

# Iowa Department of Natural Resources Air Quality Construction Permit

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## Permit Holder

**Firm:** SmithCo Manufacturing, Inc.

**Contact:**

Michael Murfield  
EHS Director  
(712) 546-4409

**Responsible Party:**

Michael Murfield  
EHS Director

P.O. Box 932  
Le Mars, Iowa 51031

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## Permitted Equipment

**Emission Unit(s):** First Generation Paint Booth (EU 1)  
Maximum capacity of two spray guns at 13.13 gallons per hour each

**Control Equipment:** Dry Filters (CE 1)  
Filter efficiency rated at 99% or better

**Emission Point:** EP 1

**Equipment Location:** 30902 Highway C-38  
Le Mars, Iowa 51031

**Plant Number:** 75-01-024

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Permit No.	Project No.	Description	Date	Testing
98-A-1030	97-746	Original Permit.	12/04/1998	Yes
98-A-1030-S2	05-325	Increase Material Usage Limits.	06/22/2005	No
98-A-1030-S3	06-088	Increase VOC Content Limits.	02/28/2006	No
98-A-1030-S4	06-361	Add Paint Booth EU 6.	07/12/2006	No
98-A-1030-S5	07-003	Increase Material Usage Limits.	01/23/2007	No
98-A-1030-S6	09-188	Increase Material Usage Limits and Decrease HAP Content Limits.	05/07/2009	No
98-A-1030-S7	12-341	Amend operating limits	10/19/2012	No

## PERMIT CONDITIONS

The permit holder, owner and operator of the facility shall assure that the installation, operation, and maintenance of this equipment is in compliance with all of the conditions of this permit and all other applicable requirements. This permit and its provisions are subject to the appeal rights set forth in Iowa Administrative Code (IAC), rule 561—7.5.

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### 1. Departmental Review

This permit is issued based on information submitted by the applicant. Any misinformation, false statements or misrepresentations by the applicant shall cause this permit to be void. In addition, the applicant may be subject to criminal penalties according to Iowa Code Section 455B.146A.

This permit is issued under the authority of 567 Iowa Administrative Code (IAC) 22.3. The proposed equipment has been evaluated for conformance with Iowa Code Chapter 455B; 567 IAC Chapters 20 – 34; and 40 CFR Parts 51, 52, 60, 61, and 63 and has the potential to comply.

No review has been undertaken on the engineering aspects of the equipment or control equipment other than the potential of that equipment for reducing air contaminant emissions. The DNR assumes no liability, directly or indirectly, for any loss due to damage to persons or property caused by, resulting from, or arising out of the design, installation, maintenance or operation of the proposed equipment.

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### 2. Transferability

As limited by 567 IAC 22.3(3)"F", this permit is not transferable from one location to another or from one piece of equipment to another, unless the equipment is portable. When portable equipment for which a permit has been issued is to be transferred from one location to another, the DNR shall be notified in writing at least fourteen (14) days prior to transferring to the new location unless the equipment will be located in an area which is classified as nonattainment for the National Ambient Air Quality Standards (NAAQS) or is a maintenance area for the NAAQS in which case notification shall be given thirty (30) days prior to the relocation of equipment<sup>1</sup> (See Permit Condition 8.A.6). The owner will be notified at least ten (10) days prior to the scheduled relocation if the relocation will cause a violation of the (NAAQS). In such case, a supplements permit shall be required prior to the initiation of construction of additional control equipment or equipments modifications needed to meet the standards.

The permit is for the construction and operation of specific emission unit(s), control equipment, and emission point as described in this permit and in the application for this permit. Any owner or operator of the specified emission unit(s), control equipment, or emission point, including any person who becomes an owner or operator subsequent to the date on which this permit is issued, is responsible for compliance with the provisions of this permit. No person shall construct, install, reconstruct or alter this emissions unit, control equipment or emission point without the required revisions to this permit.

<sup>1</sup> A list of nonattainment areas and maintenance areas for the NAAQS can be obtained from the Department.

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### 3. Construction

It is the owner's responsibility to ensure that construction conforms to the final plans and specifications as submitted, and that adequate operation and maintenance is provided to ensure that no condition of air pollution is created.

This permit shall become void if any one of the following conditions occur:

- (1) the construction or modification of the proposed project, as it affects the emission point(s) permitted herein, is not initiated within eighteen (18) months after the permit issuance date; or
- (2) the construction or modification of the proposed project, as it affects the emission point(s) permitted herein, is not completed within thirty-six (36) months after the permit issuance date; or
- (3) the construction or modification of the proposed project, as it affects the emission point(s) permitted herein, is not completed within a time period specified elsewhere in this permit.

### **3. Construction (Continued)**

#### **3.a. Original Permits**

The owner or operator shall obtain a new permit if any changes are made to the final plans and specifications submitted for the proposed project.

#### **3.b. Modified or Supplemental Permits**

This permit supersedes any and all previous permits issued for the emission point(s) or emission unit(s) permitted herein.

However, the permittee may continue to act under the provisions of the previous permit for the emission point(s) or emission unit(s) until one of the following conditions occurs:

- (1) The proposed project authorized by this permit is completed as it affects the emission point(s) permitted herein; or
- (2) The permit becomes void.

The owner or operator shall obtain a new permit if:

- (1) Any changes are made to the final plans and specifications submitted for the proposed project; or
- (2) This permit becomes void.

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## **4. Credible Evidence**

As stated in 567 IAC 21.5 and also in 40 CFR Part 60.11(g), where applicable, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any provisions specified in this permit or any provisions of 567 IAC Chapters 20 through 34.

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## **5. Owner Responsibility**

Issuance of this permit shall not relieve the owner or operator of the responsibility to comply fully with applicable provisions of the State Implementation Plan (SIP), and any other requirements of local, state, and federal law.

The owner or operator of any emission unit or control equipment shall maintain and operate the equipment and control equipment at all times in a manner consistent with good practice for minimizing emissions, as required by paragraph 567 IAC 24.2(1) "*Maintenance and Repair*".

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## **6. Excess Emissions**

Excess emissions during a period of startup, shutdown, or cleaning of control equipment are not a violation of the emission standard if it is accomplished expeditiously and in a manner consistent with good practice for minimizing emissions except when another regulation applicable to the unit or process provides otherwise. Cleaning of control equipment, which does not require the shutdown of process equipment, shall be limited to one six-minute period per one-hour period. An incident of excess emissions other than the above is a violation and may be subject to criminal penalties according to Iowa Code 455B.146A. If excess emissions are occurring, either the control equipment causing the excess shall be repaired in an expeditious manner, or the process generating the emissions shall be shutdown within a reasonable period of time, as specified in 567 IAC 24.1.

An incident of excess emissions shall be orally reported to the appropriate DNR field office within eight (8) hours of, or at the start of, the first working day following the onset of the incident (See section 8.B.1). A written report of an incident of excess emissions shall be submitted as a follow-up to all required oral reports within seven (7) days of the onset of the upset condition.

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## 7. Disposal of Contaminants

The disposal of materials collected by the control equipment shall meet all applicable rules.

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## 8. Notification, Reporting, and Recordkeeping

- A. The owner shall furnish the DNR the following written notifications:
1. The date construction, installation, or alteration is initiated postmarked within thirty (30) days following initiation of construction, installation, or alteration;
  2. The actual date of startup, postmarked within fifteen (15) days following the start of operation;
  3. The date of each compliance test required by Permit Condition 12, at least thirty (30) days before the anticipated compliance test date;
  4. The date of each pretest meeting, at least fifteen (15) days before the proposed meeting date. The owner shall request a proposed test plan protocol questionnaire at least sixty (60) days prior to each compliance test date. The completed questionnaire shall be received by the DNR at least fifteen (15) days before the pretest meeting date;
  5. Transfer of equipment ownership, within 30 days of the occurrence;
  6. Portable equipment relocation:
    - a. at least thirty (30) days before equipment relocation if the equipment will be located in a nonattainment area for the National Ambient Air Quality Standards (NAAQS) or a maintenance area for the NAAQS;
    - b. at least fourteen (14) days before equipment relocation.
- B. The owner shall furnish the DNR with the following reports:
1. Oral excess emissions reports, in accordance with 567 IAC 24.1;
  2. A written compliance demonstration report for each compliance testing event, whether successful or not, postmarked not later than six (6) weeks after the completion of the test period unless other regulations provide for other notification requirements. In that case, the more stringent reporting requirement shall be met;
  3. Operation of this emission unit(s) or control equipment outside of those limits specified in Permit Conditions 10 and 14 and according to the schedule set forth in 567 IAC 24.1.
- C. The owner shall send correspondence regarding this permit to the following address:
- Construction Permit Supervisor  
Air Quality Bureau  
Iowa Department of Natural Resources  
7900 Hickman Road, Suite 1  
Windsor Heights, IA 50324  
Telephone: (515) 281-8189  
Fax: (515) 242-5094
- D. The owner shall send correspondence concerning stack testing to:
- Stack Testing Coordinator  
Air Quality Bureau  
Iowa Department of Natural Resources  
7900 Hickman Road, Suite 1  
Windsor Heights, IA 50324  
Telephone: (515) 242-6001  
Fax: (515) 242-5127
- E. The owner shall send reports and notifications to:

Compliance Unit Supervisor Air Quality Bureau Iowa Department of Natural Resources 7900 Hickman Road, Suite 1 Windsor Heights, IA 50324 Telephone: (515) 281-8448 Fax: (515) 242-5127	Field Office 3 1900 North Grand Gateway North Mall Spencer, Iowa 53101 Phone: 712.262.4177 FAX: 712.262.2901
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## 8. Notification, Reporting, and Recordkeeping (Continued)

- F. All data, records, reports, documentation, construction plans, and calculations required under this permit shall be available at the plant during normal business hours for inspection and copying by federal, state, or local air pollution regulatory agencies and their authorized representatives, for a minimum of two (2) years from the date of recording.

## 9. Permit Violations

Knowingly committing a violation of this permit may carry a criminal penalty of up to \$10,000 per day fine and 2 years in jail according to Iowa Code Section 455B.146A.

## 10. Emission Limits

Pollutant	lb/hr <sup>(1)</sup>	Tons/Yr <sup>(2)</sup>	Additional Limits	Reference (567 IAC)
Particulate Matter (PM)	1.1 <sup>(3)</sup>	NA	0.01 gr/dscf	23.4(13)
PM <sub>10</sub>	1.1 <sup>(3)</sup>	NA	NA	NA
Opacity	NA	NA	40% <sup>(4)</sup>	23.3(2)"d"
Sulfur Dioxide (SO <sub>2</sub> )	NA	NA	NA	NA
Nitrogen Oxides (NO <sub>x</sub> )	NA	NA	NA	NA
Volatile Organic Compounds	NA	75 <sup>(5)</sup>	NA	Plantwide Limit
Carbon Monoxide (CO)	NA	NA	NA	NA
Lead (Pb)	NA	NA	NA	NA
(Single HAP)	NA	9.0 <sup>(6)</sup>	NA	Plantwide Limit
(Total HAP)	NA	24.0 <sup>(7)</sup>	NA	Plantwide Limit

<sup>(1)</sup> Standard is expressed as the average of 3 runs

<sup>(2)</sup> Standard is a 12-month rolling total.

<sup>(3)</sup> Emission limit based on 0.01 gr/dscf.

<sup>(4)</sup> An exceedance of the indicator opacity of (10%) will require the owner/operator to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedances continue after the corrections, the DNR may require additional proof to demonstrate compliance (e.g., stack testing).

<sup>(5)</sup> Total VOC emissions from all non-combustion sources at this facility shall not exceed 75 tons per daily rolling 365-day period.

<sup>(6)</sup> The total emissions of each individual HAP for all non-combustion sources at this facility shall not exceed 9.0 tons per daily rolling 365-day period.

<sup>(7)</sup> The total emissions of all cumulative HAP from all non-combustion sources at this facility shall not exceed 24.0 tons per daily rolling 365-day period.

## 11. Emission Point Characteristics

This emission point shall conform to the specifications listed below:

Parameter	Value
Stack Height, (ft, from the ground)	26 ft
Discharge Style	Vertical, Unobstructed
Stack Opening, (inches, dia.)	6 inches
Exhaust Temperature (°F)	Ambient
Exhaust Flowrate (scfm)	12,600 scfm

The temperature and flow rate are intended to be representative and characteristic of the design of the permitted emission point. The Department recognizes that the temperature and flow rate may vary with changes in the process and ambient conditions. If it is determined that any of the emission point design characteristics are different than the values stated above, the owner/operator must notify the Department and obtain a permit amendment, if required.

## 12. Compliance Demonstration(s) and Performance Testing

Pollutant	Initial	Subsequent	Methodology	Frequency
PM (state)	Yes	No	Stack test	Once <sup>1</sup>
PM <sub>10</sub>	No	No	NA	NA
Opacity	Yes	No	Stack test	Once <sup>1</sup>
SO <sub>2</sub>	No	No	NA	NA
NO <sub>x</sub>	No	No	NA	NA
VOC	Yes	Yes	Recordkeeping	12-month rolling <sup>2</sup>
CO	No	No	NA	NA
Pb	No	No	NA	NA
Individual HAP	Yes	Yes	Recordkeeping	12-month rolling <sup>2</sup>
Total HAP	Yes	Yes	Recordkeeping	12-month rolling <sup>2</sup>

<sup>1</sup> Testing never completed as required by Project 97-746. Testing was subsequently waived during review of Project 00-433.

<sup>2</sup> Recordkeeping is allowed on a 12-month rolling total as allowed in Permit Condition 15.

**If an initial compliance demonstration specified above is testing**, the owner shall verify compliance with the emission limitations contained in Permit Condition 10 within sixty (60) days after achieving maximum production rate and no later than one hundred eighty (180) days after the initial startup date of the proposed equipment.

**If subsequent testing is specified above**, the owner shall verify compliance with the emission limitations contained in Permit Condition 10 according to the frequency noted above.

If testing is required, the owner shall use the test method and run time listed in the table below unless another testing methodology is approved by the Department prior to testing.

Pollutant	Test Run Time	Test Method
PM (state)	2 hours	Iowa Compliance Sampling Manual Method 5
PM <sub>10</sub>	3 hours	40 CFR 51, Appendix M, 201A with 202
Opacity	1 hour	40 CFR 60, Appendix A, Method 9
SO <sub>2</sub>	1 hour	40 CFR 60, Appendix A, Method 6C
NO <sub>x</sub>	1 hour	40 CFR 60, Appendix A, Method 7E
VOC	1 hour	40 CFR 60, Appendix A, Method 25A
CO	1 hour	40 CFR 60, Appendix A, Method 10
Pb	1 hour	40 CFR 60, Appendix A, Method 12
Individual HAP		
Total HAP		

The unit(s) being sampled should be operated in a normal manner at its maximum continuous output as rated by the equipment manufacturer, or the rate specified by the owner as the maximum production rate at which this unit(s) will be operated. In cases where compliance is to be demonstrated at less than the maximum continuous output as rated by the manufacturer, and it is the owner's intent to limit the capacity to that rating, the owner may submit evidence to the Department that this unit(s) has been physically altered so that capacity cannot be exceeded, or the Department may require additional testing, continuous monitoring, reports of operating levels, or any other information deemed necessary by the Department to determine whether this unit(s) is in compliance.

Each emissions compliance test must be approved by the Department. Unless otherwise specified by the Department, each test shall consist of three (3) separate runs. The arithmetic mean of three (3) acceptable test runs shall apply for compliance, unless otherwise indicated by the Department.

A pretest meeting shall be held at a mutually agreeable site no less than fifteen (15) days prior to the date of each test. Representatives from the Department shall attend this meeting, along with the owner and the testing firm, if any. It shall be the responsibility of the owner to coordinate and schedule the pretest meeting. The owner shall be responsible for the installation and maintenance of test ports. The Department shall reserve the right to impose additional, different, or more detailed testing requirements.

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### 13. NSPS and NESHAP Applicability

This paint booth is not subject to any New Source Performance Standards (NSPS) at this time.

At this time the paint booth is not subject to area source NESHAP Subpart HHHHHH (§63.11169 to §63.11180) – National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources. NOTE: if the paint booth uses a coating that contains a target HAP (compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd)) as defined by NESHAP Subpart HHHHHH, the paint booth is subject to Subpart 6H and to the General Provisions of 40 CFR Part 63, Subpart A (40 CFR §63.1 – 40 CFR §63.16).

The paint booth is of the source type subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Surface Coating of Miscellaneous Metal Parts and Products (40 CFR 63 Subpart MMMM). The paint booth however, must be located at a major source of HAPs to be subject to this standard. This facility is an area source of HAPs; therefore, the emission units are not currently subject to the requirements of this standard. Should the facility become a major source of HAPs these emission units may become subject to the requirements of this standard, in lieu of Area Source NESHAP Subpart HHHHHH.

Failure to include any NSPS or NESHAP requirements as a part of this permit does not relieve the permittee from the requirement to comply with all applicable NSPS or NESHAP requirements.

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### 14. Operating Limits

- A. Total VOC emissions from all non-combustion sources at this facility shall not exceed 75 tons per daily rolling 365-day period. All VOC-containing materials used at the facility shall be included in the emissions calculations.
  - B. The total emissions of all cumulative HAP from all non-combustion sources at this facility shall not exceed 24.0 tons per daily rolling 365-day period. All HAP-containing materials used at the facility shall be included in the emissions calculations.
  - C. The total emissions of each individual HAP for all non-combustion sources at this facility shall not exceed 9.0 tons per daily rolling 365-day period. All HAP-containing materials used at the facility shall be included in the emissions calculations.
  - D. The filters shall be maintained and replaced per the manufacturer' instructions.
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## 15. Operating Condition Monitoring

All records as required by this permit shall be kept on-site for a minimum of two (2) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner.

A. The permittee shall maintain the following monthly records:

- i. The identification of each VOC-containing or HAP-containing material used at the facility.
- ii. The amount, in gallons, of each VOC-containing or HAP-containing material used at the facility. For the purposes of calculating emissions, all VOC or HAP may be considered emitted on the day the materials are delivered to the facility or to the production line.
- iii. The amount of VOC emissions from all non-combustion sources, in tons.
- iv. The 12-month rolling total of the amount of VOC emissions from all non-combustion sources, in tons.
- v. The amount of all cumulative HAP emissions from all non-combustion sources, in tons.
- vi. The 12-month rolling total of the amount of cumulative HAP emissions from all non-combustion sources, in tons.
- vii. The amount of emissions of each individual HAP from all non-combustion sources, in tons.
- viii. The 12-month rolling total of the amount of emissions of each individual HAP from all non-combustion sources, in tons.

B. If the 12-month rolling total of the VOC emissions exceeds 60 tons, the permittee shall immediately begin keeping the following daily records:

- i. The amount of VOC emissions from all non-combustion sources, in tons.
- ii. The 365-day rolling total of the amount of VOC emissions from all non-combustion sources, in tons.

Daily calculations for VOC emissions shall continue until the 365-day rolling total of the amount of VOC emissions from all non-combustion sources drops below 60 tons for the remainder of the current calendar month plus one additional calendar month. At that time, rolling daily calculation of VOC emissions will cease per Section 15.B of this permit. If the emissions once again exceed 60.0 tons, daily recordkeeping will be required per Section 15.B of this permit.

C. If the 12-month rolling total of all cumulative HAP emissions exceeds 19.2 tons, the permittee shall immediately begin keeping the following daily records:

- i. The amount of all cumulative HAP emissions from all non-combustion sources, in tons.
- ii. The 365-day rolling total of the amount of cumulative HAP emissions from all non-combustion sources, in tons.

Daily calculations of all cumulative HAP emissions shall continue until the 365-day rolling total of the amount of all cumulative HAP emissions from all non-combustion sources drops below 19.2 tons for the remainder of the current calendar month plus one additional calendar month. At that time, rolling daily calculation of cumulative HAP emissions will cease per Section 15.C of this permit. If the emissions once again exceed 19.2 tons, daily recordkeeping will be required per Section 15.C of this permit.

D. If the 12-month rolling total of any individual HAP emitted exceeds 7.2 tons, the permittee shall immediately begin keeping the following daily records:

- i. The amount of emissions of each individual HAP from all non-combustion sources, in tons.
- ii. The 365-day rolling total of the amount of emissions of each individual HAP from all non-combustion sources, in tons.

Daily calculations of individual HAP emissions shall continue until the 365-day rolling total of the amount of emissions of each individual HAP from all non-combustion sources drops below 7.2 tons for the remainder of the current calendar month plus one additional calendar month. At that time, rolling daily calculation of emissions of each individual HAP will cease per Section 15.D of this permit. If the emissions once again exceed 7.2 tons, daily recordkeeping will be required per Section 15.D of this permit.

E. The permittee may take credit for any waste VOC shipped off-site. The permittee shall record the amount of the waste shipped off-site each day, and analyze the VOC content of the waste once every calendar quarter. The sample analyzed shall be taken as a representative sample (as defined in 40 CFR §260.10) of the waste sent off-site for that quarter and shall be used as representative until the subsequent quarter's analysis is received. The credit (calculated from the most current analysis and the amount shipped off-site) may be subtracted from the VOC rolling totals as of the date the waste is shipped off-site.

F. The permit holder, owner and operator of the facility shall maintain an MSDS of all materials used which show the VOC and HAP content.

G. The permit holder, owner and operator shall maintain a record of all maintenance and replacement of the filters.

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## 16. Continuous Emission Monitoring

Continuous emission monitoring is not required by this permit at this time.

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## 17. Description of Terms and Acronyms

acfm	Actual cubic feet per minute
Applicant	The owner, company official or authorized agent
CFR	Code of Federal Regulations
Department	Iowa Department of Natural Resources
DNR	Iowa Department of Natural Resources
gr/dscf	Grains per dry standard cubic foot
HAP	Hazardous Air Pollutant(s)
IAC	Iowa Administrative Code
MMBtu	One million British thermal units
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NO <sub>x</sub>	Nitrogen Oxides
Owner	The owner or authorized representative
Permit	This document including permit conditions and all submitted application materials
PM <sub>10</sub>	Particulate Matter equal to or less than 10 microns in aerodynamic diameter
scfm	Standard cubic feet per minute
SIP	State Implementation Plan
SO <sub>2</sub>	Sulfur Dioxide
VOC	Volatile Organic Compound

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**END OF PERMIT CONDITIONS**

**Webber, Robert**

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**From:** Webber, Robert  
**Sent:** Friday, January 09, 2015 3:55 PM  
**To:** Donn Stone  
**Cc:** jharral@thurstonmfgco.com; 'Ryan Jensen'  
**Subject:** RE: Thurston Manufacturing

Donn,

Looks like I should be available to meet on Wednesday, January 21st.  
Please email me your revised calculations.

Thanks,

Bob Webber  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region VII  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7251  
webber.robert@epa.gov

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**From:** Donn Stone [mailto:dstone@ziaeec.com]  
**Sent:** Friday, January 09, 2015 12:00 PM  
**To:** Webber, Robert  
**Cc:** jharral@thurstonmfgco.com; Ryan Jensen  
**Subject:** Thurston Manufacturing

Bob:

As you suggested, a face to face discussion would be good. I think I know what you are wanting, but not positive. In sitting down and going through each process we should be able to determine what information you need. We can then make a list of that information such that we have something for guidance.

I have completed revised calculations on most of the equipment as we discussed over the phone. We can review those for applicability when we meet.

Since the initial permit application, as you know, there have been a couple of equipment additions that need to be included in the permitting process. We can also address those in our discussion.

I have visited with Thurston personnel and Wednesday January 21<sup>st</sup> appears to be the next day we would all be available. I would suggest meeting there at 8AM to make the most of the day.

Let me know what day fits your schedule best.

Thanks

Donn

Donn L Stone, PE  
Midwest Operations Manager  
Zia Engineering & Environmental Consultants, LLC  
1531 Airport Road, Suite 104

Ames, Iowa 50010  
515-233-5794 Office  
515-689-7701 Cell



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

DEC 01 2015

VIA OVERNIGHT EXPRESS MAIL

Ms. Darla Lapointe, Chairwoman  
Winnebago Tribe of Nebraska  
P.O. Box 687  
100 Bluff Street  
Winnebago, Nebraska 68071

RE: Notification of Consultation and Coordination on EPA Region 7 Issuance of Synthetic Minor New Source Review Permit for Thurston Manufacturing Company, Thurston, Nebraska

Dear Chairwoman Lapointe:

This letter offers the opportunity for the Winnebago Tribe of Nebraska to consult and coordinate with the U.S. Environmental Protection Agency Region 7 in regard to the proposed issuance of a Tribal Minor New Source Review Clean Air Act permit for the Thurston Manufacturing Company referenced above. Region 7 is the permitting authority and is currently processing the permit application for the facility. This invitation to consult with the Winnebago Tribe regarding a pre-draft permit is based on the Agency's consultation policy. See the EPA's website for an electronic copy of the *EPA Policy on Consultation and Coordination with Indian Tribes* ([www.epa.gov/tribal/consultation/consult-policy.htm](http://www.epa.gov/tribal/consultation/consult-policy.htm)).

