STATE OF MINNESOTA
Minnesota Pollution Control Agency

In the Matter of:
USG INTERIORS, LLC

[*DRAFT*] ADMINISTRATIVE ORDER BY CONSENT

This Administrative Order by Consent (Order) is issued by the Minnesota Pollution Control Agency (MPCA) to USG Interiors, LLC (Regulated Party) pursuant to Minn. Stat. § 116.07. The Regulated Party has reviewed the terms of this Order and, by its signature below, agrees to comply with it.

FINDINGS OF FACTS

1. The Regulated Party produces mineral wool at its plant located at 27384 Highway 61 Boulevard, Red Wing, Minnesota (Facility). The mineral wool is then sent to other facilities to be made into products such as ceiling tiles.
2. The main emission sources involved in the mineral wool production process at the Facility are two cupolas, where stone and slag are heated and melted with coke, blow chambers where the melt is spun and blown into wool fibers, and the facility boiler, which is used for heating the facility when the cupolas are not operating.
3. The MPCA issued Air Emissions Permit No. 04900007-003 (Permit No. 04900007-003) to the Regulated Party on July 11, 2007. The Facility is considered a major source in the New Source Review and Part 70 Permit programs. This permit required that the Regulated Party apply for permit reissuance no later than January 13, 2012. The Regulated Party submitted a timely permit reissuance application on December 22, 2011.
4. Permit No. 04900007-003 requires the Regulated Party to comply with National Primary and Secondary Ambient Air Quality Standards (NAAQS), 40 CRF pt. 50 and Minn. R. 7009.0090, and the Minnesota Ambient Air Quality Standards (MAAQS), Minn. R. 7009.0010 to 7009.0080, and provides that the MPCA may request a compliance demonstration by the Regulated Party for the NAAQS and MAAQS.
5. On May 1, 2017, the Regulated Party provided the United States Environmental Protection Agency (USEPA) with an air dispersion modeling report that identified an exceedance with the 2010 1-hour national ambient air quality standards (NAAQS) for sulfur dioxide (SO_2). The Regulated Party conducted this modeling exercise that predicted the ambient of the actual emissions at its Facility for a reason unrelated to USEPA's SO_2 designation process.
6. The modeled exceedance occurred on property identified by the Goodhue County's Assessors Office as parcel number (PIN) ############## (Site).

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED:

1. The Regulated Party shall submit documentation to the MPCA by September 1, 2017, that demonstrates the public is restricted from accessing the property area corresponding to the location of the modeled 2010 1-hour SO_2 NAAQS exceedance in the May 1, 2017 report. The Regulated Party shall secure the boundary at the location of the modeled exceedance to effectively remove the area from "ambient air" consistent with the Federal definition (40 CFR 50.1(e)) as applied through Minn. R. 7009.0090.
2. By September 1, 2017, the Regulated Party shall submit a proposed schedule to the MPCA to demonstrate compliance with the 2010 1-hour NAAQS for SO_2 (Minn. R. 7009.0090) and the 1-

hour MAAQS for SO_2 (Minn. R. 7009.0080). The schedule shall be established to demonstrate compliance as expeditiously as practicable, and shall include proposed dates for:

a. Regulated Party submittal of computer dispersion modeling protocol, in accordance with the current version of the MPCA Air Dispersion Modeling Practices Manual.
b. Regulated Party submittal of final modeling results that demonstrate compliance with the 2010 1-hour NAAQS for SO_2 pursuant to the MPCA approved final modeling protocol.

3. The Regulated Party agrees to enter into an Amendment to the Administrative Order to implement the physical and/or operational changes identified in final modeling results and the associated monitoring, record keeping, and reporting requirements, and an implementation plan and schedule for completion of those changes.

RESERVATION OF AUTHORITY

Nothing in this Order shall prevent the MPCA from taking action to enforce the requirements of this Order, or from requiring other action by the Regulated Party if necessary to ensure compliance with MPCA rules and statutes. In addition, the issuance of this Order is not an exclusive action or remedy by the MPCA, and it does not limit in any way the MPCA's authority to bring an enforcement action against or to seek and collect penalties from the Regulated Party. This Order is issued to require immediate action to correct modeled exceedance of the 2010 1-hour NAAQS for SO_2, and it does not limit or preclude any other action, including the issuance of further orders, pursuit of injunctive or other relief, or commencement of enforcement actions and collection of penalties.

This Order is effective upon the date that it is signed by the MPCA Commissioner or designee.

IT IS SO ORDERED.

USG INTERIORS, LLC	**STATE OF MINNESOTA POLLUTION CONTROL AGENCY**
By: _____	By: _____
Name: Michael B. Meagher	Jeff Smith Division Director St. Paul Office Industrial Division
Title: Vice President, Manufacturing – Ceilings & CGC	
Date: _____	Date: _____