Message

From: Maurin, Lawrence [Maurin.Lawrence@epa.gov]
Sent: 4/16/2015 3:28:53 PM
To: john.johnston@jwpenergy.com
CC: Wolfram, Michael [Wolfram.Michael@epa.gov]; Rios, Gerardo [Rios.Gerardo@epa.gov]; BECKHAM, LISA [BECKHAM.LISA@EPA.GOV]; Chen, Eugene [Chen.Eugene@epa.gov]
Subject: Action Items for ICRC American Samoa project permitting
Attachments: USEPA Comments Green Gas Application_ 28JUN12.PDF; 6.1 FCPP Environmental Justice Analysis.pdf; Permitting Scenarios.docx

John,

Thank you again for the opportunity to meet with the ICRC team on the proposed waste conversion project in American Samoa. We spent the last week coming up with some action items that you can take to help initiate the applicability determination and permitting process.

Items we need from you:
-Potential to Emit (PTE) estimates for the emission points (engines, stack, emergency flare)
PTE should include all criteria pollutants and applicable hazardous air pollutants (especially chlorinated compounds, metals, formaldehyde, dioxin, furan)

-Title V/ NSR Applicability for the project (see scenarios attached)

-A copy of the complete process flow diagram and process description

-Synthetic gas and startup fuel specifications

-Bio-char – more information including chemical composition

-Bio-oil (pyrolysis by-product) – more information including chemical composition

We have attached an example of a letter we issued to Green Gas, LLC citing pre-construction requirements under 40 CFR Part 60 Subpart AAAA. If CAA Section 129 applies to this project, this subpart applies to this project, and you are required to submit a materials separation plan (MSP) and siting analysis (SA) to us. We would recommend that you assume that CAA Section 129 and 40 CFR Part 60 Subpart AAAA apply to this project. The alternative is to request for a formal applicability determination from the Office of Enforcement and Compliance Assurance (OECA). This process can take several months and cause significant delays in the permitting process. We hope this letter will help you understand the requirements should CAA Section 129 and 40 CFR Part 60 Subpart AAAA apply.

There is also a possibility that 40 CFR Part 60 Subpart JJJJ may apply for the engines. Please read the requirements to determine if the engines apply. Depending on the composition of the synthetic gas and its similarity to landfill/digester gas, the limits in table 1 of this subpart may also apply to the engines. We can assist you in determining the applicability of this subpart and the limits.

Lastly, although not required, EPA strongly recommends that ICRC develop an environmental justice analysis and incorporate environmental justice concerns in permitting the proposed project. Executive Order 12898, "Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations," states in relevant part that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." An example analysis is included, which contains examples of ways to incorporate environmental justice into this project. If you choose to incorporate environmental

justice concerns, EPA can assist ICRC in developing strategies to include in this process. We have attached an example of an environmental justice analysis conducted for Four Corners Power Plant on the Navajo Nation in New Mexico.

Keep in mind that any proprietary information that you send to us will be kept as "Confidential Business Information" and will not be released to the public.

Don't hesitate to contact us with any questions or concerns. Lisa is out this week, but Eugene and I should be able to help you out. We look forward to seeing the information you can provide to us.

Larry

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