



**Air Quality Permitting
Response to Public Comments
During the First Public Comment Period**

July 16, 2009

Tier I Operating Permit No. T1-2007.0106

**Clearwater Paper Corporation – Pulp Mill
Lewiston, Idaho**

Facility ID No. 069-00001

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Final

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1. BACKGROUND

In accordance with IDAPA 58.01.01.364.0, the Department of Environmental Quality (DEQ) provided for public comment between January 26, 2009 and February 25, 2009 on the proposed renewal to the Tier I Operating Permit (T1-2007.0106) for Clearwater Paper Pulp Mill Division located in Lewiston Idaho. Clearwater Paper Corporation consists of two Divisions; the Pulp Mill Division and the Consumers Products Division. The Clearwater Paper Corporation is considered one facility for Tier I permitting purposes though the permit is issued in two parts (one for the Pulp Mill and one for the Consumer Products Division). This response to comments is for the Pulp Mill Division section of the Tier I permit. The Response to Comments on the Consumer Products section of the permit are provided in a separate document in response to comments on Tier I Permit No. T1-2007.0105.

Comments were provided via email. Each comment and DEQ's response is provided in the following section. All comments submitted in response to DEQ's proposed action are included within Appendix A of this document.

A second public comment period is being held because significant changes to the draft permit have been made based on comments received during the first comment period.

2. PUBLIC COMMENT AND RESPONSES

Public comments regarding the permit analysis and air quality aspects of the proposed permit are summarized below. Due to the similarity of many of the comments received, the summary presented below combines and/or paraphrases some comments in order to eliminate duplication and to provide a more concise summary. Questions, comments, and/or suggestions received during the comment period that did not relate to the air quality aspects of the permit application, the Department's technical analysis, or the proposed permit are not addressed.

Comment 1:

I hope DEQ will seriously scrutinize Clearwater Paper's application. I have been a Lewiston area resident since 1984. Whenever I am downwind from the former Potlatch's emissions, I develop a severe headache; I am unable to reside in the Normal Hill residential area because of its frequent exposure to the Potlatch/Clearwater Paper plume and therefore live further from work than I prefer in order to avoid it. My wife experiences even worse symptoms. Within an hour or so of a wind shift carrying the emissions away, I recover. We do not experience such symptoms when out of the Lewiston valley. I also frequently find that my students who move to Lewiston to attend Lewis-Clark State College become ill with severe allergies or headaches soon after their arrival. Parents new to the area tell me of new symptoms developing in their infant children, ranging from allergies to heart conditions. Please do not disregard my anecdotal evidence.

Thank you for your consideration. (Okey Goode, via email)

Response 1:

DEQ appreciates comments provided on the Proposed Tier I Operating Permit for the Clearwater Paper Corporation.

Currently, Clearwater Paper Corporation is not proposing a modification to the existing facility which would cause changes to concentrations of air pollutants in ambient air. The Lewiston area is designated as attainment for sulfur dioxide and unclassifiable for all other criteria air pollutants (i.e. particulate matter, carbon monoxide, ozone, nitrogen dioxide) in accordance with 40 CFR 81.313.

The proposed permit that was issued for public comment is a Tier I Operating Permit Renewal. Tier I permits expire every five years; this permitting action is solely to renew the Tier I permit which has expired. The Tier I permitting requirements are primarily administrative; the purpose of the Tier I Permit is to consolidate all existing applicable requirements into one document. Consistent with the Tier I permitting requirements the proposed permit includes all applicable requirements, and where necessary adds monitoring to assure compliance with those requirements.

Result: No changes to Permit or Statement of Basis.

Comment 2:

Clearwater requests that the basis for developing all underlying permit conditions be explained as part of this Tier I permit renewal. Note that this comment was also made by EPA Region 10 in a 2003 Idaho Title 5 program review.(Clearwater Paper Corporation)

Response 2:

EPA's concern¹ regarding DEQ's statement of basis for Tier I permits was that they must set forth the legal and factual basis for the permit conditions. In the case where an existing applicable requirement is an emission limit, throughput restriction, or operational practice it is only necessary to cite that these permit conditions originate from an underlying permit, which is the legal and factual basis for these Tier I permit conditions. It is not necessary to explain why these underlying conditions were established in order to satisfy the requirements of the Tier I permit, it is only necessary to cite where these permit conditions originated (IDAPA 58.01.01.322.02). EPA's particular concern was with regards to assuring that the Tier I permits have sufficient monitoring to assure compliance with existing applicable requirements for emission limits, throughput restrictions, or operational requirements. It is this basic requirement (IDAPA 58.01.01.322.06) which was stressed in EPA's Review of Idaho's Tier I Permit Program. DEQ has developed a Tier I statement of basis template and instructions in response to EPA's concern. DEQ's statement of basis requires listing each applicable emission limit, throughput restriction, or operational practice. Immediately following each of these restrictions it is required to determine whether the existing monitoring included in the underlying permit is in fact sufficient to ensure compliance. If the existing monitoring is not sufficient then monitoring must be added to the Tier I permit to ensure compliance under the legal authority of IDAPA 58.01.01.322.06. Also, if an underlying permit condition has been determined not to be an applicable requirement to be included in a Tier I permit an explanation must be provided on the basis of this determination. For instance an underlying permit may include conditions solely for State Only Toxic air pollutants which are not applicable requirements to be included in the Tier I permit. Explanations must also be provided for what otherwise may be presumed applicable permit requirements which are actually, upon analysis, determined not to be applicable (an example may be non-road engine requirements).

If Clearwater proposes to modify underlying permits it becomes important to understand why the underlying permit requirements were developed. For instance if a permit condition is requested to be changed, and is solely a request to relax that condition (no physical or operational change is occurring), then that relaxation can not be to extent that it would trigger PSD without going through the PSD permitting process for that relaxation. Clearwater my review previous applications submitted to obtain the underlying permits and my request the statement of basis written to support the issuance of the permit in order to ascertain the origin of the permit condition.

Result: No changes to Permit or Statement of Basis.

Comment 3:

Permit Condition 1.8

Clearwater has requested to reduce visible emissions observation from monthly to quarterly.
(Clearwater Paper Corporation)

Response 3:

DEQ has granted the request for quarterly inspections in Facility-Wide Permit Condition 1.8. All inspections are now quarterly unless other permit conditions require more frequent observations. Clearwater has not reported a violation of the opacity standard during the last six years; it follows that quarterly monitoring instead of monthly monitoring is sufficient.

Result: Facility-Wide Permit Condition 1.8 has been changed to require quarterly inspections instead of monthly inspections unless more frequent monitoring is required elsewhere in the permit.

¹ EPA Final Report: Idaho Department of Environmental Quality Title V (Tier I) Program Review, Concern #12, Page 14.
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Comment 4:

Permit Condition 1.9

Monitoring that reports an excess emissions event in terms of an exceedance of an emissions limit or standard such as source tests, opacity monitoring, or CEMs data (as discussed in 40 CFR Part 64) will be the basis for future excess emission reports. Clearwater Paper understands that parametric monitoring results that reveal a deviation are to be reported as deviations in the semi-annual monitoring report. Please confirm that this approach is approved by the Department. Current Parametric monitoring requirements are listed below:

- 3 lime Kiln precipitator voltage**
- 3 lime kiln precipitator amperage**
- 3 lime kin production rate**
- 4 lime kiln precipitator voltage**
- 4 lime kiln precipitator amperage**
- 4 lime kiln production rate**
- 4 lime kin scrubber pH**
- 4 lime kiln production rate**
- 4 lime kiln scrubber flow rate**
- LVHC incinerator temperature**
- LVHC incinerator SO2 scrubber pH**
- LVHC incinerator SO2 scrubber flow rate**
- HVLC collection system monthly inspection leak detections**
- HVLC closed vent collection system deviation**
- LVHC collection system monthly inspection leak detections**
- LVHC closed vent collection system deviation**
- Thermo compressor steam rate**
- Chip bleach plant scrubber pH**
- Chip bleach scrubber flow rate**
- Sawdust bleach plant scrubber pH**
- Sawdust bleach plant scrubber flow rate**
- 4 RF smelt dissolver scrubber pH**
- 4 RF smelt dissolver scrubber flow rate**
- 5 RF smelt dissolver scrubber pH**
- 5 RF smelt dissolver scrubber fan amperage**
- Dry fuel bin baghouse any visible emissions (CAM)**

Clearwater Paper will continue ongoing discussions with the Department regarding appropriate excess emission reporting to ensure continued compliance with IDAPA 58.01.01.824, IDAPA 58.01.01 130-136, and 40 CFR part 63 Subpart S.

Clearwater has also provided several comments to the affect that excess emissions reporting requirements of the Rules for the Control of Air Pollution in Idaho, the New Source Performance Standards, and National Emissions Standards for Hazardous Air Pollutants are redundant and that it is only necessary to follow one of them.

(Clearwater Paper Corporation)

Response 4:

DEQ is not providing confirmation that the proposed reporting approach meets the requirements of the excess emissions requirements. Clearwater's proposal is to comply with the excess emissions reporting requirements for only a portion of the applicable standards. Excess emissions reports are required for all excess emissions not

just those included in Clearwater’s proposal. Excess emissions are defined by IDAPA 58.01.01.006.38 as “Emissions that exceed applicable emissions standard established for any facility, source or emissions unit by statute, regulation, rule, permit, or order.” An emissions standard is defined by IDAPA 58.01.01.006.34 as “A permit or regulatory requirement established by the Department or EPA which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifications, or prescribe operation or maintenance procedures for a source to assure continuous emissions reduction.” The purpose of the Tier I permit is to consolidate all existing applicable requirements into one document and to add monitoring where necessary to assure compliance with those requirements. That task has been accomplished and Tier I Permit Condition 1.9 includes the excess emissions requirements of IDAPA 58.01.01.130-136 because it is an applicable requirement.

Excess emission reporting requirement of the Rules for the Control of Air Pollution in Idaho (Rules), New Source Performance Standards (NSPS), and National Emission Standards for Hazardous Air Pollutants (NESHAP) each have their own independent definition of what constitutes excess emissions and each has their own independent reporting requirements. Since the excess emissions reporting requirements of the Rules, NSPS, and NESHAP have their own discrete requirements all of them must be followed. Refer to the November 14, 2008 letter from DEQ to Clearwater regarding excess emissions reporting requirements (See Appendix B of this document). This letter includes a summary of the reporting requirements for non-condensable gases. This letter also describes that Clearwater must follow all excess emissions reporting requirements included in the Rules, NSPS, and NESHAP.

Result: No changes to Permit or Statement of Basis

Comment 5:

Permit Condition 1.10

The existing Tier I permit allowed test report submittal to extend past 30 days if DEQ approved a longer time frame. In some cases it may not be possible to submit a final report within 30 days. Please reinsert this language allowing for submittal on an alternative approved schedule.
(Clearwater Paper Corporation)

Response 5:

DEQ has reinserted this language into the Tier I permit.

Result: Permit Condition 1.10 has been changed to include that source test may be submitted after 30 days if approved by DEQ.

Comment 6:

Permit Condition 1.10

This condition paraphrases IDAPA 58.01.01.157. It is requested that the condition either reflect the exact language of the citation or include the phrase “in the event that there is a conflict between this condition and IDAPA 58.01.01.157, IDAPA 58.01.01.157 will govern.” It is unclear why IDAPA 58.01.01.322.06 (monitoring) 08a, (“Sufficient reporting to assure compliance with all terms of the permit”), and 09 (“Testing”) are cited as a basis for this general testing condition. Citing IDAPA 58.01.01.157 appears to be adequate. It is requested that IDAPA 58.01.01.322 citations only be used in the permit where applicable to support reasonable gap filling compliance demonstration requirements. (Clearwater Paper Corporation)

Response 6:

DEQ has added to Permit Condition 1.10 that in the event that there is a conflict between this condition and IDAPA 58.01.01.157, IDAPA 58.01.01.157 will govern. The citation for the origin of the permit condition has been changed to be solely IDAPA 58.01.01.157.

Result: Permit Condition 1.10 has been modified to include a statement that if there is conflict between the permit condition and IDAPA 58.01.01.157, IDAPA 58.01.01.157 shall govern. The permit condition has been cited to IDAPA 58.01.01.157.

Comment 7:

Permit Section 2

Several conditions in this section cite PTC No. P-050208, 11/9/06. This PTC was modified on 4/24/08.

The latter permit is the appropriate reference. (Clearwater Paper Corporation)

Response 7:

DEQ has updated the Tier I permit to include PTC No. P-2008.0009 issued 4/24/08 and has removed all references to PTC No. P-050208, which was issued 11/9/06.

Result: Permit Section 2 and the corresponding statement of basis have been updated to include the 4/24/08 permit.

Comment 8:

Table 2.2

Condition 2.1 – PM on power boilers, cites 1.14 as a monitoring requirement. Condition 1.14 regards the sulfur content of fuel. Please delete this citation from the table. (Clearwater Paper Corporation)

Response 8:

DEQ has removed the reference to Condition 1.14 in Table 2.2 as requested.

Result: Table 2.2 has been amended to remove reference to Permit Condition 1.14.

