

(c)

AIR POLLUTION CONTROL PERMIT
ATTAINMENT AREA MINOR SOURCE

EI FACILITY NO.: 436036260

PERMIT NO.: MIA-10-DFS-82-36-101

STACK NO(S): S15

TYPE: Permit to Construct and Operate

SOURCE NO(S): B23

Permission to commence construction ends eighteen (18) months from the day this permit is issued. Once a release for permanent operation has been issued, this operating permit is permanent unless altered, revoked or suspended.

In compliance with the provisions of Chapter 144, Wisconsin Statutes, and Chapters NR 154 and NR 155, Wisconsin Administrative Code,

Name of Source: The Manitowoc Company, Inc.

Street Address: 500 South 16th Street
Manitowoc, WI 54220

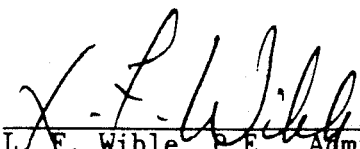
Principal Officer or
Authorized Representative
and Title: Raymond F. Sturzl, Plant Engineer

is authorized to construct a 62.5 million Btu per hour coal fired boiler in strict conformity with the plans and specifications dated February 16, 1982, March 16, 1982, May 18, 1982, and as approved herein.

This authorization requires compliance by the permit holder with the emission limitations, monitoring requirements and other terms and conditions set forth in Parts I and II hereof.

Dated at Madison, Wisconsin this 22 day of December, 19 82.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By 
L. F. Wible, P.E., Administrator
Division of Environmental Standards

**PART I
SPECIFIC PERMIT CONDITIONS**

A. Emission Limitations

Pollutant	Applicable		Applicable Wisconsin Adm. Code or Statute	Limitation Requirement
	Yes	No		
Particulates	X		Sec. NR 154.11(4)(a)1., Wis. Adm. Code	0.15 lbs of particulate matter per million Btu.
Sulfur Dioxide	X		Sec. 144.394(3), Wis. Statutes	142.5 lbs of sulfur dioxide per hour. 249 tons of sulfur dioxide annually.
Organic Compounds	X		Sec. 144.394(7), Wis. Statutes ¹	10.95 tons of organic compounds per year.
Nitrogen Dioxide	X		Sec. 144.394(7), Wis. Statutes ¹	164.25 tons of nitrogen oxides per year.
Carbon Monoxide	X		Sec. 144.394(7), Wis. Statutes ¹	21.9 tons of carbon monoxide per year.
Visible Emissions (Opacity)	X		Sec. NR 154.11(6)(a)1, Wis. Adm. Code	Number 1 of the Ringelmann Chart or 20% opacity.
Malodorous Emissions		X		
Hazardous Substances (Specify)		X		
Other (Specify)		X		

¹These limits are based upon U.S. EPA emission factors and maximum operating conditions, 8,760 hours per year. These limits ensure that this project remains a minor modification for attainment area pollutants.

B. Other Specific Conditions**1. Initial Operation Notification**

The permittee shall inform the Wisconsin Department of Natural Resources, Lake Michigan Air Program, 1125 N. Military Ave., Green Bay, thirty (30) days prior to initial operation of the source covered by this permit. Furthermore, the permittee shall send the district construction progress reports every 30 days until a release for permanent operation is granted.

2. Release for Permanent Operation

This permit does authorize an initial operation period of 180 days for equipment shake-down, testing and Department evaluation of operation to assure conformity with the permit conditions. Permanent operation of the source(s) covered by this permit after the initial operation period is prohibited until a release has been issued by the Department.

3. Source performance tests shall be conducted within 60 days after achieving the maximum production rate, but not more than 180 days after initial startup to prove compliance with the particulate emission limitation. In addition, it is requested that a particle size determination be performed with cutoffs at 15 microns, 10 microns, 5 microns and 2.5 microns or as close to these cutoffs as possible. The Department shall be informed at least 10 working days prior to the tests so a Department representative can witness the testing. At the time of notification, a stack test plan following the provisions set forth in Section NR 154.06(5), Wisconsin Administrative Code, shall also be submitted for approval.
4. Sulfur dioxide emissions shall not exceed 249 tons annually from this coal-fired boiler. Sulfur content in coal shall not exceed 1.5% by weight.
5. The Manitowoc Company shall maintain records of the quantity and sulfur contents of all coal fired in this boiler. These records shall be made available to the Department upon request within a reasonable period of time.
6. The Manitowoc Company shall comply with all provisions of EOP-10-DFS-82-36-102 before commencing construction of the coal fired boiler.

