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NOTICE OF FINAL TITLE V AIR OPERATION PERMIT

In the Matter of an
Application for Permit Revision by:

John Corsi
VP, Manufacturing
2001 Rexford Road
Charlotte, NC 28211

FINAL Permit Project No.: 0571242-013-AV
New NGC, Inc. dba National Gypsum Company
National Gypsum Company Apollo Beach
Hillsborough County

Enclosed is FINAL Permit, No. 0571242-013-AV. The purpose is to issue the initial Title V Air Operation Permit, which incorporates the construction Permit No. 0571242-012-AC that authorized the increase in the PM emissions from the kiln, at the above referenced facility. The facility is located in Hillsborough County. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were comments received from Region 4, U.S. EPA, regarding the PROPOSED Permit.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

If you should have any questions, please contact Diana M. Lee, P.E. at 813-627-2600.

Executed in Tampa, Florida.

Environmental Protection Commission
of Hillsborough County

_____ _____
Richard D. Garrity, Ph.D. Date
Executive Director

RDG/SN/sn

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that a copy of this NOTICE OF FINAL TITLE V AIR OPERATION PERMIT was sent by U.S. Mail or electronically (with Received Receipt) before the close of business on _____ to the person(s) listed or as otherwise noted:

John Corsi
Omana Taylor, P.E. (omana@comcast.net)
Barbara Friday, BAR [barbara.friday@dep.state.fl.us] (for posting with Region 4 , U.S. EPA)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

_____ _____
(Clerk) (Date)

FINAL Determination

Initial Title V Air Operation Permit
FINAL Permit No.: 0571242-013-AV
New NGC, Inc. dba National Gypsum Company
National Gypsum Company Apollo Beach

I. Comment(s).

Comments were received from the Region 4, U.S. EPA and the PROPOSED Permit was changed. However, the comments were not significant comments. Significant comments are defined as those comments that would trigger an objection under 40 CFR Part 70. The comments were not considered significant enough to issue a Revised DRAFT Permit and require another public notice. The changes made are shown below.

Comment No. A.1. The project description for this permitting action does not include the fact that emissions units (EU) 017 and 018 were added to the permit. Please revise the SOB and any other section in the permit containing the project description to reflect this.

Response: The project description has been changed to reflect that the two existing emergency generators (emission units 017 and 018) were added under Construction Permit No. 0571242-012-AC, which authorized the increased of PM emissions from the Kiln, resulting in the facility being classified as a major source, Title V facility.

Comment No. A.2. The abbreviation "TV" was used in page 4 of the SOB without being properly defined. This may cause confusion. Please revise the SOB to clarify this.

Response: The abbreviation "TV" was changed to "Title V" in page 4 of the final SOB.

Comment No. B.1. EPA suggest keeping the description of the emissions units uniform throughout the permit. Please revise the description of the EU 011 in the Table of Contents and the description of EUs 002, 003, 004, and 008.

Response: The description of EUs 002, 003, 004, 008, and 011 were revised in order to be consistent throughout the permit.

Comment No. C.1. The requirement in FW.19 refer to the definition of Modification as described in Rule 62-210.200(205), F.A.C. However, the cited rule actually refers to the definition of Open Top Vapor Degreasing. Please revise this requirement to include reference to the correct definition.

Response: The rule citation in FW.19. was revised to Rule 62-210.200(185), F.A.C. "Modification".

Comment No. C.2. The rule citation in FW.20. could be more specific if revised to read **Rule 62-4.120 (1), F.A.C.**

Response: The rule citation in FW.20. was revised to Rule 62-4.120(1), F.A.C.

Comment No. C.3. The requirements and citation in condition FW.21 refer to DEP Form No. 62-213.900(7); however, it seems that such form is no longer referenced in Rule 62-213.900. Please revise as appropriate to include the right reference number for the Statement of Compliance form and the citation to it.

Response: Condition FW.21. was revised to reference the Statement of Compliance Form citation to DEP Form No. 62-213.900(2).

Comment No. C.4. The citation used for FW.22 semiannual report requirement (*i.e.,* 40 CFR 63.428(g)(1)) seems to be applicable to bulk gasoline terminal or pipeline breakout station. Please revise as appropriate to cite the correct underlying applicable requirement for gypsum wallboard manufacturing/gypsum related facilities.

