

June 30, 1997

Brian Fitzgerald, Supervisor
Engineering Services
Air Pollution Control Division
Agency of Natural Resources
Building 3 South
103 South Main Street
Waterbury, VT 05671-0402

Dear Mr. Fitzgerald:

Enclosed with this letter is EPA's comments on the draft Subchapter X operating permit for Ryegate Power Station in East Ryegate. We appreciate that you have given us the opportunity to comment on the permit during the public comment period. It is our belief that this is the most opportune time to discuss with you any issues we may have. Overall, the permit contains most of the major requirements of an acceptable Part 70 permit in a manner that is clear as to what the source's obligations are with regard to the Clean Air Act.

If you have any questions regarding EPA's comments please call me (617) 565-3438 or Donald Dahl (617) 565-4298.

Sincerely,

/s/

Gerald C. Potamis, P.E., Manager
Air Permits Program

Enclosure
EPA Comments on Subchapter X operating permit
for Ryegate Power Station

1. Section (F)(a) of the Findings of Fact may cause some confusion since the section refers to conditions from a construction permit and the requirements contained in Vermont's State Implementation Plan as "State Requirements." These requirements are also enforceable at the federal level. EPA recommends using "State and Federal Requirements" as the heading to the tables in Section (F)(a).
2. Condition (6)(c) allows for the use of reference method 17, if determined by the Air Pollution Control Officer, to be used in lieu of method 5 for the sampling for particulate matter emissions. In order for a facility to use method 17 according to 40 C.F.R. Part 60, Subpart Db (which is an applicable requirement even though it has been subsumed) the stack temperature has to be less than 320 °F. Vermont must make the stack temperature a stipulation in the permit for using method 17 since there may be an argument about the accuracy of any test results using method 17 when the stack temperature is greater than 320 °F.
3. Condition 7(c) and (18)(b) should be modified to make it clear that either the continuous opacity monitor or a Method F-1 can be used to determine compliance with the opacity limit. EPA suggests the following change:

"At the Secretary's discretion, compliance shall, in the alternative, be determined . . ."
4. Condition (9)(c) lists the methods used to determine compliance with the emission limit for nitrogen oxides (Nox). These methods may not be appropriate since the Nox emission limit is averaged over an eight hour period, whereas the test methods listed in this condition are usually used for instantaneous emission limits.
5. Conditions 15 and 16 deal with management plans for the proper operation of the facility. Since startup, shutdown, and upset conditions will occur and should be addressed by the management plan required in condition no. 16, is condition no. 15 necessary?
6. Condition 17 discusses the requirements that the installation of the CEMs must meet. EPA recommends changing this language slightly to state that if Ryegate moves the CEMs from their current location, that the new location must meet the manufacturer's specifications and 40 C.F.R. Part 60, Appendix B requirements. Presumably, since this facility has been in operation for a few years, that the current location of CEM equipment meets both the manufacturer specifications and Appendix B requirements.
7. Conditions 17(e) and 19(f) require Ryegate to maintain records for at least two years. Vermont must change the retention time frame to at least five years in order to meet 40 C.F.R. Part 70 requirements.
8. Condition 18(a) requires the source to submit a pre and post test report for each particulate matter emission test. Even though the combination of these two reports will contain the following information, Vermont must specifically require in the permit the following: See 40 C.F.R. §70.6(a)(3)(ii)(A)
 - a. The date and time sampling was done.
 - b. The date(s) analyses were done.
 - c. The company or entity that performed the test and/or the analysis.
 - d. The analytical techniques or methods used.
 - e. The operating conditions that existed during the testing.

9. Condition (18)(a) requires stack testing for determining compliance with the particulate matter emissions on a biennial basis. Forty C.F.R. Part 70 requires a source to certify compliance with the permit on an annual basis. Therefore, a compliance determination should be made at least on an annual basis.
10. Condition (22) limits prompt reporting to just emission violations. Forty C.F.R. §70.6(a)(iii)(B) requires prompt reporting of deviations from all permit conditions. In addition, the report must include, at a minimum, the cause for the deviation and corrective action or preventive maintenance taken to correct the deviation. Vermont must change this provision to include all of the requirements of 40 C.F.R. §70.6(a)(iii)(B).
11. Condition (25) must contain a clause that states the filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. See 40 C.F.R. §70.6(a)(6)(iii).
12. The permit must contain a provision that the permittee furnish any information that Vermont may need to determine if cause exists for reopening the permit. See 40 C.F.R. §70.6(a)(6)(v).
13. The reference to condition (25) in condition (30) should be changed to (24).
14. Permitting Authorities currently have great flexibility in determining what constitutes periodic monitoring for particulate matter emissions. In some situation, it may be adequate to use an opacity monitor that is properly installed and certified as an indication of compliance with a particulate matter emission rate. However, given Ryegate's low emission rate for particulates, it is not adequate for the opacity monitor alone to meet the requirement for periodic monitoring. For example, if Ryegate was required to maintain a log of the electrostatic precipitator's (ESP) voltage and current for each field, proper maintenance of emission control and boiler equipment, and the use of an opacity monitor, then the requirement for periodic monitoring would be met. Given the permit conditions already contained in Ryegate's draft permit, the only condition missing would be a requirement to keep a log of the ESP's operation.