



Air Quality Permitting Response to Public Comments

April 21, 2014

Permit to Construct No. P-2013.0030

**Magnolia Nitrogen Idaho LLC (Magnida)
American Falls, Idaho**

Facility ID No. 077-00035

Prepared by:
Kevin Schilling, Modeling Coordinator
Darrin Mehr, Air Quality Permitting Analyst
Dan Pitman, P.E., Permit Writer
AIR QUALITY DIVISION

Final

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BACKGROUND

The Idaho Department of Environmental Quality (DEQ) provided for public comment on the proposed permit to construct the Magnolia Nitrogen Idaho LLC facility from March 5, 2014 through April 4, 2014, in accordance with the Rules for the Control of Air Pollution in Idaho (Rules) IDAPA 58.01.01.209.01.c. During this period, comments were submitted in response to DEQ's proposed action. Comments on the proposed permit were also provided during a public hearing held on April 2, 2014. A summary of the comments 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 proposed 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 proposed 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: Several comments were received regarding the potential for nuisance odors being emitted from the proposed Magnida facility. Comments included requests for: an odor management plan to be included in the permit; a complete characterization of potential sources of odors (including from the use of MDEA and from wastewater treatment); a demonstration that 520 pounds per hour of ammonia will not cause odorous air pollution; and a Top Down BACT analysis for potential sources of odor.

Response 1: Prior to responding to the comments it is important to first understand the Rules under DEQ's authority regarding odors. Odors are addressed in the Rules for the Control of Air Pollution in Idaho (Rules) at 58.01.01.776.01:

"No person shall allow, suffer, cause or permit the emission of odorous gases, liquids or solids into the atmosphere in such quantities as to cause air pollution."

The Rules define air pollution at 58.01.01.006.06:

"The presence in the outdoor atmosphere of any air pollutant or combination thereof in such quantity of such nature and duration and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property."

The Rules define odor at 58.01.01.006.76:

"The sensation resulting from stimulation of the human sense of smell."

In order to constitute air pollution the odor must be "injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property."

From these definitions it is apparent that the intensity and frequency of odor as determined by the human sense of smell are relevant. Since compliance with this Rule is determined by the human sense of smell, and considering that subjective criteria such as odor intensity is relevant, a preconstruction compliance demonstration is not warranted. Compliance is determined once the facility is operating. It is important to note that DEQ does not have information at this time that indicates odorous contaminants will be emitted from the facility in such quantities to cause air pollution.

DEQ has developed a Policy for Responding to Odor Complaints. The policy may be seen on DEQ's web site at: http://www.deq.idaho.gov/media/72449-pm00_6.pdf. This policy establishes procedures for the following: an odor determination process that includes intensity; the development of odor management plans; and enforcement referrals.

The permit includes the odor Rule and requires that corrective actions be taken should complaints occur (Permit Conditions 14.6 and 14.7). Magnida shall also keep records that include, at a minimum, the date that each complaint was received and a description of the following: the complaint; any corrective action taken; and the date the corrective action was taken.

Odor is not subject to BACT requirements, though it is regulated as discussed above.

Comment 2: The application does not provide any information on the potential for ammonia emissions associated with granulated urea load-out.

Response 2: The commenter is correct. The application does not include an emission inventory or discussion about the potential for ammonia emissions from load-out of granular urea. DEQ is not aware of any ammonia emission factors for this source. However, DEQ has amended the permit to include an ammonia emission rate limit and source testing requirement on the load-out building emission point to address the potential for emissions. The ammonia emission rate limit is established at 0.12 pounds per hour, which is equivalent to 10% of the toxic air pollutant screening emission value for ammonia listed in the Rules for the Control of Air Pollution in Idaho 58.01.01.585. This allowable emission rate in combination with all other permitted emissions is estimated to cause ambient concentrations that are less than the acceptable ambient concentration for ammonia (0.9 mg/m³) listed in the Rules.

Comment 3: Magnida's statement is that potential hourly ammonia emissions are 301 pounds per hour and the amount listed in DEQ's Statement of Basis is 520 pounds per hour. The reason for this discrepancy is not clear.

Response 3: Magnida's emission inventory spreadsheet was updated on December 14, 2013. This spreadsheet estimates ammonia emissions at 520 pounds per hour. An electronic copy of that spreadsheet was made available for public comment. Unfortunately Magnida did not update the printout of an older version of the spreadsheet included with the application that lists emissions at 301 pounds per hour. The air pollution dispersion modeling that was conducted to demonstrate compliance with the acceptable ambient concentration for ammonia used the 520 pound per hour emission rate.

Comment 4: Ammonia emissions from equipment leaks (valves, flanges, etc.) from the ammonia process and urea process are estimated to be 12 pounds per hour (53 T/yr) and 1.8 pound per hour (7.8 T/yr.) respectively. These emissions will occur at ground level where potential off-site impacts will be greatest.

Response 4: The ammonia emissions from equipment leaks were included in the air pollution dispersion model along with all other ammonia sources. Compliance with the acceptable ambient concentration for ammonia (0.9 mg/m³) as listed in Section 585 of the Rules was demonstrated in the submitted application.

Comment 5: We encourage Magnida to commit to practices during construction to control fugitive dust prior to paving of roadways. Practices employed to control fugitive dust should include consideration of wind direction and the potential exposure to adjacent properties during strong wind events that would create excessive fugitive dust.

Response 5: Construction activities are not required to be included in permits to construct (digging, land grading, etc.). However, that does not mean that emissions during construction are not regulated. Fugitive dust emissions are regulated by Section 650 of the Rules and require that:

“All reasonable precautions shall be taken to prevent particulate matter from becoming airborne. In determining what is reasonable, consideration will be given to factors such as the proximity of dust emitting operations to human habitations and/or activities, the proximity to mandatory Class I Federal Areas and atmospheric conditions which might affect the movement of particulate matter. Some of the reasonable precautions may include, but are not limited to, the following:

01. Use of Water or Chemicals. Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land.

02. Application of Dust Suppressants. Application, where practical, of asphalt, oil, water or suitable chemicals to, or covering of dirt roads, material stockpiles, and other surfaces which can create dust.

03. Use of Control Equipment. Installation and use, where practical, of hoods, fans and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations.

04. Covering of Trucks. Covering, when practical, open bodied trucks transporting materials likely to give rise to airborne dusts.

05. Paving. Paving of roadways and their maintenance in a clean condition, where practical.

06. Removal of Materials. Prompt removal of earth or other stored material from streets, where practical.”

Comment 6: The Statement of basis does not include the odor Rule (IDAPA 58.01.01.775).

Response 6: The Statement of Basis has been updated to include the odor rule.

Comment 7: While not disputing use of PM data from the Ballard Road monitoring station in the air quality analysis for this project, ConAgra Foods Lamb Weston does wish to register concerns about use of data from this station more generally to establish PM design values in the American Falls area. Based upon local technical knowledge we have concerns from this site and the use of this monitoring location to set design values. One concern is that the monitor is located immediately adjacent to the main Union Pacific railroad line at the Ballard road rail crossing. This raises questions about potential influences from passing trains and idling vehicles, including engine emissions, dust generation by the train traffic, and possible fugitive emissions from the freight cars.

Another issue involves a significant increase in PM concentrations in the 2012 record as compared with 2010 and 2011. This increase is not easily explainable. Days with peak values seem to only partially coincide with the forest fire events in 2012, and many of the high concentrations seem to be associated with days of prevailing southerly winds. Days in 2010 and 2011 with similar meteorology did not show the same patterns. No changes in upwind sources or land use activities were immediately apparent that could explain the increase in monitored values.

Response 7: There are a limited number of ambient monitoring sites in Idaho because of budgetary restrictions. Off-site monitoring data were used to provide representative or conservative background concentration values for use in the air quality impact analyses. Magnida also conducted on-site ambient monitoring during the permitting process to provide increased assurance that existing off-site monitoring data used in the analyses were either representative or conservative. Two existing off-site particulate matter (PM) monitoring sites are relatively close to the Magnida site: 1) the Ballard Road site, located just south of Fort Hall and operated by the Shoshone Bannock Tribes; 2) the Garrett and Gould site, located near the corner of Garrett and Gould Avenues in Pocatello and operated by DEQ. Both monitors meet EPA specifications and produce valid monitoring data for PM_{2.5} and PM₁₀. These data are publicly

available on EPA's website. The Ballard Road monitoring data were determined to be more representative of the Magnida site because the land use and population density surrounding the Ballard Road monitor compared more favorably with the Magnida site than the monitor located in Pocatello.

