



Air Quality Permitting Response to Public Comments

April 22, 2013

Tier I Operating Permit No. T1-2012.0067

**Best Bath Systems, Inc.
Caldwell, Idaho**

Facility ID No. 027-00103

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AIR QUALITY DIVISION

Final

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BACKGROUND

The Idaho Department of Environmental Quality (DEQ) provided for public comment on the draft Tier I operating permit to Best Bath Systems, Inc. from March 11 through April 10, 2013, in accordance with IDAPA 58.01.01.364. During this period, comments were submitted in response to DEQ's proposed action. Each comment and DEQ's response is provided in the following section. All comments submitted in response to DEQ's proposed action are included in the appendix of this document.

PUBLIC COMMENTS AND RESPONSES

Public comments regarding the technical and regulatory analyses and the air quality aspects of the draft permit are summarized below. 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 draft permit are not addressed. For reference purposes, a copy of the Rules for the Control of Air Pollution in Idaho can be found at:

<http://adm.idaho.gov/adminrules/rules/idapa58/0101.pdf>.

Comment 1: The Statement of Basis for the permit provides the following information regarding CAM in Section 7.7 on page 39 of 53:

The lamination area and blue bottom area are limited by emission limits for both VOCs and PM10. Within both the lamination and blue bottom areas there are units that have add-on controls such as fiberglass and cartridge filters. The facility as a whole has a pre-control potential to emit of VOCs greater than major source thresholds but there are no pollutant-specific emission units (PSEU) applicable to CAM with respect to VOC emissions. Therefore, CAM (Subpart 64) does not apply to this facility.

Additional information in the permit and statement of basis indicate that your conclusion that the facility is not subject to CAM is correct; however, the explanation is not entirely clear. CAM applicability is determined on a pollutant-specific emission unit (PSEU) basis. This CAM analysis would be more complete if it explained how each PSEU avoids CAM – in fact, IDEQ might consider creating a simple table to present the analysis results. For instance, for each PSEU the analysis could present in tabular format: (1) the pollutant emitted (including HAPs); (2) the limit or standards that apply to each pollutant; (3) whether the limit or standard is exempt from CAM; (4) whether a control device is used for that pollutant; (5) the pre-control potential to emit for each pollutant controlled; (6) whether CAM is required; (7) the controlled PTE; and (8) the size of the CAM unit which dictates the deadline for complying with CAM. The answers to each of these questions should provide enough information to clearly explain why CAM does not apply to each PSEU at this facility.

Response 1: Additional clarification as to why CAM does not apply to Best Bath Systems was provided in the Statement of Basis.

Comment 2: While reviewing the CAM applicability analysis in the permit, I noticed that many of specific MACT requirements were moved from the permit to the statement of basis. Two very important purposes of Title V is to clarify which requirements apply to a facility and to ensure the requirements are enforceable. Requirements listed in the statement of basis are not enforceable; placing the requirements in the permit makes them enforceable and confirms which ones apply (so there is no argument later). In this case, it should be easy to move the specific MACT requirements back to the permit, once IDEQ has confirmed that the list of specific requirements is correct. There is no reason to repeat the requirements in the statement of basis; rather, simply explain why the requirements in the permit are the correct requirements.

Response 2: The detailed MACT requirements were placed back into the permit instead of the “high-level” citation as the facility requested. This is to provide both the facility and DEQ clear enforceable requirements.

Comment 3: Consistent with my suggestion to list the specific MACT requirements in the permit, be sure to include the specific timing and compliance options that exist in the MACT. The statement of basis can then be used to explain how the rather complicated applicability of this MACT works for this particular facility. For instance, among other things, it would be good to explain why the VOC limit is no longer needed if actual HAP emissions exceed 100 tpy and why the source might get an additional three years to comply with parts of the MACT if their HAP emissions climb that high. Explaining complicated requirements is a great use of the statement of basis.

Response 3: Clarifications were made in the Statement of Basis as to why MACT alternative emission limitations were not placed in the permit and as to why HAP emissions shall not exceed 99 tons per year.

Appendix

Public Comments Submitted for

Tier I Operating Permit

T1-2012.0067 Project 61131

Ms. Stevens:

As a part of EPA's 2013 fiscal year plan to review a sampling of Part 70 permits to ensure CAM is being adequately implemented, I reviewed the Best Bath Systems draft permit that is currently available for public comment and have some comments.

1. The Statement of Basis for the permit provides the following information regarding CAM in Section 7.7 on page 39 of 53:

The lamination area and blue bottom area are limited by emission limits for both VOCs and PM₁₀. Within both the lamination and blue bottom areas there are units that have add-on controls such as fiberglass and cartridge filters. The facility as a whole has a pre-control potential to emit of VOCs greater than major source thresholds but there are no pollutant-specific emission units (PSEU) applicable to CAM with respect to VOC emissions. Therefore, CAM (Subpart 64) does not apply to this facility.

Additional information in the permit and statement of basis indicate that your conclusion that the facility is not subject to CAM is correct; however, the explanation is not entirely clear. CAM applicability is determined on a pollutant-specific emission unit (PSEU) basis. This CAM analysis would be more complete if it explained how each PSEU avoids CAM – in fact, IDEQ might consider creating a simple table to present the analysis results. For instance, for each PSEU the analysis could present in tabular format: (1) the pollutant emitted (including HAPs); (2) the limit or standards that apply to each pollutant; (3) whether the limit or standard is exempt from CAM; (4) whether a control device is used for that pollutant; (5) the pre-control potential to emit for each pollutant controlled; (6) whether CAM is required; (7) the controlled PTE; and (8) the size of the CAM unit which dictates the deadline for complying with CAM. The answers to each of these questions should provide enough information to clearly explain why CAM does not apply to each PSEU at this facility.

2. While reviewing the CAM applicability analysis in the permit, I noticed that many of specific MACT requirements were moved from the permit to the statement of basis. Two very important purposes of Title V is to clarify which requirements apply to a facility and to ensure the requirements are enforceable. Requirements listed in the statement of basis are not enforceable; placing the requirements in the permit makes them enforceable and confirms which ones apply (so there is no argument later). In this case, it should be easy to move the specific MACT requirements back to the permit, once IDEQ has confirmed that the list of specific requirements is correct. There is no reason to repeat the requirements in the statement of basis; rather, simply explain why the requirements in the permit are the correct requirements.

3. Consistent with my suggestion to list the specific MACT requirements in the permit, be sure to include the specific timing and compliance options that exist in the MACT. The statement of basis can then be used to explain how the rather complicated applicability of this MACT works for this particular facility. For instance, among other things, it would be good to explain why the VOC limit is no longer needed if actual HAP emissions exceed 100 tpy and why the source might get an additional three years to comply with parts of the MACT if their HAP emissions climb that high. Explaining complicated requirements is a great use of the statement of basis.

If anyone has any questions, please feel free to contact me.

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