

Response to Comments

Response to comments for: Permit-To-Install and Operate

Facility ID:	0387000386
Facility Name:	BAKERY FEEDS
Facility Description:	Waste bakery products and residual restaurant cooking oil animal feed processor
Facility Address:	12850 QUARRY RD North Baltimore, OH 45872-9627 Wood County
Permit #:	P0105879, Initial Installation
A public notice for the draft permit issuance was published in the Ohio EPA Weekly Review and appeared in The Sentinel-Tribune on 02/22/2010. The comment period ended on 03/29/2010.	
Hearing date (if held)	03/25/2010
Hearing Public Notice Date (if different from draft public notice)	

The following comments were received during the comment period specified. Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. For example, concerns about zoning issues are addressed at the local level. Ohio EPA may respond to those concerns in this document by identifying another government agency with more direct authority over the issue.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. PDF copies of the original comments in the format submitted are available upon request.

1. Topic: **Odors**

- a. Comment: A commenter stated that where their home is located, the air conditioner only needs to be run on the hottest days due to the prevailing winds. Will the smell and dust from the Bakery Feeds facility require them to shut their house up?
- b. Response: Ohio EPA cannot assure that there will be zero odors coming from this operation. The use of thermal oxidizers to control the volatile organic compounds, which would be the main source of the odors, is considered by Ohio EPA to be "Best Available Technology" for this type of operation and will considerably reduce odors versus the facility operating in an uncontrolled state. Additionally, the facility is taking a pro-active approach to help address this concern by unloading and loading raw materials, blending stock, biomass fuels and finished meal inside of the building enclosure.

2. Topic: **Health concerns regarding emissions of particulate matter <10 microns in size (PM10)**

- a. Comment: A commenter stated concern that PM10 is an inhalable particle that can cause respiratory issues like asthma, decreased lung function and chronic bronchitis.

Another commenter stated that they suffer from chronic obstructive pulmonary disease (COPD) and they are concerned about having to worry about what is being emitted from Bakery Feeds.

- b. Response: This permit has been thoroughly reviewed and developed in accordance with air pollution rules and regulations which are protective of public health, including the health of sensitive populations

such as asthmatics, children and the elderly. For information regarding air pollution regulations and protection of public health and the environment visit U.S. EPA's "Particulate Matter" website at <http://www.epa.gov/oar/particlepollution/health.html>

3. Topic: **Concerns about ongoing issues once facility is operational**

- a. Comment: A commenter stated that they were scared to hear that Ohio EPA had been dealing with another Bakery Feeds facility for 10 years.
- b. Response: It should be clarified that Ohio EPA has not been dealing with another Bakery Feeds facility for 10 years. The North Baltimore facility will be the first Bakery Feeds operation in Ohio. During the public hearing, it was stated that Ohio EPA has been dealing with a different facility in the Northwest District for 10 years. While this may sound unsettling, Ohio EPA has learned from the challenges presented by this type of process. If the scrap bakery waste recycling process is controlled by a thermal oxidizer; proper maintenance of the process and control equipment are routinely performed; and, operational procedures are adhered to, this process can operate without incident or causing a nuisance to surrounding neighbors.

4. Topic: **Items Ohio EPA cannot consider during the permitting process**

- a. Comment: The last slide of the Ohio EPA presentation identified items such as property value concerns and labor issues that Ohio EPA cannot consider during the permit process. This is a huge concern for those living near the facility, especially if property values are negatively impacted.
- b. Response: Ohio EPA considers all relevant information associated with air pollution concerns in the permitting process. Air pollution regulations do not allow the Ohio EPA to consider benefits/disadvantages to the community such as job creation, increase tax base, etc. in its permitting determination.

OAC rule 3745-31-05(I) states that in deciding whether to grant or deny a permit-to-install (PTI) or permit-to-install and operate (PTIO), the director may take into consideration the social and economic impact of the air contaminants or other adverse environmental impact that be a consequence of issuance of the PTI or PTIO. Since the air emissions will not result in a significant impact on air quality, attainment status, etc. in the area, detailed or formal review of various social and economic factors related to the air emissions was not applied for this application.

- c. Comment: A commenter stated that they found it interesting that Ohio EPA cannot consider a company's past compliance history at other facilities. A review of U.S. EPA's Enforcement and Compliance History Online (ECHO) shows that some enforcement actions have been taken against Bakery Feeds locations in the past 5 years.
- d. Response: Ohio EPA must consider whether the application, not the applicant, for any air pollution control permit meets all state and federal air pollution control standards to protect human health and the environment. If the application meets these standards, and if there is no evidence to indicate otherwise, Ohio EPA is required to issue the permit for which the company applied.