DEQ understands Con Agra Foods/Lamb Weston's concerns over the relatively high background levels of PM₁₀ and PM_{2.5} from the 2010 through 2012 dataset. No exclusion of monitored concentrations observed during high wind events or wildfires were made for the Ballard Road data. Therefore, the background concentrations used by Magnida represent a conservative approach for their air impact modeling analyses. The Ballard Road data were used for background concentrations in the 24-hour average and annual average PM_{2.5} NAAQS compliance demonstrations, but not for the final PM₁₀ NAAQS compliance demonstration. Following consultation with DEQ, Magnida amended the 24-hour NAAQS compliance demonstration by using a higher ambient background value that was observed in the on-site monitoring data. A background value of 125 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), 24-hour average, replaced the 117 $\mu\text{g}/\text{m}^3$ value from the Ballard Road background data.

Magnida's on-site ambient monitoring program generated nearly twelve continuous months of data, spanning April 2013 through March 2014. Magnida's on-site monitoring program followed a DEQ-approved Quality Assurance Project Plan (QAPP), addressing siting, pollutant measurement techniques, data acquisition, and data quality assurance and control requirements/methods. The monitoring complied with PSD requirements and was intended for development or verification of ambient background concentrations. The Magnida on-site PM₁₀ and PM_{2.5} datasets may be considered for future projects in the American Falls area. DEQ evaluates each project individually, and requests that a permit applicant consult with the agency regarding ambient background concentrations prior to submittal of a permit application.

Comment 8: There is no mention whether CO₂ sequestration was applied for control.

Response 8: CO₂ sequestration is not required by the permit. Magnida's application and DEQ's Statement of Basis both address CO₂ sequestration as a potentially available control option. For example see the Ammonia Plant Primary Reformer heater section of DEQ's Statement of Basis.

Magnida provided that CO₂ sequestration has not been demonstrated as a commercially available control technique and that significant technical and legal uncertainty remain eliminating it as a technically feasible control option. Because pilot scale CO₂ sequestration techniques are in operation, in order to provide a conservative BACT analysis Magnida conducted an economic analysis on CO₂ sequestration. Magnida provided that sequestration, even if conservatively assumed to be technically feasible, is too costly of control option to be considered BACT. DEQ has reviewed Magnida's findings and agrees that energy, economic and environmental considerations preclude the use of CO₂ sequestration as a BACT control option for the Magnida facility.

Comment 9: Why is SCR not planned for the package boiler?

Response 9: Details of why SCR is not required to control nitrogen oxide emissions from the package boiler are provided in DEQ's Statement of Basis. In summary, adding SCR to the proposed control strategy would have adverse economic impacts with a cost of \$74,000 per ton of NO_x emission reduction. Also, the proposed NO_x BACT emission standard resulting from the use of low-NO_x burners and flue gas recirculation (0.0125 lb/MMBtu) is the same as a recent BACT determination for a package boilers supporting a nitrogen fertilizer production facility (Iowa Fertilizer PSD permit issued October 26, 2012) and is more stringent than the most recent BACT determination of 0.02 lb/MMBtu (Ohio Valley Resources permit issued September 25, 2013).

Comment 10: What is the anticipated nitrogen level of the natural gas and process gas to be burned in the Primary Reformer Heater? Has the [NO_x] emission factor been compared other similar sources?

Response 10: As detailed in DEQ's Statement of basis the NO_x BACT emissions standard for the primary reformer heater is established at 0.013 lb/MMBtu. It will be achieved by employing low-NO_x burners and SCR. This satisfies the BACT criteria for the maximum degree of reduction achievable taking into account energy, environmental, and economic impacts and other costs, determined achievable for such source. DEQ is not aware of a more stringent BACT emission standard on other similar sources. NO_x formation from combustion of fuel in the Primary Reformer Heater predominately occurs from the oxidation of nitrogen present in the combustion air (nitrogen in the ambient air); whatever nitrogen may be present in the fuel would not affect the NO_x BACT emission rate limit of 0.013 lb/MMBtu.

Comment 11: Why are fence line monitors not proposed during construction and process startup and operation to determine impacts to adjacent operations and protect neighbors including those required to meet food safety requirements. Who will be monitoring that, the DEQ? Magnida?

Response 11: Applicable air quality rules and regulations do not require air quality monitoring during construction or during process startup and operation. The submitted application demonstrated to the Department's satisfaction that operation of the proposed facility will not cause a violation of any applicable air quality standard, and DEQ determined collection of additional monitoring data is not warranted.

Air quality impacts from operation of a plant not yet constructed are estimated through the use of pollutant emissions estimates and atmospheric dispersion models. Emissions of air pollutants from the proposed facility are estimated by using various methods, including: 1) calculations based on physics and chemistry; 2) estimates from similar sources that are in operation and have had emissions evaluated. Estimated pollutant emissions are then used as input for atmospheric dispersion models to estimate maximum pollutant concentrations in the ambient air surrounding the facility. These models also use representative meteorological data and physical parameters of the area and the proposed plant. In situations where the Department questions the accuracy of emissions quantities, the Department may require that the source be continuous emissions monitoring or periodic emissions testing to verify emissions quantities provided in the submitted application. Monitoring or testing was required for a several sources at the proposed Magnida facility.

In situations where the Department is not confident that air impact modeling conducted for the project reasonably represents the proposed facility, or is not confident that emissions will not cause a violation of air quality standards, post construction air monitoring may be required by the Department. After review of the Magnida submitted application and associated analyses, DEQ is confident that air pollution emissions from the proposed facility will not cause a violation of an applicable air quality standard. Requiring post construction air quality monitoring of the Magnida facility would be overly burdensome and not consistent with requirements imposed by the Department on projects of similar size, scope, and impact.

Comment 12: Magnida concludes that SNCR is not technically feasible for NO_x control from the Primary Reformer Heater due to reduced temperature after heat recovery. Could SNCR be applied before heat recovery?

Response 12: The NO_x BACT emission limit from the Primary Reformer Heater is 0.013 lb/MMBtu and will be achieved by using SCR. SCR achieves higher NO_x emission reductions than is SNCR and its use has been selected to control emissions from the Primary Reformer Heater.

Comment 13: Has any consideration been given to how dust, VOC and metals emissions from paved roads will affect next door neighbors.

Response 13: Air quality permits are issued for stationary sources. The paved roads at the Magnida facility are considered part of the stationary source. However, emissions from the mobile vehicles on those paved roads (such as vehicle exhaust) are not considered part of the stationary source and are not regulated by the air permit. Emissions of fugitive dust generated by vehicles moving on the road are

included in the air pollution dispersion model that demonstrates compliance with the National Ambient Air Quality Standards (NAAQS). The NAAQS are established to protect the public health and welfare. VOC and metal emissions from the paved roads are expected to be negligible.

Comment 14: Ammonia emissions, with controls, are approximately 1 ton per day. Has EPA reviewed the application and approved the discharge?

Response 14: EPA was notified of the 30 day public comment period on the proposed permit and did not provide any comments.

Comment 15: What is the total percent of emissions increase in the region?

Response 15: A determination of the percentage of emissions increase in the region is not a requirement of the Rules and was not determined. However, as required by the Rules, it has been demonstrated that emissions increases from the facility will not cause or significantly contribute to a violation of the NAAQS or PSD increments.

Comment 16: Why are tanks other than Ammonia not directed to controls? They represent 15 tons of emissions.

Response 16: Estimated VOC emissions from all organic storage tanks are 0.7 tons per year rather than 15 tons per year as the commenter suggests. DEQ does note that Magnida used the EPA TANKS program to estimate emissions from the tanks. This program also provides an estimate of water vapor emissions from the tanks which is likely the source of confusion on air pollutant emission rates. Emissions from all organic liquid storage tanks are controlled by using fixed-roof enclosures which represent BACT for these sources. Other control options were considered but were determined to cause adverse economic impacts due to the relatively small VOC emission rates from these tanks.

Comment 17: The application does not provide any information on control of potential urea emissions from the warehouse building. As a general comment we recommend all loading and unloading operations whether solid or liquid products should be conducted in an enclosure with control equipment required for particulate matter and vent gases. Also, because the products being handled in the warehouse contain ammonia, the potential for ammonia emissions should be addressed.

Response 17: Particulate matter emissions from the warehouse will consist primarily of granulated urea. All railcar and truck loading is required to be conducted within a structure with ventilation system that has an allowable BACT particulate matter emission limit of 0.005 grains per dry standard cubic foot (0.4 pounds per hour). This standard will be met by using filters to control emissions.

