

 <p>United States Environmental Protection Agency Program Address Phone Fax Web address</p>	<p><i>Reviewing Authority Program Address Phone Fax Web address</i></p>
<p>FEDERAL MINOR NEW SOURCE REVIEW PROGRAM IN INDIAN COUNTRY</p> <p>Application For Synthetic Minor Limit (Form SYNMIN)</p>	

Please submit information to:

*[Reviewing Authority
 Address
 Phone]*

A. GENERAL INFORMATION

Company Name Kickapoo Traditional Tribe of Texas	Source Name Kickapoo Lucky Eagle Casino
Company Contact or Owner Name Antonio Garza	Title CH Consultant
Mailing Address 2212 Rosita Valley Road	
Email Address antonio.garza@kttttribe.org	
Telephone Number 830-451-5364	Facsimile Number

B. ATTACHMENTS

For each criteria air pollutant, hazardous air pollutant and for all emission units and air pollutant-generating activities to be covered by a limitation, include the following:

Item 1 - The proposed limitation and a description of its effect on current actual, allowable and the potential to emit.

Item 2 - The proposed testing, monitoring, recordkeeping, and reporting requirements to be used to demonstrate and assure compliance with the proposed limitation.

Item 3 - A description of estimated efficiency of air pollution control equipment under present or anticipated operating conditions, including documentation of the manufacturer specifications and guarantees.

Item 4 - Estimates of the Post-Change Allowable Emissions that would result from compliance with the proposed limitation, including all calculations for the estimates.

Item 5 - Estimates of the potential emissions of Greenhouse Gas (GHG) pollutants:

[[Disclaimers](#)] The public reporting and recordkeeping burden for this collection of information is estimated to average 6 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Instructions

Use this form to provide general and summary information about the synthetic minor NSR source (source or plant) on Tribal lands and to indicate the emissions limitations requested. Submit this form once, in addition to FORM NEW, for each synthetic minor NSR source on Tribal lands.

1. Who Can Request Federally-Enforceable Limitations Under the Tribal NSR Authority?

The Tribal NSR Rule applies only to sources located within the exterior boundaries of an Indian reservation in the United States of America or other lands as specified in 40 CFR part 49, collectively referred to as "Indian country". So, to use the authority in the Tribal NSR Rule to create federally-enforceable limitations, a source must be located within Indian country. Land ownership status (for example, whether the land is owned by a Tribal member or whether the land is owned in fee or in trust) does not affect how the rule applies.

2. Who Might Want to Request Federally-Enforceable Limitations?

The primary reason for requesting federally-enforceable limitations is to avoid an otherwise applicable federal Clean Air Act program, rule or requirement. Many federal Clean Air Act programs use a source's "potential to emit" (PTE) air pollution to determine which rules or requirements apply. A source's PTE is based on the maximum annual operational (production, throughput, etc) rate of the source taking into consideration the capacity and configuration of the equipment and operations. Emission or operational limits can also be taken into consideration as maximums if they are federally enforceable. So, using a synthetic minor NSR permit to establish federally enforceable limitations can lower a source's PTE and possibly allow the source to avoid certain federal Clean Air Act requirements.

Three examples of federal Clean Air Act programs that use PTE to determine whether they apply are (1) the Prevention of Significant Deterioration (PSD) construction permitting program, (2) the Title V operating permit program, and (3) the Maximum Achievable Control Technology (MACT) program. For example, existing sources that are considered "major" for Title V (meaning they have the potential to emit air pollution at levels defined in that rule as "major") must apply for a Title V operating permit. If a source accepts a federally-enforceable limitation through a synthetic minor NSR permit that reduces their PTE to below the "major" threshold, and the source does not meet any of the other requirements that would trigger applicability to the part 71 program, then the source no longer needs a Title V operating permit. When planning for the construction of a new source or expansion of an existing source, a source can also accept limitations on PTE (using a synthetic minor NSR permit) that allow the source to avoid PSD. Limitations on PTE can similarly help a source to avoid new MACT standards that would otherwise apply to the source.

3. Section B. ATTACHMENTS

This section lists the information that must be attached to the application form for each requested limitation. The requested limitation(s) must be described for each affected emissions unit (or pollutant-generating activity) and pollutant and must be accompanied by the supporting information listed on the form and described below. Note that applicability of many federal Clean Air Act requirements (such as Title V, PSD and MACT) is often based on source-wide emission levels of specific pollutants. In that case, all emissions units at a source and all pollutants regulated by that given rule or regulation must be addressed by this section of the application form.

Item 1 – The requested limitation and its effect on actual emissions or potential to emit must be presented in enough detail to document how the limitation will limit the source’s actual or potential emissions as a legal and practical matter and, if applicable, will allow the source to avoid an otherwise applicable requirement. The information presented must clearly explain how the limitation affects each emission unit and each air pollutant from that emission unit. Use the information provided in response to Item 4 below to explain how the limitation affects emissions before and after the limitation is in effect.

Item 2 – For each requested limitation, the application must include proposed testing, monitoring, recordkeeping and reporting that will be used to demonstrate and assure compliance with the limitation. Testing approaches should incorporate and reference appropriate EPA reference methods where applicable. Monitoring should describe the emission, control or process parameters that will be relied on and should address frequency, methods, and quality assurance.

Item 3 – The application must include a description and estimated efficiency of air pollution control equipment under present or anticipated operating conditions. For control equipment that is not proposed to be modified to meet the requested limit, simply note that fact; however, for equipment that is proposed to be modified (e.g. improved efficiency) or newly installed to meet the proposed limit, address both current and future descriptions and efficiencies. Include manufacturer specifications and guarantees for each control device.

Items 4 – Any emission estimates submitted to the Reviewing Authority must be verifiable using currently accepted engineering criteria. The following procedures are generally acceptable for estimating emissions from air pollution sources:

- (i) Source-specific emission tests;
- (ii) Mass balance calculations;
- (iii) Published, verifiable emission factors that are applicable to the source. (i.e., manufacturer specifications).
- (iv) Other engineering calculations; or
- (v) Other procedures to estimate emissions specifically approved by the Reviewing Authority.

Post-Change Allowable Emissions: A source’s allowable emissions for a pollutant is expressed in tpy and generally is calculated by multiplying the allowed hourly emissions rate in pounds per hour (lbs/hr) times allowed hours (which is the number of hours in a year) and dividing by 2,000 (which is the number of pounds in a ton).

Item 5 - New construction projects that have the potential to emit GHG emissions of at least 100,000 tpy CO₂e and 100 or 250 tpy on a mass basis, modifications at existing PSD facilities that increase GHG emissions by at least 75,000 tpy CO₂e and minor sources that increase GHG emissions by at least 100,000 tpy CO₂e and 100 or 250 tpy on a mass basis are subject to PSD permitting requirements, even

if they do not significantly increase emissions of any other pollutant. As such, any requested limits to avoid PSD must take into account greenhouse gases.

Therefore, please include in your permit application estimates of the potential emissions of the following pollutants. More information about GHG permitting and how to calculate CO₂ equivalents (CO₂e), the mass emissions of each individual GHG adjusted for its Global Warming Potential (GWP) can be found at: <http://epa.gov/nsr/ghgdocs/ghgpermittingguidance.pdf>

1. Carbon dioxide (CO₂)
2. Methane (CH₄) and its CO₂e
3. Nitrous oxide (N₂O) and its CO₂e
4. Hydrofluorocarbons (HFCs) and its CO₂e
5. Perfluorocarbons (PFCs) and its CO₂e
6. Sulfur hexafluoride (SF₆) and its CO₂e