

STATEMENT OF BASIS

To: Reviewers
Through: Lori Bocchino, Operating Permit Program Manager
From: Hillary Richard, P.E., Operating Permit Engineer
Subject: Draft Chapter 6, Section 3 Operating Permit 3-2-096-2, Bentonite Performance Minerals, LLC, Colony Plant
Date: March 6, 2013

Attached for your review is the draft modification of Wyoming Air Quality Standards and Regulations (WAQSR) Ch 6, Sec 3 operating permit 3-2-096-2 for the Bentonite Performance Minerals, LLC Colony Plant. Permit 3-2-096-1 was issued March 6, 2012.

Waiver wv-12269 (8/19/11): allowed the installation of a blow line back to the Gold Seal Silo to transfer bentonite from overloaded vessels (railcar or truck). This addition caused the Gold Seal Silo and associated bin vent (BV4) to become subject to 40 CFR 60, Subpart OOO, because a new source was routed to the storage silo. Initial performance testing was completed on January 25, 2012 and results were submitted to the Division on March 9, 2012. The waiver also established emission and opacity limits for the bin vent.

Waiver wv-12246 (9/13/11): allowed the addition of a SWECO dust collector (BV16) to the upper mill building area and replacement of Bin Vent 3 (BV3) with a CamCorp Pulse Jet Dust Collector, however this waiver was superseded by permit MD-13654.

Waiver wv-12930 (2/7/12): allows the addition of a truck loading operation in the event that railcars are unavailable. These operations are not subject to 40 CFR 60, Subpart OOO as they do not meet the definition of an affected facility. This waiver also establishes an opacity limit, a limit on the number of trucks per year that may be loaded, a limit on the tonnage of bentonite transported by truck per year, and requires that unpaved portions of haul roads, access roads, and work areas be treated with water and/or chemical dust suppressants to control fugitive dust.

Permit MD-13462 (11/9/12): supersedes Permit MD-1478 Corrected and removes the bentonite dryer production limit.

Permit MD-13654 (11/27/12): supersedes Waiver wv-12246 and allows for replacing a CamCorp Model 12SFTR84S156 Poly-el Cartridge Dust Collector (BV16 – never installed) with a CamCorp Cam-airo model CA 20 dry bin baghouse (DBBH), replacing CamCorp Model 3SFTR84X12 Pulse Jet cartridge bin vent style filter (existing BV3) with a CamCorp Model CA 9 cartridge bin vent style filter (new BV3), and addition of dust pickup points. Upon completion of the modification addressed in this permit, the emission and opacity limits for BV3 in MD-260 shall be superseded by the requirements of this permit. For BV3 and DBBH, the permit requires performance testing within 90 days of startup, establishes particulate and visible emission limits, and requires periodic testing every five years. It also requires compliance with 40 CFR 60, Subpart OOO as applicable.

The operating permit revisions include changes consistent with the permits and waivers described above, specifically the following:

- Table of Contents: repagination as needed; Appendix D through G are reserved as the Division no longer includes copies of WAQSR Chapter 7, Section 3 or Federal NSPS and NESHAP standards in operating permits.
- Source Emission Points Table: updated to include new sources (DBBH, BV3, TLO-5) and permits and waivers listed above; updated source descriptions.
- Total Facility Estimated Emissions Table: updated to reflect changes from additional sources.
- References throughout the permit have been updated to include the new permits and waivers as applicable.
- Condition F2 – Visible and Particulate Emissions: updated opacity and particulate emission limits for BV4; updated opacity limit for GSBH; included new sources (BV3 and DBBH) and associated limits; updated source descriptions.
- Condition F3 – Fugitive Emissions: updated to clarify 40 CFR 60 Subpart OOO requirements as they apply to fugitive sources; included new C&D Storage Pile Truck Loadout (TLO-5) source requirements; updated fugitive emission requirements for other sources to be consistent with Chapter 3, Section 2(f) of the WAQSR.
- Condition F6 – Coal Usage Limits and Engine Requirements: removed Bentonite production limit.
- Condition F9 – Particulate and Visible Emission Monitoring: included requirements for DBBH; clarified monitoring requirements for fugitive emissions; corrected the description of MME1&2 to reflect that they are diesel engines.
- Condition F12 – Bentonite, Coal Usage, and Engine Monitoring: removed Bentonite production monitoring and added C&D Storage Pile Truck Loadout monitoring requirements.
- Condition F13 – Testing and Monitoring Records: added recordkeeping for condition F25.
- Condition F14 – Visible Emissions and CAM Records: removed recordkeeping for condition F9(d) as this condition has been removed and the requirements combined with condition F9(c), and corrected the description of MME1&2 to reflect that they are diesel engines.
- Condition F18 – Bentonite, Coal and Engine Records: removed Bentonite production recordkeeping and added C&D Storage Pile Truck Loadout recordkeeping requirements.
- Condition F20 – Semiannual Monitoring Reports: removed reference to condition F9(d).
- Condition F21 – Annual Bentonite, Coal Usage, Dust Control, and Engine Reports: removed Bentonite production reporting and added C&D Storage Pile Truck Loadout report requirements.
- Condition F24 – Commencement of Construction: new condition requiring notification of the commencement of construction of BV3 and DBBH.
- Condition F25 – Notification of Start-Up and Performance Testing: new condition requiring notification of initial start-up of the C&D Storage Pile Truck Loadout, BV3, and DBBH; included initial and periodic performance testing requirements for BV3 and DBBH.
- 40 CFR 60 Subpart OOO: updated to be consistent with language currently in use by the Division; included BV3 and BV4 as affected sources; updated source descriptions; sorted sources by date constructed, modified or reconstructed to clarify Subpart OOO applicability.
- 40 CFR 60 Subpart IIII: updated to be consistent with language currently in use by the Division.
- 40 CFR 63 Subpart ZZZZ: updated to be consistent with language currently in use by the Division.

