TCEQ, Air Permits Division
Agricultural Air Standard Permits Advisory Group

November 14, 2007

6:00 P.M. – 8:00 P.M.
Lubbock, TX
Patterson Branch Library

Minutes

I. Opening Remarks.....Jim Fernandez, Mike Wilhoit

Mr. Fernandez of the TCEQ Office of Public Assistance opened the meeting and asked that all participants speak into the microphone so that their comments would be captured on the audio recording. Mr. Wilhoit introduced TCEQ Air Permits Division (APD) staff who would be participating in the meeting: Anna Rodriguez, Technical Specialist, Technical Program Support Section (TPSS); Tara Capobianco, Team Leader, Rules Development Team, TPSS; and Mike Wilson, Section Manager, Air Permits Mechanical, Agricultural, and Construction Section. After staff introductions, Mr. Wilhoit gave a brief overview of the types of authorization used in TCEQ air permitting, and explained that standard air permits are just one possible method of authorizing a facility. Mr. Wilhoit then provided a brief overview of the standard permit development process. Mr. Wilhoit indicated that these standard permits are expected to be formally proposed in March of 2008, and are not expected to be effective before late summer of 2008.

II. Discussion Topics..... Mike Wilhoit, Anna Rodriguez, Mike Wilson

A. Technical Requirements ..... *Open Discussion*

A stakeholder asked if the requirement for enclosed conveyors in the peanut handling standard permit applied to both fixed and portable conveyors, or only to fixed conveyors. Ms. Rodriguez responded that the requirement applies to any conveyor, fixed or portable. Ms. Rodriguez invited additional comments on this requirement if there were technical issues that make this requirement unfeasible.

A stakeholder commented on the requirement in the peanut handling standard permit that loadout devices (augers, drop spouts, etc.) be equipped with drop socks. The stakeholder asked if a sock would be necessary if the drop was only six inches, and if there were any specific length requirements for the drop sock. Mr. Wilson replied that the intent of this provision is to minimize the product free fall distance. Mr. Wilson stated that the standard permit cannot make a case-by-case determination on whether or not a drop sock is required. Mr. Wilson stated there are no specific minimum or maximum length requirements for the drop sock.

A stakeholder asked if an existing, permitted peanut operation meets the conditions of the peanut handling standard permit, would he be able to use the standard permit instead of renewing the existing permit. Ms. Rodriguez replied that, yes, the facility could be covered under the standard permit, and the old permit could be voided or allowed to expire.

A stakeholder asked if PM_{10} (particulate matter with an aerodynamic diameter of 10 microns or less) is still considered 50 percent of total suspended particulate (TSP), for purposes of calculating emission rates for the peanut handling standard permit. Ms. Rodriguez replied yes, and that the APD will provide guidance documents to demonstrate the detailed calculation methodology to be used with the standard permits. The stakeholder asked if field tests or site-specific information could be used to calculate emissions. Ms. Rodriguez responded that using site-specific data could be problematic because the peanut handling standard

permit does not require registration and is not a case-by-case review. This makes it more difficult to allow data or methods that are different from the normal APD-approved calculation method. Ms. Rodriguez indicated that the APD would have to evaluate this issue. The stakeholder asked if emission calculations or emission rates from an existing case-by-case permit could be used to show compliance with the new standard permit. Mr. Wilson responded that existing data or calculations from prior permits could be used, as long as the methodology is still current. Mr. Wilson noted that the approved calculation methods can change over time.

A stakeholder suggested a change to the applicability section of the feedmill standard permit, to ensure that it would cover delivery of feed to livestock located adjacent to the feedmill. The stakeholder also commented on subsection (4)(D) of the feedmill standard permit, which requires that operation of conveyors associated with receiving shall not commence until the receiving pits are full. The stakeholder suggested that the APD add the phrase "if at all possible" to add flexibility to this provision, because at some small feedmill operations with limited staff, waiting for the pit to fill may delay the unloading of trucks.

A stakeholder suggested that the required recordkeeping time in the feedmill standard permit could be reduced from the specified 24 months, to one year, or some shorter time period so it would be easier to manage the files.

A stakeholder commented on subsection (4)(K) of the feedmill standard permit, which requires the use of drop socks for loadout devices. The stakeholder stated that many facilities use clamshell loadouts, and said that drop socks cannot be used on a clamshell loadout. The stakeholder asked that the APD clarify what would be required for clamshell loadout devices.

A stakeholder commented on subsection (5)(A) of the feedmill standard permit, which requires feedmills that use rendering byproducts to use a scrubber system to control odors from the pellet cooler system. The stakeholder said that his operations do not use many rendering byproducts, with the exception of liquid fat. The stakeholder said that liquid fat is routed from a tanker to a tank, then added to the mixer, in an enclosed process. Therefore, there is not the same potential for odor as would be present in a system handling pellets. The stakeholder also commented on subsection (5)(G), which requires registration for feedmills that process rendering byproducts. The stakeholder suggested that this provision be modified so that feedmills that handle rendering byproducts in a totally enclosed system would not be required to register. Alternatively, the stakeholder suggested that the provision could be reworded so that it would only apply to pelleting operations.

A stakeholder commenting on the feedmill standard permit suggested that the notification requirement for the use of a portable auger was not necessary.