Granulated urea handled in the warehouse is a solid material and there are no known emission factors for volatile emissions generated from granulated urea handling operations. In the absence of available emissions factors DEQ has amended the proposed permit to include an ammonia emission rate limit and source testing requirement on the load-out building emission point (See DEQ's response to Comment 1).

The majority of gaseous emissions from granulated urea production and loading operations are expected to occur in urea granulation process which has a VOC emission limit of 3 pounds per hour. Any gaseous urea (VOC) emissions that may occur from the handling of the solid granulated urea material after it has been produced are uncontrolled and are expected to be significantly less than from the urea granulation process. Whatever VOC emissions may occur would not affect any of the regulatory or air quality analyses. DEQ notes that urea is not a specifically regulated toxic air pollutant.

All liquid products will be stored and transferred in enclosed systems.

Comment 18: Can the facility operate with coal?

Response 18: No. The facility is not designed to process coal and a new permit to construct would be required for the use of coal.

Comment 19: Can you let me know if the water quality in the American Falls reservoir and the Snake River below will be affected by the air emissions from the Magnida plant. Will the heavy metals and other carcinogens accumulate in the slower waters of the reservoir and over time reach toxic levels in the trophy fisheries that are the American Falls Reservoir and Snake River above and below it?

Response 19:

Metal and carcinogenic air pollutant emissions comply with toxic air pollutant acceptable ambient concentrations listed in Section 585 and 586 of the Rules. As specified by Sections 161 and 203.03, compliance with all applicable toxic air pollutant carcinogenic increments and toxic air pollutant non-carcinogenic increments also demonstrates that they will not be emitted in such quantities or concentrations as to alone, or in combination with other contaminants, injure or unreasonably affect human or animal life or vegetation.

Comment 20: Page 3-8 of DEQ's Modeling Analysis, Provides table for grid spacing. The receptor grid was designed such that the maximum facility impacts falls within the 50 to 100 meter spacing of receptors from the Magnida fence line. This indicates that the food processing facilities that exist in the area will be significantly impacted by Magnida's emissions.

Figure 7 on Page 3-11 of DEQ's Modeling Analysis depicts the Magnida Near Field Receptor Grid. A Food processing plant lies within the grid.

Common Question:

Has this been considered by the state of Idaho recognizing that food safety is a local consideration that should be included in the assessment due to the existence of food manufacturing facility?

Response 20: Magnida's ambient air boundary was established at the proposed facility's fenced property boundary. The Magnida and ConAgra Foods/Lamb Weston facilities are adjacent to each other, with only a roadway and a rail line separating the property parcels. Generally, air impact modeling analyses use closely-spaced receptors in regions where higher ambient impacts are expected. The expectation for all modeling analyses is that the maximum ambient impacts will be reasonably resolved with the receptor grid used in the analyses. DEQ and RTP Environmental (Magnida's permitting and modeling consultant) discussed the density of the receptor spacing along the ambient air boundary and close to the proposed Magnida facility. DEQ determined that RTP used an appropriate receptor spacing in the analyses, and due to the close proximity of the two facilities, the impacts from the Magnida facility on the ConAgra Foods/Lamb Weston facility were analyzed in greater detail than if the Magnida facility were located at a greater distance.

The impact modeling analyses demonstrate that the proposed Magnida facility will not cause or significantly contribute to a violation of any applicable National Ambient Air Quality Standard (NAAQS) or Prevention of Significant Deterioration (PSD) increment. Magnida's application also demonstrated that requested allowable emissions for the project will not exceed non-carcinogenic or carcinogenic toxic air pollutant (TAP) increments.

The NAAQS are federally-promulgated ambient standards developed and administered the Environmental Protection Agency (EPA) for the specific pollutants identified by the Clean Air Act. These ambient standards undergo scheduled scientific and regulatory review to assess stringency with regard to the stated goal of the NAAQS. This goal is the protection of public health under the primary NAAQS of both the general population and the population groups identified as "sensitive," which include the elderly, asthmatics, and children. The goal of the secondary NAAQS is the protection against adverse impacts and

damage to animals, agricultural crops and other vegetation, buildings, and to protect against reduced visibility. Idaho DEQ implements the NAAQS by incorporating them in the State of Idaho State Implementation Plan and the Rules for the Control of Air Pollution in Idaho. Magnida's ambient impact analyses demonstrated to DEQ's satisfaction that Magnida's requested emissions will comply with all primary and secondary NAAQS.

The State of Idaho implements a toxic air pollutant program through the New Source Review program. This is a state-only enforceable program and is not federally-mandated. The proposed Magnida project's requested allowable carcinogenic and non-carcinogenic TAPs were calculated and compared to the appropriate screening rate emissions limits, and where Magnida's requested emissions exceeded the limit, the emissions were modeled to evaluate compliance with the allowable increment. Compliance with the TAP increments were based on Magnida's ambient impact modeling analyses, and those analyses demonstrated that requested emissions will not cause impacts at any ambient receptor that exceeded the allowable increments.

There are no other ambient impact standards or required impact analyses that are specifically applicable for food manufacturing facilities.

Comment 21: Table 8 in DEQ's Modeling Analysis on Page 6.2, shows Urea Granulator 100 % Load – Lists concentrations for 1hr, 8hr and 24hr emissions concentrations. The 1 hr listing exceeds 24 hr hour listing when it is divided by 24.

Question: Is this correct, or is there additional information needed to understand this potential conflict?

Response 21: The values presented in the submitted modeling analysis report are correct. The AERMOD model output reflects the appropriate ambient impacts for each averaging period. The maximum ambient impact for each averaging period was selected for the model output.

The maximum 1-hour average and 24-hour average impacts were predicted to occur at the same receptor for the Urea Granulator Vent at 100% load using a unit emission rate of 1.0 pounds per hour. The method presented in your comment consisted of dividing the 1-hour maximum impact by a value of 24, resulting in a value of 0.432057 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), 24-hour average. Magnida's AERMOD output file presented a maximum 24-hour average impact of 0.43237 $\mu\text{g}/\text{m}^3$. The values differ by approximately 0.07 percent.

The 24-hour average impact from the AERMOD model was calculated using the 24 individual hourly period impacts at the receptor and determining the average by dividing the sum of impacts by a value of 24. The meteorological conditions for each hourly period are distinct and may differ considerably from hour to hour so each hourly impact may be greater or less than the preceding hour's impact at the receptor.

Comment 22: Also in the presentation that DEQ held on March 18th, it was presented that the screen analysis shows that the plume would not cause excessive contrast and met screening criteria for the locations at Massacre Rocks State Park and Pocatello Regional Airport. Massacre Rocks State Park is located 12 miles west of American Falls. The Pocatello Airport is located 18 miles east of American Falls. Can the DEQ or Magnida tell us what degree of excessive contrast will be experienced in American Falls over our schools, our homes, and our downtown areas?

Response 22: There are no applicable requirements for Magnida to demonstrate compliance with plume visibility screening criteria outside of the locations that that have been identified as sensitive areas for the Class II area analyses. No additional visibility analyses have been performed by DEQ to evaluate plume visibility of the Magnida facility. The project has demonstrated compliance with all National Ambient Air Quality Standards (NAAQS), including secondary standards, that are intended to be reasonably protective of visibility.

A facility is allowed to emit air pollution up to a level allowed by applicable regulations.

Also, all point sources, which are typically exhaust stacks and vents, are subject to the general opacity standard that is intended to limit the amount of visibility impacts to any area in Idaho. Permit Conditions 14.8 and 14.9 contain the facility-wide requirements for the point sources and for other fugitive sources of visible emissions. Certain sources, such as the candlestick flares, are regulated by the New Source Performance Standards that require the flares be operated without visible emissions. The granulated urea loading operation, which is controlled by an enclosure and a baghouse, must also comply with stringent visible emissions requirements.

The permit's facility-wide visible emissions permit conditions are listed below:

Visible Emissions

14.8 Opacity Standard

The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20 percent opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.

14.9 Quarterly Inspections

The permittee shall conduct quarterly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. Sources that are monitored using a continuous opacity monitoring system (COMS) are not required to comply with this permit condition. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either:

a) take appropriate corrective action as expeditiously as practicable to eliminate the visible emissions. Within 24 hours of the initial see/no see evaluation and after the corrective action, the permittee shall conduct a see/no see evaluation of the emissions point in question. If the visible emissions are not eliminated, the permittee shall comply with b).

or

b) perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20%, as measured using Method 9, for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective actions and report the period or periods as an excess emission in the annual compliance certification and in accordance with IDAPA 58.01.01.130–136.

Comment 23: I just question why do my grandchildren need to be breathing the emissions being put out from the facility?