Operating permit revisions (continued):

- Condition C1 – Compliance Certification: included how to assess compliance with new requirements for sources BV3 and DBBH; updated text referencing 40 CFR 60 Subpart OOO, 40 CFR 60 Subpart IIII, and 40 CFR 63 Subpart ZZZZ to be consistent with language currently in use by the Division; included compliance certification requirements for the C&D Storage Pile Truck Loadout; removed and reserved condition C1(b)(v) as it is no longer applicable.
- State Only Permit Conditions: updated to be consistent with language currently in use by the Division.
- Summary Tables – ESP: removed Bentonite production limit requirements.
- Summary Tables – BV3, BV4: updated to reflect new requirements.
- Summary Tables – GSBH: updated to reflect opacity requirements.
- Summary Tables – DBBH: updated to include new source requirements.
- Summary Tables – MME1&2: updated to be consistent with language currently in use by the Division for 40 CFR 60 Subpart IIII and 40 CFR 63 Subpart ZZZZ.
- Summary Tables – TLO-5: new table to include C&D Storage Pile Truck Loadout requirements.
- Summary Tables – Fugitives: updated to include required dust control for access roads; removed Subpart OOO reference; updated percent opacity requirements; clarified requirements for fugitive sources only subject to WAQSR Chapter 3, Section 2.
- Acronyms: added C&D (Crushed and Dried) to the list.
- Appendix B – CAM Plan: DBBH and MM1&2 monitoring were added to the plan.
- Appendix C – Preventative Maintenance and Inspection Plan: DBBH was added to the plan; BV8, BV12 and BV10 were corrected (previously listed as BH8, BH12, and BH10 respectively); the Palletizer Receiver Tank was renamed as the Garden Denver 300 h.p. pressure vessel.
- Appendix D through G: removed and reserved.

Through completing this permit modification, the Division would like to clarify and document current 40 CFR 60, Subpart OOO applicability for the emission sources at the facility.

40 CFR 60, Subpart OOO currently **does not** apply to:

- the new source TLO-5 because it is an open truck loading station and therefore it is not an affected facility under this subpart.
- the new source DBBH because the addition of pollution control devices on existing sources does not qualify as a modification under this part (40 CFR 60 §60.14(e)(5)).
- CDRLO or CDRLB because the Crushed & Dried Rail Loadout (CDRLO) was originally installed in 1972 (predating Subpart OOO), and the addition of a baghouse (CDRLB) and relocation of the system in 2006 does not qualify as a modification under this part.
- the ESP, or the current emission sources routed to the ESP, because these emission sources predate Subpart OOO or are exempt from any applicable requirements under the subpart.
- BV1, BV7, or BV8 because they solely process coal (which is not a nonmetallic mineral as defined in this subpart).
- DDBH and DDBH-2 because the additions of pollution control devices on existing sources does not qualify as a modification under this part.

40 CFR 60, Subpart OOO currently **does not** apply to (continued):

- BV2, GBH1, GBH2, BV9, DC3, DC4, or Sly 4 because they predate Subpart OOO.
- BV12 because it is a blender and therefore it is not an affected facility under this subpart.

40 CFR 60, Subpart OOO currently **does** apply to:

- BRLSP, BV3, BV4, BV5, BV6, BV10, BV11, BV13, BV14, BV15, DC5, DPJ, MK1, GBH3, GSBH, MEGBH, PPPSP, and MM1&2.

40 CFR 60, Subpart OOO determinations for sources constructed, modified, or reconstructed after April 22, 2008:

- BV3 and BV4 have been modified after April 22, 2008 and will comply with all applicable requirements of Subpart OOO.
- The affected facility controlled by GSBH was constructed after April 22, 2008, making GSBH subject to the requirements of Subpart OOO §60.674(c). This includes quarterly 30-minute visible emissions inspections using EPA Method 22; the test is successful if no visible emissions are observed. This federal requirement is more stringent and therefore supersedes the permitted value of 7 percent opacity in WAQSR Ch 6 Sec 2 Waiver AP-8512. GSBH will also comply with all other applicable requirements of Subpart OOO.
- One of the minerals handling processes that baghouse MK1 controls was modified after April 22, 2008, but that modified process is not an affected facility under 40 CFR 60, Subpart OOO §60.670. Therefore, the conditions of Subpart OOO that apply only to facilities constructed, modified, or reconstructed on or after April 22, 2008 do not apply to MK1. The conditions of Subpart OOO that apply to affected facilities constructed, modified, or reconstructed between August 31, 2008 and April 22, 2008 do apply to MK1 because of the other processes controlled by the baghouse.
- PPPSP was replaced with a like-kind packer/palletizer, identical in size and dimensions with no increase in emissions, after April 22, 2008. This replacement meets the description in §60.671(d)(1) and is exempt from the requirements of Subpart OOO §§60.672, 60.674, and 60.675. PPPSP will comply with all other applicable requirements of Subpart OOO. This determination is also supported by the June 3, 1999 EPA Applicability Determination on Equipment Replacement at Mineral Processing Plants, Control Number: 0000051.