The Clean Air Act permitting action is for the Thurston Manufacturing Company and will be in accordance with the Federal Tribal New Source Review Clean Air Act air pollution control permitting program (40 CFR Part 49). This stationary source is requesting a permit with federally enforceable synthetic minor air pollutant emission limits. The permit provides the facility with an opportunity to avoid the major source air pollution control permitting requirements of the Prevention of Significant Deterioration and Title V Operating Permit Clean Air Act programs (40 CFR Parts 52 and 71). The permit has air emission restrictions that replace those agreed to by the owner pursuant to the March 7, 1999, Potential to Emit Transition Policy for Part 71 Implementation in Indian Country (50% PTE Transition Policy). Pursuant to 40 CFR 49.158, existing sources previously operating under a synthetic minor mechanism such as the 1999 PTE transition policy, now must obtain a synthetic minor permit.

The EPA invites you and any others you would designate to participate in a conference call to discuss the permitting process. Unless we hear from you or your office sooner with a designated tribal representative, we will call Joseph Painter, **at 10:00 am on December 10, 2015**. During this call, we will more clearly share our goals for the permitting process, describe the pre-draft permit, seek your input regarding consultation, and schedule an opportunity for you to review/comment on the pre-draft permit and any necessary follow-up conference calls. In order to ensure the CAA permit is timely issued, the EPA Region 7's consultation and coordination process with tribes for this action will be completed by January 16, 2016.



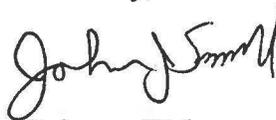
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As a standard part of the EPA Region 7 permit procedures, the EPA plans to regularly coordinate and communicate with you and the local community. We will keep the tribal government informed and will seek your input on this permit action. Also, given this facility is non-tribally owned and operated, we will be regularly communicating with the permittee.

The EPA requests that you reply in writing to this letter within the next 10 days indicating whether or not the Winnebago Tribe of Nebraska would like to consult with EPA on this pre-draft permit. If the tribe elects to consult, we request that you provide the name of a tribal representative who will serve as the point of contact for planning the consultation and any policy that the tribe may have regarding consultations with the EPA Region 7.

The official EPA Region 7 contact person for this consultation and coordination process is Bob Webber, (913) 551-7251 or [webber.robert@epa.gov](mailto:webber.robert@epa.gov). Please do not hesitate to contact him should you have any questions or concerns about this letter and invitation to consult. Thank you very much for your attention to this matter.

Sincerely,



for

Rebecca Weber  
Director

Air and Waste Management Division

cc: Joseph Painter, Environmental Office  
Patrick Bustos, U.S. EPA, R7



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Nebraska Ecological Services Field Office  
9325 SOUTH ALDA RD.  
WOOD RIVER, NE 68883  
PHONE: (308)382-6468 FAX: (308)384-8835  
URL: [www.fws.gov//nebraskaes](http://www.fws.gov//nebraskaes)

Consultation Code: 06E22000-2016-SLI-0033

December 08, 2015

Event Code: 06E22000-2016-E-00028

Project Name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

## Official Species List

### Provided by:

Nebraska Ecological Services Field Office

9325 B SOUTH ALDA RD

WOOD RIVER, NE 68883

(308) 382-6468

<http://www.fws.gov/nebraskaes>

**Consultation Code:** 06E22000-2016-SLI-0033

**Event Code:** 06E22000-2016-E-00028

**Project Type:** \*\* OTHER \*\*

**Project Name:** Thurston Manufacturing Company Synthetic Minor Source Air Permit

**Project Description:** 1708 H Avenue, Thurston, Nebraska 68062

An air permit is being issued under authority of the Tribal Minor New Source Review Permit Program at 40 CFR Part 49. Although the facility is adjacent to areas where native vegetation can occur, the permit does not authorize removal of native vegetation. The permit authorizes after-the-fact installation of new replacement emissions units and establishes federally-enforceable operating limitations on all non-exempt emissions units at the facility.

**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-96.70393466949463 42.17705651798278, -96.70394539833069 42.1750767237734, -96.70568346977234 42.1750767237734, -96.70570492744446 42.17706446883859, -96.70393466949463 42.17705651798278)))

**Project Counties:** Thurston, NE



United States Department of Interior  
Fish and Wildlife Service

Project name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

## Endangered Species Act Species List

There are a total of 5 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Least tern ( <i>Sterna antillarum</i> ) Population: interior pop.	Endangered		
Piping Plover ( <i>Charadrius melodus</i> ) Population: except Great Lakes watershed	Threatened	Final designated	
<b>Fishes</b>			
Pallid sturgeon ( <i>Scaphirhynchus albus</i> ) Population: Entire	Endangered		
<b>Flowering Plants</b>			
Western Prairie Fringed Orchid ( <i>Platanthera praeclara</i> )	Threatened		
<b>Mammals</b>			
Northern long-eared Bat ( <i>Myotis septentrionalis</i> )	Threatened		



United States Department of Interior  
Fish and Wildlife Service

Project name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

## **Critical habitats that lie within your project area**

There are no critical habitats within your project area.

## Webber, Robert

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**From:** Webber, Robert  
**Sent:** Thursday, January 07, 2016 3:29 PM  
**To:** Sasha Rivers  
**Cc:** Bustos, Patrick; Reed, Brandy; Kloeckner, Jane  
**Subject:** NHPA consultation and Thurston Manufacturing Company Pre-Draft Air Permit

Ms. Rivers,

As I mentioned during our telephone conversation this morning, given the logistical difficulties in setting up a meeting in person next week to discuss NHPA consultation, I propose that we schedule a teleconference next week instead. Since I understand you plan on being out of the office on Tuesday, I propose a call on Monday afternoon or perhaps another time later in the week.

It is my understanding that you plan to include David Smith in the consultation, who has served as an historian for the Winnebago Tribe of Nebraska. I would also like to invite Patrick Bustos and Brandy Reed from our Office of Tribal Affairs and Jane Kloeckner from our Office of Regional Counsel.

The following as a quick reference to the NHPA consultation requirements included on Page 16 and 17 of the Technical Support Document (TSD) for the "pre-draft" air permit:

### **(3) National Historic Preservation Act (NHPA).**

*Section 106 of the NHPA requires the EPA to take into account the effect of any action undertaken by the EPA, such as issuing air construction permits, on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register of Historic Places. EPA consults with the state historical preservation officer (SHPO), the tribal historical preservation officer (THPO), and members of the public to receive and consider their views and concerns about historic preservation during projects and activities that are considered covered undertakings. Since the Winnebago Tribe of Nebraska has assumed the SHPO's responsibilities for Section 106 under Section 101(d) (2) of NHPA, thereby having a THPO, EPA is consulting with the THPO in lieu of the SHPO.*

*Thurston Manufacturing Company is a facility less than fifty years old. The facility occupies approximately 20 acres of land of which approximately eight of those acres are developed. The facility manufactures agricultural equipment and side dump trailers. In 1971 the facility started production down the hill from the current location. There have been four building expansions since the facility was moved to the current location in 1979. Most recently in 2012-2013, the production building footprint was expanded by approximately 35,000 square feet to accommodate new process equipment.*

*EPA intends to issue a CAA synthetic minor source permit, which includes permit requirements based on the tribal minor NSR preconstruction provisions, for all non-exempt emissions units at the facility for which information has been received, as of the date of the permit issuance. The permit will establish emissions limits for the after-the-fact construction and operation of the following emissions units: Paint Booth, Plasma Cutting Table, Shot Blast Machine, Parts Washer, two types of Welding Operating, and two Fabrication Machines.*

*The EPA has concluded that issuing the proposed synthetic minor NSR permit might affect historic properties, EPA is seeking to identify and evaluate properties whether the facility property, and an evaluation of identified properties to determine whether they are "historic;" i.e., they are listed on, or eligible for inclusion in, the National Register of Historic Places.*

*EPA searched the National Park Service National Register of Historic Places website <http://focus.nps.gov/nrhp> and found six National Register Sites listed for Thurston County. No part of the existing facility or the Village of Thurston, NE is included in the list.*

*EPA is consulting with the Winnebago Tribe of Nebraska THPO to determine the scope of its identification efforts, including:*

- (1) Determining and documenting the area of potential effects;*
- (2) Reviewing existing information about historic properties;*
- (3) Seeking information from parties likely to have knowledge of or concerns about the area; and*

*(4) Gathering information about properties to which tribes attach religious and cultural significance, while remaining sensitive to any concerns they may have about the confidentiality of this information.*

Although I plan to be out of the office tomorrow, please feel free to call me if you would like to discuss. I will have my office phone forwarded to my cell phone.

Very Respectfully,

Bob Webber  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region VII  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7251  
webber.robert@epa.gov

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**From:** Sasha Rivers [mailto:sasha.rivers@winnebagotribe.com]  
**Sent:** Thursday, January 07, 2016 10:57 AM  
**To:** Webber, Robert  
**Subject:** RE: Thurston Manufacturing Company Pre-Draft Air Permit

Mr. Webber,

Is it possible for us to meet sometime next week?

## Sasha Rivers

Tribal Historic Preservation Officer  
Winnebago Tribe of Nebraska  
P.O. Box 687, Winnebago, NE 68071  
Phone: 402-878-3313  
Email: [sasha.rivers@winnebagotribe.com](mailto:sasha.rivers@winnebagotribe.com)

"You can speak your indigenous language anywhere, any time." -H'upahu Duta

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**From:** Webber, Robert [mailto:[Webber.Robert@epa.gov](mailto:Webber.Robert@epa.gov)]  
**Sent:** Thursday, December 17, 2015 5:46 PM  
**To:** [jharral@thurstonmfgco.com](mailto:jharral@thurstonmfgco.com); [joseph.painter@winnebagotribe.com](mailto:joseph.painter@winnebagotribe.com)  
**Cc:** [dstone@ziaeec.com](mailto:dstone@ziaeec.com); [sasha.rivers@winnebagotribe.com](mailto:sasha.rivers@winnebagotribe.com); Knodel, Jon <[Knodel.Jon@epa.gov](mailto:Knodel.Jon@epa.gov)>; Burns, Ward <[Burns.Ward@epa.gov](mailto:Burns.Ward@epa.gov)>  
**Subject:** Thurston Manufacturing Company Pre-Draft Air Permit

Messrs. Harral and Painter,

Attached are "pre-drafts" of a Synthetic Minor Source Permit, Technical Support Document (TSD), and TSD Appendix for Thurston Manufacturing Company.

Pre-drafts mean they are for your use only and have not been released to the general public. **Please don't release these pre-drafts outside of Thurston Manufacturing Company or the Winnebago Tribe of Nebraska at this time.** The intent is to solicit

your comments and feedback, and to ensure we have all our facts straight before proceeding to public notice with an official draft permit.

Please review these pre-drafts and send me your comments, feedback and corrections as soon possible and no later than Friday, January 15, 2016. We plan to proceed to public notice by the end of January. Please verify that the contact information on page 3 of the TSD is correct.

I plan to be in the office intermittently into the first week of January, but will have my office phone forwarded to my cell phone if you have any questions. If you send an email, I request that you leave me a voice mail to alert me, in which case I'll respond as best I can.

Very Respectfully,

Bob Webber  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region VII  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7251  
[webber.robert@epa.gov](mailto:webber.robert@epa.gov)

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No virus found in this message.

Checked by AVG – [www.avg.com](http://www.avg.com)

Version: 2015.0.6176 / Virus Database: 4483/11191 – Release Date: 12/16/15

## Webber, Robert

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**From:** Webber, Robert  
**Sent:** Monday, February 01, 2016 2:29 PM  
**To:** Jim Harral  
**Cc:** dstone@stoneenviro.com; joseph.painter@winnebagoTribe.com  
**Subject:** revised "pre-draft" air permit  
**Attachments:** pre-draft permit Thurston Mfg Co 2015-02-01-REVISED.pdf

Mr. Harral,

Attached is a revised "pre-draft" air permit that has minor changes from the one sent to you and Mr. Painter in December. For example a duplicate permit provision was eliminated. As mentioned previously, "pre-draft" means it is for your use only and has not been released to the general public. Please don't release the pre-draft permit outside of Thurston Manufacturing Company or the Winnebago Tribe of Nebraska at this time.

My understanding from our phone conversation on Friday, January 15, 2016, is that you reviewed and discussed the "pre-draft" permit with your consultant Donn Stone and did not have comments or corrections at that time. I also recall from our conversation that your consultant Donn Stone has a new email address and that you requested that the "pre-draft" permit be sent to his new email address. I apologize for not responding to your request sooner. I have copied Mr. Stone and Mr. Painter on this email.

Please contact me if you have any questions or concerns.

Very Respectfully,

Bob Webber  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region VII  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7251  
webber.robert@epa.gov

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**From:** Jim Harral [mailto:jharral@thurstonmfgco.com]  
**Sent:** Monday, February 01, 2016 9:20 AM  
**To:** Webber, Robert  
**Subject:** air permit

Could you email me a copy of the actual air permit

**United States Environmental Protection Agency  
Region 7  
Air and Waste Management Division  
Air Permitting and Compliance Branch  
11201 Renner Boulevard  
Lenexa, KS 66219**

**SYNTHETIC MINOR SOURCE PERMIT**

Permit Number: R7-TMNSR-FY16-001

Issue Date: **Draft**

Effective Date: **Draft**

In accordance with the provisions of the Clean Air Act (CAA) and the Federal Minor New Source Review Program in Indian Country, 40 C.F.R. §§ 49.151-49.161,

**Thurston Manufacturing Company**

is authorized to operate air emissions units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit.

This source is authorized to operate in the following location(s):

**1708 H Avenue  
Thurston, Nebraska 68062**

Thurston Manufacturing Company is located in Thurston County, within the exterior boundaries of the Winnebago Indian Reservation.

Terms and conditions not otherwise defined in this permit have the meaning assigned to them in 40 C.F.R. Part 49. All terms and conditions of the permit are enforceable by the U.S. Environmental Protection Agency and citizens under the CAA.

\_\_\_\_\_  
Rebecca Weber  
Director  
Air and Waste Management Division  
U.S. EPA, Region 7

\_\_\_\_\_  
Date

## Table of Contents

SECTION I - FACILITY DESCRIPTION .....	4
(A) General Source Information .....	4
(B) Emission Unit Descriptions .....	5
SECTION II - UNIT-SPECIFIC REQUIREMENTS .....	6
(A) Paint Booth <i>EU-1-PB</i> .....	6
(1) Emission Limitations [40 C.F.R. § 49.155 (a) (2)] .....	6
(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	7
(B) Plasma Cutting Table <i>EU-2-PCT</i> .....	11
(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)] .....	11
(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	11
(C) Shot Blast Machine <i>EU-3-SBM</i> .....	14
(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)] .....	14
(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	15
(D) Parts Washer <i>EU-4-PW</i> .....	16
(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)] .....	16
(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	17
(E) Welding- Gas Metal Arc Welding (GMAW) <i>EU-5-GMAW</i> .....	18
(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)] .....	18
(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	19
(F) Welding- Flux Cored Arc Welding (FCAW) <i>EU-6-FCAW</i> .....	20
(1) Emission Limitations [40 C.F.R. § 49.155 (a) (2)] .....	20
(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	20
(G) Fabrication Machine 1 with Plasma Torch <i>EU-7-FMI</i> .....	22
(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)] .....	22
(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	22
(H) Fabrication Machine 2 with Plasma Torch <i>EU-8-FM2</i> .....	25
(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)] .....	25
(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	26
SECTION III: FACILITY-WIDE REQUIREMENTS .....	30
(A) Facility-wide PM Emission Limitation, Monitoring and Recordkeeping Requirements... 30	
(1) PM Emissions Limitation [40 C.F.R. § 49.155(a) (2)] .....	30
(2) PM Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	30
(B) Facility-wide PM <sub>10</sub> Emission Limitation, Monitoring and Recordkeeping Requirements. 30	
(1) PM <sub>10</sub> Emissions Limitation [40 C.F.R. § 49.155(a) (2)] .....	31
(2) PM <sub>10</sub> Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)] .....	31
(C) Facility-wide PM <sub>2.5</sub> Emission Limitation, Monitoring and Recordkeeping Requirements. 31	
(1) PM <sub>2.5</sub> Emissions Limitation [40 C.F.R. § 49.155(a)(2)] .....	31
(2) PM <sub>2.5</sub> Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a)(3)&(4)] .....	32
(D) Facility-wide VOC Emission Limitation, Monitoring and Recordkeeping Requirements. 32	
(1) VOC Emissions Limitation [40 C.F.R. § 49.155(a)(2)] .....	32
(2) VOC Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a)(3)&(4)] .....	33
(E) Facility-wide NO <sub>x</sub> Emission Limitation, Monitoring and Recordkeeping Requirements. 33	
(1) NO <sub>x</sub> Emissions Limitation [40 C.F.R. § 49.155(a) (2)] .....	33
(2) NO <sub>x</sub> Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3)&(4)] .....	33
(F) Facility-wide Total HAP Emission Limitation, Monitoring and Recordkeeping Requirements..... 34	

(1) Total HAP Emissions Limitation [40 C.F.R. § 49.155 (a) (2)]..... 34

(2) Total HAP Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155 (a) (3)&(4)] 34

**(G) Facility-wide Individual HAP Emission Limitation, Monitoring and Recordkeeping Requirements..... 35**

(1) Individual HAP Emissions Limitation [40 C.F.R. § 49.155(a) (2)]..... 35

(2) Individual HAP Monitoring & Recordkeeping Requirements [40 C.F.R. §49.155 (a)(3)&(4)] 35

**(H) Startup, Shutdown, Maintenance and Malfunction..... 36**

**(I) Determination of material density and the maximum content percentages by weight..... 36**

**(J) VOC-containing and organic HAP-containing materials..... 36**

**(K) Spray-applied coating operations..... 38**

**(L) Records Retention Requirements..... 38**

**(M) Reporting Requirements [40 C.F.R. § 49.155(a) (5)] ..... 38**

**SECTION IV: GENERAL PERMIT REQUIREMENTS ..... 40**

**(A) Definitions ..... 40**

**(B) Issuance and Effective Date of Permit ..... 40**

**(C) Construction without a Permit ..... 40**

**(D) Construction Approval..... 40**

**(E) Modifications to Existing Permitted Emissions Units/Limits ..... 40**

**(F) Relaxation of Legally and Practically Enforceable Limits..... 40**

**(G) Compliance with Permit Requirements ..... 41**

**(H) Prohibition on Violation of National Ambient Air Quality Standards and Prevention of Significant Deterioration Increments [40 CFR 49.155 (a) (7) (ii)]..... 41**

**(I) Submittals ..... 41**

**(J) Severability ..... 42**

**(K) Entry and Inspection ..... 42**

**(L) Circumvention..... 43**

**(M) Reservation ..... 43**

**(N) Permit Revision, Reopening, Revocation and Reissuance, or Termination..... 43**

SECTION I - FACILITY DESCRIPTION

**(A) General Source Information**

Owner: Thurston Manufacturing Company  
1708 H Avenue  
Thurston, NE 68062

Facility: Thurston Manufacturing Company  
1708 H Avenue  
Thurston, NE 68062

County: Thurston

Reservation: Winnebago Indian Reservation

SIC Codes: 3523 (Farm Machinery and Equipment),  
3531 (Construction Machinery and Equipment)

NAICS: 333111 (Farm Machinery and Equipment Manufacturing)

Thurston Manufacturing Company, Thurston, Nebraska, produces agricultural equipment and side-dump trailers. The manufacturing process includes a spray paint booth, plasma cutting table, shot blast machine, parts washer, welding, and fabrication machines with plasma torches.

Air pollutants at this facility include volatile organic compounds (VOC), hazardous air pollutants (HAP), particulate matter (PM), PM smaller than or equal to 10 microns (PM<sub>10</sub>), and PM smaller than or equal to 2.5 microns (PM<sub>2.5</sub>). The uncontrolled potential emissions for VOC, PM, PM<sub>10</sub>, and PM<sub>2.5</sub> are above Prevention of Significant Deterioration (PSD) major source thresholds. The uncontrolled potential emissions for VOC, HAP, PM<sub>10</sub>, and PM<sub>2.5</sub> are above Title V (Part 71) major source thresholds.

This permit is being issued under authority of the Tribal Minor New Source Review Permit Program at 40 CFR Part 49 (TMNSR). Under 40 CFR 49.158, a synthetic minor source permit may be obtained under this program to establish a synthetic minor source for nonattainment major NSR, PSD and title V purposes and/or a synthetic minor HAP source for MACT standards and title V purposes. Any source that becomes a synthetic minor for NSR and title V purposes but has other applicable requirements or becomes a synthetic minor for NSR but is major for title V purposes, shall also apply for a Title V permit.

This permit authorizes facility-wide emission limits to avoid Title V and/or PSD permitting requirements for major sources with respect to VOC, total HAP, individual HAP, PM, PM<sub>10</sub> and PM<sub>2.5</sub>. The restrictions replace those agreed to by the owner pursuant to the March 7, 1999, Potential to Emit (PTE) Transition Policy for Part 71 Implementation in Indian Country (50% PTE Transition Policy). In order to continue to avoid major source requirements, the permittee has requested a synthetic minor source permit and the reviewing authority has determined that

facility-wide emissions must be limited to no more than 75 tons per year of VOCs, 24 tons per year of total HAP, 9 tons per year of any individual HAP, 64 tons per year of PM, 63 tons per year of PM<sub>10</sub>, and 62 tons per year of PM<sub>2.5</sub>. See Section III: FACILITY-WIDE REQUIREMENTS.

**(B) Emission Unit Descriptions**

<b>Emission Unit ID</b>	<b>Source Description</b>	<b>Construction Date</b>	<b>Identified Pollutant Emissions</b>	<b>Control Device – Pollutants Controlled</b>	<b>Control Device Efficiency</b>	<b>Emission Point(s)</b>
<b><i>EU-1-PB</i></b>	<b>Paint Booth</b> using up to three (3) HVLP spray guns, each having a maximum operating capacity of 7 gals/hour	2012	<i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, VOC, organic HAP</i>	ventilation system equipped with filters - <i>PM, PM<sub>10</sub>, PM<sub>2.5</sub></i>	90% per 2015 email	PB-1a PB-1b PB-1c
<b><i>EU-2-PCT</i></b>	<b>Plasma Cutting Table</b> with maximum cut rate of 8,700 inches per hour (145 inches per minute) on 1/2 inch standard carbon steel.	2014	<i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, metal HAP</i>	down-draft ventilation system and dust collector - <i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, metal HAP</i>	90% per 2015 email	PCT-1
<b><i>EU-3-SBM</i></b>	<b>Shot Blast Machine</b> having a maximum design shot consumption capacity of 18,040 pounds per hour.	2012	<i>PM, PM<sub>10</sub>, PM<sub>2.5</sub></i>	dust collector - <i>PM, PM<sub>10</sub>, PM<sub>2.5</sub></i>	99% per 2012 application	SBM-1
<b><i>EU-4-PW</i></b>	<b>Parts Washer</b> with natural gas-fired burner having maximum hourly design rate of 200,000 BTU/hour.	2012/2013	<i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, CO, NO<sub>x</sub>, VOC, GHG, HAP</i>	None		PW-1
<b><i>EU-5-GMAW</i></b>	<b>Welding- GMAW</b> - Twelve (12) welders, each having a maximum hourly design rate of 21.7 lbs./hr. using E70S wire/rod/electrode - Four (4) welders, each with a maximum hourly design rate of 284.1 lbs./hr. using E308 wire/rod/electrode	Unknown	<i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, metal HAP</i>	None		W-1
<b><i>EU-6-FCAW</i></b>	<b>Welding- FCAW</b> - Seven (7) welders, each having a maximum hourly design rate of 16.5 lbs./hr. using E70T wire/rod/electrode	Unknown	<i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, metal HAP</i>	None		W-2
<b><i>EU-7-FM1</i></b>	<b>Fabrication Machine 1</b> with plasma torch having a maximum cut rate of 7,080 inches per hour (118 inches per minute) on an average thickness of 1/2 inch mild steel with a 1/4 inch electrode tip.	Unknown	<i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, metal HAP</i>	dust collector - <i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, metal HAP</i>	90% per 2012 application	FM-1
<b><i>EU-8-FM2</i></b>	<b>Fabrication Machine 2</b> with plasma torch having a maximum cut rate of 8,700 inches per hour (145 inches per minute) on an average thickness of 1/2 inch mild steel with a 1/4 inch electrode tip.	Unknown	<i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, metal HAP</i>	dust collector - <i>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, metal HAP</i>	90% per 2012 application	FM-2

SECTION II - UNIT-SPECIFIC REQUIREMENTS

**(A) Paint Booth *EU-1-PB***

(1) Emission Limitations [40 C.F.R. § 49.155 (a) (2)]

- i. The permittee shall operate the paint booth with no more than three (3) spray guns, each with a maximum operating capacity of seven (7) gallons per hour.
- ii. The permittee shall perform all spray applications with a high volume, low pressure (HVLP) spray gun, electrostatic application, airless spray gun, or air-assisted airless spray gun. An equivalent technology may be used if it has been demonstrated by the spray gun manufacturer to achieve a transfer efficiency comparable to that of a HVLP spray gun and for which the spray gun manufacturer has obtained written approval from the U.S. Environmental Protection Agency (EPA). The requirements of this condition do not apply to spray guns with a cup capacity less than 3.0 fluid ounces (89 cc).
- iii. The permittee shall conduct all spray gun cleaning so that an atomized mist or spray of gun cleaning solvent and paint residue is not created outside of a container. Spray gun cleaning may be done with, for example, hand cleaning of parts of the disassembled gun in a container of solvent, by flushing solvent through the gun without atomizing the solvent and paint residue, or by using a fully enclosed spray gun washer. A combination of non-atomizing methods may also be used.
- iv. The permittee shall operate and maintain the paint booth ventilation system in a manner consistent with good air pollution control practices for minimizing emissions and considering the manufacturer's specifications and instructions.
- v. The permittee shall operate and maintain the paint booth with a full roof, at least three complete walls or complete side curtains, and ventilation so that air is drawn into the booth. The walls and roof of a booth may have openings, if needed, to allow for conveyors and parts to pass through the booth during the coating process.
- vi. The permittee shall operate and maintain the paint booth ventilation system equipped with exhaust filters demonstrated by the manufacturer to achieve at least 90 percent capture of the PM, PM<sub>10</sub> and PM<sub>2.5</sub> in paint overspray. All air exiting the booth during coating operations shall pass through the exhaust filters.
- vii. The permittee shall operate and maintain the paint booth with an operational device used to measure the static differential pressure across each set of exhaust filters exhausting to the three paint booth stacks.