DS:jc

Appeal Information For
Air Pollution Control Decisions
Under Sections 144.391 to 144.402, Wisconsin Statutes

Section 144.403, Wisconsin Statutes provides:

144.403 HEARINGS ON CERTAIN AIR POLLUTION ACTIONS. (1) Permit holder; permit applicant; order recipient. Any permit, part of a permit, order, decision or determination by the department under ss. 144.391 to 144.402 shall become effective unless the permit holder or applicant or the order recipient seeks a hearing on the action in the following manner:

(a) **Petition.** The person seeking a hearing shall file a petition with the department within 30 days after the date of the action sought to be reviewed. The petition shall set forth specifically the issue sought to be reviewed, the interest of the petitioner, the reasons why a hearing is warranted and the relief desired. Upon receipt of the petition, the department shall hold a hearing after at least 10 days' notice.

(b) **Hearing.** The hearing shall be a contested case under ch. 227. At the beginning of the hearing the petitioner shall present evidence in support of the allegations made in the petition. Following the hearing the department's action may be affirmed, modified or withdrawn.

(2) **OTHER PERSONS.** Any person who is not entitled to seek a hearing under sub. (1) (intro.) and who meets the requirements of s. 227.064(1) may seek review under sub. (1) of any permit, part of a permit, order, decision or determination by the department under ss. 144.391 to 144.402.

(3) **MINING HEARING.** Subsections (1) and (2) do not apply if a hearing on the matter is conducted as part of a hearing under s. 144.836.

History: 1979 c. 34,221.

Note: In a petition for a hearing under s. 144.403, Stats., the Wisconsin Department of Natural Resources should be named as respondent.

PART II
GENERAL PERMIT CONDITIONS

A. Scope

This permit is valid only for the equipment and operations specifically identified herein. All emissions authorized hereby shall be consistent with the terms and conditions of Part I and II of this permit.

B. Prevention of Air Pollution

No person shall cause, allow or permit the emissions of any air contaminant into the ambient air from a source subject to this permit which substantially contribute to the exceeding of an air standard or which cause air pollution.

C. Notification Requirements

Pursuant to section NR 154.06(1) and (2)(f), Wis. Adm. Code, the Department shall be notified of the following events:

<u>Event</u>	<u>Timing</u>
Hazardous substance air spill	Immediate-call: (608)266-2857
Malfunction or event not reported in advance which causes or may cause any violation of an emission limitation.	Within 8 hours of onset
Noncompliance with any other condition specified in this permit	Written notification within 5 days identifying noncompliance, cause, duration, and steps taken to prevent reoccurrence.

D. Advance Notice of Startup or Shutdown

The permittee shall report to the Department in advance schedules for planned shutdown and startup of air pollution control equipment and the measures to be taken to minimize the down time of the control equipment. Scheduled maintenance or startup of other equipment which causes an emission limit to be exceeded shall also be reported in advance to the Department. Advance reporting pursuant to this permit condition or section NR 154.06(2)(h), Wis. Adm. Code, shall not relieve any person from the duty to comply with any applicable emission limitations.

E. Right of Entry

Pursuant to sec. 144.34, Wis. Stats., (as affected by Chapters 34 and 221, Laws of 1979), the permittee shall allow authorized representatives of the Department of Natural Resources to enter upon the permittee's premises; to have access to and copy any records required to be kept under the terms and conditions of this permit; and to make any inspection necessary to ascertain compliance.

F. Malfunction Prevention and Abatement Plans

Pursuant to section NR 154.06(9), Wis. Adm. Code, the owner or operator of any direct or portable source which may emit hazardous substances or emits more than 15 pounds in any day or 3 pounds in any hour of carbon monoxide, particulate matter, hydrocarbons, sulfur oxides, nitrogen dioxide or photochemical oxidants shall prepare a written malfunction prevention and abatement plan to prevent, detect and correct malfunctions or equipment failures which may cause any emission limitation to be violated or which may cause air pollution. Any such plan shall be carried out by the owner or generator. The plan shall be updated as needed and is subject to department review, approval and amendment.

G. Episode Plans

Pursuant to section NR 154.20(2), Wis. Adm. Code, if the source(s) covered by this permit emits 0.25 tons per day or more of carbon monoxide, particulate matter, hydrocarbons, sulfur oxides, nitrogen dioxide or photochemical oxidants, the permittee shall prepare an emission control action program consistent with good industrial practice and safe operating procedures, for reducing the emission of air contaminants into the outdoor atmosphere during periods of an air pollution alert, air pollution warning or air pollution emergency. The emission control action program shall be in writing, available on the premises for inspection and subject to review and approval by the Department on request.