U.S. EPA's ECHO system is a multi-media compliance database that houses facility compliance information that is uploaded by the states. ECHO is a tool that provides a compliance history for facilities based on various search criteria such as state, region or Standard Industrial Classification (SIC) code. While this information is useful for examining the compliance status of a facility or its owner, its information cannot be used in the evaluation and development of the requested permit.

5. Topic: **Compliance inspections, reporting and testing**

- a. Comment: Will EPA conduct compliance inspections or will Bakery Feeds strictly self-monitor? How often will they be inspected?

- b. Response: The permit for Bakery Feeds involves a a federally enforceable PTIO which U.S. EPA requires Ohio EPA to inspect such permitted facilities a minimum of once every five (5) years. It should be noted that more frequent inspections of the facility may occur based on items such as complaints, reported deviations, malfunctions, etc.

The PTIO requires Bakery Feeds to perform self-monitoring and reporting on various aspects of their operation. The company must install and maintain a continuous temperature monitor and recorder for the thermal oxidizers. The purpose of this instrument is to record combustion temperature within each individual oxidizer in order to demonstrate compliance with the temperature value established during the compliance testing. The facility will need to report whether or not there were deviations from the temperature on a quarterly basis. Bakery Feeds will also need to perform and log weekly checks of the building to ensure that any visible emissions that any abnormal emissions can be addressed. Reporting for this requirement is made on an annual basis.

All of this information is then reviewed at the time of the facility's inspection.

- c. Comment: Will the inspection reports be available to the public? If the company is self-testing/self-reporting, will that information be available to the public?
- d. Response: All of the inspection reports are considered public records and would be available for viewing through a public records request. The company's self-testing and self-reporting would also be considered public records and available for review provided the company has not made a 'trade secret' claim.
- e. Comment: Why type of air testing will be done?
- f. Response: Bakery Feeds will need to perform stack testing on the common stack for the two thermal oxidizers in order to determine whether or not they are in compliance with the emission limitations and operational restrictions set forth in the PTIO. This testing is performed by an outside stack testing firm and will be witnessed by Ohio EPA to ensure it is being conducted in compliance with the testing methods developed by U.S. EPA.
- g. Comment: Can testing equipment be set up on our property? Can we request our air be monitored for a period of time until it is determined that our air quality is not compromised?
- h. Response: This permit has been thoroughly reviewed and developed in accordance with air pollution rules and regulations which are protective of the environment and public health, including the health of sensitive populations such as asthmatics, children and the elderly. The permit contains testing requirements of the actual emissions coming from the Bakery Feeds operations for purposes of demonstrating compliance with air pollution rules and regulation which as stated above are protective of the environment and public health.
- i. Comment: What type of precautions will be taken during the 180 day "start-up" period during which no testing/monitoring appears to be required?
- j. Response: All of the monitoring and recordkeeping requirements outlined in the PTIO will be required to be performed at the time the facility begins operation of the scrap bakery waste recycling operation. A 180 day period before testing is allowed such that the facility has the opportunity to perform "fine tuning" and also "ramp-up" production to a level that will be required during testing. The 180 day operational period is consistent with federally based requirements.
6. Topic: The Environmental Review Appeals Commission (ERAC)
- a. Comment: If this permit is approved and an appeal is made to ERAC, what happens? Can the facility go ahead with the expansion while the permit is under appeal? What happens if they go ahead with this facility and ERAC eventually overturns their approval?

- b. Response: Information regarding the appeals process can be found online at <http://erac.ohio.gov/Home.aspx>. It should be noted that under the 'Frequently Asked Questions' it does state that filing a Notice of Appeal does not suspend the action being appealed.

7. Topic: Drinking water/pond concerns

- a. Comment: How long before enough particulate matter settles in our pond making the drinking water unsafe? Can we request that our water be tested periodically?
- b. Response: This permit has been thoroughly reviewed and developed in accordance with air pollution rules and regulations which are designed to protect the environment from the adverse effects caused by air contaminants including particulate emissions. For information regarding air pollution regulations and protection of public health and the environment visit U.S. EPA's "Particulate Matter" website at <http://www.epa.gov/oar/particlepollution/health.html>

This permit specifically addresses the release of pollutants into the atmosphere and more specific questions regarding private drinking water sources can be directed to the Wood County Health Department at 419-352-8402.