Comment 9:

Permit Section 3

It is unclear whether the underlying applicable requirements for this source are from a 1978 DEQ letter or permit #1140-0001 8/22/1984. When DEQ revised these permits to reflect the name change to Clearwater Paper Corporation in late 2008, the September 20, 1978 Conditional Permit to Construct letter was included; however PTO #1140-0001 dated 8/22/1984 was noted to be obsolete or superseded. Clearwater requests that the Statement of Basis contains a detailed inventory of the applicable and non-applicable conditions from each of these documents, a discussion of why permit #1140-0001 8/22/1984 which expired on its own terms in 1989 remains an underlying applicable requirement, and a determination of whether the 1978 letter is an applicable requirement. If in effect, certain requirements in the September 20, 1978 Conditional Permit to Construct letter are not included in this draft Tier I permit including a 100 tons per year SO₂ limit and an opacity limit of 20%, with 40% permissible for 2 minutes in any hour. This discussion in the Statement of Basis will avoid confusion regarding the requirements in these documents in future permitting actions. (Clearwater Paper Corporation)

Response 9:

The existing Tier I Permit, and the draft permit that was made available for public comment on January 26, 2009, include requirements from the August 22, 1984 Air Pollution Source Permit No. 1140-0001. This permit expired on August 21, 1989 and is not included in the updated draft permit. The renewed Tier I permit now includes permit conditions cited to originate from the PTC issued September 20, 1978, the Air Pollution Source Permit issued on July 5, 1979, the Rules, the Code of Federal Regulations, or the PSD permit issued September 30, 1980 instead of the August 22, 1984 permit.

The August 22, 1984 permit included the following condition which has expired and can not be cited to another existing applicable requirement:

“The boiler fuel may include such materials as wastepaper, cafeteria waste, straw, tire chips (shredded motor vehicle tires), clarifier sludge, and plastic drool (waste from extruding machines) in any combination of the above up to 20% of the total fuel rate on a dry basis. However, the total sulfur in the fuel mixture shall not exceed 0.5% dry basis.”

Should Clearwater propose in the future to combust any fuel other than natural gas, fuel oil, or wood² then a regulatory analysis must be conducted in order to determine if a modification is occurring. If a modification is occurring, as defined by the applicable rules, then a regulatory analysis must be conducted to determine if that modification requires that a permit be issued prior to burning of that fuel.

Following is a list of underlying permits which have requirements that are applicable to the No. 4 Power Boiler:

- EPA PSD approval, PSD-X80-18, 9/30/80
- PTC, 9/20/78

The 1978 PTC includes requirements for NO_x, PM, and SO₂. The NO_x requirements in this PTC have been superseded by the 1980 EPA PSD permit. The PM and SO₂ requirements remain applicable requirements. The following table provides a summary of the status of the requirements of the 1978 PTC.

Summary of PTC issued 9/20/78 for No. 4 Power Boiler.

Permit Requirement	Status
Additional design information shall be submitted for multiclone and ESP as soon as manufacturer is selected.	Obsolete permit conditions. Manufacturer was selected nearly 30 years ago.
Source shall conduct stack tests within 60 days of achieving maximum production, but not later than 180 days after startup.	Obsolete permit conditions. Startup was nearly 30 years ago.
SO _x emission shall be monitored by regularly conducted analysis	Effective permit condition. The Tier I permit requires Clearwater to operate a SO ₂ CEM
The source shall install a continuous opacity monitor	Effective permit condition. The Tier I permit requires continuous monitoring of opacity emissions.
Particulate Limits: <ul style="list-style-type: none"> • 0.015 gdscf @ 12% CO₂ • 120 T/yr • 20% Opacity 	Effective permit condition. The Tier I permit includes these emissions limits.
Nitrogen Oxide Limits	Superseded by EPA PSD Permit, PSD-X80-18, 9/30/80
Kidwell Boiler Requirements	Obsolete permit conditions. Kidwell boilers are removed from the facility or are rendered inoperable.

² Potlatch Corporation, Application for a New or Modified Industrial Air Emission Permit, February 7, 1978.

Result: The Statement of Basis Section 8.3 Permit History has been updated to include a discussion regarding the applicability of the August 22, 1984 Air Pollution Source Permit and the September 20, 1978 conditional permit to construct letter for the No. 4 Power Boiler.

Comment 10:

Table 3.2

For condition 3.2 the table lists 3.159 as a monitoring and record keeping requirement. For condition 3.3 the table lists 3.159 as a monitoring and record keeping requirement. Please confirm the applicable monitoring and record keeping requirements for these conditions. Please add the 120 tons per year particulate limit from condition 3.2 to the table. (Clearwater Paper Corporation)

Response 10:

Table 3.2 has corrected to reference Section 3.8, 3.9, and Permit Section 19 of the permit instead of 3.159 as the appropriate monitoring and recordkeeping requirements. The 120 T/yr PM emission limit on the No. 4 Power Boiler has been added to the table.

Result: The Tier I permit summary Table 3.2 has been updated as requested.

Comment 11:

Permit Condition 3.2

The correct emission limit for PM is 0.015 gr/dscf at 12% CO₂ (not O₂). (Clearwater Paper Corporation)

Response 11:

The excess air correction of the standard is in fact based on carbon dioxide, not on oxygen and the permit condition has been corrected as requested.

Result: Permit Condition 3.2 has been corrected.

Comment 12:

Permit Condition 3.5

The underlying PSD permit does not contain an averaging time for the NO_x limitation. It is requested that since an averaging time is not specified in the underlying applicable requirement, a monthly average be specified. Please replace the 3 hour average in the current Tier I permit with a monthly average. (Clearwater Paper Corporation)

Response 12:

The NO_x emission limitation in the PSD permit is a BACT emission rate limit. By definition BACT can not be less stringent than any applicable NSPS standard (40 CFR 52.21(b)(12)). The No. 4 Power Boiler is subject to a NO_x emission standard from NSPS Subpart D. Clearwater has suggested a monthly averaging period, however the BACT limit can not be less stringent than the NSPS. In accordance with 40 CFR 60.45(g)(3)(i) the NO_x standard is for “any three-hour period during which the average emissions (arithmetic average of three contiguous one-hour periods) exceed the applicable standards.” Therefore the NSPS standard is a rolling 3-hour average (calculated each clock hour) and it follows that the BACT limit is also a rolling 3-hour average and can

not be changed to Clearwater's suggested monthly averaging period. The draft permit had been silent on whether the 3 hour average was a block or rolling average, now the permit makes clear the standard is a 3-hour rolling average³. The NSPS Subpart D emissions standards included in Permit Condition 3.6 has also been updated to make clear that the emission standard is a 3-hour rolling average.

Result: Permit Condition 3.5 and 3.6 have been update to clarify that the 3 hour average limit is a 3 rolling average standard.

Comment 13:

Permit Condition 3.7

The permit cited for this condition is expired. (Clearwater Paper Corporation)

Response 13: This permit condition has been removed from the Tier I permit. See DEQ's response to Comment 9.

Result: Permit Condition 3.7 has been removed from the permit.

Comment 14:

Permit Condition 3.8

Request that compliance with NSPS be included as an additional sentence under table 3.1 and not recited as a separate enforceable condition. (Clearwater Paper Corporation)

Response 14:

DEQ has made the requested changes. The Facility Wide Permit conditions include the NSPS general provisions in Permit Condition 1.19 and it is not necessary to repeat them in Section 3 of the permit.

Result: Permit Condition 3.8 has been deleted and the remainder of the Section 3 of the permit has been renumbered. The statement of basis has also been updated to reflect these changes.

Comment 15:

Permit Condition 3.9

The annual testing requirement is unreasonable in light of existing test results that demonstrate compliance well below the regulatory limit. Recent test results indicate that source testing once per permit term is adequate to demonstrate compliance. See results below:

8/16/06 = 0.0016 grains/dscf @ 12% CO2 - 11% of limit.

5/24/06 = 0.0068 grains/dscf @ 12% CO2 - 45% of limit.

9/30/03 = 0.0020 grains/dscf @ 12% CO2 - 13% of limit. (Clearwater Paper Corporation)

Response 15:

DEQ agrees. Particulate matter emissions from the No. 4 Power Boiler are subject to the continuous compliance assurance requirements of CAM. Testing frequency has been changed to once each five years.

³ See EPA Applicability determination for 40 CFR Subpart D at:
<http://cfpub.epa.gov/adi/index.cfm?CFID=2561623&CFTOKEN=44242832&jsessionId=2830259132465fb35d6a56f1075e5d3c6279TR2830&requesttimeout=180>

Result: The permit has been changed to require testing once each five years.

Comment 16:

Permit Condition 3.10

The citation does not appear to relate to the language in the condition. IDAPA 322.01 covers conditions that include an emission limit. IDAPA 58.01.01.322.06 and 322.07 are monitoring and recordkeeping requirements. (Clearwater Paper Corporation)

Response 16:

The citation for the permit condition has been changed from IDAPA 58.01.01.322.01 to IDAPA 58.01.01.322.06. This permit condition is now Permit Condition 3.9.

Result: The authority for the permit condition has been changed to cite IDAPA 58.01.01.322.06.

Comment 17:

Permit Condition 3.11 & 3.12

The NOx monitor is not required by NSPS. Therefore, reference to the NSPS as the applicable requirement is incorrect. The NOx monitor is required by the PSD permit issued by EPA in 1980 only. This source is not subject to monitoring for O2 or CO2 under NSPS, and therefore reference to the NSPS as the applicable requirement is incorrect. (Clearwater Paper Corporation)

Permit Condition 3.14

Only the specification reference, 40 CFR Part 60 App B, for the NOx monitor is required by the EPA PSD permit issued in 1980. (Clearwater Paper Corporation)

Response 17:

Existing Tier I Permit Condition 3.7 combined NOx CEM and COM requirements that originate from NSPS Subpart D and PSD permit No. X80-18 which was issued September 30, 1980. That permit condition was carried over to the draft Tier I permit that was made available for public comment without change except that it was renumbered to Permit Condition 3.11. Based on comments received on the draft permit these two requirements have now been included in their own respective permit conditions in the renewed Tier I.

The NOx CEM requirements of PSD permit No. X80-18 (9/30/80) are included in new Tier I Permit Condition 3.10. They are quotes of the requirements from this underlying permit.

Clearwater has not demonstrated that a NOx CEM is not required per 40 CFR 0 CFR 60.45(a) and (b). Permit Condition 3.11 has been added to the Tier I permit and now includes the CFR NOx CEM monitoring requirement. According to the CFR a NOx CEM and associated oxygen or carbon monoxide monitoring is not required if it can be demonstrated that the initial performance test was less than 70% of the applicable standards of 40 CFR 60.44. Clearwater had provided test data during the development of the Tier I permit which they contend shows that the initial test was less than 70% of the applicable standards. Based on DEQ's review⁴ of that data it can not be concluded that the test data was from the initial performance test and it has not been demonstrated that the methods used during the test meet the requirements of the CFR. In summary the CFR requirement accommodates a scenario where a NOx CEM is not required if it can be demonstrated that the initial test was less than 70% of the standard; if it can not be demonstrated that the initial test was less than 70%

⁴ Email from Tom Anderson, IDEQ to Dan Pitman dated February 27, 2009 (TRIM record number 2009AAG3974)

of the standard then a CEM is required. Tier I Permit Condition 3.11 now includes that a NO_x CEM is required by 40 CFR Subpart D because Clearwater has not demonstrated that a NO_x CEM is not required by 40 CFR Subpart D. Tier I Permit Condition 3.11 also includes the 40 CFR Subpart D COMs monitoring requirement.

Result: Tier I Permit Condition 3.10 now includes the NO_x monitoring requirements of the PSD permit without change from what this underlying permit requires. Tier I Permit Condition 3.11 now includes the NO_x monitoring requirement of the NSPS. The Statement of Basis has also been updated to reflect these changes.

Comment 18:

Permit Condition 3.13

Condition 3.13 requires that “Each month the permittee shall calculate the maximum SO₂ emission rate or the month in pounds per million British thermal units.” It is unclear how this calculation is to be performed to demonstrate compliance with the NSPS SO₂ limitation of 0.80 lb/MMbtu. Requirements for 40 CFR 60.45(2) requires fuel sampling and analysis for fossil fuel fired units. As required by Condition 1.14 the sulfur content of fuel oil burned is determined by receiving fuel analysis from the supplier. In light of the existing requirements to demonstrate compliance under NSPS, this additional compliance demonstration is unreasonable and provides no additional environmental benefit. Clearwater Paper requests deletion of this condition.
(Clearwater Paper Corporation)

Response 18:

The Tier I permit has been updated to require that SO₂ CEM be required to be operated and maintained in order to demonstrate compliance with the SO₂ emission standards.

Result: The Tier I permit has been updated to include the requirement to operate and maintain a SO₂ CEM.

Comment 19:

Permit Condition 3.15

The citation does not appear to relate to the language in the condition. IDAPA 322.01 covers conditions that include an emission limit. IDAPA 58.01.01.322.06 and 322.07 are monitoring and recordkeeping requirements. (Clearwater Paper Corporation)

Response 19:

This permit condition has been updated to cite the authority of IDAPA 58.01.01.322.06 instead of 322.01.