Response 23: Idaho DEQ's mission is "To protect human health and preserve the quality of Idaho's air, land, and water for use and enjoyment today and in the future." DEQ implements its New Source Review

program with the goal of protecting air quality and limiting ambient impacts that affect the population through the National Ambient Air Quality Standards and the state's toxic air pollutant program.

The proposed Magnida facility's air pollution-emitting sources are subject to emission limitations and standards pursuant to the Rules for the Control of Air Pollution in Idaho and, more specifically, the Prevention of Significant Deterioration (PSD) program. The facility's requested allowable emissions were analyzed using DEQ-approved methods that were reviewed by the agency and determined to be appropriate in assessing the facility's compliance with both the allowable ambient impacts for the NAAQS and the TAPs increments. The NAAQS were promulgated to protect public health, including the health of children, as well other groups that have an increased level of sensitivity to air pollution. Magnida's ambient impact analyses demonstrated to the satisfaction of the agency that the facility's ambient impacts complied with the applicable ambient standards at all locations in ambient air.

Comment 24: DEQ provided RTP with Nitrogen Oxide data from Boise, ID in 2007 and 2010. This suspiciously seems like 'cherry-picked' data chosen to meet desired modeling outputs. The report fails to state why just these two years were used. Seems like modeling should use more recent data including Pocatello (downwind of this plant) even if it delays the permitting process.

Response 24: DEQ does not have recent NO₂ data for the Pocatello area. DEQ collected ambient NO₂ data at the Pocatello Garrett and Gould monitoring site from October 31, 1994 until April 1, 1999. These data would have represented the ambient NO₂ backgrounds of the industrial sources at the operation and emissions levels of that time period. These sources included the FMC Pocatello Elemental Phosphorous plant, the J.R. Simplot Don Siding, and the Union Pacific Railroad rail yard. DEQ determined that the historical Pocatello data are not representative of the Magnida site considering the industrial source component of the 1994-1999 Garrett and Gould data. Changes to these facilities, including a complete shutdown and closure of the FMC Pocatello plant in 2001, have occurred in the years after the data were collected. The changes to the facilities would affect the levels of nitrogen oxides (NO_x) emissions, and correspondingly, ambient NO₂ concentrations collected at the Garrett and Gould monitor depending on ambient conditions.

The NO₂ monitoring data used in Magnida's analysis, collected at the Idaho Transportation Department (ITD) on State Street in Boise, were provided by DEQ following the initial meetings concerning the project. DEQ provided the ITD data with the opinion that the data would exhibit higher concentrations, resulting in a more conservative analysis, than the ambient NO₂ background values that would be expected at the Magnida facility location.

The Boise ITD site's NO₂ data for 2008 and 2009 was invalidated due to quality assurance/quality control issues. The 2007 and 2010 data are valid, and because the data were collected during the typical ozone season at a location within Boise city limits, these data were viewed as conservative for the Magnida site. More recently collected NO₂ data are available from the DEQ monitoring site near the St. Luke's Regional Medical Center near Meridian. The monitor is located near Eagle Road and Interstate 86, and operated with the goal of monitoring worst-case ambient NO₂ levels near heavily-travelled roadways, capturing impacts caused by mobile sources in addition to other sources of NO₂. The data from the St. Luke's Meridian monitor show higher concentration values than the Boise ITD site, and DEQ determined that the Boise ITD data provided the appropriate level of conservatism for the Magnida project.

Comment 25: RTP used Ozone data from Craters of the Moon National Monument. Why not include ozone data from Pocatello since it is much more populated? Suspicious when you consider that Pocatello is downwind and will potentially be much more impacted than Craters of the Moon from this plant. Again, there is an appearance of cherry-picking supporting data.

Response 25: The Craters of the Moon monitoring data were not used for ozone concentrations in the AERMOD model setup. RTP Environmental, on behalf of Magnida, used the Craters of the Moon ozone data that is collected by the National Park Service to compare against the data collected with the Magnida

on-site ambient monitoring and against the ozone data DEQ provided to RTP and Magnida for the preparation of their 1-hour average NO₂ NAAQS compliance demonstration. The Craters of the Moon data are intended to identify the ozone levels at a location which is not heavily impacted by industry and population effects and to verify that conservative ozone data were used for the Tier 3 compliance methods with the 1-hour NO₂ NAAQS compliance demonstration. The Craters of the Moon dataset also provides year-round monitoring data that can be used to validate whether the highest values expected to occur within a year are generally captured by monitoring during the warmest months of the year.

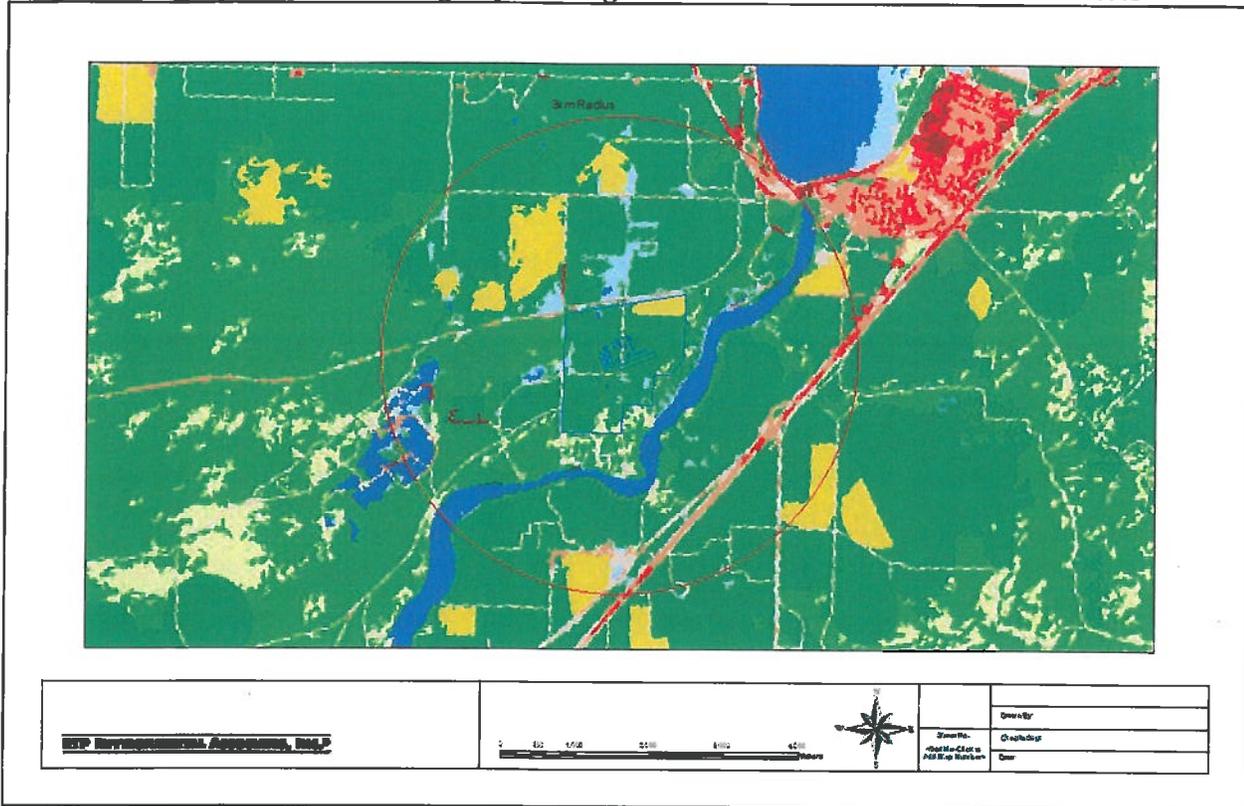
DEQ does not operate, and has not historically operated, a monitor for the purposes of determining ambient ozone levels in Pocatello, so these data are not available. If valid ozone data from a site in or near Pocatello existed, DEQ would have included it when finalizing DEQ's recommendations for this project's ambient backgrounds.

Comment 26: The DEQ stated the immediate area as rural with misleading population data of near-by Pocatello. The DEQ reports the population of Pocatello "about 55,000". The DEQ knows that Chubbuck and Pocatello are adjoining cities with a combined population closer to 70,000. Why not include the true population when estimating this plants ozone impact on a large downwind population base?

Response 26: Only a limited region surrounding the proposed facility is considered in determining whether the area surrounding the facility is either urban or rural for the purpose of air impact modeling analyses. These are the only two categories listed as options in the model input file. Land use, specified as grades of residential, commercial, and industrial use, are defined by the Auer 73 method for all land within a 3 kilometer radius of the proposed Magnida facility. If 50% or more of the land is classified as urban, the AERMOD modeling program will account for heat island effects in the modeling demonstration. Urban conditions have the effect of increasing atmospheric turbulence due to the heat island effect caused by the greater heat absorption and radiation of asphalt, concrete, and buildings compared to grassland, agricultural, water bodies, or relatively sparsely populated land. Increased turbulence generally increases the dispersion of an exhaust plume.