Response: The 40 CFR 63.428(g)(1) rule reference has been removed from Condition FW.22.

Comment No. C.5. Conditions FW.18 and FW.27 seem to be duplicates. Please revise as appropriate to keep just one set of requirements.

Response: Condition FW.27. was removed from the permit.

Comment No. D.1. Requirements in specific condition B.3 limits the opacity to 20 percent; however, the requirements in cited Rule 62-296.712(2) limits visible emissions to 5 percent opacity. Please revise the requirements and underlying applicable requirement and correct as needed.

Response: The kiln is subject to Rule 62-296.712, F.A.C., which states "No owner or operator of a miscellaneous manufacturing process operation shall cause, permit, or allow emissions of particulate matter in excess of 0.03 gr/dscf or any visible emissions greater than 5 percent opacity". This rule provides two emission limit options to the facility to either comply with the PM allowable limit of 0.03 gr/dscf or the 5% visible emission standard. New NGC, Inc., requested that the kiln, in Construction Permit No. 0571242-012-AC, be limited to the 0.03 gr/dscf PM limitation rather than of the 5% opacity limit. Therefore, the kiln is subject to the 0.03 gr/dscf standard specified in Rule 62-296.712(2), F.A.C., and the general 20% opacity standard specified in Rule 62-296.320(4)(b)1., F.A.C.

Comment No. E. Per 40 CFR 70.6(a)(1)(i), *"The permit shall specify and reference the origin of and authority for each term or condition, and identify any difference in form as compared to the applicable requirement upon which the term or condition is based."* The regulations indicate that citation must be to the origin of the requirements contained in the condition. An acceptable citation must include the underlying applicable requirement of the condition (*i.e.,* a preconstruction permit, a rule or regulation and section, or both) in which it is based.

a. The purpose of the construction permit 0571242-007-AC was to allow the increase of the hourly throughput rate of the gypsum rock/FGD storage silo and to revise potential to emit

emissions for particulate matter (PM) and volatile organic compounds (VOCs) from the facility, 00571242-008-AC authorized an increase in the VOC emissions, and 0571242-009-AC allowed the construction of EU 016- a 100,000-ton outdoor gypsum storage pile area. In general, some conditions in the permit include citation to all three construction permits even when not of all them are indeed the appropriate underlying applicable requirements for that particular set of requirements/emissions unit(s). Therefore, EPA requests the permitting authority to revise the following conditions so that the citation refers the appropriate underlying applicable requirement.

i. Section III, Subsection A, Conditions A.1, A.2, and A.4 - construction permits 0571242-007-AC and -009-AC seem to be the only underlying applicable requirements for these conditions. Please consider deleting reference to the construction permit 0571242-008-AC as part of the citation.

ii. Section III, Subsection C, Conditions C.2-Consider adding citation to construction permit 0571242-012-AC as an underlying applicable requirement.

iii. Section III, Subsection C, Conditions C.4, C.10, C.11-Consider adding citation to construction permit 0571242-007-AC as an underlying applicable requirement.

iv. Section III, Subsection C, Conditions C.6 and C.14-construction permit 0571242-008-AC does not seem to contain these particular requirements. Please consider deleting reference to the mentioned construction permit as part of the citation.

b. Citation to Section III, Subsection C, Condition C.11 – Please revise citation to 40 CFR 60.675(4) and correct as needed. It seems that the numbering is incorrect.

Response:

E.a.i. Reference to the Construction Permit 0571242-008-AC has been deleted from Section III, Subsection A, Conditions A.1, A.2, and A.4.

E.a.ii. Construction permit 0571242-012-AC only affected EU #005 (Kiln), which is addressed in Subsection B of the permit and all the underlying applicable requirement from the construction permit are in this section.

E.a.iii. Citation to Construction Permit 0571242-007-AC was added to Section III, Subsection C, Conditions C.4, C.10, C.11.

E.a.iv. Reference to Construction Permit 0571242-008-AC has been deleted from Section III, Subsection C, Conditions C.6 and C.14.

E.b. Citation in Section III, Subsection C, Condition C.11was revised to 40 CFR 60.675(b)(3).

II. Conclusion.

In conclusion, the changes that have been made are insignificant in nature and do not impose additional public noticing requirements. The permitting authority hereby issues the FINAL Permit, with any changes noted above.