Result: The citation for the authority of the permit condition has been changed to IDAPA 58.01.01.322.06.

Comment 20:

Permit Condition 3.17

This condition is redundant with conditions 1.11 and 1.19 and should be deleted since it creates separately enforceable conditions without adding any additional requirements. Please note that 40 CFR 60.7(b) is a recordkeeping requirement and 40 CFR 60.7(e) is a reporting requirement.
(Clearwater Paper Corporation)

Response 20:

DEQ concurs that the General Provisions of the NSPS are included in Permit Condition 1.19, and that Permit Condition 1.11 requires maintaining monitoring data for a period of 5 years. Therefore Permit Condition 3.17 has been deleted from the permit because it is redundant.

Result: Permit Condition 3.17 has been deleted from the permit.

Comment 21:

Permit Condition 3.18

This condition is obsolete from the 1980 permit. This requirement for excess emission reporting was superseded by more stringent reporting requirements in IDAPA 58.01.01.130-136 and semi annual reporting of deviations required by this Tier 1 permit. Accordingly, the reporting requirement is obsolete and unnecessary. Please delete this condition.

Also, please confirm which agency currently has authority for implementation, enforcement, and revision of the 1980 PSD permit: EPA Region 10 or IDEQ. (Clearwater Paper Corporation)

Response 21:

This permit condition is now Permit Condition 3.17. The reporting requirements are quotes from the underlying permit condition and remains in the Tier I permit. This permit condition requires reporting excess emissions within 10 days; excess emissions reporting requirements of IDAPA 58.01.01.130-136 require reporting excess emissions within 15 days. Both must be included in the permit because each is an applicable requirement. See also DEQ's response to Comment #4.

DEQ has been delegated authority to issue Tier I operating permits; DEQ and/or EPA may enforce on Tier I permits. The PSD permit X-80-18 was issued by EPA on September 30, 1980; revisions to that EPA permit must be obtained from EPA or Clearwater could request that the permit be issued consistent with the November 14, 1986 Memorandum of Understanding for the PSD Program Delegation between the Department and EPA. Following is an excerpt from that memorandum:

“EPA will retain primary enforcement authority over EPA-issued PSD permits until State operating permits, containing limits at least as stringent as those in the PSD permits, become part of the Idaho SIP. As State operating permits for these facilities expire, the IDHW [Department] will revise them to be as stringent as the corresponding EPA-issued PSD permits. When these permits are incorporated in the SIP, EPA will delegate primary enforcement authority to Idaho for PSD limits at each facility. Subsequent permit revisions involving revisions to PSD permit limits can be accomplished by Idaho provided they comply with all PSD requirements, including public participation.”

Result: Permit Condition 3.17 has been changed to have exact quotes of the underlying applicable requirements instead of a summary of the requirements which was made available for public comment.

Comment 22:

Table 4.2

The summary in the table misstates Condition 4.3 as follows: “Unlimited hours if a existing boiler is permanently shutdown, 30 days if not shutdown.” The underlying permit does not require “permanent” shutdown of the existing boilers to operate more than 30 days. The correct language is in draft permit condition 4.3 and reads: “The temporary boilers

may be operated for unlimited hours, anytime one or more of the permanent boilers are shut down. The temporary boilers may also be operated concurrently with all of the permanent boilers for up to 30 days total operating time in any 12-month period.” Please revise the Table to be consistent with the substantive condition. (Clearwater Paper Corporation)

Response 22:

DEQ concurs that the summary in Table 4.2 misstates the actual requirement for Permit Condition 4.3. The summary has been changed to read “Unlimited hours if an existing boiler is shutdown, 30 days if not shutdown”.

Result: Table 4.2 of the Permit has been changed to include a more accurate summary description of the underlying applicable requirement.

Comment 23:

Permit Condition 4.5

This is redundant with condition 1.11 and should be deleted as a separately enforceable condition.
(Clearwater Paper Corporation)

Response 23:

DEQ concurs that Permit Condition 4.5 is redundant with Permit Condition 1.11. Permit Condition 1.11 serves the intended purpose of Permit Condition 4.5 which was to make clear monitoring data shall be kept for a period of 5 years.

Result: Permit Condition 4.5 has been removed from the permit.

Comment 24:

Table 5.1

The #2 Lime Kiln is incorrectly listed as an affected source for Subpart MM. Note that the kiln is currently permitted to process lime rock only. This restriction means that subpart MM is not applicable to this source. In the event that the #2 kiln is re-permitted to process lime mud, Subpart MM would be applicable. Please revise to accurately reflect that Subpart MM does not apply to the #2 Lime Kiln. (Clearwater Paper Corporation)

Response 24:

DEQ concurs that the #2 Lime Kiln is not a 40 CFR 63 Subpart MM affected emissions unit because it does not process lime mud. The #2 Lime Kiln has been removed from Table 5.1 and from Permit Condition 5.3.

Result: All mention of the #2 Lime Kiln within Section 5 of the permit has been removed. The Statement of Basis has also been updated stating the #2 Lime Kiln is not subject to Subpart MM.

Comment 25:

Table 5.1

Language for the smelt dissolver corrective action threshold does not reflect the language in the applicable Subpart. Specifically, the reference to “rolling average” is not stated in the NESHAPs. Also, the description in Table 5.2 specifies “block” average which is also not stated in the NESHAPs. It is requested that “rolling” and “block” be deleted from Table 5.1 so that the Tier I is consistent with the NESHAP, Subpart MM. The unsupported addition of these words burdens

the facility with four times more recordkeeping than Subpart MM requires, and does not provide any environmental benefit. The compliance status of the facility is not affected by specifying “rolling” as opposed to “block” averages since no more than one exceedance can be attributed in any given 24 hour period. Note that this issue was identified in a 2007 IDEQ inspection. At that time the mill sent a request for interpretation to EPA Region 10. To date, a response from Region 10 has not been received. Clearwater requests that the permit language be written consistently to reflect the federal regulation. (Clearwater Paper Corporation)

Response 25:

The averaging periods for the corrective action thresholds has been changed to an exact quote of 40 CFR Subpart MM, with the clarifying language that “any 3-hour average” means a 3-hour rolling average which is based on an EPA interpretation. Following is an excerpt from 40 CFR 63.864(k):

On-going compliance provisions. (1) Following the compliance date, owners or operators of all affected sources or process units are required to implement corrective action if the monitoring exceedances in paragraphs (k)(1)(i) through (vi) of this section occur:

- (i) For a new or existing kraft or soda recovery furnace or lime kiln equipped with an ESP, when the average of ten consecutive 6-minute averages result in a measurement greater than 20 percent opacity;
- (ii) For a new or existing kraft or soda recovery furnace, kraft or soda smelt dissolving tank, kraft or soda lime kiln, or sulfite combustion unit equipped with a wet scrubber, when **any 3-hour average parameter value** is outside the range of values established in paragraph (j) of this section.

Following is an excerpt from EPA’s April 13, 2007 email to DEQ interpreting the meaning of “any 3-hour average” as being a 3-hour rolling average.

Subject: Re: 40 CFR 63 - Subpart MM - "any 3-hour average"

Mr. Klotovich,

Alabama asked a similar question. See if our answer resolves yours. Otherwise, let me know what additional you need.

Len Lazarus

63.864(k)(2)(iii) reads:

(2) Following the compliance date, owners or operators of all affected sources or process units are in violation of the standards of §63.862 if the monitoring exceedances in paragraphs (k)(2)(i) through (vii) of this section occur:

(iii) For a new or existing kraft or soda recovery furnace, kraft or soda smelt dissolving tank, kraft or soda lime kiln, or sulfite combustion unit equipped with a wet scrubber, when six or more 3-hour average parameter values within any 6-month reporting period are outside the range of values established in paragraph (j) of this section;

The state is correct about the 6 month reporting period, but the rule requires a 3 hour average, not a 6 month average. The question came up whether this is a rolling or a block 3 hour average, which is what took so long to resolve.

The answer, from page 78-79 of the Subpart MM Summary of Public Comments and Responses, is:

"Regarding the commenter's recommendation that the 3-hour averaging periods for the operating parameters be specified as eight distinct periods per day, the proposed rule refers to 'any 3-hour average,' which is not a block average as the commenter believes."

So we are dealing with a 3 hour rolling average, that is recalculated every hour over the 6 month reporting period.

04/13/2007 12:53 Leonard Lazarus/DC/USEPA/US@EPA

Result: In Section 5 of the permit all mention of 3-hour average has been changed to "any 3-hour average parameter value" (rolling average) which is an exact quote of the underlying requirement (NESHAP Subpart MM) along with EPA's interpretation that any 3-hour average parameter value means a 3-hour rolling average.

Comment 26:

Table 5.10

The last sentence of this condition regarding non-opacity exceedances can be deleted here as it is included in Condition 5.11. (Clearwater Paper Corporation)

Response 26:

DEQ concurs that is not necessary to include that "For purposes of determining the number of nonopacity monitoring exceedances, no more than one exceedance will be attributed in any given 24-hour period" in both Permit Condition 5.10 and 5.11. This provision has been deleted from Permit Condition 5.10.

Result: "For purposes of determining the number of nonopacity monitoring exceedances, no more than one exceedance will be attributed in any given 24-hour period" has been deleted from Permit Condition 5.10.

Comment 27:

Permit Condition 6.7

This condition requires testing at "the maximum expected production rate." It is requested that this condition be modified to read: "shall be conducted at worse case normal operating conditions." The previous Tier 1 permit defined worse case normal at a production rate of 90% - 110% of the 90th percentile of the previous 12 month productions rate. (current Tier I permit Condition 44.g). It is requested that this definition be included in all testing requirements for this renewed Tier I operating permit. The citation for this condition is IDAPA 58.01.01.322.06; however, reference to 322.07 (requiring testing) may be more appropriate. (Clearwater Paper Corporation)

Response 27:

In Permit Condition 6.7 the phrase which states "the maximum expected production rate" has been changed to be consistent with the testing requirements of 58.01.01.157 which requires testing be conducted at worst-case normal operating conditions.

In providing comments on the Tier I permit Clearwater has requested several different percentages to describe worst case normal conditions (see Comment 27, 41 and 60) and it is uncertain what the requested global description of worst case normal is that Clearwater wants. Requiring testing to be conducted under worst case normal operating conditions is sufficient as defined by IDAPA 58.01.01.157. In July 2008 DEQ published a

Source Test Guidance Document⁵ which discusses testing, and worst case normal conditions. Following is an excerpt from that guidance document:

“Worst-case normal operating conditions are those conditions of fuel type(s) and moisture content, composition of raw material(s) used in the process, emissions control equipment parameters, and process operational procedures that are variable or could be expected to be encountered during the operation of the process and that would result in the highest pollutant emissions from the process. By pollutant, DEQ means the pollutant or pollutants that are the subject of the test. In general, if the operating requirements are not specified in a rule or permit, operating a source at greater than 80% of maximum capacity will satisfy the worst-case normal requirement. However, some sources do not operate near maximum capacity, and in those cases, operating near normal operating conditions is acceptable. As an example, one permit defined worst-case normal operating conditions for a source as 90% of the 95th percentile of the previous years average operating conditions. DEQ may request historical operating data from the owner/operator to verify that the test was conducted at worst-case normal operating conditions.”

DEQ’s guidance document provides sufficient clarification for source testing requirements and states that, in general, operating a source at greater than 80% of maximum capacity will satisfy the worst-case normal requirement. The guidance also states that historical operating data may be considered.

Result: Permit Condition 6.7 has been changed to state that testing must be conducted at worst case normal operating conditions consistent with IDAPA 58.01.01.157 and the citation has been changed to §332.09 which grants the authority to require testing.

Comment 28:

Permit Condition 6.8

This condition requiring quarterly reporting of TRS has been superseded by more stringent reporting requirements in IDAPA 58.01.01.130-136 and semi-annual reporting of deviations required by this Tier 1 permit. Accordingly, the reporting requirement is obsolete and unnecessary. Please delete this condition. (Clearwater Paper Corporation)

Response 28:

The draft permit that was made available to public comment included Permit Condition 6.8 which was a quote from Air Pollution Source Permit No. 1140-0001, 8/22/84. This permit condition expired on August 21, 1989 and is not included in the updated draft Tier I permit. However it noted that the permittee must report excess emissions at least within 15 days of occurrence in accordance with the Tier I Facility-Wide permit conditions.

Result: Permit Condition 6.8 has been deleted from the Tier I permit. The corresponding section in the Statement of Basis has also been changed to reflect this change.

Comment 29:

Permit Condition 7.8

This condition reads as follows:

“With exception of NO_x, CO, and SO₂ increases in potential emission of any pollutant regulated

⁵ State of Idaho, DEQ web link:

http://www.deq.idaho.gov/air/data_reports/monitoring/source_test_guidance_manual_0708.pdf

under the Clean Air Act resulting from construction of the No. 5 Recovery Boiler will be less than the significant levels [Section 52.21(b)(23)(i)]. [PSD permit X-84-01, 12/3/84]”

This obsolete condition relates back to the 1984 permit for construction of the No. 5 recovery furnace. Once that unit was constructed and emissions limits established, this general statement became obsolete. Since this relates back to construction over 20 years ago it should be considered deleted from the permit. (Clearwater Paper Corporation)

Response 29:

This permit condition is not obsolete; it is an exact quote of the underlying permit which was issued by EPA on December 3, 1984 (PSD permit X-84-01) and is based on the PSD rules. See also DEQ’s response to Comment #9.