- viii. The permittee shall ensure and certify that all new and existing personnel, including contract personnel, who are authorized to spray apply surface coatings, have completed a training program as required by this permit.
- ix. The permittee shall maintain a training program that includes, at a minimum, the following:
  - a. Hands-on and classroom instruction that addresses, at a minimum, initial and refresher training in the following topics:
    - 1. Spray gun equipment selection, set up, and operation, including measuring coating viscosity, selecting the proper fluid tip or nozzle, and achieving the proper spray pattern, air pressure and volume, and fluid delivery rate.
    - 2. Spray technique for different types of coatings to improve transfer efficiency and minimize coating usage and overspray, including maintaining the correct spray gun distance and angle to the part, using proper banding and overlap, and reducing lead and lag spraying at the beginning and end of each stroke.
    - 3. Routine inspection, operation, and maintenance of the spray booth.
    - 4. Environmental compliance with the requirements of this permit.
  - b. The methods to be used at the completion of initial or refresher training to demonstrate, document, and provide certification of successful completion of the required training.
  - c. Training and certification of current authorized personnel must be completed no later than 180 days after permit issuance. Training and certification of newly hired or reassigned personnel must be completed no later than 180 days of being authorized to spray apply surface coatings.
  - d. Training and certification will be valid for a period not to exceed five years from the date personnel are certified as successfully completing the required training. Personnel shall receive refresher training and be recertified every five years.

(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. The permittee shall maintain an onsite inventory of all spray guns that includes the manufacturer, model, and documentation of the transfer efficiency and maximum operating capacity for each.

- ii. The permittee shall maintain records of all materials used (including but not limited to coatings, thinners, and clean-up solvents). The records for each material used shall include the following information summarized monthly:
  - a. the supplier;
  - b. product name;
  - c. product code;
  - d. amount used (gallons/month);
  - e. density (lbs./gal);
  - f. maximum solids content percent by weight;
  - g. maximum VOC content percent by weight;
  - h. name of all individual HAP constituents; and
  - i. maximum content percent by weight for each individual HAP constituent.
  
- iii. Each month, the permittee shall calculate and record the emissions of PM, PM<sub>10</sub> and PM<sub>2.5</sub> for each material used (including but not limited to coatings, thinners, and clean-up solvents) using the following equation:

$$E_{PB-PM} = \sum_{i=1}^n (U_i) * (D_i) * (S_i/100) * \left(1 - \frac{TE}{100}\right) * \left(1 - \frac{CE}{100}\right) * (1 \text{ ton}/2000 \text{ lbs})$$

Where:

- E<sub>PB-PM</sub>* = emissions of PM, PM<sub>10</sub> or PM<sub>2.5</sub> “i” from “n” materials used each calendar month (tons/month)
- PM emissions, PM<sub>10</sub> emissions and PM<sub>2.5</sub> emissions* from the paint booth are assumed the same and will be calculated using the same equation
- n* = number of solids-containing materials used each month
- U<sub>i</sub>* = Usage rate in gallons per month of a given material
- D<sub>i</sub>* = Density (lbs. /gallon) of a given material
- S<sub>i</sub>* = maximum Solids content percent by weight in a given material
- TE* = Transfer Efficiency (%) of the spray guns. This value shall equal 75% or a value determined from the most recent valid compliance demonstration.
- CE* = Control Efficiency (%) of the dry filters. This value shall equal 90% or a value determined from the most recent valid compliance demonstration.

- iv. Each month, the permittee shall calculate and record emissions of VOC for each material used (including but not limited to coatings, thinners, and clean-up solvents), assuming that all VOC used are emitted, and using the following equation:

$$E_{PB-VOC} = \sum_{i=1}^n (U_i) * (D_i) * (V_i/100) * (1 \text{ ton}/2000 \text{ lbs})$$

Where:

$E_{PB-VOC}$  = emissions of VOC “i” from “n” materials used each calendar month (tons/month)

$n$  = number of VOC-containing materials used each month

$U_i$  = Usage rate in gallons per month of a given material

$D_i$  = Density (lbs. /gal) of a given material

$V_i$  = maximum VOC content percent by weight in a given material

- v. Each month, the permittee shall calculate and record the sum of emissions of each individual HAP (including but not limited to xylene, ethyl benzene, toluene, naphthalene, hexane, and methanol) for each material used (including but not limited to coatings, thinners, and clean-up solvents), assuming that all HAP used are emitted, using the following equation:

$$E_{PB-HAP-i} = \sum_{j=1}^n (U_j) * (D_j) * (H_{ji}/100) * (1 \text{ ton}/2000 \text{ lbs})$$

Where:

$E_{PB-HAP-i}$  = sum of emissions of an individual HAP “i” from “n” materials used each calendar month (tons/month)

$n$  = number of HAP-containing materials used each month

$U_j$  = Usage rate in gallons per month of a given material “j” containing an individual HAP constituent

$D_j$  = Density (lbs. /gallon) of a given material “j” used

$H_{ji}$  = maximum Individual HAP “i” content percent by weight in a given material “j”

- vi. Each month, the permittee shall calculate and record the total HAP emissions from all materials used by summing all of the individual HAP emissions:

$$E_{PB-HAP-total} = \sum_{i=1}^m E_{PB-HAP-i} * (1 \text{ ton}/2000 \text{ lbs.})$$

Where:

$E_{PB-HAP-total}$  = Total emissions of all HAPs combined used each calendar month (tons/month)

$m$  = Total number of individual HAPs contained in the HAP-containing materials used each calendar month

$E_{PB-HAP-i}$  = sum of emissions of an individual HAP “i” from all materials used each month calculated using the equation in Section II (A) (2) v.

- vii. The permittee shall maintain a copy of the manufacturer's specifications and instructions for the paint booth ventilation system to reference during operation and maintenance.
- vii. For each exhaust filter used with the Paint Booth, the permittee shall maintain purchase records and the manufacturer’s certification that the filter has been

demonstrated to achieve at least 90 percent capture of paint overspray. The procedure used to demonstrate filter efficiency shall be consistent with the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Method 52.1, "Gravimetric and Dust-Spot Procedures for Testing Air-Cleaning Devices Used in General Ventilation for Removing Particulate Matter, June 4, 1992." The test coating for measuring filter efficiency shall be a high solids bake enamel delivered at a rate of at least 135 grams per minute from a conventional (non-HVLP) air-atomized spray gun operating at 40 pounds per square inch (psi) air pressure; the air flow rate across the filter shall be 150 feet per minute.

- viii. The permittee shall monitor and record differential pressure readings for each measurement device at least once every 24 hours while the spray booth is operating. The permittee shall use the readings to establish a normal operating range and filter change out schedule considering the manufacturer's specifications and instructions. If a reading is not within the normal operating range, the permittee shall stop spray applications immediately and operations shall not resume until the problem has been identified and corrected.
- ix. The permittee shall clearly post the established normal operating differential pressure range at the location of the measurement device.
- x. The permittee shall maintain an on-site inventory of spare filters for the paint booth on hand at all times to ensure rapid replacement in the event of filter failure.
- xi. The permittee shall visually inspect each set of exhaust filters at least once every operating day for alignment, saturation, tears, holes and any other condition that may affect the filter's performance.
- xii. The permittee shall visually inspect the exterior of the spray booth enclosure at least once every 24 hours while the spray booth is operating for evidence of overspray. If evidence of overspray is apparent, the permittee shall take corrective action to eliminate overspray from the exterior of spray booth enclosure.
- xiii. The permittee shall keep a written log of all inspections, maintenance and repair work performed on the Paint Booth. The log shall include the time and date that each activity was performed, and the name with initials of the person performing the work. At a minimum the log shall include:
  - a. Differential pressure measurement device readings;
  - b. Inspections conducted of each set of exhaust filters;
  - c. All exhaust filter replacements including date, filter description (manufacturer, model number and filter efficiency), explanation for replacement, and;

- d. Observations of the spray booth enclosure exterior for evidence of overspray and all corrective actions taken to reduce overspray.
- xiv. The permittee shall maintain a current written record of all personnel authorized by the permittee to spray apply surface coatings that includes name, job description, date authorized, and all certifications of successful completion of required training.

**(B) Plasma Cutting Table *EU-2-PCT***

(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)]

- i. The permittee shall operate the cutting table with no more than one plasma torch having a maximum cut rate of 8,700 inches per hour (145 inches per minute) on ½ inch standard carbon steel.
- ii. The permittee shall operate and maintain the cutting table with a drawdown ventilation system and dust collection system with exhaust filters documented by the manufacturer to achieve a minimum 90% capture of the PM, PM<sub>10</sub> and PM<sub>2.5</sub>.
- iii. The permittee shall operate and maintain the cutting table plasma torch, drawdown ventilation system and dust collection system in a manner consistent with good air pollution control practices for minimizing emissions and considering the manufacturer's specifications and instructions.
- iv. The permittee shall operate the drawdown ventilation system and dust collection system at all times whenever the plasma torch is in use.
- v. The permittee shall operate the dust collector with an operational device used to measure the differential pressure across the control device, monitor performance, and establish a change out schedule for the dust collector filters.

(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. The permittee shall maintain a copy of the manufacture's specifications and instructions for the cutting table plasma torch to verify maximum cut rate and to reference during operation and maintenance.
- ii. The permittee shall maintain a written operational log for the plasma cutting table that includes the following information, summarized monthly, for each unique cutting operation:
  - a. thickness and type of base metal (e.g. 1/2 inch mild steel);
  - b. designation of base metal with individual HAP composition (e.g. AISI/SAE No.1013 with 1.40% Mn by weight);

- c. density of base metal (e.g. 0.283 lb./cubic inch for mild steel);
  - d. estimated kerf (width of cut) as a fraction of an inch, as derived from torch manufacturer specifications given the thickness and type of base metal, output current, plasma gas and shield gas *{Per HPR260XD specification: for 0.47 inch thick mild steel, 260A, O2/Air, the estimated kerf width compensation is 0.11 inch}*;
  - e. number of minutes in cutting operation; and
  - f. length of metal cut in inches.
- iii. The permittee shall maintain a copy of the manufacture's specifications and instructions for the drawdown ventilation system and dust collector to reference during operation and maintenance.
  - iv. The permittee shall maintain purchase records, including name of manufacturer, part number, quantity, and MSDS for each consumable material used by cutting table plasma torch and dust collector.
  - v. For each exhaust filter used in the dust collector, the permittee shall maintain the manufacturer's documentation that the filter has been demonstrated to achieves at least 90 percent capture of PM, PM<sub>10</sub>, and PM<sub>2.5</sub>.
  - vi. The permittee shall monitor and record the differential pressure across the control device at least once every 24 hours while the cutting table plasma torch is operating. The permittee shall use the readings to establish a normal operating range and filter change out schedule considering the manufacturer's specifications and instructions. If a reading is not within the normal operating range, the permittee shall shut down the cutting table plasma torch and dust collector immediately and operations shall not resume until the problem has been identified and corrected.
  - vii. The permittee shall clearly post the established normal operating differential pressure range at the location of the measurement device.
  - viii. The permittee shall maintain an on-site inventory of spare filters for the dust collector on hand at all times to ensure rapid replacement in the event of filter failure.
  - ix. The permittee shall maintain a maintenance log for the drawdown ventilation system and dust collector. The log shall include the time and date that each activity was performed, and the name with initials of the person performing the work. The log shall describe the following:
    - a. Scheduled maintenance activities, repair actions, and replacements.
    - b. Incidents of malfunction and impact on emissions, duration of event, probable cause, and corrective actions.

- x. Each month, the permittee shall calculate and record emissions of PM, PM<sub>10</sub>, and PM<sub>2.5</sub> from the plasma cutting table operations using the following equations:

$$E_{PCT-PM} = \sum_{u=1}^n (EF_{PCT-PMu}) * (L_{MCu}) * \left(1 - \frac{CE}{100}\right) * (1 \text{ ton}/2000 \text{ lbs})$$

Where:

$E_{PCT-PM}$  = PM, PM<sub>10</sub>, or PM<sub>2.5</sub> emissions from plasma cutting table (tons/month)

PM emissions, PM<sub>10</sub> emissions and PM<sub>2.5</sub> emissions from the plasma cutting table are assumed the same and calculated using same PM emission factor

$n$  = number of unique cutting operations

$L_{MCu}$  = Length of metal cut for a unique cutting operation (inches/month)

CE = Control Efficiency percentage

$EF_{PCT-PMu}$  = PM Emission Factor (lbs. /inch) derived from equation below for a unique cutting operation:

$$EF_{PCT-PMu} = \sum_{u=1}^n (D_u) * (T_u) * (K_u) * (FG)$$

Where:

$n$  = number of unique cutting operations

$D_u$  = Density of base metal in lbs. /cubic inch

$T_u$  = Thickness of base metal as a fraction of an inch

$K_u$  = Kerf (width of cut) as a fraction of an inch, as derived from torch manufacturer specification given the thickness and type of base metal, the output current, plasma gas, and shield gas. {Per HPR260XD specification: for 0.47 inch thick mild steel, 260A, O<sub>2</sub>/Air, the estimated kerf width compensation is 0.11 inch}

FG = Fume Generation = % of particulate generated as a fraction of total metal cut = 0.05

- xi. Each month, the permittee shall calculate and record the Individual HAP (including but not limited to manganese) emissions from the plasma cutting table using the following equation:

$$E_{PCT-HAP_i} = \sum_{u=1}^n (E_{PCT-PMu}) * (\% \text{ weight } HAP_{iu})$$

Where:

$E_{PCT-HAP_i}$  = sum of emissions of an Individual HAP "i" from "n" number of unique cutting operations (tons/month)

Assume the percentage of individual HAP in the emissions of PM is the same as the percentage of individual HAP in the uncut base metal  
 $E_{PCT-PM_u}$  = PM emissions for a unique cutting operation (tons/month)  
% weight HAP<sub>iu</sub> = Maximum Individual HAP “i” content percent by weight as a fraction (e.g., 100% is 1.0 and 50% is 0.50) in material consumed for a unique cutting operation “u”

- xii. Each month, the permittee shall determine and record the total HAP emissions from the plasma cutting table by summing all individual HAP emissions using the following equation:

$$E_{PCT-HAP_{total}} = \sum_{i=1}^m (E_{PCT-HAP_i})$$

Where:

$E_{PCT-HAP-total}$  = Total emissions of all HAPs combined used each calendar month (tons/month)

$m$  = Total number of individual HAPs contained in the HAP-containing materials used each calendar month

$E_{PCT-HAP_i}$  = sum of emissions of an individual HAP “i” from all unique cutting operations calculated using the equation in Section II (B) (2) xii.

- xiii. Each month, the permittee shall calculate and record the NOx emissions from the plasma cutting table using the following equation:

$$E_{PCT-NOx} = \sum_{u=1}^n (EF_{PCT-NOx}) * (T_{COu}) * (1 \text{ ton} / 2000 \text{ lbs.})$$

Where:

$E_{PCT-NOx}$  = Nitrogen oxide emissions from plasma cutting table (tons/month)

$n$  = number of unique cutting operations

$EF_{PCT-NOx}$  = NOx Emission Factor = 0.873 lb. /hour

$T_{COu}$  = Time of a Unique Cutting Operation “u” (hours/month) = minutes of unique cutting operation “u” per month \* (1hour/60min)

### (C) Shot Blast Machine **EU-3-SBM**

#### (1) Emission Limitations [40 C.F.R. § 49.155(a) (2)]

- i. The permittee shall operate the Shot Blast Machine using only abrasive materials that do not contain volatile organic compounds (VOC) or hazardous air pollutants (HAP).

- ii. The permittee shall operate the Shot Blast Machine having a maximum design shot consumption capacity of 18,040 pounds per hour.
- iii. The permittee shall operate the Shot Blast Machine only with the emissions vented through a dust collector equipped with exhaust filters documented by the manufacturer to achieve a minimum 99% capture of the PM, PM10 and PM2.5.
- iv. The permittee shall operate the dust collector with an operational device used to measure the differential pressure across the control device.

(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. For each abrasive material used in the Shot Blast Machine, the permittee shall maintain purchase records and MSDS to be reviewed at the time of delivery to ensure the contents do not include volatile organic compounds (VOC) or hazardous air pollutants (HAP).
- ii. The permittee shall maintain manufacturers' specifications and instructions for the Shot Blast Machine and dust collector to verify the maximum design shot consumption capacity of 18,040 pounds per hour and to reference during operation and maintenance.
- iii. The permittee shall maintain a written operational log for the shot blast operation that includes the following information summarized monthly:
  - a. supplier product name(s) of each abrasive material used.
  - b. number of minutes that the Shot Blast Machine is in operation.
- iv. For each exhaust filter used in the dust collector, the permittee shall maintain purchase records and the manufacturer's documentation that the filter has been demonstrated to achieve at least 99 percent capture of PM, PM<sub>10</sub>, and PM<sub>2.5</sub>.
- v. The permittee shall monitor and record the differential pressure across the control device at least once every 24 hours while the Shot Blast Machine is operating to establish a normal operating range and filter change out schedule considering the manufacturer's specifications and instructions. If a reading not within the normal operating range, the permittee shall shut down the Shot Blast Machine and dust collector immediately and operations shall not resume until the problem has been identified and corrected.
- vi. The permittee shall clearly post the established operating differential pressure range at the location of the measurement device.

- vii. The permittee shall maintain an on-site inventory of spare filters for the dust collector on hand at all times to ensure rapid replacement in the event of filter failure. The filters shall be made of materials appropriate for operating conditions expected to occur (i.e. temperature limits, acidic and alkali resistance, and abrasion resistance).
- viii. The permittee shall maintain a written log for the Shot Blast Machine and dust collector that describes the following:
  - a. Scheduled maintenance activities, repair actions, and replacements.
  - b. Incidents of malfunction and impact on emissions, duration of event, probable cause, and corrective actions.

The log shall include the time and date that each activity was performed, and the name with initials of the person performing the work.

- ix. Each month, the permittee shall calculate and record PM, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from the shot blast machine using the following equation:

$$E_{SBM-p} = (EF_{SBM-p}) * STR * (T_{SBMO}) * \left(1 - \frac{CE}{100}\right) * (1 \text{ ton}/2000 \text{ lbs.})$$

Where:

$E_{SBM-p}$  = emissions of a pollutant “p” (PM, PM<sub>10</sub>, or PM<sub>2.5</sub>) from the shot blast machine (tons/month)

$EF_{SBM-p}$  = Emission Factor for pollutant “p” (PM, PM<sub>10</sub>, or PM<sub>2.5</sub>) from table below

$STR$  = Shot Throughput Rate = 0.15 tons of shot per minute of operation

$T_{SBMO}$  = Time in minutes that shot blast machine in operation each month

$CE$  = Control Efficiency (%) of the dust collector. This value shall equal 90% or a value determined from the most recent valid compliance demonstration.

<b>Regulated Pollutant</b>	<b><math>EF_{SBM-PM}</math> (lbs. of pollutant per ton of shot)</b>
<b>PM</b>	5.40
<b>PM<sub>10</sub></b>	2.60
<b>PM<sub>2.5</sub></b>	0.26

**(D) Parts Washer EU-4-PW**

- (1) Emission Limitations [40 C.F.R. § 49.155(a) (2)]

- i. The permittee shall operate the parts washer using only wash solutions that do not contain volatile organic compounds (VOC) or hazardous air pollutants (HAP).
- ii. The permittee shall operate the parts washer using a natural gas-fired burner with a maximum hourly design rate of 200,000 BTU/hour.
- iii. The permittee shall operate and maintain the Parts Washer in a manner consistent with good air pollution control practices for minimizing emissions and considering the manufacturer’s specifications and instructions.

(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. The permittee shall maintain manufacturer’s specifications and instructions to verify the maximum hourly design rate of the natural gas-fired burner and to reference during operation and maintenance.
- ii. For each wash solution used in the Parts Washer, the permittee shall maintain purchase records and MSDS to be reviewed at the time of delivery to ensure the solution does not contain VOC or HAP.
- iii. Each month, the permittee shall determine and record the quantity of natural gas used by the Parts Washer burner. If there is no dedicated meter installed for the burner, the permittee shall determine the quantity by multiplying the number of hours that the burner is in use by the potential natural gas throughput of 0.0002 MMSCF per hour.
- iv. Each month, the permittee shall calculate and record the PM, PM<sub>10</sub>, PM<sub>2.5</sub>, VOC and individual HAP emissions from the natural gas burner using the following equation:

$$E_{PW-p} = (EF_{PW-p}) * (NG_U) * (1 \text{ ton}/2000 \text{ lbs.})$$

Where:

$E_{PW-p}$  = emissions of a pollutant “p” from Parts Washer natural gas combustion burner (tons/month)

$EF_{PW-p}$  = emission factor (EF) for a given pollutant “p” from table below

$NG_u$  = natural gas usage (MMscf/month)

<b>Regulated Pollutant “p”</b>	<b><math>EF_{PW}</math> (lb./MMSCF)</b>
<b>PM</b>	1.9
<b>PM<sub>10</sub></b>	7.6
<b>PM<sub>2.5</sub></b>	7.6
<b>VOC</b>	5.5

<i>NO<sub>x</sub></i>	<i>100</i>
<i>Benzene</i>	<i>0.0021</i>
<i>Dichlorobenzene</i>	<i>0.0012</i>
<i>Formaldehyde</i>	<i>0.075</i>
<i>Hexane</i>	<i>1.8</i>
<i>Toluene</i>	<i>0.0034</i>
<i>Lead</i>	<i>0.0005</i>
<i>Cadmium</i>	<i>0.0011</i>
<i>Chromium</i>	<i>0.0014</i>
<i>Manganese</i>	<i>0.00038</i>
<i>Nickel</i>	<i>0.0021</i>

- v. Each month, the permittee shall determine and record total HAP emissions from the Parts Washer natural gas combustion burner (tons/month) by summing all individual HAP emissions using the following equation:

$$E_{PW-HAP_{total}} = \sum_{i=1}^m (E_{PW-HAP_i})$$

Where:

*E<sub>PW-HAP-total</sub>* = Total emissions of all HAPs combined from parts washer each calendar month (tons/month)

*m* = number of individual HAP emissions from parts washer each calendar month

*E<sub>PW-HAP<sub>i</sub></sub>*

 = emissions of an individual HAP “i” pollutant from the parts washer calculated using the equation in Section II (D) (2) iv.

**(E) Welding- Gas Metal Arc Welding (GMAW) *EU-5-GMAW***

(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)]

- i. The permittee shall limit GMAW welding operations using type E70S wire/rod/electrode to no more than twelve (12) welders, each with a maximum hourly design rate of 21.7 lbs. /hr. (collectively using no more 260.4 lbs. /hour).
- ii. The permittee shall limit GMAW welding operations using type E308 wire/rod/electrode to no more than four (4) welders, each with a maximum hourly design rate of 284.1 lbs. /hr. (collectively using no more 1,136.4 lbs. /hour).
- iii. The permittee shall operate and maintain each welder in a manner consistent with good air pollution control practices for minimizing emissions and considering the manufacturer’s specifications and instructions.