The figure below was taken from Magnida's modeling report and depicts the land use within 3 kilometers of the proposed facility. Pocatello's population does not affect this evaluation as the distance between the Pocatello and Chubbuck communities from the Magnida site is greater than 3 kilometers.

Magnida January 9, 2014 Modeling Report—Figure 3. Land Uses within Three Kilometers



A second, less definitive, method used to determine the classification is based on population density. If the population density of the area within the 3 kilometer radius of the proposed facility is less than 750 persons per square kilometer, the area is considered rural, and heat island effects are not considered in the modeling demonstration. Metropolitan areas may be viewed as urban, but the Magnida site does not qualify as an urban setting.

DEQ considers the ozone data from the Boise White Pine site to be conservative, or at least representative, for the Magnida 1-hour NO₂ NAAQS demonstration. The U.S. Census Bureau estimated that the population of the City of Boise at over 205,000 in 2010¹. The ozone data provided to RTP by DEQ for this project was obtained from a site in southeastern Boise and was collected during the late spring, summer, and early fall months that are recognized as the typical “ozone season” when ambient ozone levels are expected to be the highest throughout the calendar year.

Magnida was not required to provide an ambient impact demonstration for the ozone NAAQS. DEQ assesses compliance statewide with regional modeling demonstrations to support the attainment designations for areas within Idaho using models that are capable of applying the complex chemical reactions in predicting ozone generation and ambient impacts.

¹ <http://quickfacts.census.gov/qfd/states/16/1608830.html>

Appendix

Public Comments Submitted for

Permit to Construct No. P-2013.0030

Lamb Weston

P.O. Box 489
2975 Lamb Weston Rd.
American Falls, ID 83211-0489
208-226-2301

To: Tessa Stevens, Idaho Department of Environmental Quality
Date: April 4, 2014
Subject: Comments on Magnida's Application For Air Quality Permit to Construct

Dear Tessa,

On behalf of ConAgra Foods Lamb-Weston, we appreciate the opportunity to comment on Docket # AQ-1403 concerning the air quality aspects of the Magnida project and proposed permit. Attached, please find our comments regarding this application for permit.

Please feel free to contact me with any questions.

Regards,

Fred Webb
Plant Manager
Lamb-Weston, American Falls Facility

C.C:
Marc Beitia - Mayor, City of American Falls
Ronald Funk - Commissioner, Chairman, District 1
Norman Wright - Commissioner, District 2
Delane Anderson - Commissioner, District 3

Comments: Docket No. AQ-1403

Introduction

ConAgra Foods Lamb Weston would like to thank the Idaho Department of Environmental Quality for the opportunity to comment on Magnida's proposal to construct a fertilizer facility in American Falls, ID. Lamb Weston has been part of the American Falls community for more than 50 years, where we currently employ 600 people. American Falls and Power County is where many of our employees live and raise their families. We consider American Falls home, and we look forward to another 50 years in the community.

As a company whose business touches all phases of the agricultural supply chain, we understand the importance of nitrogen fertilizers to crop production and the significant economic development opportunity the proposed Magnida facility represents to Power County and the State of Idaho. At the same time, we believe industrial development must be done in a sustainable manner that addresses the unique concerns of the local community that live and work in American Falls. Strict regulatory compliance may not provide the complete framework to address all unique local concerns, and addressing those concerns is a key element of promoting sustainability and being a good neighbor. As proposed, the Magnida fertilizer facility has the Potential to Emit 1,700,000 metric tons of greenhouse gases per year, which will make the facility one of the largest stationary sources of greenhouse gases in Idaho. Based on the chemical substances that will be produced and stored at the plant, the U.S. EPA Risk Management Plan for the proposed facility is estimated to include the entire American Falls community. As a potential new major stationary source with covered process chemicals in large quantities, we believe Magnida can, and should do more to address the concerns identified within this document.

It is reassuring to see the level of effort demonstrated by Idaho DEQ and Magnida with their consultants in presenting the Statement of Basis, the Permit Construct, and the Compliance Demonstration documents; however, we encourage Idaho DEQ and Magnida to address additional new risks created by the proposed facility and take the necessary steps to reduce those potential negative impacts to the existing area.

Magnida and their consultants have been working with Idaho DEQ for almost a year to arrive at the documents presented for public comment. These are complex regulatory permits and technical documents. With the brief time provided we are being required to accept the modeling data presented without the ability to develop, assess assumptions and re-run modeling results. In general, it would have been helpful if Idaho DEQ had made available to the public meeting notes from the working dialogue that occurred between Magnida and ID DEQ over the past year. Recognizing the time limitations for public comment, we offer the following comments and look forward to dialogue to address these concerns.

General Comments

Our primary area of concern is safety – both human safety and food safety. This large industrial facility creates new safety concerns for the American Falls community and for the employees in ConAgra Foods Lamb Weston's American Falls facility that will be working within very close proximity. The facility also raises food safety concerns related to the impact of the emission of nuisance odors on the production of wholesome food products. Potential nuisance odor control, fugitive dust control, and emergency preparedness and response requirements are the basis of these concerns.

The proposal has identified through modeling that the National Ambient Air Quality Standards and the Idaho Toxic Air Standards will be met by the proposed Magnida facility; however, the modeling does not address potential nuisance odors created by nitrogen fertilizer manufacturing processes and some of the associated manufacturing activities of receiving, shipping, and storage onsite of raw, intermediate and final nitrogen chemical products. We firmly believe these chemical air emissions have the potential to create air pollution as defined by Idaho DEQ. Ammonia, volatile organic compounds and other air borne toxic compounds can be smelled by humans at very low levels and when individually mixed together can create complex odors that can be detected by humans. This form of air pollution in American Falls has the potential to negatively impact the operation of a plant manufacturing food for human consumption. These nuisance odors when discharged into the local air basin can migrate over our adjacent facility and be contained in incoming air. We use filtered air for drying of the potato product prior to frying, ventilation of indoor manufacturing areas, and boiler combustion air for steam production. These chemicals unfortunately have the ability to be absorbed by food and food ingredients, and can create malodors in the final food product that the consumer will consider unacceptable. As a consequence, we recommend a Nuisance Odor Control Plan be established by Magnida with participation by Lamb Weston representatives and American Falls residents prior to the approval of the current proposal.

Specific Comments

- **Control of Odors**

- Document References:

- Magnida Application – Analysis of Applicable Requirements, §3.5

- DEQ Statement of Basis – Regulatory Analysis

Neither of these documents addresses DEQ's rules for Control of Odors (IDAPA 58.01.01 .775-776) as applicable requirements. The Magnida facility will produce and process large amounts of ammonia and acids, having significant potential to generate odors that migrate to residential areas. This concern is amplified by the very close proximity of the ConAgra Foods Lamb Weston potato processing facility, due to the significant potential for ambient odors to cause unacceptable tastes and aromas in our food products.

Please note that these comments deal most specifically with ammonia because there is more information about ammonia emissions that can be gleaned from the documents than for other compounds that might be of concern. ConAgra Foods Lamb Weston's focus on ammonia in these comments should not be taken to mean that ammonia is the only potential source of odors that need be evaluated.

ConAgra Foods Lamb Weston believes that prior to issuing the permit DEQ should ensure compliance with IDAPA 58.01.01.775-776 by requiring Magnida to amend its Application to include a full characterization of potential sources of odors and provide a review of technical alternatives to control odor generation. Results of the Nuisance Odor Assessment should be incorporated into the Top Down BACT Analysis to assure technologies considered acceptable at emission points included potential nuisance odor control factors in the selection of the BACT practice. Appropriate permit conditions to ensure Magnida compliance with IDAPA 58.01.01 .775-776 should then be included in the current permit. Magnida should identify the industry-wide Recognized and Generally Accepted Good Engineering Practices (RAGAGEP) that will be utilized by Magnida in the development process during the design, construction, and operation of the facility. Industry wide practices, such as, The Fertilizer Institute, the European Fertilizer Manufacturers Association, and the Chemical Manufacturing Association are potential RAGAGEP sources.

