UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

APR 04 2003

4APT-ATMB

Rita Felton-Smith
Air Permitting Engineer
Northeast District Office
Florida Department of Environmental Protection
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
2003 APR 9 P 12:49
NORTHEAST DISTRICT
JACKSONVILLE, FL

Dear Ms. Felton-Smith

Thank you for your letter of September 24, 2002, which requested determinations regarding an alternative test method proposal and a performance test waiver request that TAMKO Roofing Products, Incorporated (TAMKO) submitted for sources located at an asphalt roofing manufacturing plant that the company operates in Clay County, Florida. Operations at this plant are subject to 40 CFR Part 60, Subpart UU (Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture). In its request, TAMKO proposed using an alternative test method to determine opacity compliance for fugitive emission sources. In addition, the company asked for a waiver of the requirement to conduct visible emission (VE) testing on sources located inside buildings. Based upon our review, TAMKO's alternative test method proposal and performance test waiver request are not acceptable. Details regarding these proposals and the basis for our conclusions are provided in the remainder of this letter.

The first issue addressed in your September 24, 2002, letter was a request to use an alternative method when conducting testing to determine compliance with applicable opacity standards for mineral handling and storage facilities. Examples of the equipment covered by this request are granule storage silos and truck unloading operations. The opacity limit promulgated for these affected facilities under 40 CFR §60.472(d) is one percent, and under provisions in 40 CFR §60.474(c)(5), compliance with this limit is determined using the U.S. Environmental Protection Agency (EPA) Method 9. According to your letter, TAMKO requested approval to use an alternative to Method 9 for determining opacity compliance for its mineral handling and storage operations. The justification that the company provided for this request is that the lack of control equipment or stacks associated with these operations make it difficult to perform Method 9 testing. One possible alternative method mentioned in your letter was EPA Method 22.

Based upon our review of the test methods in 40 CFR Part 60, Appendix A, we concluded that Method 22 would not be an acceptable alternative to Method 9 for determining opacity compliance for the mineral handling facilities at TAMKO. One basis for this conclusion

is that nothing in Method 9 restricts its use to sources equipped with control devices or stacks. Since the Method 9 can be used to determine the opacity of fugitive emission plumes, the lack of control equipment or stacks associated with the mineral handling and storage operations at TAMKO would not justify approval to use an alternative test method. Another concern regarding the use of Method 22 as an alternative to Method 9 for the mineral handling and storage operations at TAMKO is that a Method 22 observer determines the total duration of VE during the test period but does not record opacity levels when VE are present. Therefore, it would be impossible to determine the magnitude of any violations if Method 22 is used for the testing. If Method 9 is used, the opacity of any observed plumes would be recorded, making it possible to determine the magnitude of any violations of the applicable standard.

The second issue addressed in your September 24, 2002, letter was a request to waive the requirement for opacity performance testing on mineral surge tanks and limestone surge tanks that exhaust inside a building at TAMKO. In order to obtain approval for a test waiver under the provisions in 40 CFR §60.8(b)(4), a source owner/operator must demonstrate through other means that an affected facility is in compliance. Being located inside a building does not constitute grounds for a testing waiver, and this conclusion is based upon the enclosed EPA determination dated April 27, 1988. This previous determination indicates that EPA Method 9 can be performed inside buildings and identifies steps that may need to be taken in order to perform the test method properly inside a building. These steps include installing additional lighting, improving access to equipment, and temporarily installing a contrasting background inside the building. Since your letter did not provide any information that could be used to draw conclusions about the compliance status of the mineral surge tanks and limestone surge tanks at TAMKO, there is no basis approving a test waiver under provisions in 40 CFR §60.8(b)(4) at this time.

If you have any questions about the determinations provided in this letter, please contact Mr. David McNeal of the EPA Region 4 staff at (404) 562-9102.

Sincerely,

Beverly H. Banister
Director
Air, Pesticides and Toxics
Management Division

Enclosure

cc: Hui Liang, FDEP

U.S. Environmental Protection Agency

Compliance Assistance

Search Applicability Determination Index

Determination Detail

Control Number: 9700162

Category: NSPS
EPA Office: ESD
Date: 04/27/1988
Title: Method 9-Indoor Readings
Recipient: Smith, Winston
Author: Farmer, Jack
Comments:

Subparts: Part 60, OOO Nonmetallic Mineral Processing

Abstract:

Q. Can Method 9 be used to perform opacity observations inside buildings?

A. Use of Method 9 inside buildings was considered during regulatory development and there are techniques that can be used to allow for indoor use of Method 9.

Letter:

MEMORANDUM

SUBJECT: Request for Assistance - Enforcement of 40 CFR Part 60, Subpart 000

FROM: Jack R. Farmer, Director
Emission Standards Division (MD-13)

TO: Winston A. Smith, Director
Air, Pesticides and Toxics Management Division
Region III

In your memo of April 19, 1988, you requested technical assistance to evaluate a problem that Kentucky Department for Air Quality (DAQ) has raised concerning the enforcement of Subpart 000 - Standards of Performance for Non-metallic Mineral Processing Plants. The assistance you requested was for either James Eddinger or William Harnett, of the Emission Standards Division, to participate in an inspection of a specific Subpart 000 facility in Kentucky.

In considering your request, we contacted Mr. Gregory Copley of the Kentucky DAQ on April 20, 1988, to discuss their concerns. It is our understanding that their principal concern is the ability to perform Method 9 opacity readings inside a building. Mr. Copley indicated that due to the dusty condition and poor background existing inside the buildings, it is difficult to obtain accurate readings of opacity. He is also under the impression that Method 9 is not applicable for observing visible emissions inside buildings. Furthermore, the plant selected for an EPA visit is apparently not known to be experiencing enforcement problems, under Subpart 000, but was selected only as an example of the difficult conditions, with respect to Method 9, being encountered inside buildings at rock processing facilities located throughout the State. (A building at this plant encloses both NSPS and non-NSPS affected facilities. Visible emissions are apparently discharged from the building; hence, compliance of the NSPS affected facilities would be determined by making Method 9 observations inside the building.)

As we informed Mr. Copley, the ability to perform Method 9 readings inside buildings was considered during the development of the NSPS. The Method 9 data used to support the NSPS include data that were obtained inside buildings. We are well aware that problems may occur when performing Method 9 observations inside buildings but there are alternatives for resolving these problems. Additional lighting, improved access to equipment, and temporary installation of contrasting backgrounds are possible alternatives.

In view of the above, I believe that there is no need for ESD personnel to participate in this inspection. It appears that this is primarily an enforcement issue and, therefore, the Stationary Source Compliance Division would be a more appropriate contact regarding this issue. The Emission Measurement Branch (EMB) of OAQPS was responsible for conducting the test program for the NSPS development and Ed McCarley (FTS 629-5546) may be contacted regarding questions on Method 9 procedures.

If you have any questions concerning this memorandum, please contact James Eddinger at FTS 629-5426.

cc:
J. Eddinger, ISB (MD-13)
S. Farrell, SSCD (EN-341)
W. Harnett, SDB (MD-13)
E. McCarley, EMB (MD-14)
G. Walsh, EMB (MD-14)