(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. For each of the welders used for GMAW welding operations, the permittee shall maintain manufacturer specifications and instructions to verify the maximum hourly design rate and to reference during operation and maintenance.
- ii. For each of the welders used for GMAW welding operations, the permittee shall maintain a record of all inspections, maintenance, and repairs.
- iii. For each of the welders used for GMAW welding operations, the permittee shall maintain purchase records and the MSDS for each model of GMAW type E70 wire/rod/electrode and type E308 wire/rod/electrode.
- iv. For each of the welders used for GMAW welding operations, the permittee shall maintain a written operating log with the following information summarized monthly:
  - a. manufacturer and model of the welder (e.g. Thermal Arc/Hobart - Fabstar 4030);
  - b. manufacturer and model of all optional equipment used with the welder (e.g. Thermal Arc - Ultrafeed VA4000 wire feeder); and
  - c. Wire/rod/electrode consumed, including the type, make, model, diameter, total length and total mass (lbs.).
- v. Each month, the permittee shall determine and record the total mass of each type of wire/rod/electrode consumed by all GMAW welders.
- vi. Each month, the permittee shall calculate and record the emissions of PM, PM<sub>10</sub>, PM<sub>2.5</sub> and each individual HAP (manganese, nickel, chromium and cobalt) from the GMAW Operations using the following equation:

$$E_{GMAW-p} = \sum_{e=1}^n (EF_{GMAW-pe}) * (W_e) * (1 \text{ ton}/2000 \text{ lbs})$$

Where:

$E_{GMAW-p}$  = sum of emissions of a pollutant "p" for "n" number of types of wire/rod/electrode combined (tons/month) used for GMAW

n = number of types of wire/rod/electrode used for GMAW

$EF_{GMAW-pe}$  = emission factor (EF) for pollutant "p" for "e" type of wire/rod/electrode used (lbs. of pollutant /1,000 lbs. wire/rod/electrode consumed) from table below

$W_e$  = Amount of applicable type of wire/rod/electrode (e.g. E70S or E308L) consumed (lbs./month)

<b>Wire/Rod/ Electrode</b>	<b>PM/PM<sub>10</sub>/PM<sub>2.5</sub> EF</b> <i>(lbs./1,000 lbs.)</i>	<b>Mn EF</b> <i>(lbs./1,000lbs)</i>	<b>Ni EF</b> <i>(lbs./1,000lbs)</i>	<b>Cr EF</b> <i>(lbs./1,000lbs)</i>	<b>Co EF</b> <i>(lbs./1,000lbs)</i>
<b>GMAW- E70S</b>	5.2	0.318	0.001	0.001	0.001
<b>GMAW- E308L</b>	5.4	0.346	0.184	0.524	0.001

*Note: PM emissions, PM<sub>10</sub> emissions and PM<sub>2.5</sub> emissions from GMAW operations for a given wire/rod/electrode are assumed the same and calculated using same PM emission factor*

- vii. Each month, the permittee shall determine and record total HAP emissions from all GMAW operations (tons/month) by summing all individual HAP emissions using the following equation:

$$E_{GMAW-HAP_{total}} = \sum_{i=1}^m (E_{GMAW-HAP_i})$$

Where:

*E<sub>GMAW-HAP-total</sub> = Total emissions of all HAPs combined from all GMAW operations (tons/month)*

*m = number of individual HAP “i” pollutant emissions from GMAW operations*

*E<sub>GMAW-HAP i</sub> = emissions of an individual HAP “i” pollutant from GMAW operations calculated using the equation in Section II (E) (2) vi.*

**(F) Welding- Flux Cored Arc Welding (FCAW) EU-6-FCAW**

(1) Emission Limitations [40 C.F.R. § 49.155 (a) (2)]

- i. The permittee shall limit FCAW welding operations using type E70T wire/rod/electrode to no more than seven (7) welders, each with a maximum hourly design rate of 16.5 lbs. /hour (collectively using no more than 115 lbs. /hour).
- ii. The permittee shall operate and maintain each welder in a manner consistent with good air pollution control practices for minimizing emissions and considering the manufacturer’s specifications and instructions.

(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. For each welder used for FCAW welding operations, the permittee shall maintain the manufacturer’s specifications and instructions to verify the maximum hourly design rate and to reference during operation and maintenance.

- ii. For each of the welders used for FCAW welding operations, the permittee shall maintain a record of all inspections, maintenance, and repairs.
- iii. For each of the welders used for FCAW welding operations, the permittee shall maintain purchase records and the MSDS for each model of wire/rod/electrode.
- iv. For each of the welders used for FCAW welding operations, the permittee shall maintain a written operating log with the following information summarized monthly:
  - a. manufacturer and model of the welder (e.g. Lincoln - IdealArc CV-400);
  - b. manufacturer and model of all optional equipment used with the welder (e.g. Lincoln Electric - LN-25 PRO wire feeder);
  - c. gas(es) consumed;
  - d. wire/rod/electrode(s) consumed, including the type, make, model, diameter, total length and total mass (lbs.); and
  - e. Operator name(s).
- v. Each month, the permittee shall determine and record the total mass of wire/rod/electrode used by all FCAW welders.
- vi. Each month, the permittee shall calculate and record the emissions of PM, PM10, PM2.5 and each individual HAP (manganese, nickel and chromium) from the FCAW Welding Operations using the following equation:

$$E_{FCAW-p} = (EF_{FCAW-p}) * (W) * (1 \text{ ton}/2000 \text{ lbs.})$$

Where:

$E_{FCAW-p}$  = emissions of a pollutant "p" from FCAW operations (tons/month)

$EF_{FCAW-p}$  = emission factor (EF) for pollutant "p" (lbs. of pollutant /1,000 lbs. wire/rod/electrode consumed) from table below

W = Amount of wire/rod/electrode consumed (lbs. /month)

Wire/Rod/ Electrode	PM/PM <sub>10</sub> /PM <sub>2.5</sub> EF (lbs. /1,000 lbs.)	Mn EF (lbs./1,000lbs)	Ni EF (lbs./1,000lbs)	Cr EF (lbs./1,000lbs)
<b>FCAW- E70T</b>	15.1	0.891	0.005	0.004

Note: PM emissions, PM<sub>10</sub> emissions and PM<sub>2.5</sub> emissions from FCAW operations for a given wire/rod/electrode are assumed the same and calculated using same PM emission factor

- vii. Each month, the permittee shall determine and record total HAP emissions from all FCAW operations (tons/month) by summing all individual HAP emissions using the following equation:

$$E_{FCAW-HAP_{total}} = \sum_{i=1}^m (E_{FCAW-HAP_i})$$

Where:

$E_{FCAW-HAP-total}$  = Total emissions of all HAPs combined from all FCAW operations (tons/month)

$m$  = number of individual HAP "i" pollutant emissions from FCAW operations

$E_{FCAW-HAP_i}$  = emissions of an individual HAP "i" pollutant from FCAW operations calculated using the equation in Section II (E) (2) vi.

**(G) Fabrication Machine 1 with Plasma Torch EU-7-FM1**

(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)]

- i. The permittee shall operate the fabrication machine with no more than one plasma torch having a maximum cut rate of 7,080 inches per hour (118 inches per minute) on an average thickness of 1/2 inch mild steel with a 1/4 inch electrode tip.
- ii. The permittee shall operate and maintain the fabrication machine at all times with the emissions vented through a dust collector equipped with exhaust filters documented by the manufacturer to achieve a minimum 90% capture of the PM, PM<sub>10</sub> and PM<sub>2.5</sub>.
- iii. The permittee shall operate and maintain the fabrication machine, plasma torch and dust collector in a manner consistent with good air pollution control practices for minimizing emissions and considering the manufacturer's recommended operating procedures.
- iv. The permittee shall operate the dust collector with an operational device used to measure the differential pressure across the control device.

(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. The permittee shall maintain a copy of the manufactures' specifications and instructions for the fabrication machine, plasma torch, and dust collector to verify maximum cut rate and to reference during operation and maintenance.

- ii. The permittee shall maintain a written operational log for the Fabrication Machine 1 with plasma torch that includes the following information, summarized monthly, for each unique cutting operation:
  - a. thickness and type of base metal (e.g. 1/2 inch mild steel);
  - b. designation of base metal with individual HAP composition (e.g. AISI/SAE No.1013 with 1.40% Mn by weight);
  - c. density of base metal (e.g. 0.283 lb./cubic inch for mild steel);
  - d. estimated kerf (width of cut) as a fraction of an inch, as derived from torch manufacturer specifications given the thickness and type of base metal, output current, plasma gas and shield gas;
  - e. number of minutes in cutting operation; and
  - f. length of metal cut in inches.
- iii. The permittee shall maintain purchase records, including name of manufacturer, part number, quantity, and MSDS for each consumable material used by the fabrication machine 1 with plasma torch.
- iv. For each exhaust filter used in the dust collector, the permittee shall maintain the manufacturer's documentation that the filter has been demonstrated to achieve at least 90 percent capture of PM, PM<sub>10</sub>, and PM<sub>2.5</sub>.
- v. The permittee shall monitor and record the differential pressure across the control device at least once every 24 hours while the fabrication machine 1 with plasma torch is operating. The permittee shall use the readings to establish a normal operating range and filter change out schedule considering the manufacturer's specifications and instructions. If a reading is not within the normal operating range, the permittee shall shut down the fabrication machine 1 with plasma torch and dust collector immediately and operations shall not resume until the problem has been identified and corrected.
- vi. The permittee shall clearly post the established normal operating differential pressure range at the location of the measurement device.
- vii. The permittee shall maintain an on-site inventory of spare filters for the dust collector on hand at all times to ensure rapid replacement in the event of filter failure.
- viii. The permittee shall maintain a maintenance log for the fabrication machine 1 with plasma torch and dust collector. The log shall include the time and date that each activity was performed, and the name with initials of the person performing the work. The log shall describe the following:
  - a. Scheduled maintenance activities, repair actions, and replacements.
  - b. Incidents of malfunction and impact on emissions, duration of event, probable cause, and corrective actions.

- ix. Each month, the permittee shall calculate and record emissions of PM, PM<sub>10</sub>, and PM<sub>2.5</sub> from EU-7-FM1 operations using the following equations:

$$E_{FM1-PM} = \sum_{u=1}^n (EF_{FM1-PMu}) * (L_{MCu}) * \left(1 - \frac{CE}{100}\right) * (1 \text{ ton}/2000 \text{ lbs})$$

Where:

$E_{FM1-PM}$  = PM, PM<sub>10</sub>, or PM<sub>2.5</sub> emissions from EU-7-FM1 (tons/month)  
 PM emissions, PM<sub>10</sub> emissions and PM<sub>2.5</sub> emissions from EU-7-FM1 are assumed the same and calculated using same PM emission factor  
*n* = number of unique cutting operations  
*L*<sub>MC*u*</sub> = Length of metal cut for a unique cutting operation (inches/month)  
 CE = Control Efficiency percentage  
*E*<sub>FM1-PM*u*</sub> = PM Emission Factor (lbs. /inch) derived from equation below for a unique cutting operation:

$$E_{FM1-PMu} = \sum_{u=1}^n (D_u) * (T_u) * (K_u) * (FG)$$

Where:

*n* = number of unique cutting operations  
*D*<sub>*u*</sub> = Density of base metal in lbs. /cubic inch  
*T*<sub>*u*</sub> = Thickness of base metal as a fraction of an inch  
*K*<sub>*u*</sub> = Kerf (width of cut) as a fraction of an inch, as derived from torch manufacturer specification given the thickness and type of base metal, the output current, plasma gas, and shield gas. {Per HT2000 specification: for 0.5 inch thick mild steel, 200A, O<sub>2</sub>/Air, the estimated kerf width compensation is 0.128 inch}  
 FG = Fume Generation = % of particulate generated as a fraction of total metal cut = 0.05

- x. Each month, the permittee shall calculate and record the Individual HAP (including but not limited to manganese) emissions from EU-7-FM1 operations using the following equation:

$$E_{FM1-HAP_i} = \sum_{u=1}^n (E_{FM1-PMu}) * (\% \text{ weight HAP}_{iu})$$

Where:

$E_{FM1-HAP-i}$  = sum of emissions of an Individual HAP “*i*” from “*n*” number of unique cutting operations (tons/month)  
 Assume the percentage of individual HAP in the emissions of PM is the same as the percentage of individual HAP in the uncut base metal  
*E*<sub>FM1-PM*u*</sub> = PM emissions for a unique cutting operation (tons/month)

*% weight HAP<sub>iu</sub> = Maximum Individual HAP “i” content percent by weight as a fraction (e.g., 100% is 1.0 and 50% is 0.50) in material consumed for a unique cutting operation “u”*

- xi. Each month, the permittee shall determine and record the total HAP emissions from EU-7-FM1 by summing all individual HAP emissions using the following equation:

$$E_{FM1-HAP_{total}} = \sum_{i=1}^m (E_{FM1-HAP_i})$$

Where:

*E<sub>FM1-HAP-total</sub> = Total emissions of all HAPs combined used (tons/month)*

*m = Total number of individual HAPs contained in the HAP-containing materials used each calendar month*

*E<sub>FM1-HAP i</sub> = sum of emissions of an individual HAP “i” from all unique cutting operations calculated using the equation in Section II (G) (2) x.*

- xii. Each month, the permittee shall calculate and record the NOx emissions from EU-7-FM1 using the following equation:

$$E_{FM1-NOx} = \sum_{u=1}^n (EF_{FM1-NOx}) * (T_{COu}) * (1 \text{ ton} / 2000 \text{ lbs.})$$

Where:

*E<sub>FM1-NOx</sub> = Nitrogen oxide emissions from EU-7-FM1 (tons/month)*

*n = number of unique cutting operations*

*EF<sub>FM1-NOx</sub> = NOx Emission Factor = 0.873 lb. /hour*

*T<sub>COu</sub> = Time of a Unique Cutting Operation “u” (hours/month) = minutes of unique cutting operation “u” per month \* (1hour/60min)*

#### **(H) Fabrication Machine 2 with Plasma Torch *EU-8-FM2***

(1) Emission Limitations [40 C.F.R. § 49.155(a) (2)]

- i. The permittee shall operate the fabrication machine with no more than one plasma torch having a maximum cut rate of 8,700 inches per hour (145 inches per minute) on 1/2 inch mild steel with a 1/4 inch electrode tip.
- ii. The permittee shall operate and maintain the fabrication machine at all times with the emissions vented through a dust collection system equipped with exhaust filters documented by the manufacturer to achieve a minimum 90% capture of the PM, PM<sub>10</sub> and PM<sub>2.5</sub>.

- iii. The permittee shall operate and maintain the fabrication machine, plasma torch and dust collection system in a manner consistent with good air pollution control practices for minimizing emissions and considering the manufacturer's recommended operating procedures.
- iv. The permittee shall operate the dust collector with an operational device used to measure the differential pressure across the control device.

(2) Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. The permittee shall maintain a copy of the manufacturer's specifications and instructions for the fabrication machine, plasma torch, and dust collector to verify maximum cut rate and to reference during operation and maintenance.
- ii. The permittee shall maintain a written operational log for the Fabrication Machine 2 with plasma torch that includes the following information, summarized monthly, for each unique cutting operation:
  - a. thickness and type of base metal (e.g. 1/2 inch mild steel);
  - b. designation of base metal with individual HAP composition (e.g. AISI/SAE No.1013 with 1.40% Mn by weight);
  - c. density of base metal (e.g. 0.283 lb./cubic inch for mild steel);
  - d. estimated kerf (width of cut) as a fraction of an inch, as derived from torch manufacturer specifications given the thickness and type of base metal, output current, plasma gas and shield gas;
  - e. number of minutes in cutting operation; and
  - f. length of metal cut in inches.
- iii. The permittee shall maintain purchase records, including name of manufacturer, part number, quantity, and MSDS for each consumable material used by the fabrication machine 1 with plasma torch and dust collector.
- iv. For each exhaust filter used in the dust collector, the permittee shall maintain the manufacturer's documentation that the filter has been demonstrated to achieves at least 90 percent capture of PM, PM<sub>10</sub>, and PM<sub>2.5</sub>.
- v. The permittee shall monitor and record the differential pressure across the control device at least once every 24 hours while the fabrication machine 2 with plasma torch is operating. The permittee shall use the readings to establish a normal operating range and filter change out schedule considering the manufacturer's specifications and instructions. If a reading is not within the normal operating range, the permittee shall shut down the fabrication machine 2 with plasma torch and dust collector immediately and operations shall not resume until the problem has been identified and corrected.

- vi. The permittee shall clearly post the established normal operating differential pressure range at the location of the measurement device.
- vii. The permittee shall maintain an on-site inventory of spare filters for the dust collector on hand at all times to ensure rapid replacement in the event of filter failure.
- viii. The permittee shall maintain a maintenance log for the fabrication machine 2 with plasma torch and dust collector. The log shall include the time and date that each activity was performed, and the name with initials of the person performing the work. The log shall describe the following:
  - a. Scheduled maintenance activities, repair actions, and replacements.
  - b. Incidents of malfunction and impact on emissions, duration of event, probable cause, and corrective actions.
- ix. Each month, the permittee shall calculate and record emissions of PM, PM<sub>10</sub>, and PM<sub>2.5</sub> from EU-8-FM2 operations using the following equations:

$$E_{FM2-PM} = \sum_{u=1}^n (EF_{FM2-PMu}) * (L_{MCu}) * \left(1 - \frac{CE}{100}\right) * (1 \text{ ton}/2000 \text{ lbs})$$

Where:

$E_{FM2-PM}$  = PM, PM<sub>10</sub>, or PM<sub>2.5</sub> emissions from EU-8-FM2 (tons/month)  
PM emissions, PM<sub>10</sub> emissions and PM<sub>2.5</sub> emissions from EU-8-FM2 are assumed the same and calculated using same PM emission factor  
 $n$  = number of unique cutting operations  
 $L_{MCu}$  = Length of metal cut for a unique cutting operation (inches/month)  
CE = Control Efficiency percentage  
 $EF_{FM2-PMu}$  = PM Emission Factor (lbs. /inch) derived from equation below for a unique cutting operation:

$$EF_{FM2-PMu} = \sum_{u=1}^n (D_u) * (T_u) * (K_u) * (FG)$$

Where:

$n$  = number of unique cutting operations  
 $D_u$  = Density of base metal in lbs. /cubic inch  
 $T_u$  = Thickness of base metal as a fraction of an inch  
 $K_u$  = Kerf (width of cut) as a fraction of an inch, as derived from torch manufacturer specification given the thickness and type of base metal, the output current, plasma gas, and shield gas. {Per HPR260XD specification: for 0.47 inch thick mild steel, 260A, O<sub>2</sub>/Air, the estimated kerf width compensation is 0.11 inch}

*FG = Fume Generation = % of particulate generated as a fraction of total metal cut = 0.05*

- x. Each month, the permittee shall calculate and record the Individual HAP (including but not limited to manganese) emissions from EU-8-FM2 operations using the following equation:

$$E_{FM2-HAP_i} = \sum_{u=1}^n (E_{FM2-PMu}) * (\% \text{ weight HAP}_{iu})$$

Where:

*E<sub>FM2-HAP-i</sub> = sum of emissions of an Individual HAP “i” from “n” number of unique cutting operations (tons/month)*

*Assume the percentage of individual HAP in the emissions of PM is the same as the percentage of individual HAP in the uncut base metal*

*E<sub>FM2-PMu</sub> = PM emissions for a unique cutting operation (tons/month)*

*% weight HAP<sub>iu</sub> = Maximum Individual HAP “i” content percent by weight as a fraction (e.g., 100% is 1.0 and 50% is 0.50) in material consumed for a unique cutting operation “u”*

- xi. Each month, the permittee shall determine and record the total HAP emissions from EU-8-FM2 operations by summing all individual HAP emissions using the following equation:

$$E_{FM2-HAP_{total}} = \sum_{i=1}^m (E_{FM2-HAP_i})$$

Where:

*E<sub>FM2-HAP-total</sub> = Total emissions of all HAPs combined used (tons/month)*

*m = Total number of individual HAPs contained in the HAP-containing materials used each calendar month*

*E<sub>FM2-HAP i</sub> = sum of emissions of an individual HAP “i” from all unique cutting operations calculated using the equation in Section II (H) (2) x.*

- xii. Each month, the permittee shall calculate and record the NOx emissions from EU-8-FM2 using the following equation:

$$E_{FM2-NOx} = \sum_{u=1}^n (EF_{FM2-NOx}) * (T_{COu}) * (1 \text{ ton} / 2000 \text{ lbs.})$$

Where:

*E<sub>FM2-NOx</sub> = Nitrogen oxide emissions from EU-8-FM2 (tons/month)*

*n = number of unique cutting operations*

*EF<sub>FM2-NOx</sub> = NOx Emission Factor = 0.873 lb. /hour*

*T<sub>cou</sub> = Time of a Unique Cutting Operation “u” (hours/month) = minutes of  
unique cutting operation “u” per month \* (1hour/60min)*

**SECTION III: FACILITY-WIDE REQUIREMENTS**

**(A) Facility-wide PM Emission Limitation, Monitoring and Recordkeeping Requirements.**

(1) PM Emissions Limitation [40 C.F.R. § 49.155(a) (2)]

- i. PM emissions from all emission units listed in Section I (B) at this facility shall not exceed 64 tons per year as determined on a 12-month rolling sum basis.

(2) PM Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. Within ten days of the end of each month, the permittee shall calculate and record the facility-wide PM emissions on a 12-month rolling sum basis, which shall be determined by calculating the emissions (tons) for the month using the following equation and then adding the emissions (tons) calculated for the previous 11 months.

$$E_{PM-All} = E_{PB-PM} + E_{PCT-PM} + E_{SBM-PM} + E_{PW-PM} + E_{GMAW-PM} + E_{FCAW-PM} + E_{FMI-PM} + E_{FM2-PM}$$

Where:

$E_{PM-All}$  = PM emissions (tons/month) from all emission units at this facility listed in Section I (B).

$E_{PB-PM}$  = PM emissions from the paint booth (tons/month) calculated in Section II (A) (2) iii.

$E_{PCT-PM}$  = PM emissions from plasma cutting table (tons/month) calculated in Section II (B) (2) x.

$E_{SBM-PM}$  = PM emissions from shot blast operation (tons/month) calculated in Section II (C) (2) viii.

$E_{PW-PM}$  = PM emissions from Parts Washer natural gas combustion burner (tons/month) calculated in Section II (D) (2) iv.

$E_{GMAW-PM}$  = PM emissions from gas metal arc welding for each type of wire/rod/electrode combined (tons/month) calculated in Section II (E) (2) vi.

$E_{FCAW-PM}$  = PM emissions from flux core arc welding (tons/month) calculated in Section II (F) (2) vi.

$E_{FMI-PM}$  = PM emissions from Fabrication Machine 1 with Plasma Torch (tons/month) calculated in Section II (G) (2) ix.

$E_{FM2-PM}$  = PM emissions from Fabrication Machine 2 with Plasma Torch (tons/month) calculated in Section II (H) (2) ix.

**(B) Facility-wide PM<sub>10</sub> Emission Limitation, Monitoring and Recordkeeping Requirements.**

(1) PM<sub>10</sub> Emissions Limitation [40 C.F.R. § 49.155(a) (2)]

- i. PM<sub>10</sub> emissions from all emission units listed in Section I (B) at this facility shall not exceed 63 tons per year, as determined on a 12-month rolling sum basis.

(2) PM<sub>10</sub> Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3) & (4)]

- i. Within ten days of the end of each month, the permittee shall calculate and record the facility-wide PM<sub>10</sub> emissions on a 12-month rolling sum basis, which shall be determined by calculating the emissions (tons) for the month using the following equation and then adding the emissions (tons) calculated for the previous 11 months.

$$E_{PM10-All} = E_{PB-PM} + E_{PCT-PM} + E_{SBM-PM} + E_{PW-PM} + E_{GMAW-PM} + E_{FCAW-PM} + E_{FMI-PM} + E_{FM2-PM}$$

Where:

$E_{PM10-All}$  = PM<sub>10</sub> emissions (tons/month) from all emission units at this facility listed in Section I (B).

$E_{PB-PM}$  = PM emissions from the paint booth (tons/month) calculated in Section II (A) (2) iii.

$E_{PCT-PM}$  = PM emissions from plasma cutting table (tons/month) calculated in Section II (B) (2) x.

$E_{SBM-PM}$  = PM<sub>10</sub> emissions from shot blast operation (tons/month) calculated in Section II (C) (2) viii.

$E_{PW-PM}$  = PM<sub>10</sub> emissions from Parts Washer natural gas combustion burner (tons/month) calculated in Section II (D) (2) iv.

$E_{GMAW-PM}$  = PM emissions from gas metal arc welding for each type of wire/rod/electrode combined (tons/month) calculated in Section II (E) (2) vi.

$E_{FCAW-PM}$  = PM emissions from flux core arc welding (tons/month) calculated in Section II (F) (2) vi.