Result: No changes have been made to the Tier I Permit or Statement of Basis.

Comment 30:

Permit Condition 7.10

This condition is a “state only” requirement. Please identify this condition as “state only.”
(Clearwater Paper Corporation)

Response 30:

The commenter is correct; this permit condition originates from IDAPA 58.01.01.819 which is not included as part of the EPA approved State Implementation Plan (SIP)(40 CFR 52.670).

Result: The citation for Tier I Permit Condition 7.10 has been changed from IDAPA 58.01.01.819 to “State Only”.

Comment 31:

Permit Condition 7.14

This condition should contain the language “or other methods approved by the department.” Method 5, for example, is required by this condition; however, the federal regulation requires, 60.285(a)(1), requires that Method 5 be modified to use water as the cleanup solvent instead of acetone. Similarly, Method 7 is specified for NOx; however IDEQ has historically approved the use of method 7E for NOx. (Clearwater Paper Corporation)

Response 31:

Tier I Permit Condition 7.14 has been modified to allow DEQ approved alternatives to be used.

Result: Tier I Permit Condition 7.14 has been modified to include that “DEQ approved alternative[s]” are acceptable.

Comment 32:

Permit Condition 7.15

This condition is redundant and should be deleted as a separately enforceable condition. Monitoring requirements are covered in condition 5.7. The performance testing required by 40 CFR 63.865 was completed in 2004. Additional PM testing is covered by condition 7.14. Recording

keeping and reporting requirements are in conditions 5.12, 5.13, and 5.14. (Clearwater Paper Corporation)

Response 32:

This permit condition specifies that the permittee shall comply with the monitoring, reporting and recordkeeping requirements of Subpart MM. DEQ concurs that the Subpart MM requirements are all included in Section 5 of the permit and Permit Condition 7.15 is redundant.

Result: Tier I Permit Condition 7.15 has been deleted from the permit because it is redundant with Section 5 of the permit.

Comment 33:

Permit Condition 7.16

This condition paraphrases 40 CFR 60.284(d) and (e). It is requested the following language be added “should there be a conflict between this condition and the NSPS, the NSPS shall govern.” The last sentence of this condition regarding compliance with excess emission reporting requirements is redundant and should be deleted as a separately enforceable condition. Condition 1.9 covers excess emission reporting requirements. (Clearwater Paper Corporation)

Response 33:

A statement has been added to the permit condition to the effect that should any of the NSPS requirements which have been paraphrased in the permit conflict with the NSPS requirement, then NSPS shall govern. The statement that the facility must also comply with the excess emissions requirements of IDAPA 58.01.01.130-136 remains in the permit; it is necessary based on historical discussions with the facility to make clear the necessity to report excess emission in accordance with both the NSPS and IDAPA 58.01.01.130-136. See also DEQ’s response to Comment #4.

Result: This permit condition has been renumbered to 7.15 and amended to include a statement that should there be conflict between the paraphrased NSPS terms and the NSPS, then the NSPS shall govern.

Comment 34:

Permit Condition 7.17

This condition mistakenly refers to the No. 4 recovery furnace. Section 7 of the draft Tier 1 permit covers the No. 5 recovery furnace. This condition requires quarterly reporting of TRS emissions; however IDAPA 58.01.01.824.04 includes the phrase “unless otherwise authorized by the Department.” Since reporting of excess emission is required under excess emission reporting rules and semi-annual reports, it is requested that this condition be deleted. (Clearwater Paper Corporation)

Response 34:

In accordance with IDAPA 58.01.01.824 DEQ can authorize alternatives to quarterly reporting included in this Rule. DEQ concurs that the excess emissions reporting requirements of IDAPA 58.01.01.130-136, which require reporting excess emissions at least within 15 days of occurrence, is sufficient enough reporting. DEQ authorizes that submitting excess emissions within 15 day of occurrence instead of submitting reports each quarter. DEQ has deleted permit condition 7.17 from the permit which also results in removal of the reference to the No. 4 Recovery Furnace.

Result: Tier I Permit Condition 7.17 has been deleted from the permit and corresponding updates have been made to the Statement of Basis.

Comment 35:

Permit Condition 7.18 & 7.19

Condition 7.18 requires submittal of test protocols 30 days prior to a test. The cited basis for this requirement is IDAPA 58.01.01.322.06. This IDAPA requirement concerns monitoring, not test protocol submittal. The appropriate reference for test protocol review by IDEQ is 58.01.01.157 which encourages submittal of the protocol. There is no underlying applicable requirement that mandates submittal of a protocol.

Condition 7.19 is redundant with condition 1.10 and should be deleted as a separately enforceable Condition. (Clearwater Paper Corporation)

Response 35:

Based on this comment DEQ has determined that Permit Condition 7.18 and 7.19 are redundant with Permit Condition 1.10 which includes the testing requirements of IDAPA 58.01.01.157.

Result: Tier I Permit Condition 7.18 and 7.19 have been deleted from the permit and corresponding updates have been made to the Statement of Basis.

Comment 36:

Permit Condition 7.20

This condition is obsolete from the 1984 permit. This requirement for excess emission reporting was superseded by more stringent reporting requirements in IDAPA 58.01.01.130-136 and semi-annual reporting of deviations required by this Tier 1 permit. Accordingly, the reporting requirement is obsolete and unnecessary. Please delete this condition.

Also, please confirm which agency currently has authority for implementation, enforcement, and revision of the 1980 PSD permit: EPA Region 10 or IDEQ. (Clearwater Paper Corporation)

Response 36:

This permit condition has been renumbered to Permit Condition 7.16. This permit condition is not obsolete; it is an exact quote of the underlying permit which was issued by EPA on December 3, 1984 (PSD permit X-84-01).

DEQ has been delegated authority to issue Tier I operating permits; DEQ and/or EPA may enforce on Tier I permits. The PSD permit X-84-01 was issued by EPA on December 3, 1984; revisions to that EPA permit must be obtained from EPA or Clearwater could request that the permit be issued consistent with the November 14, 1986 Memorandum of Understanding for the PSD Program Delegation between the Department and EPA. Following is an excerpt from that memorandum:

“EPA will retain primary enforcement authority over EPA-issued PSD permits until State operating permits, containing limits at least as stringent as those in the PSD permits, become part of the Idaho SIP. As State operating permits for these facilities expire, the IDHW [Department] will revise them to be as stringent as the corresponding EPA-issued PSD permits. When these permits are incorporated in the SIP, EPA will delegate primary enforcement authority to Idaho for PSD limits at each facility.

Subsequent permit revisions involving revisions to PSD permit limits can be accomplished by Idaho provided they comply with all PSD requirements, including public participation.”

Result: No changes have been made to the Tier I Permit or Statement of Basis.

Comment 37:

Permit Condition 8.3

Note comment for condition 8.7 – the amount of ADP produced does not directly relate to the amount of smelt dissolved in the smelt dissolving tank. This is why 40 CFR limits PM emissions in terms of Ton of black liquor solids fired, which more directly relates to the production rate of the smelt dissolving tank. (Clearwater Paper Corporation)

Response 37:

Permit Condition 8.3 has been changed to an exact quote of IDAPA 58.01.01.823; the emissions rate limit is based on emissions per “equivalent” air dried ton. DEQ recommends that a source testing protocol be submitted for review and approval prior to conducting any performance tests intended to determine compliance so that the method of determining “equivalent” air dried tons can be determined.

Result: Permit Condition 8.3 has been changed to an exact quote of IDAPA 58.01.01.823.

Comment 38:

Condition 8.4 contains a typo, “form” should be “from”. (Clearwater Paper Corporation)

Response 38: The typographical error has been corrected.

Result: Permit Condition 8.4 has been corrected to use the word “from” instead of “form”.

Comment 39:

Condition 8.5 is redundant with conditions in Section 5 and should be deleted as a separately enforceable condition. (Clearwater Paper Corporation)

Response 39:

This permit condition specifies that the permittee shall comply with the monitoring, reporting and recordkeeping requirements of Subpart MM. DEQ concurs that the Subpart MM requirements are all included in Section 5 of the permit and that Permit Condition 8.5 is therefore redundant.

Result: Tier I Permit Condition 8.5 has been deleted from the permit because it is redundant with Section 5 of the permit.

Comment 40:

Condition 8.6 is cited as a monitoring and recordkeeping requirement in table 8.2 for condition 8.4, however the language in condition 8.6 indicates that it is to ensure compliance with condition 8.2 and 8.4. The monitoring required in condition 8.6 is required by NSPS subpart BB and does not have any parameters associated with it, so it is unclear how this will ensure compliance with PM and TRS limits. Monitoring for PM was enhanced by MACT subpart MM which required the establishment of parameters to demonstrate continuous compliance with surrogate PM limits for HAPS. In addition, EPA determined that pressure drop is not an indicator of performance for

this control device. It is requested that the monitoring requirements in condition 8.6 be superseded by the requirements in Section 5 which are more stringent. (Clearwater Paper Corporation)

Response 40:

Permit Conditions 8.2 and 8.4 are NSPS emission standards; Permit Condition 8.6 is the NSPS monitoring requirement associated with those emission standards. Table 8.2 indicates this – Permit Condition 8.6 is shown as the monitoring requirement for both of the NSPS conditions (Permit Condition 8.2 and 8.4).

The NSPS monitoring requirements in Permit Condition 8.6 are applicable requirements which must be included in the Tier I permit. Similarly the MACT monitoring requirements in Section 5 of the permit are applicable requirements and must be included in the Tier I permit.

Result: The following statement has been deleted from Permit Condition 8.6, “To ensure compliance with Permit Condition 8.2 and 8.4”.

Comment 41:

Condition 8.7

The second sentence of this condition reads “The tests shall be once during each within 12 months of issuance...” This should be corrected to read “A test shall be conducted within 12 months of permit issuance.”

It is not clear how a PM test will be used to determined compliance with the annual limit contained in condition 8.1. It is suggested that PM test results, in terms of lb/T black liquor solids, be multiplied by the tons of black liquor solids processed during the previous 12 month period to determine compliance with the annual PM tonnage limit.

In the first section of this condition testing is required to be performed at the “maximum expected production rate” in the second section of this condition testing “shall be conducted at worse case normal operating conditions” The previous Tier 1 permit defined worse case normal at a production rate equal or greater to 90% of the 90th percentile of the previous 12 month productions rate (current Tier permit condition 44.g) It is requested that this definition be included in all testing requirements for this permit.

It is not clear how compliance with condition 8.3 will be demonstrated during stack testing by monitoring the amount of ADP produced during the test. The smelt processed during the test will be processed into green liquor and then into white liquor before it will be used to produce pulp. There is a 12-24 hour time lag in this process, where the various intermediate materials are stored in tanks. In the short term, pulp production is not directly related to the amount of smelt processed in the smelt dissolver tank. Over the long term a relationship can be established between the amount of black liquor solids combusted and the amount of ADT produced. It is suggested that only the amount of black liquor solids be monitored during the test and this be converted to ADT based upon the ratio of black liquor solids to air dry pulp derived from data from the previous calendar year.

The third and fourth sentences of the second section of condition 8.7 are related to requirements of 40 CFR Part 64.7(e) [note – there are only 3 sentences, it is assumed that Clearwater is referring to the 2nd and 3rd sentences]. This portion of this condition should be included in section 19 of the permit under CAM requirements and should reflect that actual language of 40 CFR part 64.7(e). Please delete this portion of this separately enforceable condition. (Clearwater Paper Corporation)

Response 41:

The second sentence has been modified to read, “The tests shall be conducted during the first and third year of the permit term...”

Permit Condition 8.1 includes a pound per hour and ton per year particulate matter emissions limits. The pound per hour emission limit coincides with the ton per year emission limit (pound per hour limit x 8760/2000 = ton per year limit). Demonstrating compliance with the pound per hour limit indicates compliance with the tons per year limit. In Permit Condition 8.7 the phrase which states “the maximum expected production rate” has been changed to be consistent with the testing requirements of 58.01.01.157 which requires testing be conducted at worst-case normal operating conditions. In providing comments on the Tier I permit Clearwater has requested several different percentages to describe worst case normal conditions (see Comment 27, 41 and 60) and it is uncertain what the requested global description of worst case normal is that Clearwater wants. Requiring testing to be conducted under worst case normal operating conditions is sufficient and what is specified by IDAPA 58.01.01.157. In July 2008 DEQ published a Source Test Guidance Document⁶ which discusses testing, and worst case normal conditions. DEQ’s guidance document provides sufficient clarification for source testing requirements and states that, in general, operating a source at greater than 80% of maximum capacity will satisfy the worst-case normal requirement. The guidance also states that historical operating data may be considered. Also see the response to Comment 27.

DEQ recommends that a source testing protocol be submitted for review and approval prior to conducting any performance tests intended to determine compliance. In the case of demonstrating compliance with 0.5 lb/TADP limit for the smelt tank included in Permit Condition 8.3, a protocol becomes particularly appropriate so that the method of determining equivalent air dried tons can be determined and agreed upon.

