

Responsiveness Summary
Department of Homeland Security- National Bio and Agro-Defense Facility
Kansas Department of Health and Environment
Bureau of Air
July 2, 2012

Background

The U.S. Department of Homeland Security (U.S. DHS) has applied to the Kansas Department of Health and Environment (KDHE) for an air quality construction permit for the proposed National Bio and Agro-Defense Facility to be located at 1980 Denison Avenue in Manhattan, Kansas, in accordance with K.A.R. 28-19-300. The U.S. DHS proposes to construct a bio-safety level-3 (BSL-3) and BSL-4 research facility equipped with two (2) controlled-air, double chamber medical waste incinerators and a Central Utility Plant, containing seven (7) boilers, each with maximum design heat-input rating of 33.475 Million British Thermal Units/Hour (MMBtu/hr), seven (7) diesel fired emergency generator engines and five (5) underground diesel fuel storage tanks, 40,000 gallons each.

Emissions of oxides of nitrogen, carbon monoxide, carbon dioxide equivalent, particulate matter, particulate matter equal to or less than 10 micrometers in diameter, volatile organic compounds, sulfur dioxide, hazardous air pollutants, and incinerator emissions, including dioxin/furans, hydrogen chloride, lead, cadmium, and mercury were evaluated during the permit process.

A copy of the public notice, draft permit and draft Air Quality Impact Analysis are available online at <http://www.kdheks.gov/bar/nbaf/nbaf.html>.

A public comment period and time to request a public hearing ran from May 24, 2012 to 12:00 p.m. CST on June 26, 2012. Ten separate public comments were received, some of which made, or were singularly, a request for public hearing. A public hearing was tentatively scheduled for June 28, 2012 at 5:00 p.m.; however, a hearing was not held as the public comments did not provide sufficient reason to do so.

Response to Comments

The public comments have been received and were considered according to relevant permitting laws and regulations. The draft permit was not changed as a result of the comments received.

The comments received can be summed up as statements of general disagreement with the selection of Manhattan, Kansas as the location for the National Bio and Agro-Defense Facility. Some comments included a request for a public hearing, but the requests sought to gain more information for the commenter, not to make comment on the air quality emissions. Some comments or requests did mention air quality generally, but were not specific to the emissions

that are the subject of the air quality construction permit. Where the requester made reference to air quality, this comment was considered in the evaluation of the permit.

KDHE must follow all state and federal requirements when reviewing an air quality permit application and making a determination whether to issue a permit. When a source submits an air permit application proposing the type of facility that is to be built, it is KDHE's responsibility to determine if the facility has met the applicable state and federal air quality rules and regulations. If the application meets all requirements, KDHE must issue the permit, as required under Kansas law. Because none of the comments specifically addressed concerns with the draft permit terms, KDHE had no basis for making changes to the draft permit or for holding a public hearing.

The KDHE Bureau of Air (BOA) recommends the issuance an air quality construction permit to the U.S. DHS National Bio and Agro-Defense Facility for construction of a bio-safety level-3 (BSL-3) and BSL-4 research facility equipped with two (2) controlled-air, double chamber medical waste incinerators and a Central Utility Plant, containing seven (7) boilers, each with maximum design heat-input rating of 33.475 Million British Thermal Units/Hour (MMBtu/hr), seven (7) diesel fired emergency generator engines and five (5) underground diesel fuel storage tanks, 40,000 gallons each.

The air quality construction permit issued for the project identifies the applicable rules governing emissions from the plant and establishes enforceable limitations on its emissions. The permit also establishes appropriate compliance procedures, including requirements for emissions testing, continuous emission monitoring, recordkeeping, and reporting. The U.S. DHS National Bio and Agro-Defense Facility will be required to carry out these procedures on an ongoing basis to demonstrate that the plant is operating with limitations established by the permit and that emissions are properly controlled.

The final permit and related documents can be found at the BOA website address:

<http://www.kdheks.gov/bar/nbaf/nbaf.html> or contact: (785) 296-6423.