$E_{FMI-PM}$  = PM emissions from Fabrication Machine 1 with Plasma Torch (tons/month) calculated in Section II (G) (2) ix.

$E_{FM2-PM}$  = PM emissions from Fabrication Machine 2 with Plasma Torch (tons/month) calculated in Section II (H) (2) ix.

**(C) Facility-wide PM<sub>2.5</sub> Emission Limitation, Monitoring and Recordkeeping Requirements.**

(1) PM<sub>2.5</sub> Emissions Limitation [40 C.F.R. § 49.155(a)(2)]

- i. PM<sub>2.5</sub> emissions from all emission units listed in Section I (B) at this facility shall not exceed 62 tons per year, as determined on a 12-month rolling sum basis.

(2) PM<sub>2.5</sub> Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a)(3)&(4)]

- i. Within ten days of the end of each month, the permittee shall calculate and record the facility-wide PM<sub>2.5</sub> emissions on a 12-month rolling sum basis, which shall be determined by calculating the emissions (tons) for the month using the following equation and then adding the emissions (tons) calculated for the previous 11 months.

$$E_{PM_{2.5-All}} = E_{PB-PM} + E_{PCT-PM} + E_{SBM-PM} + E_{PW-PM} + E_{GMAW-PM} + E_{FCAW-PM} + E_{FMI-PM} + E_{FM2-PM}$$

Where:

$E_{PM_{2.5-All}}$  = PM<sub>2.5</sub> emissions (tons/month) from all emission units at this facility listed in Section I (B)

$E_{PB-PM}$  = PM emissions from the paint booth (tons/month) calculated in Section II (A) (2) iii.

$E_{PCT-PM}$  = PM emissions from plasma cutting table (tons/month) calculated in Section II (B) (2) x.

$E_{SBM-PM}$  = PM<sub>2.5</sub> emissions from shot blast operation (tons/month) calculated in Section II (C) (2) viii.

$E_{PW-PM}$  = PM<sub>2.5</sub> emissions from Parts Washer natural gas combustion burner (tons/month) calculated in Section II (D) (2) iv.

$E_{GMAW-PM}$  = PM emissions from gas metal arc welding for each type of wire/rod/electrode combined (tons/month) calculated in Section II (E) (2) vi.

$E_{FCAW-PM}$  = PM emissions from flux core arc welding (tons/month) calculated in Section II (F) (2) vi.

$E_{FMI-PM}$  = PM emissions from Fabrication Machine 1 with Plasma Torch (tons/month) calculated in Section II (G) (2) ix.

$E_{FM2-PM}$  = PM emissions from Fabrication Machine 2 with Plasma Torch (tons/month) calculated in Section II (H) (2) ix.

**(D) Facility-wide VOC Emission Limitation, Monitoring and Recordkeeping Requirements.**

(1) VOC Emissions Limitation [40 C.F.R. § 49.155(a)(2)]

- i. VOC emissions from all emission units listed in Section I (B) at this facility shall not exceed 75 tons per year, as determined on a 12-month rolling sum basis.

(2) VOC Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a)(3)&(4)]

- i. Within ten days of the end of each month, the permittee shall calculate and record the facility-wide VOC emissions on a 12-month rolling sum basis, which shall be determined by calculating the emissions (tons) for the month using the following equation and then adding the emissions (tons) calculated for the previous 11 months.

$$E_{VOC-All} = E_{PB-VOC} + E_{PW-VOC} - E_{Offsite-VOC}$$

Where:

$E_{VOC-All}$  = VOC emissions (tons/month) from all emission units at this facility listed in Section I (B).

$E_{PB-VOC}$  = VOC emissions from the paint booth (tons/month) calculated in Section II (A) (2) iv.

$E_{PW-VOC}$  = VOC emissions from Parts Washer natural gas combustion burner (tons/month) calculated in Section II (D) (2) iv.

$E_{Offsite-VOC}$  = Credited amount of VOC content in waste collected from EU-1-PB operations that are shipped offsite (tons/month) as determined in Section III (J).

**(E) Facility-wide NOx Emission Limitation, Monitoring and Recordkeeping Requirements.**

(1) NOx Emissions Limitation [40 C.F.R. § 49.155(a) (2)]

- i. NOx emissions from all emission units listed in Section I (B) at this facility shall not exceed 11.6 tons per year, as determined on a rolling 12-month basis.

(2) NOx Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155(a) (3)&(4)]

- i. Within ten days of the end of each month, the permittee shall calculate and record the facility-wide NOx emissions on a 12-month rolling sum basis, which shall be determined by calculating the emissions (tons) for the month using the following equation and then adding the emissions (tons) calculated for the previous 11 months.

$$E_{NOx-All} = E_{PCT-NOx} + E_{PW-NOx} + E_{FMI-NOx} + E_{FM2-NOx}$$

Where:

$E_{NOx-All}$  = NOx emissions (tons/month) from all emission units at this facility listed in Section I (B).

$E_{PCT-NOx}$  = NOx emissions from plasma cutting table (tons/month) calculated in Section II (B) (2) xiii.

$E_{PW-NOx}$  =  $NOx$  emissions from Parts Washer natural gas combustion burner (tons/month) calculated in Section II (D) (2) iv.

$E_{FMI-NOx}$  =  $NOx$  emissions from Fabrication Machine 1 with Plasma Torch (tons/month) calculated in Section II (G) (2) xii.

$E_{FM2-NOx}$  =  $NOx$  emissions from Fabrication Machine 2 with Plasma Torch (tons/month) calculated in Section II (H) (2) xii.

**(F) Facility-wide Total HAP Emission Limitation, Monitoring and Recordkeeping Requirements.**

(1) Total HAP Emissions Limitation [40 C.F.R. § 49.155 (a) (2)]

- i. Total HAP emissions from all emission units listed in Section I (B) at this facility shall not exceed 24 tons per year, as determined on a 12-month rolling sum basis

(2) Total HAP Monitoring and Recordkeeping Requirements [40 C.F.R. § 49.155 (a) (3)&(4)]

- i. Within ten days of the end of each month, the permittee shall calculate and record the facility-wide Total HAP emissions on a 12-month rolling sum basis, which shall be determined by calculating the emissions (tons) for the month using the following equation and then adding the emissions (tons) calculated for the previous 11 months.

$$E_{HAP-Total} = E_{PB-HAP-Total} + E_{PCT-HAP-Total} + E_{PW-HAP-Total} + E_{GMAW-HAP-Total} + E_{FCAW-HAP-Total} + E_{FMI-HAP-Total} + E_{FM2-HAP-Total} - E_{Offsite-HAP-Total}$$

Where:

$E_{HAP-Total-All}$  = Total HAP emissions (tons/month) from all emission units at this facility listed in Section I (B).

$E_{PB-HAP-Total}$  = Total HAP emissions from the paint booth (tons/month) calculated in Section II (A) (2) iv.

$E_{PCT-HAP-Total}$  = Total HAP emissions from plasma cutting table (tons/month) calculated in Section II (B) (2) xii.

$E_{PW-HAP-Total}$  = Total HAP emissions from Parts Washer natural gas combustion burner (tons/month) calculated in Section II (D) (2) v.

$E_{GMAW-HAP-Total}$  = Total HAP emissions from gas metal arc welding for all types of wire/rod/electrode combined (tons/month) calculated in Section II (E) (2) vii.

$E_{FCAW-HAP-Total}$  = Total HAP emissions from flux core arc welding for all types of wire/rod/electrode combined (tons/month) calculated in Section II (F) (2) vii.

$E_{FMI-HAP-Total}$  = Total HAP emissions from Fabrication Machine 1 with Plasma Torch (tons/month) calculated in Section II (G) (2) xi.

$E_{FM2-HAP-Total}$  = Total HAP emissions from Fabrication Machine 2 with Plasma Torch (tons/month) calculated in Section II (H) (2) xi.

$E_{Offsite-HAP-Total}$  = Credited amount of total organic HAP content in waste collected from EU-1-PB operations that are shipped offsite (tons/month) as determined in Section III (J).

**(G) Facility-wide Individual HAP Emission Limitation, Monitoring and Recordkeeping Requirements.**

(1) Individual HAP Emissions Limitation [40 C.F.R. § 49.155(a) (2)]

- i. Individual HAP emissions from all emission units listed in Section I (B) at this facility shall not exceed 9 tons per year, as determined on a 12-month rolling sum basis.

(2) Individual HAP Monitoring & Recordkeeping Requirements [40 C.F.R. § 49.155 (a)(3)&(4)]

- i. Within ten days of the end of each month, the permittee shall calculate and record the facility-wide Individual HAP emissions on a 12-month rolling sum basis, which shall be determined by calculating the emissions (tons) for the month using the following equation and then adding the emissions (tons) calculated for the previous 11 months.

$$E_{HAP-Ind-All} = E_{PB-HAP-Ind} + E_{PCT-HAP-Ind} + E_{PW-HAP-Ind} + E_{GMAW-HAP-Ind} + E_{FCAW-HAP-Ind} + E_{FMI-HAP-Ind} + E_{FM2-HAP-Ind} - E_{Offsite-HAP-i}$$

Where:

$E_{HAP-Ind-All}$  = Individual HAP emissions (tons/month) from all emission units at this facility listed in Section I (B) for each individual HAP pollutant

$E_{PB-HAP-Ind}$  = Individual HAP emissions from the paint booth for each individual HAP pollutant (tons/month) calculated in Section II (A) (2) v.

$E_{PCT-HAP-Ind}$  = Individual HAP emissions from plasma cutting table for each individual HAP pollutant (tons/month) calculated in Section II (B) (2) xi.

$E_{PW-HAP-Ind}$  = Individual HAP emissions from Parts Washer natural gas combustion burner for each individual HAP pollutant (tons/month) listed and calculated in Section II (D) (2) iv.

$E_{GMAW-HAP-Ind}$  = Individual HAP emissions from gas metal arc welding for each individual HAP pollutant (tons/month) calculated in Section II (E) (2) vi.

$E_{FCAW-HAP-Ind}$  = Individual HAP emissions from flux core arc welding for each individual HAP pollutant (tons/month) calculated in Section II (F) (2) vi.

*E<sub>FM1-HAP-Ind</sub> = Individual HAP emissions from Fabrication Machine 1 with Plasma Torch for each individual HAP pollutant (tons/month) calculated in Section II (G) (2) x.*

*E<sub>FM2-HAP-Ind</sub> = Individual HAP emissions from Fabrication Machine 2 with Plasma Torch for each individual HAP pollutant (tons/month) calculated in Section II (H) (2) x.*

*E<sub>Offsite-HAP-i</sub> = Credited amount of Individual organic HAP content in waste collected from EU-1-PB operations that are shipped offsite (tons/month) as determined in Section III (J).*

**(H) Startup, Shutdown, Maintenance and Malfunction.**

- (1) At all times, including periods of startup, shutdown, maintenance and malfunction, the permittee shall operate each emission unit, including any associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions and considering the manufacturer's recommended operating procedures. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the EPA, which may include, but is not limited to, monitoring results, opacity observations, review of installation, operation and maintenance procedures, and inspection of the source. Emissions during the processes of startups, shutdowns, maintenance, and malfunctions shall be included in calculating the total tons per year emitted from all emission units listed in Section I (B) at this facility.

**(I) Determination of material density and the maximum content percentages by weight**

- (1) The density and the maximum content percentages by weight for Solids, VOC and Individual HAP shall be determined by referencing the Material Safety Data Sheet (MSDS) provided by the supplier for each material used or consumed. If a density or a content percentage is given as a range on the MSDS, the highest number in the range shall be recorded and used in all compliance calculations. Other alternative methods approved by the EPA may be used to determine the density and content percentages. In a written notice, the EPA may direct the permittee to determine the density and content percentages of any material, according to EPA or ASTM reference methods. If an EPA or ASTM reference method is used to determine the density or content percentage, the data obtained shall supersede the MSDS.

**(J) VOC-containing and organic HAP-containing materials.**

- (1) The permittee shall store all VOC-containing and organic HAP-containing materials (e.g., coatings, thinners, and clean-up solvents) in closed containers that are clearly labeled with the contents.
- (2) The permittee may take credit for the amounts of VOC, individual organic HAP and total organic HAP content of waste generated from EU-1-PB operations that is shipped off-site if a representative sample of the waste (as defined in 40 CFR

§260.10) has been analyzed for VOC and HAP content. In order to receive credit the permittee shall document the following:

- i. Date, place, and time of representative sampling
- ii. Date(s) analyses were performed
- iii. Company or entity that performed the analyses
- iv. Analytical techniques or methods used
- v. Results of waste analyses or measurements with determinations of percent by weight of VOC, percent by weight of individual organic HAP, and percent by weight of total organic HAP.
- vi. A copy of signed and dated manifest for waste shipped offsite.
- vii. Amount of waste shipped offsite (lbs.);
- viii. Amount of VOC content in waste shipped offsite in a calendar month as calculated using the following equation:

$$E_{\text{Offsite-VOC}} = \sum_{j=1}^n W_j * V_j / 100 * (1 \text{ ton} / 2000 \text{ lbs})$$

Where:

$E_{\text{Offsite-VOC}}$  = Amount of VOC content in waste “j” from “n” number of VOC-containing wastes shipped offsite in a given calendar month (tons/month)

$W_o$  = Amount of a given VOC-containing waste “j” shipped offsite (lbs.)

$V_o$  = VOC content percent by weight in a given waste “j” shipped offsite

- ix. Amount of Individual organic HAP content in waste shipped offsite in a calendar month as calculated using the following equation:

$$E_{\text{Offsite-HAP}_i} = \sum_{j=1}^n (W_j) * (H_{ji} / 100) * (1 \text{ ton} / 2000 \text{ lbs})$$

Where:

$E_{\text{Offsite-HAP}_i}$  = Amount of individual organic HAP “i” content in “n” number of wastes shipped offsite in a given calendar month (tons/month)

$W_j$  = Amount of a given waste “j” with individual organic HAP “i” content

$H_{ji}$  = Individual organic HAP “i” content percent by weight in a given waste “j”

- x. Amount of Total organic HAP content in waste shipped offsite in a calendar month as calculated using the following equation:

$$E_{\text{Offsite-HAP-total}} = \sum_{i=1}^m E_{\text{Offsite-HAP}_i} * (1 \text{ ton} / 2000 \text{ lbs.})$$

Where:

*$E_{\text{Offsite-HAP-total}}$  = Total of all organic HAP content in waste shipped each calendar month (tons/month)*

*$m$  = Total number of individual organic HAP contained in waste shipped each calendar month*

*$E_{\text{Offsite-HAP } i}$  = Amount of an individual organic HAP "i" content in waste shipped each calendar month determined in Section III (J) ix.*

The permittee may take credit for the documented amount of VOC, individual organic HAP or total organic HAP content in a waste by subtracting it as provided in the corresponding facility-wide emissions equation in Section III (D), Section III (F), or Section III (G) as of the date the waste is shipped off-site.

**(K) Spray-applied coating operations.**

- (1) The permittee shall conduct all spray-applied coating operations within the permitted spray paint booth.

**(L) Records Retention Requirements.**

- (1) The permittee shall keep all records required by this permit, including the following, on-site for a minimum of five (5) years, and available for inspection by the reviewing authority.
  - i. All specifications and maintenance requirements developed by the manufacturer, vendor, or permittee for all emission units listed in Section I (B) at this facility, and each associated emission control and monitoring device required in this permit.
  - ii. All calibration, maintenance, repairs, rebuilds or replacements conducted for all emission units listed in Section I (B) at this facility, and each associated emission control and monitoring device required in this permit.
  - iii. All information used to calculate the monthly and 12-month rolling PM, PM10, PM2.5, VOC, NOx, individual HAP, and total HAP emissions for all emission units listed in Section I (B) at this facility.
- (2) The permittee shall keep all records legible and maintained in an orderly manner.

**(M) Reporting Requirements [40 C.F.R. § 49.155(a) (5)]**

- (1) Annual Reports. Once each year no later than **April 1<sup>st</sup>**, the permittee shall submit a written annual report to EPA as specified below:
  - i. The report shall cover the period for the previous calendar year.

- ii. The report shall include the actual monthly and 12-month rolling PM, PM<sub>10</sub>, PM<sub>2.5</sub>, VOC, NO<sub>x</sub>, individual HAP, and total HAP emissions in tons from all emission units listed in Section I (B) at this facility.
- iii. The report shall include emissions from startups, shutdowns, and malfunctions.
- iv. All reports shall be certified to truth and accuracy by the person primarily responsible for Clean Air Act compliance for the permittee.
- v. A copy of the written annual report shall be submitted to Tribal Leader, Winnebago Tribe of Nebraska, P.O. Box 687, Winnebago, NE 68071.

(2) Deviation Reporting. The permittee shall promptly submit a written report to EPA any deviations of permit requirements, including those attributable to upset conditions, the probable cause of such deviation, and any corrective actions or preventative measures taken.

A “prompt” deviation report is one that is postmarked as follows:

- i. Within 30 days from the discovery of any deviation of the emission limits or operational limits that are left uncorrected for more than 24 hours after discovering the deviation; and
- ii. By April 1st for the discovery of a deviation of recordkeeping or other permit conditions during the preceding calendar year that do not affect the permittee’s ability to meet the emission limits.

**SECTION IV: GENERAL PERMIT REQUIREMENTS**

**(A) Definitions**

- (1) Terms and conditions in this permit have the meaning assigned to them in 40 C.F.R. § 49.152 unless other regulations or statutes are referenced or applicable.

**(B) Issuance and Effective Date of Permit**

- (1) EPA is issuing this permit pursuant to the Federal Minor New Source Review Program in Indian Country, 40 C.F.R. §§ 49.151-49.161.
- (2) This permit shall become effective on the date of signature by the Division Director, Air and Waste Management Division, U.S. EPA, Region 7.

**(C) Construction without a Permit**

- (1) If the permittee constructs or operates any source or modification not in accordance with the terms of any approval to construct, the permittee shall be subject to appropriate enforcement action.

**(D) Construction Approval**

- (1) Nothing in this permit shall alter the requirement for the permittee to obtain a construction permit prior to beginning construction or modification of an emission unit.
- (2) Approval for construction or installation shall not relieve the permittee of the responsibility to comply fully with applicable provisions of any other requirements of federal law or regulation, including Title V of the CAA.

**(E) Modifications to Existing Permitted Emissions Units/Limits**

- (1) For proposed modifications, as defined at 40 CFR 49.152(d), that would increase an emissions unit's allowable emissions of pollutants above its existing permitted annual allowable emissions limit, the permittee shall first obtain a permit modification pursuant to the TMNSR regulations approving the increase. For a proposed modification that is not otherwise subject to review under the PSD or TMNSR regulations, such proposed increase in the annual allowable emissions limit shall be approved through an administrative permit revision as provided at 40 CFR 49.159(f).

**(F) Relaxation of Legally and Practically Enforceable Limits**

- (1) At such time that a new or modified source within this permitted facility/source or modification of this permitted facility/source becomes a major stationary source or

major modification solely by virtue of a relaxation in any legally and practically enforceable limitation which was established after August 7, 1980, on the capacity of the permitted facility/source to otherwise emit a pollutant, such as a restriction on hours of operation, then the requirements of the PSD regulations shall apply to the source or modification as though construction had not yet commenced on the source or modification.

**(G) Compliance with Permit Requirements**

- (1) The permittee shall comply with each term and condition in this permit. Failure to comply with any term or condition of this permit constitutes a violation of the permit, and may constitute a violation of the CAA and serve as grounds for:
  - i. An enforcement action under Section 113 of the CAA; or
  - ii. Termination, revocation and reissuance, or modification of this synthetic minor permit.
- (2) This permit currently requires monthly calculations of emissions. Should EPA determine that calculated emissions are approaching or exceeding an emission limit, or should EPA determine that the permittee is failing to maintain adequate monitoring and recordkeeping requirements, EPA may revise, reopen or modify the permit to require daily calculations of emissions and/or require additional control technologies and emission reduction measures. A revision that requires more frequent reporting of daily calculations of emissions is an administrative permit revision under the TMNSR program, 40 CFR 149.159(f) (2).
- (3) It is not a defense in an enforcement action for violation of this permit that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) Compliance with the terms of this permit does not relieve or exempt the permittee from compliance with other applicable Clean Air Act requirements or other applicable federal requirements, tribal, state or local laws or regulations.

**(H) Prohibition on Violation of National Ambient Air Quality Standards and Prevention of Significant Deterioration Increments [40 CFR 49.155 (a) (7) (ii)]**

- (1) The emission units subject to this construction permit shall not cause or contribute to a violation of any National Ambient Air Quality Standard (NAAQS) or to a violation of a Prevention of Significant Deterioration (PSD) increment.

**(I) Submittals**

- (1) Unless otherwise directed by the EPA or this permit, the permittee shall submit a copy of all test plans, reports, certifications, notifications and other information pertaining to compliance with this permit to:

Tribal Air Enforcement Coordinator  
Air Compliance and Enforcement Section (ACES)  
Air Permitting and Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, KS 66219

- (2) The permittee shall submit permit applications, applications for permit amendments, and other applicable permit information, which includes but is not limited to applications and information regarding installation of control equipment, replacement of an emissions unit, and requests for changes that contravene current permit terms, to:

Tribal Air Permits Coordinator  
Air Permitting and Compliance Branch (APCO)  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, KS 66219

**(J) Severability**

- (1) The terms and conditions in this permit are distinct and severable. Each permit term and condition is independent of the permit as a whole and remains valid regardless of a challenge to any other part of this permit. If any term or condition in this permit is held invalid, such invalidity shall not affect the validity or application of other terms or conditions.

**(K) Entry and Inspection**

- (1) Upon presentation of proper credentials, you, as the permittee, shall allow a representative of the EPA to:
- i. Enter upon your premises where a source is located or emissions-related activity is conducted or where records are required to be kept under the conditions of the permit;
  - ii. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
  - iii. Inspect, during normal business hours or while the source is in operation, any facilities, equipment (including monitoring and air pollution control equipment), practices or operations regulated or required under the permit;
  - iv. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and

- v. Record any inspection by use of written, electronic, magnetic and photographic media.

**(L) Circumvention**

- (1) The permittee shall not build, erect, install or use any article, machine, equipment or process, the use of which conceals any emission which would otherwise constitute a violation of an applicable standard.

**(M) Reservation**

- (1) The permit does not convey any property rights of any sort or any exclusive privilege.

**(N) Permit Revision, Reopening, Revocation and Reissuance, or Termination**

- (1) EPA may revise, reopen, revoke and reissue, or terminate this permit for cause. The EPA may reopen this permit for a cause on its own initiative, e.g., if this permit contains a material mistake or the permittee fails to assure compliance with the applicable requirements.
  - (2) The filing by the permittee of a request for a permit revision, revocation and reissuance, or termination or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
  - (3) The permittee shall furnish to the reviewing authority, within a reasonable time, any information that the reviewing authority may request in writing to determine whether cause exists for revising, revoking and reissuing or terminating the permit or to determine compliance with the permit. For any such information claimed to be confidential, you must also submit a claim of confidentiality in accordance with title 40, chapter 1, part 2, subpart B—Confidentiality of Business Information.
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**Webber, Robert**

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**From:** Webber, Robert  
**Sent:** Tuesday, February 09, 2016 7:51 AM  
**To:** eliza\_hines@fws.gov  
**Cc:** Smith, Mark A.; Knodel, Jon; Scott, Patricia A.; Kloeckner, Jane; Reed, Brandy  
**Subject:** Re: Section 7 ESA Informal Consultation-CAA permit issuance to Thurston Mfg. Co.; Consultation Code: 06E22000-2016-SLI-0033  
**Attachments:** Official\_Species\_List\_NE ESFO\_08\_Dec\_2015.pdf; EPA Determination of ESA Impacts - Thurston Mfg Co.pdf; Public Notice-draft air permit-Thurston Mfg Co.pdf

Hi Eliza,

As we recently discussed, the U.S. Environmental Protection Agency Region 7 (EPA) is seeking informal consultation with the U.S. Fish and Wildlife Service (FWS) pursuant to section 7 (a) (2) of the Endangered Species Act (ESA), 16 U.S.C. § 1536 (a) (2), and implementing regulations, 50 C.F.R. Part 402. In complying with its duty under ESA, the EPA, as the action agency, examined the potential effects on listed species and designated critical habitat relating to issuing a Clean Air Act (CAA) synthetic minor New Source Review (NSR) permit in Indian country (see *Official Species List* and *EPA Determination of ESA Impacts* attachments).

The proposed CAA permit action will have the beneficial effect of controlling air pollution by establishing emissions limits below major source thresholds for all non-exempt emissions units currently at the facility. The EPA has concluded that the proposed permit action will have “*no effect*” on Least Tern, Piping Plover, Pallid Sturgeon, and Northern Long-Eared Bat. The EPA has also concluded that the proposed permit action “*may affect, not likely to adversely affect*” the Western Prairie Fringed Orchid.