The third sentence of the second section of Permit Condition 8.7 has been deleted from the permit; the substantive requirement is included in Permit Condition 19.10. However, the second sentence remains in the permit because it specifies those parameters which must be monitored during the test in order to determine compliance with emission standards and compliance assurance monitoring requirements.

Result: The last sentence of the second paragraph of Permit Condition 8.7 has been deleted because it was redundant with Permit Condition 19.10.

Comment 42:

Section 9

Clearwater Paper submitted a request to the Department on Feb 18th 2009 to cancel the underlying PTC for the Salt Cake Systems. It has been determined that a PTC for this equipment is not required. Please delete this section. (Clearwater Paper Corporation)

Response 42:

The February 18, 2009 permit to construct application included a proposal to cancel the Saltcake System permit and a proposal to modify the Lime Handling System permit. The request to cancel the Salt Cake System Permit was not processed concurrent with the request to change the Lime Handling System permit. The request to terminate the permit for the Salt Cake Systems included removing a throughput restriction on salt cake. Clearwater did not address potential emissions changes at other emissions units at the facility due to the

⁶ State of Idaho, DEQ web link:

http://www.deq.idaho.gov/air/data_reports/monitoring/source_test_guidance_manual_0708.pdf

potential increased utilization of salt cake; therefore the request to cancel the permit for the Saltcake system was denied.

Result: No changes have been made to the Tier I Permit or Statement of Basis.

Comment 43:

Condition 10.22

The temperature from the lime kiln stacks is not continuously monitored. The temperature into the lime kiln precipitator is monitored to ensure proper operation. It is requested that this condition be corrected to reflect the actual equipment configuration. (Clearwater Paper Corporation)

Response 43:

Underlying Permit to Construct No. 069-0001, issued February 27, 2003 requires that temperature of the exhaust gases be continuously monitored and recorded. In order to change this monitoring requirement the underlying permit must be modified. In order to modify the underlying permit an application must be submitted which requests this change.

Result: No changes have been made to the Tier I Permit or Statement of Basis.

Comment 44:

Condition 10.25

It is requested that this condition be modified to reflect the same testing schedule as is required for particulate testing so that testing can be conducted during the same time in order to conserve resources. Note that engineering tests for CO indicates that the emission rate is less than 25% of the limit. The citation for this condition is IDAPA 59.01.01.06. Citing 322.07 (requiring testing) may be more appropriate. (Clearwater Paper Corporation)

Response 44:

As requested the periodic testing schedule for carbon monoxide has been changed to be the same as that for particulate matter testing which is contained in Permit Condition 10.13. The citation for the authority of the permit term has been changed from IDAPA 58.01.01.322.06 to 322.09 which gives the authority to require testing.

Result: Tier I Permit Condition has been changed to have the same testing schedule as that which is included in Permit Condition 10.13. The citation for the authority for the permit condition has been changed to IDAPA 58.01.01.322.09. Corresponding changes have been made to the statement of basis.

Comment 45:

Condition 10.27 is redundant with condition 1.10 and should be deleted as a separately enforceable condition. (Clearwater Paper Corporation)

Response 45:

DEQ concurs that Permit Condition 10.27 is redundant with Permit Condition 1.10.

Result: Tier I Permit Condition 10.27 has been deleted from the permit.

Comment 46:

Condition 10.28, regarding report submittals, contains the phrase “but is not limited to”. Please provide guidance as to how the facility is to certify compliance with this open-ended requirement. (Clearwater Paper Corporation)

Response 46:

This permit condition has been renumbered to 10.27. This permit condition originates from an underlying permit to construct. Note that this permit condition is similar to the recordkeeping requirements mandated by IDAPA 58.01.01.322.07 which are included in Permit Condition 1.11. Section 322.07 mandates that:

The permittee shall maintain sufficient records to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, *but is not limited to*, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

Section 322.07 (Permit Condition 1.11) expands on the specific recordkeeping requirements which are specified in Permit Condition 10.27 and provides clarification on the types of records that shall be maintained. The phrase “but not limited to” is also included in Section 322.07 (Permit Condition 1.11) and can not be deleted from the permit.

Result: No changes have been made to the Tier I permit.

Comment 47:

Condition 10.28.2

These kilns are not regulated by Subpart BB. Please delete this condition. (Clearwater Paper Corporation)

Response 47:

Tier I Permit Condition 10.28.2 is a quote of underlying Permit to Construct No. 069-00001 issued February 27, 2003 which includes NSPS Subpart BB requirements. However, based on review of the Statement of Basis which supported the issuance of that permit neither the No.3 nor No. 4 Lime Kilns are affected by NSPS Subpart BB as Clearwater has stated. It follows that the NSPS reporting requirements should not have been included in Permit to Construct No. 069-00001 issued February 27, 2003 and they have been removed from the Tier I permit.

It should be noted that this underlying permit condition only specifies that “...applicable reporting requirements of 40 CFR 60, Subpart BB...” shall be submitted. As Clearwater has commented there are no “applicable” Subpart BB reporting requirements for the No. 3 and No. 4 lime kilns. The underlying permit language, though misleading, does not mandate a report be submitted that is not required. Even though this permit condition does not require a report to be submitted Clearwater may request to modify the underlying permit to remove this misleading reporting requirement.

Result: Tier I Permit Condition 10.28.2 and 10.28.3 have been deleted from the permit and has been noted in the Statement of Basis.

Comment 48:

Condition 10.28.3

The inclusion of 40 CFR 63 subpart S in this requirement is redundant with requirements in Section 5 of the permit which are more specific and should be deleted. The inclusion of IDAPA 58.01.01 is a high level requirement and is specifically included elsewhere in the permit. This condition is, redundant and should be deleted as a separately enforceable condition. (Clearwater Paper Corporation)

Response 48:

DEQ concurs that the excess emissions reporting requirements from the underlying Permit Conditions 4.3.3 and 9.3.3 (Permit to Construct No. 069-00001 issued February 27, 2003), which were consolidated and included in Tier I permit Condition 10.28.3, are redundant with other Tier I permit conditions. The reporting requirements of 40 CFR 63 Subpart S are included in Section 5 of the Tier I permit, and the excess emissions reporting requirements for all standards included in IDAPA 58.01.01 are include in Tier I Permit Condition 1.9; it is not necessary to repeat these requirements in Tier I Permit Condition 10.28.3. See also DEQ's response to Comment #4.

Result: Tier I Permit 10.28.3 has been deleted from the permit and has been noted in the Statement of Basis.

Comment 49:

Condition 11.5.4 requires a calculation of PM per ton of ADP. This condition is obsolete since this kiln is not regulated by IDAPA 58.01.01.822 as long as it is limited to processing lime rock only. (Clearwater Paper Corporation)

Response 49:

DEQ agrees that the particulate matter emissions standard of 1 pound per ton of equivalent air-dried kraft pulp of IDAPA 58.01.01.822 is not applicable to the No. 2 Lime Kiln when processing lime rock.

Result: Tier I Permit 11.5.4 has been deleted from the Tier I permit and has been noted in the Statement of Basis.

Comment 50:

Condition 11.8 is redundant with condition 1.10 and should be deleted as a separately enforceable condition. (Clearwater Paper Corporation)

Response 50:

Tier I Permit Condition 11.8 requires submitting a report on all source tests which have been conducted within 30 days of the test. DEQ agrees that this permit condition is redundant with Tier I Permit Condition 1.10.

Result: Tier I Permit 11.8 has been deleted from the Tier I permit and has been noted in the Statement of Basis.

Comment 51:

It is requested that this section of the permit be updated to reflect the modified PTC for the Lime Handling and Slaking System. A PTC modification request was submitted on February 18, 2009. This requested a modification to the 1988 PTC based on the baghouse being process equipment, the system would not requiring a permit today, and the lack of environmental benefit from permitting this system. (Clearwater Paper Corporation)

Response 51:

The Tier I Permit has been updated to include the requirements of permit to construct No. P-2009.0020, which was issued April 13, 2009.

Result: Tier I Permit has been updated to include the most recent permit.

Comment 52:

Condition 13.1 – Process Description

Paragraph 4 in this description reads:

The low volume, high concentration gases combusted in the incinerator originate from many process units, including units affected by NSPS Subpart BB. Therefore, emissions from the incinerator must comply with the NSPS Subpart BB standards which are included in this section of the permit. Emission limits from the incinerator are not specified in Subpart BB. Incinerator design and operation is specified in Subpart BB. Please replace “emission from the incinerator” with “emissions for affected sources”. (Clearwater Paper Corporation)

Response 52:

The following statement has been removed from the process description – “Therefore, emissions from the incinerator must comply with the NSPS Subpart BB standards which are included in this section of the permit.”

Result: Tier I Permit process description for Permit Section 13 has been modified. It now simply states that the incinerator combusts many gases, some of which originate from NSPS Subpart BB affected emissions units.

Comment 53:

Table 13.2 - Condition 13.2 in this table cites a high level applicable requirement of 40 CFR 60.283. The actual applicable requirement is (a)(1)(iii). The table cites a high level monitoring and recordkeeping requirement, 40 CFR 60 284. The specific requirement is 40 CFR 60 284 (b)(1). (Clearwater Paper Corporation)

Response 53:

Table 13.2 is a summary of applicable requirements. The summary table has been updated to cite 60.283(a)(1) and 60.284(b)&(d), instead of 60.283 and 60.284.

Result: Tier I Summary Table 13.2 has been updated to give a more precise reference to the applicable requirements.

Comment 54:

Condition 13.2 (v) does not apply to digesters at IPP. Gases are not controlled by means other than combustion. (Clearwater Paper Corporation)

Response 54:

Permit Condition 13.2(v) included the NSPS Subpart BB standard of 40 CFR 60.283(a)((1)(v), this standard says that if gases from the digester are controlled by a means other than combustion the TRS emission standard is 5 ppm. As Clearwater has stated, emissions from the digester are not controlled by a means other than combustion; therefore this standard does not apply. Tier I Permit Condition 13.2(v) has been amended to state this section does not apply to Clearwater because digester gases are not controlled by a means other than combustion.

Result: Tier I Permit Condition 13.2(v) has been amended to state that Clearwater does not use a means other than combustion.

Comment 55:

Condition 13.2 (vi) does not apply to digesters at IPP. This provision was designed to provide a waiver for specially designed digesters. See Federal Register Vol. 50, No. 31 Feb 14, 1985 Pages 6317 – 6319. (Clearwater Paper Corporation)

Response 55:

Permit Condition 13.2(vi) is a quote of the applicable requirement from the NSPS. Following is a quote of this section of NSPS Subpart BB with an underline of the requirements included in Permit Condition 13.2 (vi).

- a) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere:
- (1) From any digester system, brown stock washer system, multiple-effect evaporator system, or condensate stripper system any gases which contain TRS in excess of 5 ppm by volume on a dry basis, corrected to 10 percent oxygen, unless the following conditions are met:
- (i) The gases are combusted in a lime kiln subject to the provisions of paragraph (a)(5) of this section; or
 - (ii) The gases are combusted in a recovery furnace subject to the provisions of paragraphs (a)(2) or (a)(3) of this section; or
 - (iii) The gases are combusted with other waste gases in an incinerator or other device, or combusted in a lime kiln or recovery furnace not subject to the provisions of this subpart, and are subjected to a minimum temperature of 650 °C (1200 °F) for at least 0.5 second; or
 - (iv) It has been demonstrated to the Administrator's satisfaction by the owner or operator that incinerating the exhaust gases from a new, modified, or reconstructed brown stock washer system is technologically or

economically unfeasible. Any exempt system will become subject to the provisions of this subpart if the facility is changed so that the gases can be incinerated.

(v) The gases from the digester system, brown stock washer system, or condensate stripper system are controlled by a means other than combustion. In this case, this system shall not discharge any gases to the atmosphere which contain TRS in excess of 5 ppm by volume on a dry basis, uncorrected for oxygen content.

(vi) The uncontrolled exhaust gases from a new, modified, or reconstructed digester system contain TRS less than 0.005 g/kg air dried pulp (ADP) (0.01 lb/ton ADP).

In summary NSPS Subpart BB requires affected digester gases to meet a TRS standard of 5 ppm unless the affected facility chooses one of the following requirements:

- (a) The gases are combusted in a lime kiln subject to standards of the NSPS (Clearwater's Kilns are not applicable to the NSPS therefore this option is not available).
- (b) The gases are combusted in a recovery furnace subject to the provisions of the NSPS Subpart BB. (Clearwater does not combust the gases in a recovery furnace which are subject to the NSPS, therefore this option is not available).
- (c) Combust the gases for at least 0.5 seconds at a minimum of 1,200 F. It appears that it is this option which Clearwater normal strive to comply with.
- (d) If it is demonstrated that it is technically or economically unfeasible to treat brown stock washers gases then a waiver may be obtained. (This waiver does not apply to digester gases or multiple affect evaporators).
- (e) The facility may choose to design and/or operate the affected digester and evaporator such that uncontrolled TRS emissions are less than 0.005 g/kg air dried pulp (ADP) (0.01 lb/ton ADP).

