



# STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
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DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

## CERTIFIED MAIL

Bob Webber  
Tribal NSR Coordinator  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard, Lenexa KS 6619

Subject: Comments on Proposed Synthetic Minor Source Permit for Thurston Manufacturing Company, Permit R7-TMNSR-FY16-001

Dear Mr. Webber:

The Iowa Department of Natural Resources (DNR) appreciates the opportunity to provide comments regarding the draft Synthetic Minor Source permit for the Thurston Manufacturing Company facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation.

Thurston Manufacturing Company operates a sister facility in Iowa. DNR is concerned that many of the issues noted this letter regarding the draft permit, if left unaddressed, could create inequities in how two facilities with the same owner/operator and processes are regulated within the region. The DNR requests that the comments provided do not delay the issuance of the synthetic minor source permit and does not prevent Thurston Manufacturing Company from initiating construction on this project.

### Enforceable as a Practical Matter

The DNR concurs with EPA that the draft permit establishes restrictions to limit potential emissions for all criteria pollutants below major source applicability thresholds for purposes of Title V Operating Program (Title V) and Prevention of Significant Deterioration (PSD). However, the permit appears to be overly burdensome on the source to demonstrate that its minor source status is maintained on an ongoing basis.

The methods utilized in the draft permit to maintain the source's minor status should establish limits that are enforceable as a practical matter<sup>1</sup>, are achievable in practice and consider the sources operations. Below are some of the specific instances where the draft permit does not appear to meet these criteria.

- In Section IV: General Permit Requirements (G), EPA states that "should EPA determine that calculated emissions are approaching or exceeding an emission limit, or should EPA determine that the permittee is failing to maintain adequate recordkeeping requirements, EPA may revise, reopen or modify the permit to require daily calculations of emissions". If EPA plans to change the recordkeeping frequency EPA

7900 Hickman Road, Suite 1 / Windsor Heights, Iowa 50324, 515-725-9500 FAX 515-725-9501 [HTTP://www.iowadnr.gov](http://www.iowadnr.gov)

<sup>1</sup> As defined in 40CFR§49.167

should establish clear criteria in the permit for when the additional recordkeeping, such as daily monitoring of material usage and emissions will occur. Such a general requirement does not establish a clear method to determine compliance and does not include the appropriate monitoring and recordkeeping and is not enforceable as a practical matter.

- In Section IV: General Permit Requirements, the draft permit includes the requirement that “The emission units subject to this construction permit shall not cause or contribute to a violation of any National Ambient Air Quality Standards (NAAQS) or to a violation of a PSD increment.” Including this requirement in a permit incorrectly places the responsibility for ensuring that the NAAQS is being met on the facility. The Clean Air Act (CAA) places the responsibility for achieving the NAAQS on the applicable governing authority through their respective implementation plans. In cases where an approved State or Tribal Implementation Plan does not exist, this responsibility passes to the EPA. Such a general requirement does not establish a clear method for the source to determine compliance and does not include the appropriate monitoring and recordkeeping and is not enforceable as a practical matter.
- Thurston Manufacturing will have difficulty demonstrating that “*All air exiting the booth during coating operations shall pass through the exhaust filters*” as required in section II A(1)vi. Even with the daily visible observation, is it truly reasonable to expect all emissions to pass through the filters?
- Based on the DNR’s experience with PM<sub>2.5</sub>, Thurston Manufacturing will have difficulty documenting that control equipment as required in permit sections II A(1)vi, B(1)ii, G(1)ii, H(1)ii can achieve at minimum 90 percent capture of PM<sub>2.5</sub> emissions and in permit section II C(1)iii can achieve at minimum 99 percent capture of PM<sub>2.5</sub> emissions. Control efficiencies for PM<sub>2.5</sub> vary greatly and are usually achieve much less control than typical for PM and PM<sub>10</sub>.
- The permit does not establish an averaging period for pressure drop monitoring as required in sections II A(1)viii-ix, B(1)vi-vii, C(1)v-vi, G(1)v-vi, H(1)v-vi. This does not establish a clear method to determine compliance.
- The DNR questions the regulatory purpose of requiring “the permittee shall retain an inventory of spare filters ... to ensure rapid replacement in the event of filter failure” as required in permit sections II A(1)x, B(1)vii, G(1)vii, H(1)vii. If source does not retain an inventory onsite, does the source have potential to exceed an annual emission limit? Again, this requirement places significant burden on the source comply with such a requirement.

### **Emission Limits**

The DNR questions the need to establish plant-wide emissions levels for PM, PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, VOC and HAP and require the source to the monitor emissions on an ongoing basis. Easier mechanisms could be used such as establishing material usage limits/material content limits or establish pollutant specific short-term limits for each emission unit.

For example, a maximum welding wire usage on an annual basis could be established with the corresponding “worst case wire” material content requirements, all potential emissions from welding operations at the source are limited and the source can easily comply by tracking monthly wire usage and retaining safety data sheets

demonstrating the wire used at the source. These types of restrictions may be easier for the source to comply with and would reduce the recordkeeping, monitoring and reporting as required within the draft permit.

If the ton per year emission limits are determined to be appropriate and remain in the final permit, the DNR questions the need for both the NO<sub>x</sub>, and PM<sub>2.5</sub> limits.

- NO<sub>x</sub>: The limit appears to be based on worst case emission scenario from each plasma cutting operation operating at maximum design rate and maximum hours of operation per year. The NO<sub>x</sub> limit appears to be unnecessary since potential emissions from these sources represent “worst case emission scenario” and do not require restriction on emissions or operation to maintain the facility’s minor status for purposes of the Title V and PSD.
- PM<sub>2.5</sub>: The draft permit establishes a source-wide PM<sub>10</sub> cap and restricts PM<sub>10</sub> below PSD and Title V applicability thresholds. PM<sub>2.5</sub> is defined as a subset of PM<sub>10</sub> and the PM<sub>10</sub> emission limit inherently restricts the potential emissions from PM<sub>2.5</sub> below PSD and Title V applicability thresholds.

Again, DNR appreciates the opportunity to provide comments regarding the draft Synthetic Minor Source permit for the Thurston Manufacturing Company. If you have any questions regarding the comments provided, please contact me at (515) 725-9525.

Sincerely,

*Eric Hanson for Catharine Fitzsimmons*

Catharine Fitzsimmons  
Bureau Chief  
Air Quality Bureau  
Iowa Department of Natural Resources