- **Management of Emissions from Storage Buildings and Materials Transport and Loading Equipment and Operations**

- Document References:

- Magnida Application – Product Storage and Loading, §2.10; Urea Loadout, §4.14

- The Application states that a covered conveyor for granular urea will be used after the product leaves the warehouse and that railcar and truck-loading will be contained inside a humidity-controlled structure. The Application indicates that a fabric filter will be provided for control of these emissions. The Application does not provide any information on control of potential urea emissions from the warehouse building itself. Because the products being handled and loaded contain ammonia, these activities also are potential odor sources, and the analysis of control options should include the warehouse and address odor potential associated with particulate emissions. Please identify the specific RAGAGEP considerations included in the Top Down BACT Analysis in the selection of fixed roofs as the selected BACT and the rationale for selection.

- As a general comment we recommend all loading and unloading operations whether on solid or liquid products should be conducted in an enclosure with control equipment required for particulate matter and vent gases.

- **MDEA Emissions**

- Document References:

- Magnida Application – Gas Purification, §2.2.2

- The Application describes the gas purification process involving the use of MDEA to remove CO₂ during gas purification. The process involves regenerating MDEA in a stripper in which the CO₂ is removed.

- Since MDEA has an odor (ammoniacal), assessment of the nuisance odor potential from this unit is warranted.

- **Wastewater Treatment Emissions**

- Document References:

- Magnida Application – Wastewater Treatment, §2.9, Appendix C

- The description of the wastewater treatment system focuses entirely on managing the mineral content of the wastewater. It is likely, however, that Magnida will generate wastewater streams that

contain nitrogen compounds, whether from the ammonium nitrate scrubber or from equipment maintenance and repair. Nitrogenous wastewater streams have very high odor-generating potential, and careful management is necessary to control odors. The application has no information on how wastewater potential nuisance odor generation will be managed.

- **Ammonia Emissions from Valves and Flanges**

- Document References:

- Magnida Application – Ammonia Production, §2.2; Urea Production, §2.3; BACT Analysis for Urea Equipment Leaks, §4.15; Appendix C, Emission Estimates

- DEQ Statement of Basis – Table 4. Potential to Emit for Toxic Air Pollutant (page 10)

- There is a discrepancy between Magnida's statement of potential hourly ammonia emissions (301 lb/hr) and amount listed in the DEQ Statement of Basis (520 lb/hr). The reason for this discrepancy is not clear. The following discussion is based on estimates provided in Magnida's Application because that information is more detailed

- In the application, Magnida estimates ammonia emissions from equipment leaks in the ammonia process to be 12 lb/hr, and 53 tpy and about 1.8 lb/hr and 7.8 tpy for the urea process. Unlike most emissions of PSD-regulated air pollutants, these emissions from valves, flanges, etc., will occur at ground level, where potential off-site impacts will be the greatest. These emissions are also estimated to occur 8760 hr/yr. Proposing to allow leaks to occur for 15 days prior to repair is an excessive time. The magnitude of the leak should be factored into the requirement on the timeliness of the repair. Allowing a gasket seal weep to continue during operation until shutdown is different than allowing liquid chemicals to continue to leak for an extended period. This practice would contribute to the amount of potential nuisance odors generated from the facility.

- Because the urea plant is regulated by 40 CFR Part 63, Subpart FFFF, leak detection and repair (LDAR) is identified and implemented as BACT for the urea plant. Meanwhile, no comparable controls are proposed for process equipment leaks on the ammonia side of the plant. Given the potential impact of ammonia emissions on nuisance odors and on plant neighbors, we recommend that Idaho DEQ require Magnida to include the ammonia production facilities in the LDAR program, a reasonable requirement as one of the methods to demonstrate compliance with IDAPA 58.01.01 .775-776.

- **Control of Fugitive Dust**

- Control of fugitive dust is important and what is currently proposed is a baseline minimum practice. We encourage Magnida to further commit to practices that will be implemented during construction to control excessive dust prior to paving of roadways. These BMP's should include consideration of wind direction and the potential exposure to adjacent properties during strong wind events that would create excessive fugitive dust.

- **Use of Ballard Road Monitoring Station to Establish Design PM Values**

- Document References:

- Magnida Application – Appendix E - Air Dispersion Modeling and Class II Visibility Analysis Report, page 5-3++

- DEQ Air Quality Modeling Review, p.31++

While not disputing use of PM data from the Ballard Road monitoring station in the air quality analysis for this project, ConAgra Foods Lamb Weston does wish to register concerns about use of data from this station more generally to establish PM design values in the American Falls area. Based upon local technical knowledge we have concerns from this site and the use of this monitoring location to set design values. One concern is that the monitor is located immediately adjacent to the main Union Pacific railroad line at the Ballard road rail crossing. This raises questions about potential influences from passing trains and idling vehicles, including engine emissions, dust generation by the train traffic, and possible fugitive emissions from the freight cars.

Another issue involves a significant increase in PM concentrations in the 2012 record as compared with 2010 and 2011. This increase is not easily explainable. Days with peak values seem to only partially coincide with the forest fire events in 2012, and many of the high concentrations seem to be associated with days of prevailing southerly winds. Days in 2010 and 2011 with similar meteorology did not show the same patterns. No changes in upwind sources or land use activities were immediately apparent that could explain the increase in monitored values.

Air Permit Application

1. Page 20 – 3rd paragraph indicates that there are currently no NAAQS or PSD increments established for greenhouse gases and therefore these PSD requirements would not apply for greenhouse gases, even when PSD is triggered for greenhouse gases.

Question: The additional dialogue provides EPA's opinion/stance regarding this issue on a sample case; however, there is no mention whether CO2 sequestration was applied for control. Has U.S. EPA assessed and provided comments and approval? 1,700,000 metric tons is a potential very large new source of greenhouse gases and additional information should be provided on the selection rationale.

2. Page 31 – 10 lines down 1st paragraph indicates that the Package Boiler is not equipped with an SCR which is likely to contribute to particulate matter emissions due to ammonia slip.

Question: Why is SCR not planned for this package boiler?

3. Page 31 – 4.2.2 – Indicates that the fuel nitrogen levels will be negligible.

Questions:

What is the anticipated fuel nitrogen levels of the natural gas and process gas anticipated to be burned in the Primary Reformer heater?

Has the emission factors been compared to those standards issued by the EU where similar plants have more experience? If not, why not?

Why are fence line monitors not proposed during construction and process startup and operation to determine impacts to adjacent operations and protect neighbors?

Comment: We recommend Idaho DEQ require fence line monitoring for the protection of the American Falls community and adjacent neighbors.

4. Page 33 – 4.2.2.3.3 Concludes that an SNCR is not technically feasible due to the reduced temperature after heat recovery.

Question: Could the SNCR be applied prior to heat recovery to address the significant emissions projected?

5. Page 97 – Defines BACT for dust emissions and commits Magnida to pave all access roads and to sweep when necessary based on monitoring dust emissions.

Question: Has any consideration been given to how these emissions as well as projected metals and VOC emissions will affect next door neighbors such as the local food production facilities that are required to meet food safety requirements?

6. Page 99 – Emissions Table with Controls - The ammonia emissions predicted with controls is approximately 1 ton a day.

Questions:

Has the EPA reviewed this application and approved this discharge?

How will Magnida know when it has exceeded the RQ reporting requirements to the National Emergency Response Center along with State and Local Emergency response committees?

What is the total percent increase in emissions for the region based on current permitted discharges compared to those that would be added from the Magnida operations if approved?

7. Tanks 4.0.9d

Question:

Why are tank vents other than Ammonia storage not directed to controls? They represent 15 tons of emissions. Vent gases should be required to be captured and controlled by emission control systems, such as vapor balancing, nitrogen blanketing, thermal oxidizer or carbon absorption.

Appendix E Modeling Analysis

1. Page 3-8, Provides table for grid spacing. The receptor grid was designed such that the maximum facility impacts falls within the 50 to 100 meter spacing of receptors from the Magnida fence line. This indicates that the food processing facilities that exist in the area will be significantly impacted by Magnida's emissions.

Question:

Has this been considered by the state of Idaho recognizing that food safety is a local consideration that should be included in the assessment due to the existence of food manufacturing facility?

2. Figure 7 on Page 3-11 depicts the Magnida Near Field Receptor Grid. A Food processing plant lies within the grid.

Question:

Has this been considered by the state of Idaho recognizing that food safety is a local consideration that should be included in the assessment due to the existence of food manufacturing facility?

3. Table 8 on Page 6.2, shows Urea Granulator 100 % Load – Lists concentrations for 1hr, 8hr and 24hr emissions concentrations. The 1 hr listing exceeds 24 hr hour listing when it is divided by 24.

Question:

Is this correct, or is there additional information needed to understand this potential conflict?