Because the EPA has determined that the federal action may have an effect on listed species or critical habitat, the EPA is initiating informal consultation with the FWS. The EPA plans to public notice the draft permit this week (see *Public Notice* attachment). To facilitate the finalization of our action, we request FWS concurrence within 30 days from receipt of this email.

Thank you in advance for your expeditious evaluation of this request. In the interim, please feel free to contact me if you have any questions.

Very Respectfully,

Bob Webber  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region VII  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7251  
webber.robert@epa.gov





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Nebraska Ecological Services Field Office  
9325 SOUTH ALDA RD.  
WOOD RIVER, NE 68883  
PHONE: (308)382-6468 FAX: (308)384-8835  
URL: [www.fws.gov//nebraskaes](http://www.fws.gov//nebraskaes)

Consultation Code: 06E22000-2016-SLI-0033

December 08, 2015

Event Code: 06E22000-2016-E-00028

Project Name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

## Official Species List

### Provided by:

Nebraska Ecological Services Field Office

9325 B SOUTH ALDA RD

WOOD RIVER, NE 68883

(308) 382-6468

<http://www.fws.gov/nebraskaes>

**Consultation Code:** 06E22000-2016-SLI-0033

**Event Code:** 06E22000-2016-E-00028

**Project Type:** \*\* OTHER \*\*

**Project Name:** Thurston Manufacturing Company Synthetic Minor Source Air Permit

**Project Description:** 1708 H Avenue, Thurston, Nebraska 68062

An air permit is being issued under authority of the Tribal Minor New Source Review Permit Program at 40 CFR Part 49. Although the facility is adjacent to areas where native vegetation can occur, the permit does not authorize removal of native vegetation. The permit authorizes after-the-fact installation of new replacement emissions units and establishes federally-enforceable operating limitations on all non-exempt emissions units at the facility.

**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-96.70393466949463 42.17705651798278, -96.70394539833069 42.1750767237734, -96.70568346977234 42.1750767237734, -96.70570492744446 42.17706446883859, -96.70393466949463 42.17705651798278)))

**Project Counties:** Thurston, NE



United States Department of Interior  
Fish and Wildlife Service

Project name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

## Endangered Species Act Species List

There are a total of 5 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Least tern ( <i>Sterna antillarum</i> ) Population: interior pop.	Endangered		
Piping Plover ( <i>Charadrius melodus</i> ) Population: except Great Lakes watershed	Threatened	Final designated	
<b>Fishes</b>			
Pallid sturgeon ( <i>Scaphirhynchus albus</i> ) Population: Entire	Endangered		
<b>Flowering Plants</b>			
Western Prairie Fringed Orchid ( <i>Platanthera praeclara</i> )	Threatened		
<b>Mammals</b>			
Northern long-eared Bat ( <i>Myotis septentrionalis</i> )	Threatened		



United States Department of Interior  
Fish and Wildlife Service

Project name: Thurston Manufacturing Company Synthetic Minor Source Air Permit

## **Critical habitats that lie within your project area**

There are no critical habitats within your project area.

**EPA Determination of Endangered Species Act (ESA) Impacts – related to issuing a Clean Air Act (CAA) synthetic minor source permit in Indian country to Thurston Manufacturing Company**

The EPA is obligated to consider the impact that a federal project may have on listed species or critical habitats. Section 7 of the ESA requires the EPA, as a federal agency, to use its authority to conserve listed endangered and threatened species. To support this requirement, section 7 (a) (2) of the ESA requires the EPA to insure that an agency action, such as the issuance of air construction permits, is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat for such species.

In complying with its duty under ESA, the EPA, as the action agency, examined the potential effects on listed species and designated critical habitat relating to issuing a CAA synthetic minor source permit in Indian country.

***Permit Request***

The EPA received a CAA permit application from Thurston Manufacturing Company, requesting voluntarily restrictions on its potential to emit to become a synthetic minor source. The facility is located in the Village of Thurston, Nebraska and within the exterior boundaries of the Winnebago Indian Reservation.

The facility occupies approximately 20 acres of land of which approximately eight of those acres are developed. Thurston Manufacturing Company manufactures agricultural equipment and side dump trailers. In 1971 the facility started production down the hill from the current location. There have been four building expansions since the facility was moved to the current location in 1979. Most recently in 2012-2013, the production building footprint was expanded by approximately 35,000 square feet to accommodate new process equipment. Maps providing aerial views of the Thurston Manufacturing Company facility before and after the production building expansion are provided below:



U.S. Fish and Wildlife Service  
National Wetlands Inventory

Thurston  
Manufacturing  
Company \*



Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the National Mapper web site.

User Remarks:

Before Production Building Expansion



U.S. Fish and Wildlife Service  
National Wetlands Inventory

Thurston  
Manufacturing  
Company \*



Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the National Mapper web site.

User Remarks:

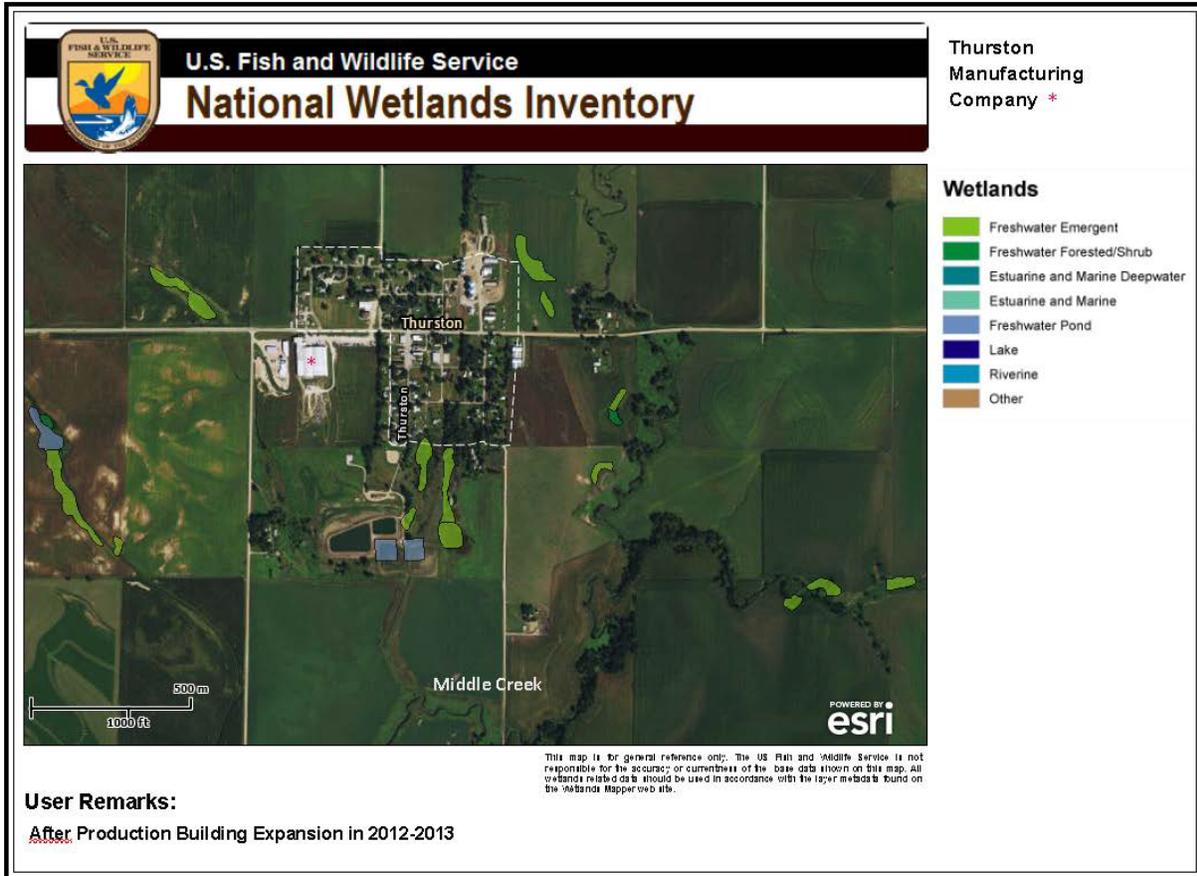
After Production Building Expansion

EPA intends to issue a synthetic minor source permit, which includes permit requirements based on the tribal minor NSR preconstruction provisions, for all non-exempt emissions units at the facility for which information has been received, as of the date of the permit issuance. The permit will establish emissions limits for the after-the-fact construction and operation of the following emissions units: Paint Booth, Plasma Cutting Table, Shot Blast Machine, Parts Washer, two types of Welding Operating, and two Fabrication Machines.

If this facility were allowed to operate without the control equipment required by the proposed permit, it would emit air pollutants at levels triggering major source Prevention of Significant Deterioration (PSD) and Title V permitting. The applicant is requesting permit conditions to establish legally and practically enforceable restrictions on VOC, individual HAP, total HAP, PM, PM<sub>10</sub>, and PM<sub>2.5</sub> emission limits to avoid PSD and Title V major source permitting requirements found at 40 CFR Parts 52 and 71, respectively. The proposed permit will include monitoring, recordkeeping and reporting requirements necessary to assure compliance with each limit. To provide legally and practically enforceable permit conditions to reduce potential emissions to levels below the major source thresholds for PSD and Title V requirements, the proposed permit requires monthly calculations of emissions both on an emissions unit-specific basis and facility-wide pollutant basis.

### ***Hydrology***

The facility area located in Thurston, Nebraska, located approximately 20 straight line miles west of the Missouri River. Surface drainage from the facility grounds travels to one of two offsite unnamed intermittent tributaries through a series of defined drainage courses and sheet flow runoff through a farm field. From the confluence of the two intermittent tributaries, the combined tributary travels south to Middle Creek. Middle Creek is approximately 4,000 straight line feet from the facility and is classified as a perennial stream per United States Geological Survey topographic maps. A map providing an aerial view of the Thurston Manufacturing Company facility showing Middle Creek and nearby wetlands is provided below:



### *Threatened and Endangered Species*

The EPA accessed U.S. Fish and Wildlife Service (FWS) websites for information on threatened and endangered species and designated critical habitat for those species. FWS maintains a website titled Environmental Conservation Online System (<http://ecos.fws.gov/ecp/>) that provides access to databases for:

1. Threatened and endangered species that may be present within the proposed facility area and
2. Designated critical habitat for threatened and endangered species.

The EPA accessed the FWS Information, Planning, and Conservation System (IPaC) database (<http://ecos.fws.gov/ipac>) to identify species listed as threatened and endangered that have been documented as being present in facility area, and received the official species list from the FWS Nebraska Ecological Services Field Office on December 8, 2015. There are no critical habitats within the facility area.

The official species list from FWS stated that the following threatened or endangered species may be found in the facility area:

**Least Tern (*Sterna antillarum*)**  
**Listing Status: Endangered**

**Piping Plover (*Charadrius melodus*)**  
**Listing Status: Threatened**

**Pallid Sturgeon (*Scaphirhynchus albus*)**  
**Listing Status: Endangered**

**Western Prairie Fringed Orchid**  
**(*Platanthera praeclara*)**  
**Listing Status: Threatened**

**Northern Long-eared Bat (*Myotis septentrionalis*)**  
**Listing Status: Threatened**

**Least Tern**

Listing Status: Endangered  
Effects Determination: No Effect

The interior least tern is migratory and its breeding range extends from Texas to Montana and from eastern Colorado and New Mexico to northern Indiana. They were declared endangered in 1985 (50 Federal Register 21792; May 28, 1985.) Interior least terns nest in riparian areas with sparsely vegetated sand and gravel bars within a wide, unobstructed river channel or salt flats along lake shorelines, at higher elevations away from the water's edge. The primary food is small fishes, but it also eats shrimp and occasionally other invertebrates. The least tern is known to use the Missouri River corridor for nesting and as a migratory corridor. The facility is located approximately 20 straight line miles west of the Missouri River. Given the location of the facility on industrial property adjacent to farm fields, apparent lack of habitat within the facility area, the proposed permitting of the after-the-fact construction and operation of the facility will not affect the least tern.

**Piping Plover**

Listing Status: Threatened  
Effects Determination: No Effect

The piping plover was declared threatened in 1985 (50 Federal Register 50733; December 11, 1985.)

It is a small shorebird that inhabits barren sand and gravel shores of rivers and lakes. The main foods taken are freshwater invertebrates washed up on shore, terrestrial, and benthic invertebrates. The Northern Great Plains population of piping plovers nest on the shorelines and islands of alkali (salty) lakes in North Dakota and Montana. They nest on sandbar islands and reservoir shorelines along the Missouri River and reservoirs in Montana, North Dakota, South Dakota, and Nebraska. In Nebraska, they nest on the Platte River system, Niobrara, Loup, and Elkhorn Rivers. The facility is located approximately 20 straight line miles west of the Missouri River. Given the location of the facility on industrial property adjacent to farm fields, apparent lack of habitat within the facility area, the proposed permitting of the after-the-fact construction and operation of the facility will not affect the piping plover.

**Pallid Sturgeon**

Listing Status: Endangered  
Effects Determination: No Effect

The pallid sturgeon was federally listed as an endangered species on September 6, 1990. In Nebraska, the pallid sturgeon is found in the Missouri and lower Platte Rivers. Floodplains, backwaters, chutes, sloughs, islands, sandbars, and main channel waters formed the large river ecosystem that provided macrohabitat requirements for the pallid sturgeon, a species that is associated with diverse aquatic habitats. The expected occurrence of the pallid sturgeon is in the Lower Platte River and Missouri River. The Missouri River is approximately 20 straight line miles away from the facility, the Lower Platte is even farther away from the facility. Thus, no potential habitat occurs within the facility area.

### **Western Prairie Fringed Orchid (WPFO)**

Listing Status: Threatened

Effects Determination: May Affect, Not Likely to Adversely Affect

The western and eastern prairie fringed orchids were added to the U.S. List of Endangered and Threatened Wildlife and Plants on September 28, 1989. The WPFO, federally listed as threatened, inhabits tall-grass calcareous silt loam or sub-irrigated sand prairies. In eastern Nebraska they are found in upland prairies and loess soils. In central and northeast Nebraska they occur in wet prairies and meadows.

The location of the facility is within a developed area on industrial property adjacent to farm fields. A comparison of maps providing aerial views of the Thurston Manufacturing Company facility before and after the production building expansion in 2012-2013 indicates that the project footprint would not have involved removing native vegetation.

According to the Notice of Intent (NOI) for Authorization to Discharge Under the NPDES General Permit for Storm Water Discharges Associated with Industrial Activity received by the Nebraska Department of Natural Resources from the facility on January 10, 2012, the action area drains to wetlands or wet meadows in the range of the western prairie fringed orchid or small white lady's slipper.

Given the minimal potential for drainage to wetlands, particularly if Best Management Practices (BMPs) were utilized to control storm water runoff during the building expansion project, the proposed permitting of the after-the-fact construction and operation of the facility may affect but is not likely to adversely affect the WPFO.

### **Northern Long-eared Bat (NLEB)**

Listing Status: Threatened

Effects Determination: No Effect

On April 2, 2015, the USFWS listed the northern long-eared bat as a threatened species. NLEB are very useful because they feed on spiders, beetles, and flying insects (such as mosquitoes). The primary factor threatening the northern long-eared bat is white-nose syndrome. However, because populations of the bat are depressed by this disease, human activities that were not significant before may be so now. In the final listing rule for the northern long-eared bat, USFWS states that critical habitat is not determinable at this time and plans to propose and

determine appropriate critical habitat within one year of the final listing. NLEB have been found in 39 states, including Nebraska. However, no potential habitat appears to occur within the facility area.

### ***EPA Determination of ESA Impacts***

The CAA Synthetic Minor Source permit action will have the beneficial effect of controlling air pollution by establishing emissions limits below major source thresholds for all non-exempt operations currently at the facility. The EPA has concluded that the proposed permit action will have “no effect” on Least Tern, Piping Plover, Pallid Sturgeon, and Northern Long-Eared Bat. The EPA has concluded that the proposed permit action “may affect, not likely to adversely affect” the Western Prairie Fringed Orchid.

Because the EPA has determined that the federal action may have an effect on listed species or critical habitat, the EPA has initiated informal consultation with the FWS.

The EPA gathered information on listed species from the following sources:

1. Thompson, Bruce C., Jerome A. Jackson, Joanna Burger, Laura A. Hill, Eileen M. Kirsch and Jonathan L. Atwood. 1997. Least Tern (*Sternula antillarum*), The Birds of North America Online (A. Poole, Ed.). Ithaca: Cornell Lab of Ornithology; Retrieved from the Birds of North America Online: <http://bna.birds.cornell.edu/bna/species/290> doi:10.2173/bna.290
2. U.S. Fish and Wildlife Service, 2009. *Piping Plover 5-Year Review: Summary and Evaluation*; [http://www.fws.gov/northeast/endangered/PDF/Piping\\_Plover\\_five\\_year\\_review\\_and\\_summary.pdf](http://www.fws.gov/northeast/endangered/PDF/Piping_Plover_five_year_review_and_summary.pdf)
3. Elliott-Smith, Elise and Susan M. Haig. 2004. Piping Plover (*Charadrius melodus*), The Birds of North America Online (A. Poole, Ed.). Ithaca: Cornell Lab of Ornithology; Retrieved from the Birds of North America Online: <http://bna.birds.cornell.edu/bna/species/002> doi:10.2173/bna.2
4. United States. U.S. Fish and Wildlife Service. *Pallid Sturgeon 5-Year Review*; U.S. Fish and Wildlife Service, 2007. Retrieved from [http://ecos.fws.gov/docs/five\\_year\\_review/doc1059.pdf](http://ecos.fws.gov/docs/five_year_review/doc1059.pdf)
5. U.S. Fish and Wildlife Service. January 2014. Revised RECOVERY PLAN for the Pallid Sturgeon (*Scaphirhynchus albus*). [http://ecos.fws.gov/docs/recovery\\_plan/Pallid%20Sturgeon%20Recovery%20Plan%20First%20Revision%20signed%20version%20012914\\_3.pdf](http://ecos.fws.gov/docs/recovery_plan/Pallid%20Sturgeon%20Recovery%20Plan%20First%20Revision%20signed%20version%20012914_3.pdf)
6. U.S. Fish and Wildlife Service. 2009. Western Prairie Fringed Orchid (*Platanthera praeclara*) 5-Year Review: Summary and Evaluation. 37 pp. [http://www.fws.gov/midwest/endangered/plants/pdf/wpfo\\_5YrReview2009.pdf](http://www.fws.gov/midwest/endangered/plants/pdf/wpfo_5YrReview2009.pdf)
7. Western Prairie Fringed Orchid Fact Sheet. U.S. Fish and Wildlife Service, Ecological Services Field Offices in the Upper Midwest. 2011.
8. General NPDES Permit Number NER900000 for Storm Water Discharges From Industrial Activity to Waters of the State of Nebraska

[http://www.deq.state.ne.us/publica.nsf/23e5e39594c064ee852564ae004fa010/9c04cb7b875b5a0b8625687400613d3b/\\$FILE/ISW-%20General%20Permit.pdf](http://www.deq.state.ne.us/publica.nsf/23e5e39594c064ee852564ae004fa010/9c04cb7b875b5a0b8625687400613d3b/$FILE/ISW-%20General%20Permit.pdf)

9. 80 FR 17973 18033 – April 2, 2015 - Threatened Species Status for the Northern Long-Eared Bat With 4(d) Rule <https://www.gpo.gov/fdsys/pkg/FR-2015-04-02/pdf/2015-07069.pdf>
10. U.S. Fish and Wildlife Service. 2016. Northern Long-Eared Bat (*Myotis septentrionalis*) Status: Threatened with 4(d) Rule <http://www.fws.gov/midwest/endangered/mammals/nleb/>

**Webber, Robert**

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**From:** Cochnar, John <john\_cochnar@fws.gov>  
**Sent:** Tuesday, February 09, 2016 3:58 PM  
**To:** Webber, Robert  
**Cc:** Michelle Koch; Carey Grell; ryan.joe@nebraska.gov  
**Subject:** Section 7 consultation regarding the issuance of a CAA permit for Thurston Manufacturing Company, Winnebago, NE  
**Attachments:** FWS-2016-110 (Winnebago Tribe CAA Permit).pdf

Hi Bob:

Attached is the US Fish and Wildlife Service's concurrence on the subject CAA permit. Please contact me if you have any questions.

Thanks!  
John

--

John Cochnar  
Supervisory Fish and Wildlife Biologist  
U.S. Fish and Wildlife Service  
**9325 South Alda Road**  
**Wood River, NE 68883**  
Office: (308) 382-6468, Ext. 203  
Cell Phone: (308) 379-8550  
E-mail: [john\\_cochnar@fws.gov](mailto:john_cochnar@fws.gov)  
<http://www.fws.gov/nebraskaes/nebraska.php>

"If you pick up a starving dog  
and make him prosperous, he will not bite you;  
that is the principal difference between a dog and a man" - Mark Twain



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
Nebraska Field Office  
9325 South Alda Road  
Wood River, Nebraska 68883

February 9, 2016

**FWS NE: 2016-110**

Robert Webber  
Air Permitting and Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region VII  
11201 Renner Boulevard  
Lenexa, KS 66219

**RE: Section 7 Consultation of the Endangered Species Act for a Clean Air Act (CAA)  
Permit for Thurston Manufacturing Company, Winnebago Indian Reservation,  
Thurston County, Nebraska**

Dear Mr. Webber:

This responds to your February 9, 2016, e-mailed requests for comments and concurrence from the U.S. Fish and Wildlife Service (Service) regarding the subject project. The Service has responsibility for the conservation and management of fish and wildlife resources for the benefit of the American public under the following authorities: 1) Endangered Species Act of 1973 (ESA), 2) The Bald and Golden Eagle Protection Act, and 3) Migratory Bird Treaty Act. The National Environmental Policy Act requires compliance with these statutes, and the project proponent and lead federal agency are responsible for compliance with these federal laws.

The Service has special concerns for endangered and threatened species, migratory birds, and other fish and wildlife and their habitats. Habitats frequently used by fish and wildlife species are wetlands, streams, riparian (streamside) woodlands, and grasslands. Special attention is given to proposed developments that include the modification of wetlands, stream alterations, loss of riparian habitat, or contamination of habitats. When this occurs, the Service recommends ways to avoid, minimize, or compensate for adverse effects to fish and wildlife and their habitats.

### **ENDANGERED SPECIES ACT**

Pursuant to section 7(a)(2) of the ESA, every federal agency, shall in consultation with the Service, ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of

designated critical habitat. If a proposed project may affect federally listed species or designated critical habitat, section 7 consultation is required.

**Based on the information you have provided and office records, we concur that the issuance of the subject CAA permit will have no effect to federally listed species, or their critical habitats.** Should the project design change, or during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the Service should be initiated to assess any potential impacts on listed species.

All federally listed species under ESA are also State-listed under the Nebraska Nongame and Endangered Species Conservation Act. However, there are also State-listed species that are not federally listed. To determine if the proposed project may affect State-listed species, the Service recommends that the project proponent contact Michelle Koch ([michelle.koch@nebraska.gov](mailto:michelle.koch@nebraska.gov)) or Carey Grell ([carey.grell@nebraska.gov](mailto:carey.grell@nebraska.gov)), or Ryan Joe ([ryan.joe@nebraska.gov](mailto:ryan.joe@nebraska.gov)), Nebraska Game and Parks Commission, 2200 N. 33<sup>rd</sup> Street, Lincoln, NE 68503-0370.

*In the future, you can expedite review of projects and receipt of Service assistance by submitting your requests to our office via e-mail. Please send your requests and all project documentation to [nebraskaes@fws.gov](mailto:nebraskaes@fws.gov). We will respond acknowledging receipt of your request and you can expect a response typically within 30 days. Unless you indicate otherwise, all Service correspondence will be sent to the e-mail address supplied in your request; if a hard copy via mail is desired, please let us know. We will gladly mail a copy to you.*

The Service appreciates the opportunity to review and comment on the subject proposed project. Should you have questions regarding these comments, please contact John Cochnar within our office at [john\\_cochnar@fws.gov](mailto:john_cochnar@fws.gov) or (308)382-6468, extension 203.

Sincerely,



Eliza Hines  
Nebraska Field Supervisor

cc: NGPC; Lincoln, NE (Attn: Michelle Koch)  
NGPC; Lincoln, NE (Attn: Carey Grell)  
NGPC; Lincoln, NE (Attn: Ryan Joe)

## **Public Notice: Request for Comments U.S. Environmental Protection Agency, Region 7**

### **PROPOSED**

Synthetic Minor Source Permit

Thurston Manufacturing Company  
PERMIT R7-TMNSR-FY16-001

Public Comment Period: February 12, 2016 – March 15, 2016

This public notice is issued by the U.S. Environmental Protection Agency Region 7 (EPA). EPA is seeking comments on the draft Synthetic Minor Source permit for the Thurston Manufacturing Company (Permit Applicant) facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation. The Permit Applicant's facility contact is James Harral, Safety Director [Phone: 402-385-3041]. The facility produces agricultural equipment and side-dump trailers. If finalized, the EPA's issuance of this permit would regulate air pollutant emissions associated with a spray paint booth, plasma cutting table, shot blast machine, parts washer, welding operations, and fabrication machines with plasma torches.