H. Permit Alteration, Revocation, Suspension

After notice and opportunity for a hearing, as provided in sec. 144.395, Wis. Stats., (as affected by Chapters 34 and 221, Laws of 1979) this permit may be altered, suspended, or revoked in whole or in part for cause, including but not limited to, the following:

1. A significant or recurring violation of any term or condition of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
3. A change in any applicable rule; or
4. Failure to pay any required permit fees.

I. Civil Liability

Nothing in this permit shall be construed to relieve the permit holder from civil penalties under sec. 144.426, 144.54 or 144.99, Wis. Stats., (as affected by Chapters 34 and 221, Laws of 1979) for violation of the terms and conditions of this permit, with secs. 144.30 to 144.426, 144.76 and 144.96, Wis. Stats., (as affected by Chapters 34 and 221, Laws of 1979), or with any rule or any special order issued under those sections.

J. Other Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permit holder from any responsibilities, liabilities, or penalties established pursuant to any other applicable Federal, State, or local law or regulation. The issuance of this permit does not convey any property rights in either real or personal property, nor does it authorize any injury to private property or any invasion of personal rights.

K. Records Retention

All records and information resulting from any monitoring activities required by this permit shall be retained by the permittee for a minimum of three years (or longer if requested by the Department) pursuant to section NR 154.06(3), Wis. Adm. Code.

L. Reporting

Reports required by Part I of this permit, if any, shall be signed by an authorized representative of the source.

M. Confidential Information

Except for information determined to be confidential under sec. 144.33, Wis. Stats., (as affected by Chapters 34 and 221, Laws of 1979), any information or reports received by the Department in the permit application process, or subsequently obtained, shall be available for public inspection at the offices of U.S. Environmental Protection Agency and the Department of Natural Resources.

N. Notification of Transfer

In the event of a transfer of control of operation of the source, the permittee, prior to such transfer, shall notify his successor by letter of the need for a permit. A copy of this letter shall be forwarded to the Department.

O. Nonexempt Modifications

"Modification" means any changes in the physical size or method of operation of a stationary source which:

- (1) increases the potential amount of emissions of an air contaminant;
- (2) results in the emission of an air contaminant not previously emitted;
or
- (3) results in the violation of an ambient air increment.

Unless authorized by a permit, any modification of the source(s) subject to this permit is prohibited, but the following changes in operation are exempt if the specified change does not cause or exacerbate the violation of an ambient air quality standard or increment:

1. An increase in production rate if that increase does not exceed the operating design capacity of the source.
2. An increase in the hours of operation of the source.
3. Use of an alternate fuel or raw material if the source is designed to burn or use the alternate fuel or raw material and if that information is included in the plans, specifications and other information submitted under s. 144.392(2) or under s. 144.39(1), 1977 stats.
4. Resumption of operation of a source after a period of closure if the existing equipment was continuously included in the source inventory as an existing source covered by plans under s. 144.31(1)(f).
5. A change in ownership of the source.

P. Reconstruction or Replacement

Unless authorized by a permit, any reconstruction or replacement of the source(s) covered by this permit is prohibited.

Q. Circumvention

Pursuant to section NR 154.06(8)(a), Wis. Adm. Code, the installation or use of any article, machine, equipment, process, or method, which conceals an emission which would otherwise constitute a violation of an applicable rule is prohibited unless written approval has been obtained from the Department. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance and the unnecessary separation of an operation into parts to avoid coverage by a rule that applies only to operations larger than a specified size.

R. Operating Permit Renewal

Certain operating permits for which a complete application was received prior to April 30, 1980 may be subject to renewal. An operating permit may be renewed subject to the rules and regulations in effect at the time of application for renewal. Renewal applications shall be filed in accordance with sec. 144.397, Wis. Stats., (as affected by Ch. 34, Laws of 1979). An operating permit shall continue to be valid during any review time associated with renewal, provided the permit holder applies at least 180 days prior to the expiration date in accordance with sec. 144.397, Wis. Stats., (as affected by Ch. 34, Laws of 1979).

S. Forfeitures

In addition to other penalties or remedies, sec. 144.426, Wis. Stats., (as created by Ch. 34, Laws of 1979), provides that any person who violates this permit shall forfeit not less than \$10 nor more than \$25,000 for each violation. Each day of continued violation is a separate offense.

T. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.