Summary-Closing

As long-time members of the American Falls community, Lamb Weston appreciates the opportunity to review Magnida's proposal. Our primary area of concern is the safety of our employees and of the food we produce. This large industrial facility creates new safety concerns for the American Falls community. Our written comments reflect our assessment of the proposal as both a food processor, with focus on our continued ability to produce the highest quality potato products, and also as a citizen of American Falls, with co-workers who live and work in the community. The safety of our employees and our food is our highest priority, and our comments reflect this perspective. We look forward to the opportunity to work with other members of the American Falls community to address these concerns.

Daniel Pitman

From: Randy Anderson <highbasin@gmail.com>
Sent: Friday, March 21, 2014 9:37 AM
To: Daniel Pitman
Subject: Magnida question

Dan

I'm looking at the Magnida info on your DEQ website. Has there been any discussion the long-term affordable availability of natural gas and what happens to the future operations at that point? Is there ever any chance that this plant will operate on coal if natural gas becomes too expensive?

Thanks, Randy Anderson

Daniel Pitman

From: Kevin Schilling
Sent: Wednesday, April 09, 2014 4:21 PM
To: Daniel Pitman
Subject: FW: Magnida and Water Quality comment

From: Marc Beitia [<mailto:longhikers5@gmail.com>]
Sent: Wednesday, March 19, 2014 6:50 AM
To: Kevin Schilling
Subject: Magnida and Water Quality

Kevin,
Just a follow-up.

Can you let me know if the water quality in the American Falls reservoir and the Snake River below will be affected by the air emissions from the Mignida plant. Will the heavy metals and other carcinogens accumulate in the slower waters of the reservoir and over time reach toxic levels in the trophy fisheries that are the American Falls Reservoir and Snake River above and below it?

Thank you. It was a pleasure to meet you last night at the public meeting.

--
Marc G. Beitia

Magnida/Idaho D.E.Q. Hearing on Requested Air Permit

Wednesday, April 02, 2014

Time: 5:30 PM

American Falls Public Library

Questions:

During the first informational public meeting hosted by Magnida, it was stated by Mr. McCarthy that "you will not be able to smell the plant". In the permit application it is stated that the facility will be producing 2,500 Tons per day of Ammonia. Also in the permit it is stated that the facilities estimated emissions for ammonia will be 84 – 519 (lb/hr).

My questions are;

How will we not smell ammonia being emitted at these levels?

Why is it that if any other manufacturing facility spills more than 100 lbs of Ammonia they are required by CERCLA to report that to Local, State and Federal agencies within 15 minutes?

In the presentation that DEQ held on March 18th, it was presented that the screening analyses showed that the plume would not cause excessive contrast and met screening criteria for the locations at Massacre Rocks State Park and Pocatello Regional Airport. Massacre State Park is 12 miles West of American Falls and the Pocatello Airport is 18 miles East of American Falls.

Can you tell us what degree of "excessive contrast will we be experiencing in American Falls? Over our schools, in our homes and downtown areas?

What will my grandchildren be breathing? And, who will be monitoring that, the DEQ? Magnida?

Mark Love
680 Bennett Ave.
American Falls, ID
83211

Daniel Pitman

From: Webmaster
Sent: Sunday, March 30, 2014 10:01 PM
To: Daniel Pitman
Subject: DEQ seeks comment on proposed air quality permit to construct for Magnida, American Falls; public informational meeting and hearing scheduled

Name::
Randy Anderson
Email::
highbasin@gmail.com

Affiliation::
Pocatello resident

Comments::
I have several issues with this proposal:

- 1)DEQ provided RTP with Nitrogen Oxide data from Boise, ID in 2007 and 2010. This suspiciously seems like 'cherry-picked' data chosen to meet desired modeling outputs. The report fails to state why just these two years were used. Seems like modeling should use more recent data including Pocatello (downwind of this plant) even if it delays the permitting process.
- 2)RTP used Ozone data from Craters of the Moon National Monument. Why not include ozone data from Pocatello since it is much more populated? Suspicious when you consider that Pocatello is downwind and will potentially be much more impacted than Craters of the Moon from this plant. Again, there is an appearance of cherry-picking supporting data.
- 3)The DEQ stated the immediate area as rural with misleading population data of near-by Pocatello. The DEQ reports the population of Pocatello "about 55,000". The DEQ knows that Chubbuck and Pocatello are adjoining cities with a combined population closer to 70,000. Why not include the true population when estimating this plants ozone impact on a large downwind population base?

There is no available information on the Magnida website or elsewhere that I could locate indicating how this plant will function if the price of natural gas rises (as it inevitably will). Magnida is a group of investors with a track record of failed attempts at constructing coal burning facilities upwind of Pocatello, Idaho. I am concerned with the impacts of this latest incarnation (Magnida) if it becomes operational and am skeptical in the quality of the data used in the air impact analysis.

Thank you
Sincerely, Randy Anderson

Thank you:



www.idahoconservation.org

Idaho Conservation League

PO Box 843, Boise, ID 83701
208.345.6933

April 4, 2014

Tessa Stevens
Air Quality Division
DEQ State Office
1410 N. Hilton
Boise, ID 83706

Submitted via email: tessa.stevens@deq.idaho.gov

Re: PTC number P-2013.0030 regarding Magnolia Nitrogen Idaho.

Dear Ms. Stevens;

Since 1973, the Idaho Conservation League has been Idaho's voice for clean water, clean air and wilderness—values that are the foundation for Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through public education, outreach, advocacy and policy development. As Idaho's largest state-based conservation organization, we represent over 25,000 supporters, many of whom have a deep personal interest in protecting Idaho's air quality.

Thank you for providing us an opportunity to review proposed facility's draft air permit. We have reviewed the proponent's application, DEQ's statement of basis, the draft PTC and additional materials including the permits for similar facilities that DEQ referenced. We found DEQ's "Demonstration of Compliance" document particularly useful as it demonstrates that DEQ's modeling of the future facility's emissions will be in compliance with state and federal air quality rules.

Please contact me if you have any questions at 208-345-6933 x 24 or jhayes@idahoconservation.org

Sincerely,

Justin Hayes
Program Director

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PUBLIC COMMENTS
PERMIT TO CONSTRUCT AND OPERATE AN AIR
POLLUTION-EMITTING SOURCE
APRIL 2, 2014
5:32 P.M.
AMERICAN FALLS, IDAHO

1 (The following public hearing was held at 5:32 p.m.)
2 MR. BELZER: All right. If everybody could
3 please take a seat, we'll start.
4 Let the record show that I am Frederick
5 Belzer, the Hearing Officer appointed to conduct this
6 proceeding. It is 5:32 p.m. on April 2, 2014. This
7 is the time and place set to receive oral comments on
8 the application and the proposed Permit to Construct
9 an air pollution-emitting source relating to the
10 Docket No. AQ-1403, Permit No. P-2013.0030 Project
11 61192. Magnida has applied for a permit to construct
12 and operate an air pollution-emitting source located
13 at 3051 Lake Channel Road, American Falls. Written
14 comments will also be accepted at this hearing.
15 Let the record show that affidavits are
16 on file regarding publication of the notice of the
17 opportunity for public comment at least 30 days prior
18 to the close of the scheduled comment period, as
19 specified in the Department of Environmental Quality
20 (DEQ) Rules and Regulations 58.01.01.209. Such
21 publication was made both in the Power County Press
22 on March 5, 2014 and in the Idaho State Journal on
23 March 7, 2014. Both publications were timely made
24 and all necessary notice requirements have been met.
25 All interested parties attending this

1 proceeding are asked to sign in on the roster and
2 indicate a desire, if any, to make an oral
3 presentation. I ask that you try to limit your
4 comments to five minutes. After a brief statement
5 prepared by DEQ summarizing the application, the
6 results of their analysis, and the proposed permit,
7 each person will be given an opportunity to speak on
8 the proposed permit.
9 Since these proceedings are being
10 recorded, I ask those making oral presentations to
11 come forward, state their name, and provide the
12 spelling of their last name.
13 At this time, DEQ's statement will be
14 read into the record, followed by the oral
15 presentations.
16 MS. GIBBS: Mr. Hearing Officer, ladies and
17 gentlemen, my name is Melissa Gibbs. I am the
18 Pocatello Airshed Coordinator for the Department of
19 Environmental Quality. DEQ has prepared a proposed
20 permit for Magnolia Nitrogen Idaho LLC. My statement
21 today will summarize DEQ's regulatory authority, the
22 terms and conditions that are required in an air
23 quality permit, a brief description of the proposed
24 permit, and the process for incorporating public
25 input.