The EPA has adopted regulations codified at 40 CFR sections 49.151 through 49.161, establishing a Federal Implementation Plan (FIP) under the Clean Air Act for Indian country. This FIP includes federal minor new source review (MNSR) regulations for the protection of air resources in Indian country. The EPA is charged with direct implementation of the program regulations where there is no approved Tribal implementation plan. This draft permit has been developed pursuant to 40 CFR § 49.158 which creates an air permitting mechanism for major sources that wish to voluntarily limit emissions to become synthetic minor sources. The draft permit includes emission limits that reduce the facility's potential emissions of volatile organic compounds (VOC), hazardous air pollutants (HAP), and particulate matter (PM) to less than major source thresholds. The draft permit includes monitoring, recordkeeping and reporting requirements necessary to assure compliance with the emission limits.

**HOW TO PROVIDE COMMENTS:** Any interested individual may submit written comments on EPA's draft permit for the Thurston Manufacturing Company facility. Comments must specify any reasonable ascertainable issue with supporting arguments in writing by mail or e-mail to:

Bob Webber - Tribal NSR Coordinator  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7251  
[webber.robert@epa.gov](mailto:webber.robert@epa.gov)

The EPA will consider and respond to all comments received by the end of the 30-day comment period in making the final decision regarding the issuing of the permit. Similar comments may be grouped together in the response, and the EPA will not respond to individual commenters directly.

Please note that all comments will be included in the administrative record without change, and may be made available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Thus, CBI or other protected information should be clearly identified as such, and should not be submitted through email. Emails sent directly to the EPA will capture your email address automatically and will be included as a part of the public comment. *Please note that an email or postal address must be provided with your comments if you wish to receive responses to comments submitted during the public comment period and direct notification of EPA's final decision regarding the permit.* An extension of the 30-day comment period may be granted if the request for an extension adequately demonstrates why additional time is required to prepare comments.

**Will there be a Public Hearing?** If EPA determines that there is a significant amount of public interest in the draft permit, the EPA will hold a public hearing. Any request for a public hearing must be in writing by mail or e-mail and must state the nature of the issues proposed to be raised in the hearing. The request must be received by the end of the 30-day comment period. If a public hearing is held, the public comment period will automatically be extended to the close of the public hearing.

**Availability of Permit Information:** You may review copies of the draft permit and supporting documents at the following locations:

EPA website: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permit-thurston-manufacturing>

and

EPA Region 7  
11201 Renner Boulevard  
Lenexa, KS 66219  
Hours: Mon-Fri 9:00 a.m. – 3:00 p.m.  
Contact: Bob Webber at 913-551-7251 or [webber.robert@epa.gov](mailto:webber.robert@epa.gov)

and

Winnebago Tribe of Nebraska - Environmental Office  
Building 1 Mission Rd.  
Winnebago, NE 68071  
Hours: Mon-Fri 8:00 a.m. – 4:30 p.m.  
Contact: Joseph Painter at 402-878-4060 x1001 or [joseph.painter@winnebagotribe.com](mailto:joseph.painter@winnebagotribe.com)

### **What happens next?**

The EPA will review and consider all comments received during the comment period. Following this review, the EPA may issue the permit as drafted, issue a modified permit based on comments, or deny the permit. The final permit decision and supporting materials will be made available at the locations listed above.



# Winnebago News

## Public Notice: Request for Comments

U.S. Environmental Protection Agency, Region 7  
**PROPOSED Synthetic Minor Source Permit**

**Thurston Manufacturing Company PERMIT R7-TMNSR-FY16-001 Public Comment Period: February 12, 2016 – March 15, 2016**

This public notice is issued by the U.S. Environmental Protection Agency Region 7 (EPA). EPA is seeking comments on the draft Synthetic Minor Source permit for the Thurston Manufacturing Company (Permit Applicant) facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation. The Permit Applicant's facility contact is James Harral, Safety Director [Phone: 402-385-3041]. The facility produces agricultural equipment and side-dump trailers. If finalized, the EPA's issuance of this permit would regulate air pollutant emissions associated with a spray paint booth, plasma cutting table, shot blast machine, parts washer, welding operations, and fabrication machines with plasma torches.

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Bob Webber - Tribal NSR Coordinator Air Permitting & Compliance Branch Air and Waste Management Division

U.S. Environmental Protection Agency, Region 7 11201 Renner Boulevard Lenexa, KS 66219 Phone: 913-551-7251

webber.robert@epa.gov

The EPA will consider and respond to all comments received by the end of the 30-day comment period in making the final decision regarding the issuing of the permit. Similar comments may be grouped together in the response, and the EPA will not respond to individual commenters directly.

Please note that all comments will be included in the administrative record without change, and may be made available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Thus, CBI or other protected information should be clearly identified as such, and should not be submitted through email. Emails sent directly to the EPA will capture your email address automatically and will be included as a part of the public comment. Please note that an email or postal address must be provided with your comments if you wish to receive responses to comments submitted during the public comment period and direct notification of EPA's final decision regarding the permit. An extension of the 30-day comment period may be granted if the request for an extension adequately demonstrates why additional time is required to prepare comments.

Will there be a Public Hearing? If EPA determines that there is a significant amount of public interest in the draft permit, the EPA will hold a public hearing. Any request for a public hearing must be in writing by mail or e-mail and must state the nature of the issues proposed to be raised in the hearing. The request must be received by the end of the 30-day comment period. If a public hearing is held, the public comment period will automatically be extended to the close of the public hearing.

**Availability of Permit Information:** You may review copies of the draft permit and supporting documents at the following locations:

EPA website: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permitthurston-manufacturing>

and EPA Region 7 11201 Renner Boulevard Lenexa, KS 66219 Hours: Mon-Fri 9:00 a.m. – 3:00 p.m. Contact: Bob Webber at 913-551-7251 or webber.robert@epa.gov

and Winnebago Tribe of Nebraska - Environmental Office Building 1 Mission Rd. Winnebago, NE 68071 Hours: Mon-Fri 8:00 a.m. – 4:30 p.m. Contact: Joseph Painter at 402-878-4060 x1001 or joseph.painter@winnebagotribe.com

What happens next?

The EPA will review and consider all comments received during the comment period. Following this review, the EPA may issue the permit as drafted, issue a modified permit based on comments, or deny the permit. The final permit decision and supporting materials will be made available at the locations listed above.

## Important Letter to the Editor...

The following letter is an opinion essay written as a group by Ms. Palmer's English 11 class. Students voted on a topic that they were passionate about addressing in the community. Our audience are community members and local programs in Winnebago:

As teenagers in Winnebago, one of the most common things to do around town in the summer is to play basketball at the slab or at the school. As late as 11:30 or 12:30 at night, we have seen young children, possibly as young as six, walking around unsupervised. Semis are flying down Highway 77, child molesters could take advantage of kids, and drunk, smoked out drivers are on another run. To keep these children out of harm's way, what can we do to prevent this? In our local community, we have a major problem: children are running around unsupervised.

The first reason this is a problem in our community is the dangers our children are exposed to. For example, little kids don't look both ways and can be hit by intoxicated drivers or drivers in general. Without adult supervision, addicts, pedophiles, and even stray animals can harm the young. These are just a few of the reasons parents should not leave their children unattended.

Secondly, a lot of these kids begin experimenting at a young age, starting addictive habits much too early. Young adults peer-pressure these at-risk kids, saying things like, "Take a hit, it won't hurt. Don't be a little b\*tch." An experience like this can really scare a child. The reality in Winnebago is that peer-pressure can change a kid's life. If a child continues to be unsupervised, they might even end up like the older teens who wanted them to experiment with drugs

and alcohol from the start.

Finally, the most important reason unsupervised kids are a problem is that they are committing petty crimes. For example, many have been breaking into cars, houses, businesses, storage units, etc. It seems that recently this has been getting worse. Wellness Court, Housing Security, and tribal police should be more strict as they patrol and work with the youth because they need more discipline in their lives. If you take a scroll through social media pages from young community members, you will see alcohol bottles, guns, gang signs, and party photos. If our youth continue in this direction before local organizations better their programs, our future generations will have no role models.

The unfortunate truth is that these unsupervised children do not have a stable home life with guidance from parents and guardians. The community will need to step up and take action in

steering them to the right path. One solution for the problem is to provide more for the youth to participate in. We need more community activities that actually get children involved. The Boys and Girls Club and Behavioral Health program can only serve so many children. At least every weekend, issue a program in Winnebago should serve our youth. Here are just a few suggestions for activities: basketball tournaments, paintballing, laser tag, camping, flag football leagues, rugby, softball, video gaming tournaments, and crafts. If every program contributes consistently, this will give the kids a safe place to be and activities to look forward to.

Thank you for taking the time to read our suggestions. We hope our community takes this letter into consideration and moves forward to fix these problems.

English 11 Students, Winnebago Public School

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# Parent-teacher conferences tonight (Thursday) at Emerson-Hubbard

**By Lulene Sebade**  
Emerson Correspondent  
Emerson-Hubbard schools will hold parent-teacher conferences today (Thursday, Feb. 11) from 3-8 p.m. School dismisses at 1:30 p.m., and there will be no school on Friday.

####  
Sacred Heart Catholic Church will host its annual fish fry on Friday, Feb. 12, from 5-7:30 p.m. at Sacred Heart Gym. These fish fries will continue until each Friday evening until March 18. There will also be a Split the Pot money jar at each weekly meal.

####  
The next listening meeting for the community to share input as to what is needed for the community will be Sunday, Feb. 21.

####  
The Emerson-Hubbard Booster Club steak supper is Saturday, Feb. 20, at the E-H high school lunch room. If you haven't already, get your tickets now.

####  
The annual congregational meeting for St. Paul's Lutheran Church was held Sunday. New council members are Tim Luth and Fred Sebade, as well as youth member Maclayne Stolze. They replace Dennis Victor and

Scott Stolze. Present council members include Fred Denker, Kyle Ahlers, Lulene Sebade and Gaylen Hingst.

St. Luke Lutheran Church held its annual meeting on Sunday, Jan. 31. New council members are Susan Miller, Jamie Olson and Alice Pedersen. Beth Rohde was appointed to serve the remaining two years of Jane Kellog's term since she has moved away from the area.

Outgoing council members were Dan Boeshart, Dianne Fuchser and Roger Gutzmann. Present council members include Bill Shanks, Bill Wiseman, Janie Gutzmann, Dustin Steele, Rodney Bonderson and youth member Cole Shanks.

####  
There will be a benefit for Dennis Victor on March 19 from 5-8 p.m. at St. Paul's Lutheran Church. A pork chop/rib eye steak dinner will be featured along with a silent auction. A special account for Dennis has been set up at the First Nebraska Bank in Emerson.

For additional details, or to donate, you may call Scott Stolze at 402-695-2759 or 712-251-0146 or Lulene Sebade at 402-695-2473 or 402-650-2577.

####  
Story time at the Emerson Public Library will be held Monday, Feb. 15, at 3:45 p.m.

####  
Emerson-Hubbard schools:  
Today (Thursday): Dismissal at 1:30 p.m., JH girls basketball at Coleridge at 3:30 p.m., parent-teacher conferences from 3-8 p.m.; Friday: No school, speech at Wakefield, varsity basketball at Walthill at 6 p.m.; Saturday: 9/10 girls basketball tournament at Emerson at 9 a.m.; Monday: Varsity girls basketball sub-districts, JH girls basketball at Wisner at 2:30 p.m.; Tuesday: Girls sub-districts; Feb. 18: Girls sub-districts.

####  
Heritage of Emerson: Today (Thursday): Catholic Mass at 9:30 a.m., sing-along with Suzie Q; Friday: Community coffee at 10 a.m., Valentine Coronation at noon; Saturday: The Javatones at 3 p.m.; Sunday: Worship with Vicar David Hawkins; Monday: Hymn sing with Martha Svoboda and Dick Albrecht at 2 p.m.; The Merry-makers present Michael Lyon at 4 p.m.; Tuesday: Bingo at 2:45 p.m.; Wednesday: Bible study at 10 a.m., bell choir at 4 p.m.

## Walthill Senior Center menu

**Today (Thursday):** Cheesy potato soup, chicken salad, coleslaw, tropical fruit, bread and margarine, milk.

**Friday:** Turkey, dressing, sweet potatoes, corn, cranberry salad, bread and margarine, milk.

**Monday:** Pork sausage or fish, potato salad, calico beans, emerald pears, bread and margarine, milk.

**Tuesday:** Oven fried chicken, potatoes, California blend vegetables, apricots, bread and margarine, milk.

**Wednesday:** Hamburger, potato wedge, corn, fruit cocktail, bun and margarine, milk.

**Thursday, Feb. 18:** Pork cutlets, potatoes, Harvard beets, peaches, bread and margarine, milk.

**Friday, Feb. 19:** Liver and onions, parsley potatoes, green beans, oranges in orange juice, bread and margarine, milk.

## Find your inspiration at the Nebraska Builders Home & Garden Show

**FEBRUARY 12-13-14** Friday - 1 p.m. to 9 p.m.  
Saturday - 10 a.m. to 8 p.m.  
Sunday - 10 a.m. to 5 p.m.

**Lancaster Event Center** Free Parking  
84th & Havelock • Lincoln, NE

Admission: \$8 for adults • FREE for children 12 & under  
Get \$1 off admission with a non-perishable item for the FoodBank of Lincoln

NEBRASKA LOTTERY FREE Nebraska Lottery Scratch Ticket to the first 600 people who enter the Home Show!  
Valid Friday, February 12 only with paid admission. Must be 19 years or older.

Find more information including a list of exhibitors online at [www.HBAL.org](http://www.HBAL.org)

## Public Notice: Request for Comments U.S. Environmental Protection Agency, Region 7

PROPOSED Synthetic Minor Source Permit

Thurston Manufacturing Company PERMIT R7-TMNSR-FY16-001

Public Comment Period: February 12, 2016 – March 15, 2016

This public notice is issued by the U.S. Environmental Protection Agency Region 7 (EPA). EPA is seeking comments on the draft Synthetic Minor Source permit for the Thurston Manufacturing Company (Permit Applicant) facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation. The Permit Applicant's facility contact is James Harral, Safety Director [Phone: 402-385-3041]. The facility produces agricultural equipment and side-dump trailers. If finalized, the EPA's issuance of this permit would regulate air pollutant emissions associated with a spray paint booth, plasma cutting table, shot blast machine, parts washer, welding operations, and fabrication machines with plasma torches.

The EPA has adopted regulations codified at 40 CFR sections 49.151 through 49.161, establishing a Federal Implementation Plan (FIP) under the Clean Air Act for Indian country. This FIP includes federal minor new source review (MNSR) regulations for the protection of air resources in Indian country. The EPA is charged with direct implementation of the program regulations where there is no approved Tribal implementation plan. This draft permit has been developed pursuant to 40 CFR § 49.158 which creates an air permitting mechanism for major sources that wish to voluntarily limit emissions to become synthetic minor sources. The draft permit includes emission limits that reduce the facility's potential emissions of volatile organic compounds (VOC), hazardous air pollutants (HAP), and particulate matter (PM) to less than major source thresholds. The draft permit includes monitoring, recordkeeping and reporting requirements necessary to assure compliance with the emission limits.

**HOW TO PROVIDE COMMENTS:** Any interested individual may submit written comments on EPA's draft permit for the Thurston Manufacturing Company facility. Comments must specify any reasonable ascertainable issue with supporting arguments in writing by mail or e-mail to:

Bob Webber - Tribal NSR Coordinator  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7251  
[webber.robert@epa.gov](mailto:webber.robert@epa.gov)

The EPA will consider and respond to all comments received by the end of the 30-day comment period in making the final decision regarding the issuing of the permit. Similar comments may be grouped together in the response, and the EPA will not respond to individual commenters directly.

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**Will there be a Public Hearing?** If EPA determines that there is a significant amount of public interest in the draft permit, the EPA will hold a public hearing. Any request for a public hearing must be in writing by mail or e-mail and must state the nature of the issues proposed to be raised in the hearing. The request must be received by the end of the 30-day comment period. If a public hearing is held, the public comment period will automatically be extended to the close of the public hearing.

**Availability of Permit Information:** You may review copies of the draft permit and supporting documents at the following locations:

EPA website: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permit-thurston-manufacturing>

and

EPA Region 7  
11201 Renner Boulevard  
Lenexa, KS 66219  
Hours: Mon-Fri 9:00 a.m. – 3:00 p.m.  
Contact: Bob Webber at 913-551-7251 or [webber.robert@epa.gov](mailto:webber.robert@epa.gov)

and

Winnebago Tribe of Nebraska - Environmental Office  
Building 1 Mission Rd.  
Winnebago, NE 68071  
Hours: Mon-Fri 8:00 a.m. – 4:30 p.m.  
Contact: Joseph Painter at 402-878-4060 x1001 or [joseph.painter@winnebago-tribe.com](mailto:joseph.painter@winnebago-tribe.com)

### What happens next?

The EPA will review and consider all comments received during the comment period. Following this review, the EPA may issue the permit as drafted, issue a modified permit based on comments, or deny the permit. The final permit decision and supporting materials will be made available at the locations listed above.

# Huggenberger celebrates 80th with family

The 12 children of Emerson's Jim Huggenberger, along with several of their spouses and his grandchildren, traveled to his winter home in Carlsbad, Calif., to help him celebrate his 80th birthday on Jan. 16. Family members traveled from Nebraska, Wyoming, Texas, Kansas and North Dakota.

While in California, the group took part in whale watching, deep-sea fishing, touring the USS Midway and Sea World as well as having quality time together at several family dinners. They even enjoyed a fish fry with the fish they caught while deep-sea fishing.

The family surprised Jim with a video celebrating his 80 years, and he told his kids, "This is the best birthday I've ever had."



The family of Jim Huggenberger celebrates his 80th birthday at a party in Carlsbad, California.

## Our Little Sweethearts because . . .

Show off your Little Sweethearts in The Pender Times!

Just send us or drop off the picture you would like to use and tell us why they're your sweethearts in a few short words. We'll publish your picture and reason in the Thursday, Feb. 18th edition of The Pender Times — A little extra gift for those you love on Valentine's Day!

## Sweetheart Edition Thursday, Feb. 18

That's right, let the world see who your Little Sweethearts are in The Pender Times. No age limit — Boy or Girl — Boyfriend or Girlfriend — Husband or Wife — Grandpa or Grandma. If they're your Sweethearts, just tell the world why!

Only \$20.00 for Each Picture You Wish to Include in Our Special Sweetheart Edition.

Picture & Information Deadline 5 p.m. Friday, Feb. 12th

Pictures may be of anybody you wish to spotlight — regardless of their age or when the picture was taken.

Just send us your photo and complete this sentence: They're my Little Sweetheart(s) because.....

Don't miss out on this opportunity to show the world who's a special, special person in your life!

## The Pender Times

Pender — P.O. Box 280 — Phone: 402-385-3013

Drop off or send your picture and information or e-mail pictures and information to [ptimes@huntel.net](mailto:ptimes@huntel.net)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

FEB 25 2016

VIA OVERNIGHT EXPRESS MAIL

Ms. Darla LaPointe, Chairwoman  
Winnebago Tribe of Nebraska  
P.O. Box 687  
100 Bluff Street  
Winnebago, Nebraska 68071

RE: Clean Air Act and EPA Region 7 Issuance of Synthetic Minor New Source Review Permit for  
Thurston Manufacturing Company, Thurston, Nebraska

Dear Chairwoman LaPointe:

The purpose of this letter is to complete the consultation process with regard to the proposed issuance of a Tribal Minor New Source Review Clean Air Act permit for the Thurston Manufacturing Company (Permittee).

We initiated consultation with the Winnebago Tribe of Nebraska (Tribe) by letter dated December 1, 2015, in accordance with the Agency's consultation policy. See the U. S. Environmental Protection Agency's website for an electronic copy of the *EPA Policy on Consultation and Coordination with Indian Tribes* ([www.epa.gov/tribal/consultation/consult-policy.htm](http://www.epa.gov/tribal/consultation/consult-policy.htm)).

On December 10, 2015, we spoke with Joseph Painter, Environmental Protection Department Manager, who indicated he would be the designated tribal representative. During this call, we more clearly shared our goals for the permitting process, described the pre-draft permit, sought the Tribe's input regarding consultation and scheduled an opportunity for the Tribe to review/comment on the pre-draft permit and any necessary follow-up conference calls. Mr. Painter and Air Quality Specialist Matthew Cleveland Jr. asked questions about the permitting process and provided input regarding the proposed permit. A concern was expressed about the Tribe being periodically informed about air emissions from the facility, which we address below. Also, there was a question about the air quality in general, e.g., ozone standards, within the Winnebago Indian Reservation. We intend to continue our normal communications with your Tribal Air Quality Specialist on general questions about air quality.

To address the Tribe's questions on sharing information about air emissions from the facility, we added a provision in the draft permit (see Section III (M) (1) Annual Reports) requiring the Permittee to submit an annual report that includes actual emissions from all non-exempt emission units at this facility to the Tribe's Environmental Protection Department Manager. In addition, Region 7 will continue our normal communication and work with the Tribe's Environmental Protection Department regarding questions about the permitting process.



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Thank you very much for your participation in this consultation and attention to this matter. Region 7 will continue to regularly coordinate and communicate with the Tribe, the Permittee and the local community regarding this air permit.

The public comment period for the draft permit began Friday, February 12, 2016. The Tribe, along with the public, will have until April 12, 2016, to submit comments. As noted in the enclosed public notice, copies of the draft permit and supporting documents will be made available at the Tribe's Environmental Office and online: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permit-thurston-manufacturing>.

The official EPA Region 7 contact person for this consultation and coordination process is Bob Webber, (913) 551-7251 or [webber.robert@epa.gov](mailto:webber.robert@epa.gov). Please do not hesitate to contact him should you have any questions or concerns about this letter. Thank you very much for your attention to this matter.

Sincerely,



*fw* Becky Weber  
Director  
Air and Waste Management Division

Enclosure

cc: Joseph Painter, Winnebago Tribe of Nebraska  
Patrick Bustos, USEPA, R7

# Public Notice: Request and Extension of Time for Comments

## U.S. Environmental Protection Agency, Region 7

### PROPOSED

#### Synthetic Minor Source Permit

Thurston Manufacturing Company  
PERMIT R7-TMNSR-FY16-001

Public Comment Period: February 12, 2016 – April 12, 2016

This public notice is issued by the U.S. Environmental Protection Agency Region 7 (EPA). EPA is extending the period for submitting comments on the draft Synthetic Minor Source permit for the Thurston Manufacturing Company (Permit Applicant) facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation.

#### **Extension of time to submit comments: This comment period will end on April 12, 2016.**

The Permit Applicant's facility contact is James Harral, Safety Director [Phone: 402-385-3041]. The facility produces agricultural equipment and side-dump trailers. If finalized, the EPA's issuance of this permit would regulate air pollutant emissions associated with a spray paint booth, plasma cutting table, shot blast machine, parts washer, welding operations, and fabrication machines with plasma torches.

The EPA has adopted regulations codified at 40 CFR sections 49.151 through 49.161, establishing a Federal Implementation Plan (FIP) under the Clean Air Act for Indian country. This FIP includes federal minor new source review (MNSR) regulations for the protection of air resources in Indian country. The EPA is charged with direct implementation of the program regulations where there is no approved Tribal implementation plan. This draft permit has been developed pursuant to 40 CFR § 49.158 which creates an air permitting mechanism for major sources that wish to voluntarily limit emissions to become synthetic minor sources. The draft permit includes emission limits that reduce the facility's potential emissions of volatile organic compounds (VOC), hazardous air pollutants (HAP), particulate matter (PM), PM<sub>10</sub>, and PM<sub>2.5</sub> to less than major source thresholds. The draft permit includes monitoring, recordkeeping and reporting requirements necessary to assure compliance with the emission limits.

**HOW TO PROVIDE COMMENTS:** Any interested individual may submit written comments on EPA's draft permit for the Thurston Manufacturing Company facility. Comments must specify any reasonable ascertainable issue with supporting arguments in writing by mail or e-mail to:

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Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, KS 66219  
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[webber.robert@epa.gov](mailto:webber.robert@epa.gov)

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and

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Building 1 Mission Rd.  
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Contact: Joseph Painter at 402-878-4060 x1001 or [joseph.painter@winnebagotribe.com](mailto:joseph.painter@winnebagotribe.com)

### **What happens next?**

The EPA will review and consider all comments received during the comment period. Following this review, the EPA may issue the permit as drafted, issue a modified permit based on comments, or deny the permit. The final permit action will be in accordance with 40 CFR section 49.159 and posted on the EPA website.