For instances when Clearwater does not collect gases to comply with one of the available options provided in the NSPS the TRS standard is 5 ppm. One of the options available to Clearwater to operate in such a manner to achieve uncontrolled emissions less than 0.005 g/kg air dried pulp (ADP) (0.01 lb/ton ADP). This option is available in the NSPS and would an available option even if the Tier I permit did not include it. Therefore Permit Condition 13.2(vi) remains in the permit; though a note has been added to this permit condition to the affect that Clearwater does not anticipate using this option to achieve compliance.

Result: A note has been added to Tier I Permit Condition 13.2(vi) stating that Clearwater does not anticipate using this option to achieve compliance.

Comment 56:

Condition 13.4 cites an initial performance test requirement. These sources do not require initial performance testing under Subpart BB. This condition should be shown as being not applicable.
(Clearwater Paper Corporation)

Response 56:

Clearwater is correct, in accordance with 40 CFR Subpart BB performance testing is not required to determine compliance with TRS standards when the facility has elected to combust gases at a minimum temperature of 650 °C (1200 °F) for at least 0.5 second. The testing language from the underlying PTC has been removed from the Tier I permit.

The language of the underlying permit specifies - in conducting the performance tests required in 40 CFR 60.8, the owner or operator shall use as reference methods in appendix A. When the facility has elected, as Clearwater has, to combust gases at a minimum temperature of 650 °C (1200 °F) for at least 0.5 second the compliance method required by the NSPS is to monitor the combustion temperature at the point of incineration 40 CFR 60.284(b)(1), emissions testing is not required. The language of the underlying permit is not wrong because it says when “performing tests require[d]” by the NSPS the owner shall use reference methods. As

previously stated testing is not “required” when a facility uses the combustion option of achieving compliance as is the case with Clearwater. Though the language of the underlying permit is not wrong, it does leave the potential for confusion regarding whether testing is required. For that reason it is not repeated in the Tier I permit. This discussion has also been included in the Tier I Statement of Basis to avoid in any potential confusion that may arise from the language of the underlying permit.

Result: Tier I Permit 13.4 has been deleted from the Tier I permit and has been noted in the Statement of Basis.

Comment 57:

Condition 13.6 cites IDAPA 58.01.01.820. This rule is not in the SIP and should be labeled as “state only”. (Clearwater Paper Corporation)

Response 57:

Clearwater is correct IDAPA 58.01.01.820 is not specifically listed in the EPA approved SIP.

Result: This permit conditions been renumbered to 13.5; the citation has been changed to a State Only permit condition.

Comment 58:

Condition 13.7

40 CFR part 63 subpart S has further refined these requirements. This condition is redundant with condition 1.9 and Section 17 and should be deleted as a separately enforceable condition. Note that this section refers to IDAPA 58.01.01.820 which is a state only requirement. (Clearwater Paper Corporation)

Response 58:

The facility must comply with the excess emissions reporting requirements of 40 CFR 63 Subpart S and those included in IDAPA 58.01.01.824.05 which are specified in Permit Condition 13.7. Permit Condition 13.7 is not redundant with either Permit Condition 1.9 or Section 17 of the permit. Permit Condition 13.7 specifies the reporting requirements of IDAPA 58.01.01.824.05, Permit Condition 1.9 specifies the excess emissions reporting requirements of IDAPA 58.01.01.130-136; and Section 17 of the permit includes the excess emissions reporting requirements of 40 CFR 63 Subpart S. These are all applicable requirements and must be included in the Tier I permit. See also DEQ’s response to Comment #4.

IDAPA 58.01.01.824.05 is specifically included in Idaho’s SIP (40 CFR 52.670). Section 824.05 requires semiannual reports of instances of emissions in excess of standards specified in Section 820. It appears that IDAPA 58.01.01.824.05 may have been included in the SIP in error. However, a new SIP would have to be developed and approved by EPA in order to have it removed from the SIP; as it is now Section 824.05 is specifically included in the approved SIP.

Result: The permit condition has been renumbered to 13.6; no other changes have been made to the Tier I Permit or Statement of Basis.

Comment 59:

Condition 14.2 requires testing under “worse case normal operating condition”. It is requested that his be defined as “a production rate between 90% and 100% of the 90th percentile of the previous 12 month productions rate” (Clearwater Paper Corporation)

Response 59:

In providing comments on the Tier I permit Clearwater has requested several different percentages to describe worst case normal conditions (see Comment 27, 41 and 60) and it is uncertain what the requested global description of worst case normal is that Clearwater wants. Requiring testing to be conducted under worst case normal operating conditions is sufficient and what is specified by IDAPA 58.01.01.157. In July 2008 DEQ published a Source Test Guidance Document⁷ which discusses testing, and worst case normal conditions. DEQ's guidance document provides sufficient clarification for source testing requirements and states that, in general, operating a source at greater than 80% of maximum capacity will satisfy the worst-case normal requirement. The guidance also states that historical operating data may be considered. Also see the response to Comment 27.

Result: No changes have been made to the Tier I Permit or Statement of Basis.

Comment 60:

Condition 16.3 is redundant with condition 1.7 and should be deleted as a separately enforceable condition. (Clearwater Paper Corporation)

Response 60:

Permit Condition 16.3 which incorporates the opacity standard of IDAPA 58.01.01.625 is redundant with Permit Condition 1.7.

Result: Permit Condition 16.3 has been deleted from the Tier I permit.

Comment 61:

Condition 16.4 requires quarterly method 22 readings. 72 readings of each the sources listed in Table 16.1 have been conducted over the past 6 years using either a see/no see method or Method 22. With the exception of the dry fuel bin, visible emissions have not been observed for these sources. VE's for the dry fuel bin are covered in section 19. The SB does not provide a rationale for why the VE observations in 1.8 are not adequate to ensure compliance with the opacity standard. (Clearwater Paper Corporation)

Response 61:

Permit Condition 16.4 is an existing Tier I permit condition which requires quarterly observations under the "gap filling" monitoring authority of IDAPA 58.01.01322. This condition can be deleted because the quarterly visible emissions monitoring required by Permit Condition 1.8 are sufficient.

Result: Permit Condition 16.4 has been deleted from the Tier I permit.

Comment 62:

Condition 17.26

Please provide a justification in the statement of basis as to why the Department feels this enforceable permit condition is necessary for approval of the Tier I operating permit as stated in IDAPA 58.01.01.322.14. It appears that this condition makes the permittee legally responsible for

⁷ State of Idaho, DEQ web link:

http://www.deq.idaho.gov/air/data_reports/monitoring/source_test_guidance_manual_0708.pdf

maintenance of the Department's records. This condition is redundant with Condition 1.11 and should be deleted as a separate enforceable condition. (Clearwater Paper Corporation)

Response 62:

Permit Condition 17.26 contains a listing of the operating parameters which have been approved to assure compliance with 40 CFR 63 Subpart S. Clearwater is required to submit proposed changes to the operating parameters to DEQ for approval, once that approval is granted this permit condition requires that Clearwater maintain a copy of that approval. Clearwater may choose to amend the Tier I permit so that it includes the newly approved operating requirement instead of maintaining a copy of the approval.

Result: No changes have been made to the Tier I Permit or Statement of Basis.

Comment 63:

Table 19.1

A review of method 22, required for the Dry fuel Bin indicates that his method is not appropriate for this source. Clearwater requests that opacity for the dry fuel bin baghouse exhaust be monitored using see/no see method. Method 22 is designed for fugitive sources and requires the use of 2 stop watches to derive a percent time for visible emissions. Since the corrective action threshold is ANY visible emissions, the see/no see method is appropriate. This approach is consistent with CAM monitoring for Tier 1 permits previously issued by the Department. An updated CAM plan is attached. (Clearwater Paper Corporation)

Response 63:

The CAM plan in the draft permit that was made available for public comment was based on the application submitted by Clearwater which included the proposal to monitor using EPA Method 22. However, DEQ has reviewed Clearwater revised CAM plan and agrees that a see/no see evaluation is an acceptable monitoring method.

Result: Table 19.1 has been amended to include a see/no see visible emissions evaluation in lieu of a Method 22 evaluation.

Comment 64:

Condition 19.2

40 CFR 64 does not contain a requirement requiring additional testing to confirm the appropriateness of indicator ranges. 40 CFR 64.7(e) provides a mechanism to confirm indicator ranges through the evaluation of compliance or performance tests. Revise Condition 19.2 to reflect CFR requirements by using the language in 40 CFR 64.7(e) as follows:

Documentation of need for improved monitoring. After approval of monitoring under this part, if the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the owner or operator shall promptly notify the permitting authority and, if necessary, submit a proposed modification to the part 70 or 71 permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

Numerous testing requirements for CAM sources in the proposed Tier permit provide ample opportunity for the DEQ to review the appropriateness of approved indicator ranges. The SB does not contain a rationale on why existing monitoring is not sufficient and why the gap-filling provisions of IDAPA 58.01.01.322.06 need to be implemented. Additional testing would be an unnecessary burden on the facility. It is requested the sentence under Table 19.2 be deleted. (Clearwater Paper Corporation)

Response 64:

The language of 40 CFR 64.7(e) has already been included in Permit Condition 19.11 that was made available for public comment.

Following is an excerpt from 40 CFR 64.6 regarding *Approval of monitoring*:

“In approving monitoring under this section, the permitting authority may condition the approval on the owner or operator collecting additional data on the indicators to be monitored for a pollutant-specific emissions unit, including required compliance or performance testing, to confirm the ability of the monitoring to provide data that are sufficient to satisfy the requirements of this part and to confirm the appropriateness of an indicator range(s) or designated condition(s) proposed to satisfy §64.3(a)(2) and (3) and consistent with the schedule in §64.4(e).”

Clearwater is correct, additional testing is not *required*. However, the unambiguous language of 40 CFR 64.6(b) clearly states that DEQ *may* condition the approval on collecting additional data on the indicators to be monitored, including requiring compliance or performance testing. Section 19 the draft Tier I permit which was provided for public comment is supported by regulation (DEQ may require testing). Even though testing may be required by 40 CFR 64.6(b) DEQ finds that Clearwater’s comment has merit and has changed the Tier I permit as described in subsequent paragraphs.

Clearwater comments that the Tier I permit requires testing for CAM sources that will provide ample opportunity for DEQ to review the appropriateness of approved indicator ranges. Actually testing had not been required for all CAM units in other sections of the Tier I permit. Following is a table which lists the frequency of the testing requirements for CAM affected units other than those specified in Section 19 (CAM) of the draft permit.

Summary of Testing Required by the Tier I – excluding CAM testing

Emissions Source	Testing Required in Tier I Not Including CAM (public comment version)
#4 Power Boiler	Annually
#4 Recovery Furnace	At least once per permit term
#4 Smelt Dissolver	At least once per permit term
#5 Recovery Furnace	At least once per permit term
#5 Smelt Dissolving Tank	Twice per permit term
#3 Lime Kiln	At least once per permit term
#4 Lime Kiln	At least once per permit term
#2 Lime Kiln	At least once per permit term
Lime Handling	No testing specified
Dry Fuel Bin	No testing specified
Non-condensable Gas Incinerator	No testing specified

As can be seen in the summary table, testing is specified within the draft Tier I permit for all CAM affected emissions units except the Lime Handling System, Dry Fuel Bin, and Non-condensable Gas Incinerator.

The lime handling baghouse is no longer subject to CAM as a result of the April 13, 2009 (P-2009.0020) amendment to the Lime Handling system permit to construct (see response to Comment 65).

The applicable emission rate standard for the Dry Fuel Bin is the process weight rate particulate matter emissions standards of IDAPA 58.01.01.700, CAM permit conditions which require that corrective action to be

taken if any daily visible emissions are observed is sufficient enough monitoring to assure compliance without the need for a source test.

DEQ agrees that if periodic testing was required for the Non-condensable Gas Incinerator within another section of the permit it would suffice for periodic verification that indicator ranges continue to provide assurance of compliance, and that the proposed CAM plan could be approved instead of conditionally approved. Therefore, DEQ will remove the testing required by Permit Condition 19.2 and add periodic testing for Non-condensable Gas Incinerator within Section 13 of the Tier I permit. In addition to adding testing for the Non-condensable Gas Incinerator, requirements have been added to monitor the CAM indicators during all compliance tests on CAM affected units so that the necessary data is available to compare to the indicator ranges which have selected for CAM. These indicator monitoring requirements have been added to Permit Conditions 3.8, 6.7, 7.14, 8.7, 10.3, and 13.10.

Result: The conditional approval language of Permit Condition 19.2 that was made available for public comment has been deleted from the Tier I permit. Periodic source testing requirements have been added to Section 13 for SO₂ emissions from the Non-condensable Incinerator Stack. CAM indicator monitoring and reporting requirements have been added to the testing requirements of Permit Conditions 3.8, 6.7, 7.14, 8.7, 10.3, and 13.10.

