

**Response to Comments
Related to
Amended Air Pollution Control Permit
to Construct and Operate #AOP-98-015a
for
OMYA, Inc.
Pittsford, Vermont**

October 20, 1999

WRITTEN COMMENTS

Letter received from the United States Environmental Protection Agency ("U.S. EPA") dated October 7, 1999 (attached).

- (1) *The permit does not address the Title IV (Acid Rain) requirements. In their technical analysis, the source says they have requested a permit shield from Title IV based on a 1996 applicability determination. EPA has no provision to issue a shield in this case. EPA did indeed determine that the source is not an affected unit because it sells less than 219,000 Megawatt equivalent hours (MWe-hours) of electricity, and less than one third of its annual output of electricity to a utility power distribution system. See 40 CFR 72.6(b)(4)(ii).*

If in the future, however, the source sell an average of 219,000 Mwe-hours and one third of its total electrical output to the grid for three years, it would become an affected source. EPA suggests adding a statement to the permit such as:

"On September 18, 1996, EPA issued an applicability determination saying the cogeneration facility is not currently a Title IV affected source. If the cogeneration source exceeds the limits stated in 40 CFR 72.6(b)(4)(ii), it will become an affected source and must comply with the requirements of 40 CFR 72-78."

The Vermont Agency of Natural Resources, Air Pollution Control Division ("Agency") agrees with U.S. EPA that a permit condition must be included in the permit which states Vermont Marble Power Division of OMYA, Inc. must comply with the requirements of the Acid Rain Program in the future if its alters the method of operation of the cogeneration plant in such a manner that would satisfy the applicability requirements of 40 CFR Part 72. See Condition (23) of the proposed Amended Air Pollution Control Permit to Construct and Operate #AOP-98-015a.

- (2) *The modeling analysis does not address sulfur dioxide. EPA assumes this is because the modifications will not lead to an increase in emissions of sulfur dioxide. If so, the ANR should state this in the analysis.*

Correct, the Agency did not require an impact evaluation for sulfur dioxide ("SO₂") because allowable emissions for this contaminant are proposed to decrease. Additionally, in 1990, emissions of SO₂ were analyzed as part of the Agency's review for

the Cogeneration Plant and additional spray dryer at the Verpol Plant. This demonstration verified that allowable emissions for OMYA's operations did not cause or contribute to violations of the ambient air quality standards and prevention of significant deterioration increments. Allowable emissions included in this analysis were greater than the values specified for OMYA under the proposed permit. Consequently, no analysis was performed as part of the Agency's review for the proposed modifications. The Agency has revised the technical analysis and permit findings to expressly identify no analysis was necessary for SO₂.

- (3) *(Paragraph (28); p20) Following the logic of EPA's September 20, 1999 policy entitled "State Implementation Plans: Policy Regarding Excess Emissions During Malfunctions, Startup, and Shutdown", the permit should define the length of time to complete the shutdown procedure. Also, the permit should clearly state that the operator should minimize the frequency of startups/shutdowns (SU/SD) to the maximum extent practicable.*

The permit should require the source to determine if anything can be done (and if so, to implement the necessary steps) to minimize the impact of any excess emissions on ambient air quality during SU/SD. The owner should document their actions during SU/SD by using properly signed, contemporaneous operating logs, or other relevant evidence.

The Agency agrees with the U.S. EPA that emissions from startup and shutdown periods should be minimized to "maximum extent practicable." Historically it has been the Agency's policy to require facilities to minimize such transient operation and not exceed maximum emission levels. See Air Pollution Control Permit for Limerock Cogeneration Plant (#AP-91-022 issued December 11, 1992).

For this particular permit, the Agency does not concur with U.S. EPA that further revisions of the permit conditions for the Cogeneration Plant are warranted. Startup and shutdown of the facility has been restricted to a maximum of five (5) occurrences per week [See Condition (28)(b)]. Additionally, SO₂ and visible air contaminant emission limitations apply at all times for this facility, including periods of startup and shutdown. Since this facility is dispatched by NEPOOL, any further limitation of startup and shutdowns may adversely affect the operation of this facility. Given that the facility was permitted in 1990, is included in the proposed permit because Vermont issues site-wide permits, and the Cogeneration Plant is not undergoing any changes as a consequence of the proposed modifications, the Agency does not consider it appropriate to significantly modify a condition affecting the operation of the Cogeneration Plant.

Letter received from the OMYA, Inc. dated October 19, 1999 (attached).

- (1) With the exception of two points, OMYA's written comments focused primarily on suggested editorial and clerical modifications to the Agency's draft permit and technical analysis. The Agency has no issues with the editorial comments raised by OMYA, and therefore will be revising both documents to make the noted corrections suggested in OMYA's letter.

- (2) *Section 1.1, page 2: In the second paragraph reference is made to the previous/current Air Permit issued on "November 16, 1998". The correct date of issuance is November 6. This error is repeated in numerous places throughout the draft TA and permit. . .*

The correct date of issuance for the existing Air Pollution Control Permit to Construct and Operate the East Plant, Verpol Plant, and Cogeneration Plant is November 16, 1998. A Permit to Construct was granted on November 6, 1998, on the same date the proposed Permit to Operate was sent to U.S. EPA for their 45-day review period. The Agency received notification from U.S. EPA shortly thereafter that it did not have any objections to the issuance of the Permit to Operate. Consequently, the Agency reissued the Permit to Construct simultaneous with the Permit to Operate on November 16, 1998. Condition (71) of the combined Permit to Construct and Operate supercedes the November 6, 1999 Permit to Construct. The above is confusing, and highlights one of the glitches associated with combined construction and operating permits for Title V subject sources.

- (3) *Condition (21), page 18: We question the reasoning behind this condition remaining in the permit. It was originally included as part of the previous permit amendment when OMYA proposed to close the East plant subsequent to the addition of Flash Dryer #3 at Verpol. However, those plans were later changed and the pending permit amendment was applied for, and the TA review conducted, based on the full continued operation of OMYA East. Therefore, we believe there is no technical or legal basis for any future restriction of the continued operation of the East plant.*

The Agency agrees and made an error in retaining this condition. The proposed permit no longer includes this requirement.

Attachments

U.S. EPA letter to Agency dated October 7, 1999
OMYA, Inc. letter to Agency dated October 19, 1999