31523 (June 3, 2010), applicants "need to identify GHG emissions and other information in that application to the extent required under 40 CFR 70.5(c) and 71.5(c), including information necessary to determine applicable requirements." In March 2011, EPA announced its proposal to defer CO₂ emissions from biogenic sources from the PSD and Title V programs and its intention to finalize this proposal by July 2011. See 76 FR 15249 (March 21, 2011). We note that the emissions being deferred must be both 1) CO₂ and 2) emitted from biomass combustion. However, other GHG emissions such as N₂O, CH₄, CFCs, and SF₆ (biomass combustion or otherwise) are not deferred. Finally, CO₂ emissions resulting from the combustion of non-biomass fuels, including diesel fuel, are not deferred. Thus, the permittee is required to address and provide GHG emission information during this process.

Permittee's Obligations

17. Please incorporate the following recordkeeping and reporting requirements into the permit, per EPA's letter dated Nov. 18, 2010, to the permittee (enclosed).

"The permittee shall conduct a performance evaluation of the stack gas flow monitor in accordance with 40 CFR Part 60, Performance Specification 6 on an annual basis."

"The permittee shall record hourly and daily averages of the ratio of stack flow rate to steam output (kscf/hr per klbs/hr)."

"The permittee shall report the daily average ratios of flow rate to steam output to EPA on a semi-annual basis."



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

NOV 18 2010

CERTIFIED MAIL: 7001 0360 0000 3641 2249
RETURN RECEIPT REQUESTED

Allyn Ford
President
Roseburg Forest Products Company
P.O. Box 1088
Roseburg, OR 97470

Dear Mr. Ford:

Pursuant to Section 114(a) of the Clean Air Act ("CAA" or the "Act"), 42 U.S.C. § 7414(a), the Administrator of EPA is authorized to require any person who owns and/or operates an emission source to establish and maintain records, make reports and provide such other information as he/she may reasonably require for the purposes of determining whether such person is in violation of any provision of the Act. Roseburg Forest Products ("Roseburg") owns and operates a veneer manufacturing facility in Weed, California ("the Facility") that emits air pollutants. The Facility is located under the jurisdiction of the Siskiyou County Air Pollution Control District ("SCAPCD" or "District").

EPA has previously issued a letter to Roseburg pursuant to CAA section 114, dated July 26, 2010, and a follow-up letter with certain revised deadlines, dated August 24, 2010 ("EPA July/August letters"). EPA's July 26, 2010 letter included Question 1.c.iii, which required Roseburg to conduct a performance evaluation of its stack gas flow monitor in accordance with 40 CFR § 75.20(c)(2). Roseburg's response, dated September 13, 2010, objected to this requirement, stating that the boiler is not otherwise subject to Part 75 requirements and that the RATA protocol and QA/QC procedures are based on Part 60 requirements. Roseburg's response also stated that Roseburg had commenced construction under an authority to construct permit issued by the District in June 2009 ("2009 ATC").

This letter is intended to clarify Roseburg's obligations with respect to the stack gas flow monitor. Pursuant to Section 114(a) of the CAA, and in addition to the requirements in the EPA July/August letters, Roseburg is hereby required to do the following:

1. Conduct a performance evaluation of the stack gas flow monitor in accordance with 40 CFR Part 60, Performance Specification 6 within the time frames specified in the 2009 ATC (i.e., 180 days of "project completion") and on an annual basis thereafter.
2. Record hourly and daily averages of the ratio of stack flow rate to steam output (kscf/hr per klbs/hr).
3. Report the daily average ratios of flow rate to steam output to EPA on a semi-annual basis.
4. Notify EPA within five days of the "project completion" date.

It is EPA's understanding that Roseburg intends to submit applications to the District to incorporate requirements for annual relative accuracy testing of the NOx, O₂, CO and flow monitors into district permits to operate and a title V operating permit. EPA recommends that Roseburg's application also request incorporation of the recordkeeping and reporting obligations set forth in items 1-3 above. The obligations set forth in this letter will terminate upon the issuance of a valid title V permit that assures compliance with items 1-3 above.

All information submitted in response to this request must be certified as true, correct, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Roseburg. Roseburg shall submit the requested information via certified mail with return receipt to the following address:

Ms. Deborah Jordan
Director, Air Division (AIR-1)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105
Attn: Tunde Wang (AIR-5)

Please be advised that under Section 113(a) of the Act, failure to provide the information required by this letter may result in an Order requiring compliance, an Order assessing an administrative penalty, or a civil action for appropriate relief. In addition, Section 113(c) of the Act provides criminal penalties for knowingly making any false statements or omission in any response required under the Act. EPA may also seek criminal penalties from any person who knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of EPA or in relation to or contemplation of any such matter or case. See 18 U.S.C. § 1519. The information provided by you may be used by the United States in administrative, civil, or criminal proceedings.

This information request is not subject to review by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. §§ 3502 (3), 3507, 3512, and 3518 (c)(1). See also 5 C.F.R. §§ 1320.3(c), 1320.4 and 1320.6(a). Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons. 44 U.S.C. § 3502(3)(A)(I).

If you have any questions regarding this request, please have your attorney contact Maya Kuttan at (415) 972-3897. Thank you for your cooperation in this matter.

Sincerely,


Deborah Jordan
Director, Air Division

cc: Thomas Wood, Stoel Rives LLP
Patrick Griffin, County of Siskiyou Air Pollution Control District
James Ryden, CARB