# THURSTON COUNTY PROCEEDINGS

**THURSTON COUNTY BOARD OF SUPERVISORS PROCEEDINGS January 25, 2016**

A regular meeting of the Board of Supervisors of Thurston County, Nebraska, was held at the regular meeting place of the Board in Thurston County, Nebraska, Courthouse in Pender, Nebraska, on the 25th day of January 2016. Present were Leonard Peters, Georgia Mayberry, Darren Wolfe, Dan Trimble, Roger Nelson, Mark English. Absent: Car-

oline Frenchman.

The meeting was called to order by Chairman of the Board Mark English at 9:03 a.m. The chairman announced that the Open Meeting Laws would be followed during this meeting and are posted on the south wall of the meeting room for anyone wishing to review them.

Motion by Trimble, seconded by Peters, to approve the minutes of the January 11, 2016 meeting as presented. Roll call vote, aye: Peters, Mayberry, Trimble, Wolfe, Nelson,

English. Nay: none. Motion carried.

Supervisor Nelson spoke with Bullet Beaudette regarding the Hay Mill tearing up the roads. He believes they should be paying something. Bullet agreed and will talk to them.

Roads foreman Beaudette reported to the board about trouble with doors on their sheds. The doors won't open and they aren't sealed very well. He is getting quotes for the Walthill and Thurston from Overhead Door. One door is approximately

\$3,800.

Supervisor Trimble gave his committee reports. Everything is going well.

Tom Perez gave his emergency manager report. They worked on the plane crash and missing person. They were out for the spiritual walk and have been setting up to have meetings regularly. Did a walk through of the Emerson school. Have been handing out flyers of the conference in Salina, Kan. The weather poster contest will be coming up soon along with a weather spotter class. The Hazmat Plan is almost completed. The Emergency Management new vehicle is back and the radios have been installed. The last thing he talked about is the R.R. training in Winnebago.

Motion by Peters, seconded by Mayberry, to approve Penny Warren as the Veterans Service Officer. Roll call vote, aye: Nelson, Trimble, Wolfe, Mayberry, Peters, English. Nay: none. Motion carried.

Motion by Peters, seconded by Trimble, to approve the chairman's signature on the state agreement with the Veterans Service Computer program. Roll call vote, aye: Peters, Mayberry, Wolfe, Trimble, Nelson, English. Nay: none. Motion carried.

Mark Heckenlied gave his noxious weed annual report and control plan. He just found out that the Department of Ag will be showing up Wednesday for inspection. Motion by Peters, seconded by Mayberry, to approve his annual report. Roll call vote, aye: Nelson, Trimble, Wolfe, Mayberry, Peters, English. Nay: none. Motion carried.

It was discussed about the county roads department pulling out busses when they are stuck. NIRMA says NO. It is too much of a liability for the county. County attorney Lori Ubbinga will write up something to release liability for all school districts within the county. Lori and Bullet will work it out together to get an agreement.

Motion by Trimble, seconded by Mayberry, to approve Frontier Bank for Business Banking and ACH Transfers. Roll call vote, aye: Peters, Mayberry, Wolfe, Trimble, Nelson, English. Nay: none. Motion carried.

County storney Lori Ubbinga reported to the board that mileage for the board members can be paid according to State Statute 23-1352 and Beth at NACO replied that it is also allowed.

Motion by Peters, seconded by Mayberry, to approve the following claims. Roll call vote, aye: Peters, Mayberry, Wolfe, Trimble, Nelson, English. Nay: none. Motion carried.

At 10:05 a.m., the board opened bids for the Historical Bridge. They received three bids. The first one was Tyson Construction with a base bid of \$254,671 and a start date of July 29, 2016. The second bid came from Norfolk Contracting with a base bid of \$218,732 and a start date of October 3, 2016. The third bid came from Christianson Brothers with a base bid of \$414,816 and a start date of August 29, 2016 or sooner. The only concern of Norfolk Contracting is start date is in the middle of harvest. Motion by Mayberry, seconded by Trimble, to award Norfolk Contracting the bid. Roll call vote, aye: Nelson, Wolfe, Trimble, Mayberry, Peters, English. Nay: none. Motion carried.

There was much discussion over the paying of construction tax to the Winnebago Tribe and the Omaha Tribe. Nobody has talked to Ron Nor and Bullet hasn't heard anything from him either. Supervisor English suggested we have a discussion with the Winnebago Tribe and see if they would waive the fee. Supervisor Peters suggested to keep it out of the language for the specs that way when billed we could approve or disapprove each as are presented. Supervisor Wolfe asked if anyone had approached the Winnebago Tribe to see if they would waive. He believed Ron Nor thought they would let it go. The architect is asking for decision on this so bid packets can be sent out and whether to put in the language or not. It was discussed not to put into bids and talk to the tribes. The bridge issue is done and the jail needs answer today. Supervisor Mayberry suggested English, Sheriff Perez, Trimble, Mayberry meet with the Omaha Tribe about the Tero tax. Leave it out of specs for the jail with the intention of meeting with the tribe. Motion by Trimble, seconded by Peters, but then Trimble withdrew his motion because the agenda states construction tax and not Tero tax. No decision or direction for the jail committee at this meeting.

Motion by Nelson, seconded by Mayberry, to adjourn to the next regular meeting with the agenda kept current in the county clerk's office to be amended as necessary. Roll call vote, aye: Nelson, Trimble, Wolfe, Mayberry, Peters, English. Nay: none. Motion carried.

The Board of Supervisors adjourned at 11:32 a.m.

Attest:

**Mark English**  
Board Chairman  
**Tammy Moore**  
Thurston County Clerk  
GENERAL:  
Payroll ..... \$61,296.20  
Ally Cars ..... \$647.34

Ameritas, Ins. ....	\$1,425.96
AS Central Services, Data Processing .....	\$275.80
Axis Capital, Cars .....	\$740.00
Big Rig Truck Accessories, Repairs .....	\$525.00
Blue Cross Blue Shield, Ins. ....	\$16,182.24
CenturyLink, Tele. ....	\$291.07
CenturyLink, Tele. ....	\$14.98
Conoco, Fuel .....	\$64.85
Cubby's, Supp. ....	\$155.86
De Lage Landen, Equip. ....	\$141.36
Douglas County Court, Fees .....	\$21.99
Electronic Engineering, Cars .....	\$35.00
Frazey's, Fuel .....	\$20.00
Georgia Mayberry, Supp. ....	\$99.00
Henry Nipper, Fees .....	\$625.00
Hiland Dairy, Supp. ....	\$86.76
Holiday Inn, Lodging .....	\$199.90
Jack's Uniforms, Equip. ....	\$99.95
Janitor Depot, Supp. ....	\$442.96
Jennifer Hansen, Mlg. ....	\$49.68
Lamp Auto, Supp. ....	\$15.99
Matthew Bender, Law Library .....	\$120.93
Matthew May, Repairs .....	\$71.90
Max Renning, Dues .....	\$325.53
MIPS, Equip. ....	\$135.00
NACO, Dues .....	\$135.00
Nebraska Health & Human Serv., Fees .....	\$93.00
Pender Ace, Supp. ....	\$135.10
Pender Community Hospital, Medical .....	\$303.00
Pioneer Telephone, Tele. ....	\$0.87
Quality Printing, Supp. ....	\$317.83
Quick Lane Tire, Oil .....	\$34.06
Smith Farm Service, Tires .....	\$70.00
Stacey Keys, Mlg. ....	\$49.68
TASC, Ins. ....	\$310.00
Terminix, Pest Control .....	\$41.00
The Apothecary Shop, Medical .....	\$710.59
Thurston County Sheriff, Postg. ....	\$75.96
US Bank, Fuel/Postg, Supp. ....	\$488.75
US Bank, Ins. ....	\$2,150.00

Verizon Wireless, Cell .....	\$111.64
Village of Pender, Util. ....	\$3,874.37
Woodbury County Sheriff, Fees .....	\$11.03

**ROADS:**

Payroll .....	\$16,985.46
Ameritas, Ins. ....	\$261.72
B's Enterprises, Culverts .....	\$1,810.00
Black Hills Energy, Gas .....	\$961.54
Blue Cross Blue Shield, Ins. ....	\$2,973.48
Bomgaars, Supp. ....	\$154.99
Burt County Public Power, Elec. ....	\$199.75
Caterpillar Financial, Motor Grader .....	\$3,295.04
Cooney Fertilizer, Gravel .....	\$12,702.57
Jake Carpenter Trucking, Labor .....	\$667.26
Mark Casey, Mlg. ....	\$132.36
Marvin Siebrandt, Gravel .....	\$16,494.77
NACO, Dues .....	\$135.00
Pender Ace, Supp. ....	\$50.97
Pony Express, Fuel .....	\$52.49
Sapp Brothers, Fuel .....	\$1,598.20
Smith Farm Service, Parts/Gravel .....	\$1,600.77
Thomsen Electric, Repairs .....	\$90.20
US Bank, Dues .....	\$761.94
Verizon Wireless, Cell. ....	\$137.25
Village of Rosalie, Util. ....	\$68.85
Ziegler, Parts .....	\$758.15

**VET'S AID:**

Thurston County Veterans Service, Supp. ....	\$2,500.00
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**E911:**

CenturyLink, Tele. ....	\$164.11
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**PENDER INTERLOCAL:**

Payroll .....	\$3,640.00
Blue Cross Blue Shield, Ins. ....	\$1,059.92
De Lage Landen, Misc. ....	\$70.67

**911:**

Burt County Public Power, Elec. ....	\$59.52
CenturyLink, Tele. ....	\$134.28
Publish Thursday, February 25, 2016. — ZNEZ	

**Public Notice: Request and Extension of Time for Comments U.S. Environmental Protection Agency, Region 7**

PROPOSED Synthetic Minor Source Permit

Thurston Manufacturing Company PERMIT R7-TMNSR-FY16-001

Public Comment Period: February 12, 2016 – April 12, 2016

This public notice is issued by the U.S. Environmental Protection Agency Region 7 (EPA). EPA is extending the period for submitting comments on the draft Synthetic Minor Source permit for the Thurston Manufacturing Company (Permit Applicant) facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation.

**Extension of time to submit comments: This comment period will end on April 12, 2016.**

The Permit Applicant's facility contact is James Harral, Safety Director [Phone: 402-385-3041]. The facility produces agricultural equipment and side-dump trailers. If finalized, the EPA's issuance of this permit would regulate air pollutant emissions associated with a spray paint booth, plasma cutting table, shot blast machine, parts washer, welding operations, and fabrication machines with plasma torches.

The EPA has adopted regulations codified at 40 CFR sections 49.151 through 49.161, establishing a Federal Implementation Plan (FIP) under the Clean Air Act for Indian country. This FIP includes federal minor new source review (MNSR) regulations for the protection of air resources in Indian country. The EPA is charged with direct implementation of the program regulations where there is no approved Tribal implementation plan. This draft permit has been developed pursuant to 40 CFR § 49.158 which creates an air permitting mechanism for major sources that wish to voluntarily limit emissions to become synthetic minor sources. The draft permit includes emission limits that reduce the facility's potential emissions of volatile organic compounds (VOC), hazardous air pollutants (HAP), particulate matter (PM), PM<sub>10</sub>, and PM<sub>2.5</sub> to less than major source thresholds. The draft permit includes monitoring, recordkeeping and reporting requirements necessary to assure compliance with the emission limits.

**HOW TO PROVIDE COMMENTS:** Any interested individual may submit written comments on EPA's draft permit for the Thurston Manufacturing Company facility. Comments must specify any reasonable ascertainable issue with supporting arguments in writing by mail or e-mail to:

Bob Webber - Tribal NSR Coordinator  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7251  
[webber.robert@epa.gov](mailto:webber.robert@epa.gov)

The EPA will consider and respond to all comments received by the end of the comment period in making the final decision regarding the issuing of the permit. Similar comments may be grouped together in the response, and the EPA will not respond to individual commenters directly.

Please note that all comments will be included in the administrative record without change, and may be made available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Thus, CBI or other protected information should be clearly identified as such, and should not be submitted through email. Emails sent directly to the EPA will capture your email address automatically and will be included as a part of the public comment. *Please note that an email or postal address must be provided with your comments if you wish to receive responses to comments submitted during the public comment period and direct notification of EPA's final decision regarding the permit.* An extension of this comment period may be granted if the request adequately demonstrates why additional time is required to prepare comments.

**Will there be a Public Hearing?** If EPA determines that there is a significant amount of public interest in the draft permit, the EPA will hold a public hearing. Any request for a public hearing must be in writing by mail or e-mail and must state the nature of the issues proposed to be raised in the hearing. The request must be received by the end of the comment period. If a public hearing is held, the public comment period will automatically be extended to the close of the public hearing.

**Availability of Permit Information:** You may review copies of the draft permit and supporting documents at the following locations:

EPA website: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permit-thurston-manufacturing>

and

EPA Region 7  
11201 Renner Boulevard  
Lenexa, KS 66219  
Hours: Mon-Fri 9:00 a.m. – 3:00 p.m.  
Contact: Bob Webber at 913-551-7251 or [webber.robert@epa.gov](mailto:webber.robert@epa.gov)

and

Winnebago Tribe of Nebraska - Environmental Office  
Building 1 Mission Rd.  
Winnebago, NE 68071  
Hours: Mon-Fri 8:00 a.m. – 4:30 p.m.  
Contact: Joseph Painter at 402-878-4060 x1001 or [joseph.painter@winnebagotribe.com](mailto:joseph.painter@winnebagotribe.com)

**What happens next?**

The EPA will review and consider all comments received during the comment period. Following this review, the EPA may issue the permit as drafted, issue a modified permit based on comments, or deny the permit. The final permit action will be in accordance with 40 CFR section 49.159 and posted on the EPA website.

**Public Notice INVITATION TO BID**

Sealed Proposals for the construction of "2016 First Street Water System Improvements for the Village of Pender, Nebraska," JEO Project No. 151293, will be received by the Village Clerk at 416 Main Street, P.O. Box 549, Pender, NE 68047, until 10:00 a.m. on the 10th day of March 2016, and thereafter will be read aloud.

The work consists of the following approximate quantities:

1	LS	Mobilization
1	LS	Bonding and Insurance
1,573	LF	6" PVC Water Main, DR 18
6	EA	6" Gate Valve and Box, MJ
1	EA	4" Gate Valve and Box, MJ
1	EA	3" Gate Valve and Box, MJ
20	LF	Dry Bore for 6" Main
5	EA	6" x 6" x 6" Tee, MJ
1	EA	6" x 3" x 6" Tee, MJ
6	EA	6" 45° Bend, MJ
2	EA	6" 11.25° Bend, MJ
2	EA	6" Plug, MJ
1	EA	3" Plug, MJ
1	EA	6" x 4" Reducer, MJ
40	LF	10" Water Main Encasement
2	EA	Remove Existing Fire Hydrant
1	LS	Install Relocated Hydrant w/ new Aux. Valve & Box
3	EA	Connect to Existing Water Main
1	EA	Remove Existing Plug
2	EA	6" x 1" Saddle
2	EA	6" x 1 1/4" Saddle
2	EA	1" Corporation Stop
2	EA	1 1/4" Corporation Stop
2	EA	1" Curb Stop and Box
2	EA	1 1/4" Curb Stop and Box
30	LF	1" PE Water Service (SDR 7)
70	EA	1 1/4" PE Water Service (SDR 7)
39	LF	Bore Water Service Line
3	EA	Connect Existing Water Service
1	EA	1 1/4" PE Water Service - CAP
257	SY	Remove Pavement
128	SY	7" Concrete Pavement
129	SY	6" Concrete Driveway
237	SF	Remove Concrete Sidewalk
237	SF	4" Concrete Sidewalk
30	TONS	Gravel Surface Course
10	TONS	Crushed Rock Surface Course
0.75	ACRE	Seeding, Fertilizer and Mulch
1	LS	Temporary Traffic Control Measures

Engineer's Estimate of Cost \$130,000

Proposals will be taken for said construction work listed above by unit prices, as an aggregate bid for the entire project.

All proposals for said construction work must be made on blanks furnished by the engineer and must be accompanied by Bid Security of not less than five percent of the amount bid. Bid Security to be made payable to the Treasurer of the Village of Pender as liquidated damages in case the bid is accepted and the bidder neglects or refuses, to enter into contract and furnish bond in accordance herewith.

Copies of the contract documents are on file with the Village of Pender for examination by bidders. Complete digital project bidding documents are available at JEO's website at [jeo.com](http://jeo.com) for \$20.00. An optional paper set of project documents is available for a non-refundable price of \$75.00 per set. Please send your check payable to JEO Consulting Group, Inc. at 803 W Norfolk Avenue, Norfolk, NE 6701. If you have any questions, contact us at 402-371-6416. In order to bid the project, the contract documents must be issued directly by JEO Consulting Group, Inc. or QuestCDN to the bidder.

The owner, reserves the right to waive informalities and irregularities and to make awards on bids which furnish the materials and construction that will, in their opinion serve the best interests of the Owner, and also reserves the right to reject any and/or all bids.

DATED THIS 18th DAY OF FEBRUARY, 2016

VILLAGE OF PENDER, NEBRASKA  
Tom Nitzschke, Board Chairperson

ATTEST:

Connie Miller, Village Clerk  
Publish Thursday, February 11, 18 and 25, 2016 and March 3, 2016. —ZNEZ



## Webber, Robert

---

**From:** Webber, Robert  
**Sent:** Friday, March 11, 2016 9:10 AM  
**To:** Sasha Rivers  
**Cc:** joseph.painter@winnebagotribe.com; Reed, Brandy; Kloeckner, Jane  
**Subject:** Consultation for NHPA and EPA Region 7 Issuance of CAA Permit for Thurston Manufacturing Company, Thurston, NE in Indian country  
**Attachments:** Public Notice Extension-Thurston Mfg Co 20160219.pdf

Ms. Rivers,

The purpose of this email is to complete the National Historic Preservation Act (NHPA) Section 106 consultation process with regard to the proposed issuance of a Tribal Minor New Source Review (TMNSR) Clean Air Act (CAA) permit for the Thurston Manufacturing Company within the exterior boundary of the Winnebago Indian Reservation.

Thurston Manufacturing Company is a facility less than fifty years old. The facility occupies approximately 20 acres of land of which approximately eight of those acres are developed. The facility manufactures agricultural equipment and side dump trailers. In 1971 the facility started production down the hill from the current location. There have been four building expansions since the facility was moved to the current location in 1979. Most recently in 2012-2013, the production building footprint was expanded by approximately 35,000 square feet to accommodate new process equipment.

The EPA is considering issuing a CAA synthetic minor source permit, which includes permit requirements based on the tribal minor NSR preconstruction provisions, for all non-exempt emissions units at the facility for which information has been received, as of the date of the permit issuance. The permit will establish emissions limits for the after-the-fact construction and operation of the following emissions units: Paint Booth, Plasma Cutting Table, Shot Blast Machine, Parts Washer, two types of Welding Operating, and two Fabrication Machines.

The EPA considered whether issuing the proposed synthetic minor NSR permit might affect historic properties. The EPA searched the National Park Service National Register of Historic Places website <http://focus.nps.gov/nrhp> and found six National Register Sites listed for Thurston County. No part of the existing facility or the Village of Thurston, NE is included in the list.

On January 21, 2016, the EPA participated in a teleconference with Tribal representatives to discuss the NHPA Section 106 consultation requirements for the proposed permitting action and consulted to determine the scope of the EPA identification efforts.

The following were noted to be in attendance:

Sasha Rivers - Winnebago Tribal Historic Preservation Officer (THPO)  
David Smith - Winnebago Tribal Historian  
Joseph Painter - Winnebago Tribal Environmental Protection Department Manager  
Matthew Cleveland - Winnebago Tribal Air Quality Specialist  
Bob Webber - EPA Region 7 Tribal NSR Coordinator  
Brandy Reed - EPA Region 7 Office of Tribal Affairs  
Stanley Holder - EPA Region 7 Office of Tribal Affairs  
Jane Kloeckner - EPA Region 7 Office of Regional Counsel

The EPA representatives discussed the expansion of the Thurston Manufacturing Company facility in 2012/2013; the permit application and pre-draft permit previously provided for tribal review; the 2011 TMNSR rule; and the NHPA consultation requirements.

Tribal Historian David Miller and THPO Sasha Rivers discussed the location of various grave sites in the western area of the Reservation and east of the town of Thurston and indicated there are no known grave sites in the area of potential effects, e.g., in and around the Thurston Manufacturing Company facility, including the expanded footprint of the production building in 2012-2013.

The EPA is seeking concurrence from you on our determination that the proposed issuance of the Synthetic Minor Source Permit for Thurston Manufacturing Company will have no adverse effect on any listed or eligible historic properties.

The public comment period for the draft permit began Friday, February 12, 2016, and has been extended to Tuesday, April 12, 2016. As noted in the attached public notice, copies of the draft permit and supporting documents will be made available at the Tribe's Environmental Office and online: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permit-thurston-manufacturing> .

By this email, the EPA is fulfilling its obligations pursuant to Section 106 of the NHPA for the proposed permitting action. If you have questions with respect to this email or disagree with this determination, please contact me.

Very Respectfully,

Bob Webber  
Air Permitting & Compliance Branch  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region VII  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7251  
[webber.robert@epa.gov](mailto:webber.robert@epa.gov)





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

MAR 09 2016

Mr. James Harral  
Safety Director  
Thurston Manufacturing Company  
1708 H Avenue  
Thurston, Nebraska 68062

RE: EPA Region 7 Issuance of Synthetic Minor Source Permit for Thurston Manufacturing Company, Thurston, Nebraska in Indian country

Dear Mr. Harral:

The Environmental Protection Agency (EPA), Region 7 is seeking comments on a draft Synthetic Minor Source permit for your facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation.

A copy of the public notice is enclosed. Copies of the draft permit and supporting information will be available at the Winnebago Tribe of Nebraska - Environmental Office and online at EPA website: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permit-thurston-manufacturing>.

If you have any questions, please feel free to contact Bob Webber of my staff at (913) 551-7251.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Smith".

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

Enclosure





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

MAR 09 2016

Mr. Vernon Miller  
Chairman  
Omaha Tribe of Nebraska  
P.O. Box 368, 100 Main Street  
Macy, Nebraska 68039

RE: Clean Air Act and EPA Region 7 Issuance of Synthetic Minor Source Permit for Thurston Manufacturing Company, Thurston, Nebraska in Indian country

Dear Chairman Miller:

The Environmental Protection Agency (EPA), Region 7 is seeking comments on a draft Synthetic Minor Source permit for the Thurston Manufacturing Company facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation.

A copy of the public notice is enclosed. Copies of the draft permit and supporting information will be available at the Winnebago Tribe of Nebraska - Environmental Office and online at EPA website: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permit-thurston-manufacturing>.

If you have any questions, please feel free to contact Bob Webber of my staff at (913) 551-7251.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Smith".

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

Enclosure

cc: Maurice R. Johnson  
Omaha Tribe of Nebraska  
Patrick Bustos  
USEPA, R7



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

**MAR 09 2016**

Mr. Gary Buttermore  
Air Permitting Section Supervisor  
Air Quality Division  
Nebraska Department of Environmental Quality  
P.O. Box 98922  
Lincoln, Nebraska 68509-8922

RE: Clean Air Act and EPA Region 7 Issuance of Synthetic Minor Source Permit for Thurston Manufacturing Company, Thurston, Nebraska in Indian country

Dear Mr. Buttermore:

The Environmental Protection Agency (EPA), Region 7 is seeking comments on a draft Synthetic Minor Source permit for the Thurston Manufacturing Company facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation.

A copy of the public notice is enclosed. Copies of the draft permit and supporting information will be available at the Winnebago Tribe of Nebraska - Environmental Office and online at EPA website: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permit-thurston-manufacturing>.

If you have any questions, please feel free to contact Bob Webber of my staff at (913) 551-7251.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Smith".

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

Enclosure





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

MAR 09 2016

Ms. Sarah Piziali, Supervisor  
Construction Permits Section  
Air Quality Bureau  
Department of Natural Resources - Environmental Services Division  
7900 Hickman Rd., Suite 1  
Windsor Heights, Iowa 50324

RE: EPA Region 7 Issuance of Synthetic Minor Source Permit for Thurston Manufacturing Company, Thurston, Nebraska in Indian country

Dear Ms. Piziali:

The Environmental Protection Agency (EPA), Region 7 is seeking comments on a draft Synthetic Minor Source permit for the Thurston Manufacturing Company facility located at 1708 H Avenue, Thurston, Nebraska 68062 within the exterior boundaries of the Winnebago Indian Reservation.

A copy of the public notice is enclosed. Copies of the draft permit and supporting information will be available at the Winnebago Tribe of Nebraska - Environmental Office and online at EPA website: <http://www.epa.gov/caa-permitting/draft-synthetic-minor-tribal-air-permit-thurston-manufacturing>.

If you have any questions, please feel free to contact Bob Webber of my staff at (913) 551-7251.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark A. Smith".

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

Enclosure



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