

Notice Concerning Proposed Kansas Air Quality
Construction Permit and Public Hearing

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality construction permit. Abengoa Bioenergy Biomass of Kansas, LLC (ABBK) located at 16150 Main Circle Drive, Suite 200, Chesterfield, Missouri 63017, has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to append the permit previously issued by the KDHE on May 27, 2014 for a biomass to ethanol and a biomass-to-energy production facility located in Section 18, Township 33 South, Range 37 West, Stevens County, Kansas, near Hugoton, Kansas. The proposed permit will append the May 27, 2014 permit to install a 96.6 MMBtu/hr natural gas-fired temporary rental boiler to support operations of the existing 500 MMBtu/hr biomass-fired stoker boiler until a permanent 99 MMBtu/hr natural gas-fired standby boiler, which is proposed to be installed through a separate modification of the May 27, 2014 permit, can be built.

Emissions of Oxides of Nitrogen (NO_x), Sulfur Dioxide (SO₂), Carbon Monoxide (CO), Carbon Dioxide equivalents (CO_{2e}), Volatile Organic Compounds (VOCs), Particulate Matter (PM), PM less than or equal to 10 microns (PM₁₀), PM less than or equal to 2.5 microns (PM_{2.5}), and Hazardous Air Pollutants (HAPs) were evaluated during the permit review process.

The proposed permit is to be issued in accordance with the provisions of K.A.R. 28-19-350, *Prevention of Significant Deterioration* (PSD), which adopts the federal standards, procedures and requirements of 40 CFR 52.21 by reference. These air quality regulations apply to major stationary emission sources located in areas designated as “attainment” under the federal Clean Air Act (CAA). Attainment areas are areas where the air quality meets or is better than the National Ambient Air Quality Standards (NAAQS).

The PSD regulations require evaluation of emission reduction techniques to identify the best available control technology (BACT) for each regulated pollutant, including GHGs, for which the emission rate exceeds the PSD significant level. The purpose of BACT is to affect the maximum degree of reduction achievable, taking into account energy, environmental and economic impacts for each regulated pollutant under review. Evaluation of the estimated emissions for the ABBK project indicates that the emission rates of NO_x, CO, SO₂, VOCs, PM, PM₁₀, PM_{2.5}, and CO_{2e} all exceed the significance levels. The facility conducted the required BACT analyses. This permit required a BACT review for the temporary rental natural gas-fired boiler. The KDHE has reviewed the BACT analyses submitted by ABBK for the project and concurs with its findings. The BACT analysis and findings are summarized in Section IX of the Permit Summary Sheet.

An ambient impact analysis was not required. 40 CFR 52.21 (i)(3) states that the requirements for dispersion modeling shall not apply to PSD permits if emissions would impact no Class I area and no area where an applicable increment is known to be violated, and would be temporary. The proposed rental boiler meets these criteria; therefore, dispersion modeling was not required. No increase in increment consumption will result from the temporary rental boiler operations.

The Federal Land Manager of any adversely impacted Federal Class I area has the opportunity to provide the Secretary with a demonstration that the emissions from the proposed source will have an adverse impact on air quality-related values in the Federal Class I area.

A public comment period has been established to allow citizens the opportunity to express any concerns they may have about this proposed permitting action. The public comment period is to begin on Thursday, August 27, 2015, and will end on Monday, September 28, 2015 at noon. All comments should be submitted in writing to Lynelle Ladd, Bureau of Air, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366.

Any member of the public may request to hold a public hearing to provide comments on the proposed issuance of the draft air quality construction permit. A written request to hold a public hearing should be sent to the attention of Lynelle Ladd at the address listed above or by FAX to (785) 291-3953 and must be received by noon on Monday, September 28, 2015.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process for the PSD permit are available for public review for a period of 30 days from the date of publication during normal business hours (8:00 AM to 5:00 PM) at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the KDHE Southwest District Office, 302 West McArtor Road, KS 67801-6014. To obtain or review the proposed permit and supporting documentation, contact Lynelle Ladd, (785) 296-1719, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

These same materials are available, free of charge, at the KDHE Bureau of Air website, <http://www.kdheks.gov/bar/index.html>

Susan Mosier, MD, Secretary
Kansas Department of Health and Environment