

Budler Co.

N.B.D.

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U.S. ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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Mr. Russell E. Turner
 Manager
 Environmental and Energy Conservation
 Miller Brewing Company
 3939 West Highland Boulevard
 Milwaukee, Wisconsin 53208

Dear Mr. Turner:

We have completed our final review of Miller Brewing Company's application for approval to construct a facility for the brewing and packaging of beer in St. Clair Township, Butler County, Ohio.

A determination has been made to approve the construction of the brewery with conditions. The approval to construct which delineates the required conditions of construction and operation is enclosed. Please be advised that this approval is based upon your written application; any deviation from the terms in the application must receive the prior written authorization from U.S. Environmental Protection Agency (U.S. EPA).

The United States Court of Appeals for the D.C. Circuit has issued a ruling in the case of Alabama Power Co. vs. Douglas M. Costle (76-1006 and consolidated cases) which has significant impact on the EPA Prevention of Significant Deterioration (PSD) program and approvals issued thereunder. Although the court has stayed its decision pending resolution of petitions for reconsideration, it is possible that the final decision will require modification of the PSD regulations and could affect approvals issued under the existing program. Examples of potential impact areas include the scope of best available control technology (BACT), source applicability, the amount of increment available (baseline definition), and the extent of preconstruction monitoring that a source may be required to perform. The applicant is hereby advised that this approval may be subject to reevaluation as a result of the final court decision and its ultimate effect.

I would like to stress that this approval only applies to the regulations contained in 40 CFR 52.21 concerning the Prevention of Significant Deterioration of Air Quality and the applicable sections of the Clean Air Act, as amended.

This approval in no way relieves Miller Brewing of the responsibility to comply fully with all the other requirements of the Clean Air Act, the Clean Water Act or any other Federal, State, and local legislation.

I appreciate your cooperation and that of your firm in this matter.

Sincerely,

/s/ Original Signed By John McGuire

John McGuire
Regional Administrator

Enclosure

cc: Charles Taylor, Chief
Ohio Environmental Protection Agency

Southwestern Ohio Air Pollution
Control Division

In the Matter of)
)
Miller Brewing Company)
Butler County, Ohio)
)
Proceeding Pursuant to the)
Clean Air Act, as amended)

Approval to Construct

EPA-5-79-A-26

RECEIVED
SOUTHWESTERN OHIO AIR
POLLUTION CONTROL DIV.

SEP 17 1979

Authority

The approval to construct is issued pursuant to the Clean Air Act, as amended, 42 U.S.C. 7401 et. seq., (the Act), and the Federal regulations promulgated thereunder at 40 CFR 52.21 for the Prevention of Significant Deterioration of Air Quality (PSD).

Findings

1. The Miller Brewing Company (Miller) is planning to construct a major facility for the brewing and packaging of beer in St. Clair Township, South of the intersection of Riverside Drive and Hamilton Trenton Road between Gephart Road and Wayne Madison Road, in Butler County, Ohio.
2. Butler County is a Class II area as determined pursuant to the Act and has been designated an attainment area for sulfur dioxide (SO₂) and for nitrogen oxides (NO_x) pursuant to Section 107 of the Act. Additionally, Miller satisfactorily demonstrated that the area in which the proposed facility is to be placed is attainment for total suspended particulates (TSP).
3. The proposed brewery has an allowable emission rate of over 50 tons per year for SO₂, NO_x and TSP. The brewery is, therefore, subject to the requirements of 40 CFR 52.21 and the applicable sections of the Act. Consequently, full PSD review was performed.
4. Miller submitted an application for PSD approval on April 4, 1979. On April 23, 1979, the application was determined to be deficient in information necessary for a PSD review. On May 24, 1979, additional information was submitted by Miller and on July 5, 1979, U.S. EPA determined that the application was complete and preliminary approval was issued.
5. On July 12, 1979, joint public notice with the Ohio Environmental Protection Agency appeared in the Hamilton Journal News. There were no public comments and no requests for a public hearing.

6. After review of all the materials submitted by Miller Brewing, U.S. EPA has determined that emissions from the brewery will be controlled by the application of the best available control technology (BACT).
7. The air quality review has shown that the Miller Brewing proposed plant's impact will not significantly deteriorate the ambient air quality at the proposed site.

Conditions for Approval

8. Emission of particulate matter from pulverized coal-fired boilers 1 and 2 shall not exceed 0.01 grains per actual cubic foot.
9. Emissions of sulfur dioxide from pulverized coal-fired boilers 1 and 2 shall not exceed 1.6 pounds per million BTU actual heat input, on a 24-hour average basis.
10. (a). The two Riley Stoker Company pulverized coal-fired boilers shall utilize the manufacturer's best design for minimizing nitrogen oxides. The design shall utilize overfire, underfire, and sidefire air to reduce flame temperature and limit combustion air.
- (b). Emissions of nitrogen oxides shall not exceed 0.6 pounds per million BTU actual heat input, unless a review by U.S. EPA of the performance testing required by Condition 21 indicates that this emission limit cannot be attained and maintained.
- (c). In no case shall emissions exceed 0.7 pounds per million BTU of actual heat input.
11. Emissions of sulfur dioxide from oil-fired boiler 3 shall not exceed 0.8 pounds per million BTU, on a 24-hour average basis.
12. Particulate emissions from the following locations shall not exceed 0.00135 grains per actual cubic foot at the control device discharge point to the atmosphere:
- (a). Grain unloading hoppers.
 - (b). Malt transfer system 1,2, and 3.
 - (c). Grits transfer.
 - (d). Malt milling and weighing.
 - (e). Dry spend grain transfer.
 - (f). Dry spend grain silos.
 - (e). Grain storage silos.