Comment 65:

Condition 19.3

Appendix E of the June 14, 2007 application contains CAM submittal information required by 40 CFR 64.4 and the indicator ranges pursuant to 40 CFR 64.3(d). An updated CAM submittal including data attached. Condition 19.3 states that “The monitoring method is approved on the condition that the permittee shall collect data and/or analyze existing available data...” A rationale for the selection of indicator ranges, including narrative analyses of existing data is enhanced in the updated CAM plans. As per 40 CFR 64.6(a), “...the permitting authority shall act to approve the monitoring submitted by the owner or operator by confirming that the monitoring satisfies the requirements in 40 CFR 64.3.” 40 CFR 64.6(b) allows the permitting authority to condition the approval on the owner of operator collecting additional data on indicators to be monitored.

Collection of additional data is not required. It is requested that the word “conditionally” be deleted from the first sentence in condition 19.3 and that the second sentence be deleted in it’s entirety. (Clearwater Paper Corporation)

Response 65:

Draft Permit Condition 19.3 includes conditionally approved CAM requirements for #4 & #5 Recovery Furnaces, #3 & #4 Lime Kilns, #2 Lime Kiln, and the Lime Handling System, following are discussions regarding each of these requirements.

#4 & #5 Recovery Furnaces, and #3 & #4 Lime Kilns

Regarding Permit Condition 19.3 relevant to the #4 & #5 Recovery Furnaces, and #3 & #4 Lime Kilns, Clearwater had proposed in the June 14, 2007 CAM plan that the opacity indicator threshold for assuring compliance with all particulate matter emissions standards to be equivalent to the 20% opacity corrective action threshold included in the MACT. However no data was provided showing that the opacity threshold of 20% shows a reasonable assurance of compliance with applicable particulate matter standards (nor was this data included in the MACT background information). Therefore DEQ could not accept without condition that the proposed indicator range of 20% opacity provides a reasonable assurance of compliance with various standards

that apply as required by 40 CFR 64. It should be noted that EPA⁸ concurred with DEQ's determination that data must be used to establish an indicator range that does assure compliance (§64.3(d)(2)). Therefore, in the draft Tier I permit that was made available for public comment DEQ had acted to conditionally approve the CAM plan for #4 Recovery Furnace, #5 Recovery Furnace, #3 Lime Kiln, and #4 Lime Kiln in accordance with 40 CFR 64.6(b). The condition of the approval was that Clearwater must collect test data within 180 days of permit issuance to confirm the selected indicator range of 20% opacity provided a reasonable assurance of compliance. Based upon review of that draft permit condition Clearwater has provided a new CAM plan which was received by DEQ on February 25, 2009. That CAM plan includes data on emissions from the #4 & #5 Recovery Furnaces, and #3 & #4 Lime Kilns. Based on the information submitted in the new CAM plan for these units DEQ has now approved, as opposed to conditionally approved, the proposed CAM indicator range for these units based on the data which has been submitted with the new CAM plan.

#2 Lime Kiln

The #2 lime kiln is not currently operating and has not operated since the MACT Subpart MM compliance date of March 13, 2004. Therefore Clearwater's has proposed to establish the indicator ranges for scrubbing liquid flow and pressure drop upon startup of the #2 Lime Kiln. In absence of requiring the submittal of the specific indicator ranges along with the necessary documentation there is no other option for DEQ within the requirements of 40 CFR 64 but to conditionally approve the proposed CAM plan. Consistent with CAM requirements for Operating of Approved Monitoring (§64.7) a schedule is specified in the permit by which the permittee must be in compliance with 40 CFR 64 pursuant to §64.6(e). An enforceable schedule is acceptable (§64.6(d)) provided the schedule is consistent with requirements of §64.6(e). In order for the schedule to be consistent with §64.6(e) it is necessary that proposed monitoring must be submitted no later than 180 days of startup of the #2 lime kiln.

Lime Handling System

Since issuance of the draft Tier I permit for public comment Clearwater has submitted a permit to construct application to amended permit requirements for the Lime Handling System. On April 13, 2009 a modified permit to construct was issued to Clearwater. An emission rate limit for particulate matter from the Lime Handling System baghouse stack was determined to be unnecessary⁹. Since the particulate matter standard no longer exists CAM is not applicable. Therefore the Lime Handling System is no longer included in Section 19 of the Tier I permit.

Result: Section 19 of the Tier I permit has been amended, proposed indicators for the #3 & #5 Recovery Furnace, #3 & #4 Lim Kilns have been approved based on the new CAM plan which was submitted February 25, 2009. The Lime Handling System is no longer subject to CAM. CAM for the #2 Lime Kiln remains conditionally approved.

Comment 66:

Table 19.3

For the Recovery Furnaces and Lime Kilns please insert “for more than 10 consecutive 6 minute averages” after the 20% Opacity in the proposed indicator column. Please insert NA in the Schedule for developing indicator ranges column. Delete the row related to the Lime Handling system as per the PTC modification. (Clearwater Paper Corporation)

⁸ Email from Nancy Helm, Manager Federal and Delegated Air Programs, EPA Region X, and Peter Westlin, EPA, August 27, 2008 (TRIM record number 2008AAG2378)

⁹ April 13, 2009 Statement of Basis, PTC No. 2009.0020

Response 66:

The proposed averaging period of 10 consecutive 6 minute averages has been approved and is included in Table 19.2 of the revised Tier I permit for the #4 & #5 Recovery Furnaces and for the #3 & #4 Lime Kilns. The Lime Handling System has been deleted from Section of 19 of the Permit. CAM no longer applies to the Lime Handling System because the underlying permit to construct for the Lime Handling System has been amended to remove the emission limit.

Result: The averaging period of 10 consecutive 6 minute averages has been added as the averaging period for the opacity indicator for the #3 & #4 Recovery Furnaces, and the #3 & #4 Lime Kilns. A schedule remains for developing CAM indicators for only the #2 Lime Kiln. The Lime Handling System has been removed from Section 19 of the permit. Corresponding changes have been made to the Statement of Basis.

Comment 67:

Condition 19.4

Please delete this condition since additional data collection is not required. (Clearwater Paper Corporation)

Response 67:

Permit Condition 19.4 of the draft permit that was made available for public comment included the emissions standards for the #4 & #5 Recovery Furnaces and for the #3 & #4 Lime Kilns which the facility was required to submit data after permit issuance to substantiate that the selected indicator range provided a reasonable assurance of compliance as part of the conditional approval of the CAM plan for these emission units. Clearwater has submitted a new CAM plan which has been approved and Permit Condition 19.4 has been deleted from the Tier I permit.

Result: Permit Condition 19.4 has been deleted from the Tier I permit.

Comment 68:

Condition 19.6

Please delete this condition based on the Lime Handling system PTC modification. (Clearwater Paper Corporation)

Response 68:

The Lime Handling System has been deleted from Section of 19 of the Permit. CAM no longer applies to the Lime Handling System because the underlying permit to construct for the Lime Handling System has been amended to remove the emission limit.

Result: Permit Condition 19.6 has been deleted from the Tier I permit.

Comment 69:

Condition 19.12

This condition appears to be based on 40 CFR 64.8. It is not clear which criteria under IDAPA 58.01.01.386, regarding reopening for cause, would relate to the requirement for a QIP which is clearly covered under 40 CFR 64.8. Condition 19.12 states that “Cause may be indicated by an

accumulation of exceedances or excursions exceeding 5 percent duration” and, “The threshold may be higher or lower...”.

40 CFR 64.8 states:

“(a) Based on the results of a determination made under §64.7(d)(2), the Administrator or the permitting authority may require the owner or operator to develop and implement a QIP. Consistent with §64.6(c)

(3), the part 70 or 71 permit may specify an appropriate threshold, such as an accumulation of exceedances or excursions exceeding 5 percent duration of a pollutant-specific emissions unit's operating time for a reporting period, for requiring the implementation of a QIP. The threshold may be set at a higher or lower percent or may rely on other criteria for purposes of indicating whether a pollutant specific emissions unit is being maintained and operated in a manner consistent with good air pollution control practices.”

It is requested that DEQ either set a threshold in this operating permit as suggested by 40 CFR 64.8 or delete this condition. In addition, this condition does not appear to be consistent with other Tier 1 permit renewals issued by DEQ. (Clearwater Paper Corporation)

Response 69:

Permit Condition 19.12 has been amended to state that DEQ may require a QIP if an accumulation of exceedances or excursions exceeding 5 percent duration of a pollutant-specific emissions unit's operating time for a reporting period.

It should be noted that DEQ may reopen the permit for cause if the Tier I permit, including the CAM plan, does not ensure compliance with the applicable requirements in accordance with IDAPA 58.01.01.386.01.d. The Tier I permit now specifies that a QIP may be required if excursions exceed 5 percent of the operation time, however if it is determined that the air pollution control equipment or process is not operated consistent with good air pollution control practices, and excursions repeatedly occur, DEQ may reopen the permit under the authority of IDAPA 58.01.01.386.01.d even if excursions do not exceed 5 percent of the operating time during a reporting period.

Result: Permit Condition 19.12 has been amended to state DEQ may require a QIP if excursions exceed 5 % of the operating time during a reporting period (this permit condition is now 19.10).

Comment 70:

Condition 19.14

This condition is redundant with condition 1.11 and should be deleted as a separately enforceable condition. (Clearwater Paper Corporation)

Response 70:

DEQ agrees that Permit Condition 19.14 is redundant with Permit Condition 1.11.

Result: Permit Condition 19.14 has been deleted from the permit.

Comment 71:

Condition 19.15

It would be more appropriate to place this statement in the summary description of this section.
(Clearwater Paper Corporation)

Response 71:

Permit Condition 19.15 specifies that should there be a conflict between Permit Conditions 19.6 - 19.12 and 40 CFR 64, 40 CFR 64 shall govern. The location of this statement in the permit is consistent with where other similar statements are made in the permit.

Result: This permit condition has been renumbered to permit Condition 19.13.

Comment 72:

Section 6.1 of the Statement of Basis

Bullet 5 should include 40 CFR part 64. (Clearwater Paper Corporation)

Response 72:

Result: 40 CFR 64 has been added to the 5th bullet.

Comment 73:

Statement of Basis Table 6.1

Sawdust handling PTE for VOC is 1.33 tons per year. No 4 Recovery furnace PTE for PM10 is 96.39, not 96.37. (Clearwater Paper Corporation)

Response 73:

Result: Table 6.1 has been amended as requested.

Comment 74:

Statement of Basis Section 7.2

Under TRS standards, item 1), bullet 1, states:

“TRS emissions shall not exceed 5 ppm by volume at 10% oxygen, or”
The CFR does not include the “or”. As per the CFR this bullet should read:

“From any digester system, brown stock washer system, multiple-effect evaporator system, or condensate stripper system any gases which contain TRS in excess of 5 ppm by volume on a dry basis, corrected to 10 percent oxygen, unless the following conditions are met:” (Clearwater Paper Corporation)

Response 74:

Result: The word “or” has been deleted and the phrase “unless the following conditions are met” has been included in its place.

Comment 75:

Statement of Basis Section 7.3 page 21, paragraph 1

Lime Kiln no. 2 is not subject to Subpart MM – it is restricted to processing lime rock only, not lime mud.

Statement of Basis Page 22, paragraph 1.

The application did not take into account that the #2 Lime Kiln is currently restricted to processing lime rock only. Because of this restriction, Subpart MM is not applicable to this source.

(Clearwater Paper Corporation)

Response 75:

DEQ agrees that Lime Kilns No. 2 is not part of the Chemical Recovery Combustion Sources at the Pulp Mill because it does not process lime mud from the “Kraft” process; it is permitted to only process lime rock from outside sources.

Result: Section 7.3 of the Statement of Basis has been updated to include that the #2 Lime Kiln is not part of the Kraft Chemical Recovery Combustion sources.

Comment 76:

Statement of Basis Section 7.4 – CAM

CAM for the #2 Lime Kiln would be determined within 180 days of startup. Subpart MM applicability would be dependent on whether a new PTC lifting the lime rock restriction is issued.

CAM for the Lime Handling baghouse will not be applicable based on the PTC modification for this source. (Clearwater Paper Corporation)

Response 76:

Clearwater has identified the #2 Lime Kiln as applicable to CAM, the applicability of CAM to the #2 Lime Kiln is not in question. In Clearwater’s June 14, 2007 CAM Plan for the #2 Lime Kiln it was proposed that scrubber pressure drop and scrubbing media flow rate would be the indicators of compliance and that the range of values which establish that an excursion has occurred would be established after startup of the #2 Lime Kiln which is currently idled. Testing is required in the permit to establish indicator ranges, not to determine CAM applicability.

Regarding 40 CFR 63 Subpart MM applicability to the #2 Lime Kiln see DEQ’s response to Comment 75.

Regarding CAM and the Lime Handling Baghouse see DEQ’s response to Comment 65. CAM is no longer applicable to the Lime Handling Baghouse.

Comment 77:

Statement of Basis Section 8.3

The first sentence in this section states:

“Clearwater may operate 2 natural gas fired boilers for up to 30 days per any consecutive 12-month period, or any time one or more of the permanent boilers are shutdown. The boilers produce steam for the paper making process.”

The temporary boilers are not restricted to 30 days of operation. This sentence should be corrected to state:

“Clearwater may operate 2 natural gas fired boilers for up to 30 days per any consecutive 12-month period, AND any time that one or more of the permanent boilers are shut down. The boilers produce steam for the paper making process.” (Clearwater Paper Corporation)

Response 77:

DEQ has made the requested change. The word “or” has been replaced with the word “and.”

