Message

From: Rios, Gerardo [Rios.Gerardo@epa.gov]
Sent: 4/29/2019 5:43:24 PM
To: Mary Giraudo [MGiraudo@mbard.org]
CC: Armando Jimenez [AJimenez@mbard.org]; Kelly, Shaheerah [Kelly.Shaheerah@epa.gov]
Subject: RE: NSPS Subpart EEEE

Hi Mary,

Thanks for your patience on this. Shaheerah Kelly of my staff will be calling you back. She is more familiar with the standards that might apply to this facility than I am. It is likely that they may need something from our compliance folks to help respond to your question.

Gerardo

From: Mary Giraudo <MGiraudo@mbard.org>
Sent: Thursday, April 25, 2019 8:16 AM
To: Rios, Gerardo <Rios.Gerardo@epa.gov>
Cc: Armando Jimenez <AJimenez@mbard.org>
Subject: NSPS Subpart EEEE

Hello Gerardo,

I was hoping to get some direction regarding a municipal solid waste pyrolysis unit under construction, located at the Department of the Army's Fort Hunter Liggett military training base. The operation was issued ATCs in 2015, and was determined to be exempt from Subpart AAAA. However, the project was just recently discovered to be subject to Subpart EEEE – *Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or Which Modification or Reconstruction is Commenced on or After June 16, 2006.*

In an effort to revise the ATCs, I was hoping to get clarification on the definition of "*initial startup*" and "*institutional facility*".

For this demonstration project the ATCs were not issued to the U.S. Army but to the contractor, Sierra Energy. Although the permits are issued to Sierra Energy, would the project still qualify as an institutional facility? Where institutional facility is defined as a land-based facility owned and/or operated by an organization having a **governmental**, educational, civic or religious **purpose** such as a school, hospital, **military installation**, church, or other similar establishment or facility.

Currently, the facility just misses the *rural institutional waste incinerator* exemption to Subpart EEEE by just a few miles, per Section 60.2887 (h)(i). According to OMB Bulletin #05-02, Arroyo Grande, Paso Robles and San Luis Obispo were combined and identified as a Metropolitan Statistical Area. But I would like to advise the facility if there is even an option for them to relocate the unit further away (50 Miles) from the Paso Robles boundary to be able to qualify for the exemption.

If the facility cannot qualify for the institutional exemption, it will defined as a "very small municipal combustion unit" and subject to initial performance testing of Section 60.2928. Section 60.2928 requires that an initial performance test be conducted within 60 days after the OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial start-up.

Starting in November 2018, the facility has conducted several small campaigns to cure the refractory. The curing process utilized wood waste only, and no MSW has been introduced into the system yet. Clearly, the facility has not only not

approached their charge rate but they also have not operated on the intended final fuel of MSW generated from the military base. However, I would like clarification of the statement "but no later than 180 days after **initial start-up**". Could the District interpret initial start-up to mean 180 days after its initial start-up in production phase with the combustion of MSW?

If you disagree with this interpretation, can the facility submit a request an extension under *force majeure?*

In addition, the produced gases will be treated through a series of scrubbers prior to be being discharged to either a flare, prime engine generator, or a Fisher Tropsch processing line. The ATCs issued for both the flare and the engine have source testing requirements. With that being said will the facility need carbon monoxide and oxygen CEMS at each exhaust point (flare and engine), or could the facility install one CEMS at the outlet of the pyrolysis's gas cleaning system?

Lastly, I noticed on Subpart A, delegation status, our District did not have a check mark by its name for delegation of Subpart EEEE. Can you confirm we have delegation to enforce this regulation.

Look forward to discussing this project with you.

Sincerely,

Mary Giraudo, Engineering Supervisor

24580 Silver Cloud Court
Monterey, CA 93940
Office: 831-647-9411; Direct: 831-718-8018
www.mbard.org