13. Particulate emissions from the following locations shall not exceed 0.02 grains per actual cubic foot:

- (a). Coal handling system-track hopper.
- (b). Coal handling system-crusher.
- (c). Coal handling system-transfer tower.
- (d). Spent grain dryers.

14. Particulate emissions from the diatomaceous earth handling systems shall not exceed 0.01 grains per actual cubic foot.

15. Particulate emissions from the ash handling system air washer shall not exceed 0.56 grains per actual cubic foot. (This is equivalent to 9 pounds per hour at 1860 actual cubic feet per minute).

16. Filters shall be used to control particulates from the displaced air from the fly ash and bottom ash silos, coal bunkers 1 and 2, and from the lime and ash silos at the wastewater treatment plant.

17. There shall be no visible emissions of fugitive (non-stack) particulate matter, except for two minutes in an hour of no more than 20% opacity, from any of the locations itemized in Conditions 12, 13, 14, 15, and 16.

18. A telescoping chute and wet suppression system shall be utilized to minimize fugitive particulate emissions from loadout to the active storage pile. The inactive storage pile shall be compacted and sprayed with a chemical coagulant.

19. The trucks utilized for disposal of dewatered sludge and boiler ash shall be covered.

20. Dust accumulating on the surface of the grain storage areas and brew-house shall be periodically removed by vacuum cleaning system.

Conditions 8-20 represent the application of the best available control technology as required by Section 165 of the Act.

21. Performance Testing/Reporting Requirements

- (a). Within 180 days after initial startup of Boilers 1 and 2, and at other such times as may be required under Section 114 of the Clean Air Act, Miller Brewing shall conduct performance tests and furnish U.S. EPA with a written report of the results.

(b). The performance testing shall be conducted for nitrogen oxides and particulate matter, using standard test methods approved by U.S. EPA.

(c). Miller Brewing shall provide U.S. EPA with 30 days prior notice of the performance test to afford U.S. EPA the opportunity to have an observer present.

(d). Each performance test shall consist of three separate runs using the appropriate test method. For the purpose of determining compliance with applicable emission limits, the arithmetic means of the results of three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discounted because of a forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions; or other circumstances beyond Miller Brewing's control, compliance may, upon U.S. EPA's approval, be determined using the arithmetic mean of the results of the two other runs.

Condition 21 is required in order to insure that BACT is maintained consistently.

22. Any change in Miller Brewing's proposed brewery plan might alter U.S. EPA's conclusion, and therefore, any change must receive the prior written authorization of U.S. EPA.

Approval

23. Approval to construct the brewery is hereby granted to the Miller Brewing Company subject to the conditions expressed herein and consistent with the materials and data included in the application filed by the Company. Any departure from the conditions of this approval or the terms expressed in the application, must receive the prior written authorization of U.S. EPA.

24. The United States Court of Appeals for the D.C. Circuit has issued a ruling in the case of Alabama Power Co. vs. Douglas M. Costle (78-1006 and consolidated cases) which has significant impact on the EPA PSD program and approvals issued thereunder. Although the court has stayed its decision pending resolution of petitions for reconsideration, it is possible that the final decision will require modification of the PSD regulations and could affect approvals issued under the existing program. Examples of potential impact areas include the scope of best available control technology, source applicability, the amount of increment available (baseline definition), and the extent of preconstruction monitoring that a source may be required to perform. The applicant is hereby advised that this approval may be subject

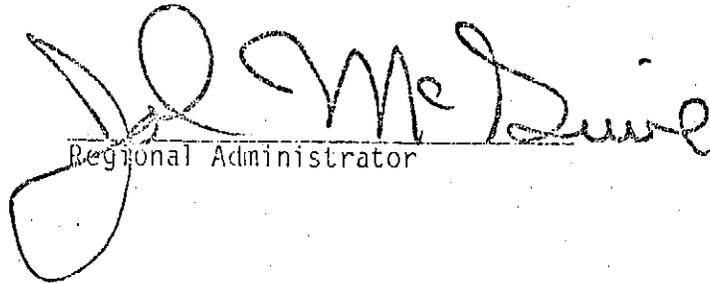
to reevaluation as a result of the final court decision and its ultimate effect.

25. This approval to construct does not relieve Miller of the responsibility to comply with the control strategy and all local, State, and Federal regulations which are part of the applicable State Implementation Plan, as well as all other applicable Federal, State and local requirements.

26. A copy of this determination has been forwarded to the Southwestern Ohio Air Pollution Control Division, 11750 Chesterdale Road, Atkinson Square, Cincinnati, Ohio 45246.

9-13-79

Date


Regional Administrator