



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

NOV 15 2011

Chester Black, Air Quality Control Manager
City of Omaha, Public Works Department
Air Quality Control Division
5600 South 10th Street
Omaha, NE 68107

RE: American Laboratories, Inc. Draft Prevention of Significant Deterioration permitting comments

Dear Mr. Black:

On October 14, 2011, the United States Environmental Protection Agency (EPA) received notice of the City of Omaha Public Works Department Air Quality Control Division's (OAQC), intent to issue a Prevention of Significant Deterioration (PSD) construction permit to American Laboratories, Inc. (ALI) to satisfy requirements in a consent decree entered in September 2009. We have completed our review of the draft permit and have the following comments. We provide these comments to help ensure that the project meets all federal requirements, and the record provides adequate support for the permit decision.

Comment 1.

The Mass Balance Study, included in the application as Appendix E, and the American Laboratories, Inc. Proposed Isopropyl Alcohol Recovery Reporting Procedure document, included in Appendix F of the application, need to be attached to the permit and referenced as the methodology used to determine the recovery and reuse rate of isopropyl alcohol (IPA) and the reporting procedure.

Comment 2.

Page 5., Section 1., paragraph 1.b. needs to include language to make clear that the recovery and reuse limit of at least 93% of the total IPA used at Building 36 included periods of startup, shutdown, or malfunction (SSM). This additional language recommendation is in agreement with the Nebraska Title 129 – Department of Environmental Quality Chapter 35 and the Omaha Municipal Code, Section 41-2.

Comment 3.

Page 6., Section 3., paragraph 3.d. The first sentence of the paragraph needs to be removed. Excess emissions during periods of SSM must be included in the 12-month rolling average calculations. The OAQC may explain how ALI may avoid enforcement actions due to SSM excess emissions by following procedures outlined in the Nebraska Title 129 – Department of Environmental Quality Chapter 35 and the Omaha Municipal Code, Section 41-2.

Comment 4.

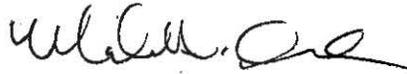
Page 3. of the Basis of Permit, Section 3., paragraph 3.d. The following statement needs to be removed: “. . . excess emissions during periods of start-up, shutdown, or malfunctions are not necessarily violations of emission standards.” The OAQC may want to replace the statement with the following language: “. . . excess emissions during periods of start-up, shutdown, or malfunctions may not necessarily result in enforcement actions.”

Comment 5.

Page 9., Appendix A: Parametric Monitoring. In paragraph 1.a.i. and 1.a.ii., reference is made to material number 1 and material number 2, respectively. The permit needs to define material number 1 and material number 2.

As always, we appreciate the opportunity to provide what we hope you will find to be constructive comments. Please contact Patricia Scott at (913) 551-7312 if you have any questions or comments regarding this letter.

Sincerely,



Mark A. Smith, Chief
Air Permitting and Compliance Branch
Air and Waste Management Division



American Laboratories, Inc. PSD comments

PatriciaA Scott to: cblack

Cc: "Smith, Clark", MarkA Smith, "Mayne, John \ (PWks\)"

11/17/2011 08:28 AM

From: PatriciaA Scott/R7/USEPA/US
To: cblack@ci.omaha.ne.us
Cc: "Smith, Clark" <clark.smith@nebraska.gov>, MarkA Smith/R7/USEPA/US@EPA, "Mayne, John \ (PWks\)" <John.Mayne@ci.omaha.ne.us>

Chester,

Please find attached a copy of the comment letter for American Laboratories, Inc. Prevention of Significant Deterioration (PSD) permit. In addition to the comments in the letter, we would like to point you to the letter dated December 31, 1997, from the Nebraska Department of Environmental Quality (NDEQ) which delegates the PSD program to the Omaha Air Quality Control (OAQC). The delegation was granted with several conditions including but not limited to the requirements:

1. Each PSD permit issued by OAQC shall state that the permit is an NDEQ permit and is being issued pursuant to this delegation;
2. Each permit issued by OAQC pursuant to this delegation shall include the following statement immediately above the signature block: "Pursuant to the December 31, 1997 Delegation Letter, signed by the Director of the Department of Environmental Quality, the undersigned hereby executes this document on behalf of the Director of the Department."

We recommend that the draft permit be edited to include these two requirements of the delegation agreement; otherwise, it will not be a valid permit under the PSD program. Once the permit is issued, please forward a copy of the final permit and a copy of the response to comments document to Mark Smith, Chief, Air Permitting and Compliance Branch.

Thanks,

Pat



OAQC - ALI comments PSD.pdf