Result: The statement of basis has been modified as requested.

Comment 78:

Statement of Basis Section 8.8

This section is to be deleted based on cancellation of the salt cake baghouse permit. (Clearwater Paper Corporation)

Response 78:

See DEQ’s response to Comment 42.

Result: No changes have been made to the statement of basis.

Comment 79:

Statement of Basis Section 8.11

Revise this section to reflect the modified PTC.

Response 79:

DEQ has updated Section 8.11 of the Statement of Basis to include the recently issued modified PTC.

Result: The Tier I permit has been updated to include PTC No. P-2009.0020, issued April 13, 2009.

Appendix A Public Comments

Submitted for

Tier I Operating Permit No. T1-2007.0106

AQSSFSF.2008.534.116 CLEARWATER PAPER CORP. -PULP AND PAPERBOARD DIV. , IDAHO -
Public Comment - Goode

From: PublicComment@deq.idaho.gov

Sent: Thursday, January 29, 2009 3:54 PM

To: Faye Weber

Subject: Public Comment

You have received a public comment on:

DEQ seeks comment on proposed Tier I air quality permit renewal for

Clearwater Paper Corp., Lewiston

http://www.deq.idaho.gov/Applications/NewsApp/shownews.cfm?news_id=2536#comments

Name: Okey Goode

Email Address: ogode@lsc.edu

Affiliation: Lewis-Clarks State College, and Citizen

Comments: I hope DEQ will seriously scrutinize Clearwater Paper's application. I have been a Lewiston area resident since 1984. Whenever I am downwind from the former Potlatch's emissions, I develop a severe headache; I am unable to reside in the Normal Hill residential area because of its frequent exposure to the Potlatch/Clearwater Paper plume and therefore live further from work than I prefer in order to avoid it. My wife experiences even worse symptoms. Within an hour or so of a wind shift carrying the emissions away, I recover. We do not experience such symptoms when out of the Lewiston valley. I also frequently find that my students who move to Lewiston to attend Lewis-Clark State College become ill with severe allergies or headaches soon after their arrival. Parents new to the area tell me of new symptoms developing in their infant children, ranging from allergies to heart conditions. Please do not disregard my anecdotal evidence.

Thank you for your consideration.

Appendix B

November 14, 2008 Letter from DEQ to Clearwater Regarding Excess Emissions Reporting Requirements



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

November 14, 2008

Certified Mail No. 7190 0596 0014 0000 4165

Sue Somers, Engineering Manager
Potlatch Forest Products Corporation
P.O. Box 1126
Lewiston, Idaho 83501

RE: Facility ID No. 069-00001, Potlatch Forest Products Corporation, Lewiston
Excess Emissions Reporting Clarification

Dear Ms. Somers:

On May 21, 2008, DEQ initiated communications with Potlatch Forest Products Corporation (Potlatch) regarding excess emissions reporting requirements for the Pulp and Paper Mill. At issue is the January 28, 2000¹ letter from DEQ to Potlatch regarding excess emissions reporting for the Non-condensable Gas (NCG) system. This letter included a statement that Potlatch need not follow the 15-day excess emissions reporting requirements of IDAPA 58.01.01.135 for the NCG system and that semiannual reporting would suffice. As indicated during our recent discussions, DEQ has determined that the *Rules for the Control of Air Pollution in Idaho* (Rules) do not allow for this deviation as was once believed.

On July 25, 2008, DEQ received a letter from Potlatch suggesting a means by which to address future NCG reporting. In that letter Potlatch acknowledged that the Rules do require a written report within 15 days of each excess emissions event in accordance with IDAPA 58.01.01.135. Additionally, Potlatch implied that DEQ has the discretion to allow deviation from the Rules, and there is not a change in circumstance or regulation that warrants revision of the current semi-annual reporting, as stated in DEQ's January 28, 2000 letter, to within 15 days of each excess emissions event.

Upon review of Potlatch's proposal and state and federal rules and regulations, DEQ finds it cannot support the January 28, 2000 letter issued to Potlatch. The Rules do not allow for deviation from the excess emissions reporting requirements.

As you are aware, Potlatch is subject to excess emissions reporting requirements that are included in the Rules for the Control of Air Pollution in Idaho (Rules), the National Emission Standards for Hazardous Air Pollutants (NESHAP/MACT), and the New Source Performance Standards (NSPS). Each of these rules includes definitions of what constitutes an excess

¹ January 28, 2000 Letter to Alan L. Prouty, Environmental Engineering Manager, Potlatch Corporation from Orville D. Green, Program Administrator Idaho DEQ

emissions event as well as the requirements for reporting any such event. The January 28, 2000, letter issued to Potlatch attempted to provide clarification of excess emissions reporting requirements as they pertain to the Noncondensable Gas (NCG) system. As we have discussed, this letter included statements regarding excess emissions reporting requirements and statements regarding when excess emissions are considered a violation that need to be readdressed. Following is an excerpt from the January 28, 2000 letter:

“In summary, NCGs must be controlled. So long as the gases are treated 99% of the time, under both the MACT and NSPS standard, a release of gases at or under 1% of the operating time is not indicative of an excess emissions violation. Under the MACT and NSPS standard all excess emissions events must be reported semi-annually. So long as Potlatch stays at or below the 1% threshold, Potlatch need not submit a report for each venting event pursuant to IDAPA 16.01.01.135; semi-annual reporting of excess emissions will suffice. Exceedance of the 1% threshold requires Potlatch to submit a report in accordance with IDAPA 16.01.01.135 as well as the semi-annual reports required under the MACT and NSPS.”

Readdressing Excess Emissions Notification Requirements of Idaho Rules (Section 135)

The excess emissions reporting requirements are now included in the Rules at IDAPA 58.01.01.135 instead of IDAPA 16.01.01.135. Contrary to statements made in the January 28, 2000 letter to Potlatch, excess emissions reporting is required in writing to the Department within 15 days after the beginning of each such event in accordance with IDAPA 58.01.01.135.01, regardless of whether the excess emission event occurred in excess of 1% of the operating time. DEQ is not at liberty to deviate from the requirements of the Rule. In addition, excess emissions that result from upset or breakdown, or from other situations that may necessitate the implementation of safety measures which cause excess emissions, require that notification be made to the Department no later than 24 hours after the event, unless the owner or operator demonstrates to the Department's satisfaction that the longer reporting period was necessary (IDAPA 58.01.01.134.02).

For emissions units that are regulated by MACT and/or NSPS, the excess emissions requirements of those regulations must be reviewed to determine what is defined as an excess emissions event and to determine the reporting requirements for any excess emissions event.

Readdressing When Excess Emissions Are Considered a Violation

Similar to the excess emissions notification requirements discussed above, the January 28, 2000 letter must not be relied upon in determining which excess emissions are considered a violation of the applicable rule or regulation. The January 28, 2000 letter included a categorical statement that emissions in excess of NSPS standards are not a violation unless the excess emissions occurred during 1% or more of the operating time on a semiannual basis.

However, in accordance with 40 CFR 60.284(e), the 1% threshold for determining if an excess emission is a violation only applies to the recovery furnaces, and only applies, “[if] the

Administrator determines that the affected facility, including air pollution control equipment, is maintained and operated in a manner which is consistent with good air pollution control practice for minimizing emissions during periods of excess emissions." Therefore, excess emissions from the recovery furnaces that occur less than 1% of the operating time may still be considered a violation if the Administrator determines that the affected facility, including air pollution control equipment, has not been maintained and operated in a manner which is consistent with good air pollution control practice for minimizing emissions during periods of excess emissions.

Also, in accordance with 40 CFR 60.284(e)(2), excess emissions from the No. 9 Batch Digester, Chip PreOx Brownstock Washers, or No. 6 Multiple effect Evaporator are considered violations unless, "the Administrator determines that the affected facility, including air pollution control equipment, is maintained and operated in a manner which is consistent with good air pollution control practice for minimizing emissions during periods of excess emissions." The 1% threshold is not included in the NSPS for these emissions units.

Summary

For emissions units that are affected by several standards, all of the applicable excess emissions requirements (i.e. Rules, MACT, and NSPS) must be complied with, and the January 28, 2000 letter should not be relied upon. Highlights of the applicable excess emissions requirements are attached for your reference. Please note that the attachment does not include all applicable requirements and should not be solely relied upon to assure compliance with the Rules, NSPS, or MACT. The attachment is provided to contrast statements made in the January 28, 2000 letter and to highlight some of the appropriate excess emissions requirements.

This letter is in no way intended to supersede any federal, state, or local rules and regulations that may apply.

If you have any questions regarding this letter please feel free to contact me at (208) 373-0502 or Michael.Simon@deq.idaho.gov.

Sincerely,



Michael Simon
Stationary Source Manager
Air Quality Division

MS/DP/hp

Attachment

Attachment

Table of Highlights from Applicable Excess Emissions Requirements

NSFS Subpart BB – Standard of Performance for Kraft Pulp Mills		Standards	Excess Emissions	Notification	Excess Emissions That Are Not Considered a Violation
Units					
Furnace	5 ppm TRS @ 8% O ₂	5 ppm TRS @ 8% O ₂	All 12-hour average TRS concentrations above 5 ppm	Provide notification of excess emissions semiannually	If the Administrator determines that the affected facility, including air pollution control equipment, is maintained and operated in a manner which is consistent with good air pollution control practice for minimizing emissions during periods of excess emissions.
No. 9 Batch Digester Chip PreOx Brownstock Washers No. 6 Multiple Effect Evaporator	5 ppm TRS @ 10% O ₂ ; or Gases combusted in an incinerator, kiln, or furnace @ 1,200 F for 0.5 seconds; or Uncontrolled emissions are less than 0.01 lb/ton ADP	5 ppm TRS @ 10% O ₂ ; or Gases combusted in an incinerator, kiln, or furnace @ 1,200 F for 0.5 seconds; or Uncontrolled emissions are less than 0.01 lb/ton ADP	All 12-hour average TRS concentrations above 5 ppm by volume unless: The gases are combusted in an incinerator, kiln, or furnace - then excess emissions are all periods in excess of 5 minutes during which the combustion temperature at the point of incineration is less than 1200 °F; or The uncontrolled exhaust gases have TRS less than 0.01 lb/ton ADP	Provide notification of excess emissions semiannually	If the Administrator determines that the affected facility, including air pollution control equipment, is maintained and operated in a manner which is consistent with good air pollution control practice for minimizing emissions during periods of excess emissions.
NESHAP/MACT Subpart S – Standards for Hazardous Air Pollutants from the Pulp and Paper Industry					
Digesters Multiple Effect Evaporators Turpentine Recovery	Reduce the total HAP concentration to 20 ppm in a thermal oxidizer; or Reduce total HAP emissions using a thermal oxidizer at 1,600 F for 0.75 seconds; or Reduce total HAP emissions using a boiler, lime kiln, or recovery furnace by introducing the HAP stream with the primary fuel into the flame zone	Reduce the total HAP concentration to 20 ppm in a thermal oxidizer; or Reduce total HAP emissions using a thermal oxidizer at 1,600 F for 0.75 seconds; or Reduce total HAP emissions using a boiler, lime kiln, or recovery furnace by introducing the HAP stream with the primary fuel into the flame zone	Operation below minimum operating parameter values or above maximum operating parameter values established under this Subpart or failure to perform procedures required by the Subpart (i.e. minimum incinerator temperature)	Provide notification of excess emissions semiannually; and Immediate startup, shutdown, and malfunction reports within 2 days and within 7 days as required by 40 CFR 63.10(d)(5)(ii) when taking action that is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan. The report shall include an explanation of the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, describing all excess emissions and/or parameter monitoring exceedances which are believed to have occurred (or could have occurred in the case of malfunctions)	Periods of excess emissions shall not be a violation provided that the time of excess emissions (excluding periods of startup, shutdown, or malfunctions) divided by the total process operating time in a semi-annual reporting period does not exceed 1% for control devices used to reduce the total HAP emissions from the LVHC system.

Units	Standards	Excess Emissions	Notification	Excess Emissions That Are Not Considered a Violation
Digesters & Evaporators	Shall be treated to reduce TRS emissions equivalent to reduction achieved by thermal oxidation in a lime kiln	<p>IDAPA 58.01.01.815 – Rules for Control of Kraft Pulp Mill</p> <p>Periods during which non-condensable gases are not treated as required (reduction equivalent to that achieved by lime kiln)</p>	<p>For excess emission notification requirements, see IDAPA 58.01.01.131 & 134.</p>	<p>Periods of excess emissions reported shall not be a violation provided that the time of excess emissions (excluding periods of startup, shutdown, or malfunction) divided by the total process operating time in a semi-annual period does not exceed one percent.</p>
All Emissions units	All standards established by statute, regulation, rule, permit, or order	<p>IDAPA 58.01.01.131&134 – Excess Emissions</p> <p>Emissions that exceed an applicable standard</p>	<p>Written Report within 15-days of each event, and Notification within 24 hours for excess emissions that result from upset/breakdown/ safety event</p>	As defined by rule or regulation.