A stakeholder suggested that the tub grinder provisions of the cotton gin standard permit be broken out and made into a separate standard permit, so that tub grinders could be used for grinding hay at facilities other than cotton gins. Ms. Rodriguez responded that the APD will not likely create a separate standard permit for hay grinders, but may consider adding tub grinder provisions to the feedmill standard permit so that hay grinders could be covered.

A stakeholder asked about the implications of these standard permits for grandfathered facilities. Ms. Rodriguez explained that there is no longer a grandfathered status in Texas, and a formerly-grandfathered facility needs air authorization. Ms. Rodriguez stated that a formerly-grandfathered plant could use a standard permit if they meet the conditions. The stakeholder asked if it would be better for a formerly-grandfathered plant to act immediately to get authorization under a permit by rule (PBR) or a case-by-case permit, or wait for the relevant agricultural standard permit to be issued. Ms. Rodriguez explained that a formerly-grandfathered plant that is currently not authorized is not in compliance, and since the agricultural standard permits are not yet in effect, they cannot be used for authorization at this time. Ms. Rodriguez further explained that

grandfathered small businesses can operate until March 1, 2008, but that the agricultural standard permits will not yet be in effect at that time, so any such business without another kind of authorization would be out of compliance after that date. Mr. Wilhoit stated that some formerly-grandfathered facilities may qualify to use a PBR, depending on the specifics of the operation.

A stakeholder commented on the fuel requirements of subsection (4)(F) in the feedmill and grain elevator standard permits, which says that fuel for dryers, burners, and boilers shall be pipeline quality sweet natural gas. The stakeholder asked if other fuels, such as propane, could be used if natural gas is not available. Ms. Rodriguez responded that, because there is no case-by-case evaluation for a standard permit, the standard permit needs to be as explicit as possible to define the allowed fuel types. Ms. Rodriguez further explained that the APD will consider allowing other fuels such as propane or butane in those standard permits that authorize fuel-fired equipment, but this will require additional protectiveness review to see if these fuel types are acceptable. A stakeholder commented that butane is generally not used as a fuel in this industry, and can be omitted from the standard permits.

A stakeholder commented on subsection (4)(C) of the dry bulk fertilizer handling standard permit, which requires choke feeding at receiving areas. The stakeholder described a receiving process that unloads all fertilizer through one leg that may have difficulty meeting the choke feeding requirement due to different densities of fertilizer and other operational limitations. The stakeholder asked how that kind of process could meet subsection (4)(C).

A stakeholder commented on the requirement to water, pave, or treat roads and traffic areas for dust control. The stakeholder stated that the Panhandle has a dry climate, it is often not feasible to pave some areas, and watering constantly is not practical. Ms. Rodriguez explained that this is a requirement to be done as necessary, because it may not always be necessary to pave or water certain areas. Ms. Rodriguez indicated that the APD does not expect facilities to water continuously, but facilities need to prevent off-property nuisance conditions. Mr. Wilson stated that the provision is somewhat vague, but the key is that the owner or operator does enough to prevent nuisance conditions. Mr. Wilson stated that this dust control language is used in most New Source Review permits for agricultural facilities. Mr. Wilson indicated that the APD would consider other language if there are suggestions.

A stakeholder asked if the dust control requirements take into account differences between industrial versus residential areas. Mr. Wilson replied that air permitting does not generally take into account zoning issues when establishing control requirements, and that the standard permits are designed to be protective even in all locations.

B. Administrative Requirements ..... ***Open Discussion***

Mr. Wilhoit explained that the APD developed these standard permits to only require notification or registration where necessary.

C. Other comments or questions..... ***Open Discussion***

There were no other comments or questions.

III. Closing Remarks/Action Items..... **Mike Wilhoit, Mike Wilson**

Mr. Wilhoit asked that any follow-up stakeholder comments be submitted by December 14. Mr. Wilhoit asked that everyone attending the meeting sign in. Mr. Wilhoit thanked the participants for attending, and explained that the goal of stakeholder meetings is to produce permits that work better for all parties. Mr. Wilson thanked the

participants and commented that a number of the stakeholder comments will allow us to look at certain aspects of these permits, make changes, and produce a product that serves everyone better.

IV. Next Meeting Date

No additional meetings are scheduled at this time.

ATTENDEES

Advisory Group/Committee Meeting Si

TCEQ, Air Permits Division
Advisory/Stakeholder Group Name: **Agricultural Air Standard Permits Stakeholde**
Meeting Date: November 14, 2007
Meeting Time: 6:00 pm
Meeting Location: Patterson Branch Library, Patterson Community Room, Lubboc

Note: By providing this E-mail address, I hereby authorize the TCEQ to make

Attendee's Name	Company/Organization
Kelley Green	TCGA
Michael Buser	USDA-ARS
MICHAEL WILSON	TCEQ
Charlie McQuhae	Frontier Fertilizer
JACKIE W. DANE	TRIangle Companies
Brian Foote	Triangle
Ben Weinheimer	Texas Cattle Feeders Assn.
GARY W. SULLIVAN	SULLIVAN SALES & SERVICE
Jack Shanklin	Birdsong Peanuts
Mike Simpson	Premier Ag LLC
Jeff Brint	TCEQ
Scott Pierry	Poole Chemical
Bill Rogers	Clint Williams Co. Peanuts
Mike Wilhoit	TCEQ/APD
Bruce Angell	Hyman Farm Service