1 DEQ, under authority of Idaho statute
2 and the Rules for the Control of Air Pollution in
3 Idaho, issues air quality permits to maintain the air
4 quality standards established to protect public
5 health and the environment. Air quality permits
6 establish the emission limits for regulated
7 pollutants, identify the requirements for use of
8 pollution control technology, and set the terms and
9 conditions for testing, monitoring, and record
10 keeping that will used to determine facility
11 compliance. The provisions of the final permit will
12 be enforceable by the state of Idaho, the federal
13 Environmental Protection Agency, and by the public
14 through a citizen suit.
15 It is critical that the limitations of
16 DEQ's authority be understood. DEQ does not have the
17 authority to act as a statewide planning and zoning
18 board deciding the location of any air
19 pollution-emitting facility. This authority resides
20 with the local government. The local government
21 decides the types of industry it wants to allow in
22 its community, and decides the location of the air
23 pollution-emitting industry.
24 DEQ has drafted a proposed air quality
25 Permit to Construct for Magnolia Nitrogen Idaho LLC

1 for a new complex for manufacturing nitrogen based
 2 fertilizers from natural gas. The permit is drafted
 3 in accordance with all applicable state and federal
 4 air quality rules and regulations. This permit
 5 contains operating, monitoring, performance testing,
 6 record keeping, and reporting requirements to
 7 determine compliance with the applicable rules and
 8 regulations.

9 Magnolia Nitrogen Idaho LLC submitted
 10 the permit application on April 26, 2013. DEQ
 11 determined the application complete on December 2nd,
 12 2013. A draft of the permit was provided to Magnolia
 13 Nitrogen Idaho LLC for their review on February 21st,
 14 2014. The required public comment period for the
 15 proposed permit will run from March 5th, 2014 through
 16 April 4th, 2014.

17 DEQ is interested in your comments on
 18 the proposed permit. Comments on the technical
 19 analysis, the permit terms and conditions, and how
 20 well the permit conforms or does not conform to the
 21 state or federal air quality regulations are the most
 22 helpful to us.

23 DEQ will consider the oral comments
 24 provided at this hearing and written comments
 25 received at DEQ's state office in Boise. Written

1 Business Development team for doing a lot of work to
 2 bring businesses to Power County because we all know
 3 that we do need the tax base for that and supporting
 4 our basis here and for growth in our community. I
 5 just wanted to state, though, that I believe we need
 6 to have the right type of business in our area.

7 And I'll make a couple specific comments
 8 on the presentation that was provided by DEQ on the
 9 18th; this presentation right here that was handed
 10 out to all participants. Also I was at all the
 11 meetings that have been identified or made public,
 12 the public meetings by Magnida representatives, and
 13 also the DEQ.

14 The first -- during the first informal
 15 meeting hosted by Magnida it was stated by
 16 Mr. McCarthy that you will not be able to smell the
 17 plant. In the permit application it is stated that
 18 the facility will be producing 2,500 tons per day of
 19 ammonia. Also in the permit it is stated that the
 20 facility estimate emissions for ammonia will be 84 to
 21 519 pounds per hour. My questions are to the DEQ and
 22 to Magnida, how will we not smell ammonia being
 23 emitted at those levels? I know that you cannot
 24 respond today.

25 Why is that -- if any other

1 comments must be received before 5:00 p.m. MOUNTAIN
 2 DAYLIGHT TIME on April 4th, 2014. The final decision
 3 on the proposed permit will be made within the
 4 confines of the applicable air quality rules and
 5 regulations after consideration of all the public
 6 comments. The final DEQ action and the public
 7 comment response package will be made available to
 8 the public at our web site: www.deq.idaho.gov.

9 If anyone needs additional information
 10 on the public comment process, please call Tessa
 11 Stevens at the DEQ State Office in Boise at (208)
 12 373-0234.

13 Thank you for your participation in the
 14 public comment process.

15 MR. BELZER: Thank you.

16 To begin the comment process, I will
 17 call upon persons who indicated on the roster a wish
 18 to be heard. Again, since these proceedings will be
 19 recorded, I ask that those making oral presentations
 20 come forward, state their name, spell their last
 21 name, and proceed with their comments.

22 Mark Love.

23 MARK LOVE: Thank you, Mr. Belzer. Okay.
 24 First of all, I'm commenting on this
 25 project in its entirety. I'd like to thank the Great

1 manufacturing facility spills more than 100 pounds of
 2 ammonia, they're required by CERCLA to report that to
 3 local, state, and federal agencies within 15 minutes.

4 Also in the presentation that DEQ held
 5 on March 18th, it was presented that the screen
 6 analysis shows that the plume would not cause
 7 excessive contrast and met screening criteria for the
 8 locations at Massacre Rock State Park and Pocatello
 9 Regional Airport. Massacre Rock State Park is
 10 located 12 miles west of American Falls. The
 11 Pocatello Airport is located 18 miles east of
 12 American Falls.

13 Can the DEQ or Magnida tell us what
 14 degree of excessive contrast will be experienced in
 15 American Falls over our schools, our homes, and our
 16 downtown areas?

17 With that said, I just question why do
 18 my grandchildren need to be breathing the emissions
 19 being put out from the facility? On a beautiful day
 20 like today, it's clear, you can see to the Buttes,
 21 and the Arco mountains, with Magnida coming in I fear
 22 that that view will be blocked by a lot of people
 23 living here in American Falls and I've just enjoyed
 24 it so many years, that is why I moved here, that is
 25 why I live here, and I just don't want that coming in

1 for someone to profit off of. Thank you.
 2 MR. BELZER: Thank you, Mr. Love.
 3 I have a signup sheet in front of me.
 4 There are others who have signed up but no one else
 5 has indicated on the first signup sheet a desire to
 6 testify today. If I could just have the second
 7 signup sheet to see if anyone else would like to
 8 testify.
 9 No. I have an indication on the second
 10 signup sheet that folks have signed in, but no one
 11 has indicated a desire to testify. So that concludes
 12 those who have signed up listing a desire to make
 13 comments on the sign-in roster, and I'll just ask
 14 again, are there any others who would like to comment
 15 that did not express their desire on the roster?
 16 And are there any who would like to
 17 testify a second time? Mr. Love?
 18 MARK LOVE: No, thank you.
 19 MR. BELZER: All right. This hearing having
 20 been called and commenced at 5:30 -- or 5:32 p.m. it
 21 is now 5:39 p.m. -- well, 5:45 p.m. and the hearing
 22 is now closed. All final written comments --
 23 MS. GIBBS: We have to keep it open for an
 24 hour.
 25 MR. BELZER: Keep it open for the full hour?

1 closed. All final written comments must be received
 2 by DEQ by 5:00 p.m. MOUNTAIN DAYLIGHT TIME, April 4,
 3 2014. Thank you.
 4 (The hearing concluded at 6:32 p.m.)
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1 MS. GIBBS: For an hour. We have to keep it
 2 open for an hour.
 3 MR. BELZER: Okay.
 4 MS. GIBBS: We can take it off --
 5 MR. BELZER: It's not in the instruction.
 6 That's fine then.
 7 MS. GIBBS: Okay.
 8 MR. BELZER: What I'll do is I'll just
 9 recess, folks can leave if they would like to leave.
 10 I'll recess. I'll leave the hearing open then for
 11 the full hour. And so you're welcome to stay if
 12 you'd like to hear others and we'll wait the full
 13 hour.
 14 Thank you.
 15 (Recess.)
 16 MR. BELZER: We're going to go back on the
 17 record now.
 18 I'm going to ask again then for anyone
 19 who would like to testify who hasn't testified
 20 already. And then if there's nobody there, anybody
 21 who has testified who'd like to submit some
 22 additional testimony here tonight?
 23 All right. Nobody having come forward,
 24 this hearing have been called and commenced at
 25 5:32 p.m. It is now 6:32 p.m. and the hearing is now

1 REPORTER'S CERTIFICATE
 2
 3 STATE OF IDAHO)
) ss.
 4 COUNTY OF BONNEVILLE)
 5
 6
 7 I, Lanice M. Lewis, Court Reporter, and Notary
 Public in and for the State of Idaho, do hereby
 8 certify:
 That said hearing was taken down by me in
 9 shorthand at the time and place therein named and
 thereafter reduced to typewriting under my direction,
 10 and that the foregoing transcript contains a full,
 true, and verbatim record of said hearing.
 11 I further certify that I have no interest in the
 event of the action.
 12 WITNESS my hand and seal this 4th day of April
 2014.
 13
 14
 15
 16
 17
 18 Lanice M. Lewis
 Notary Public in and for
 the State of Idaho.
 19
 20
 21 My Commission Expires: 11-10-18
 22
 23
 24
 25

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