



Air Quality Permitting Response to Public Comments

November 5, 2008

Permit to Construct No. P-2008.0102

**XL Four Star Beef Inc.
Nampa, Idaho**

Facility ID No. 027-00024

Prepared by:
Harbi Elshafei, Permit Writer
AIR QUALITY DIVISION

Final

1. BACKGROUND

As deemed appropriate by the Director, the Department of Environmental Quality (DEQ) provided for public comment the proposed revision to Permit to Construct P-2008.0102 for XL Four Star Beef Inc. located in Nampa, Idaho.

An opportunity for public comment was provided from June 17, 2008, through July 1, 2008. During this time, a member of the public requested a public comment period. DEQ provided the comment period from September 23, 2008, through October 23, 2008. However, due to an error in publishing the public comment in the Idaho Statesman instead of the Idaho Press Tribune, DEQ republished it with a new public comment period. The new public comment period was held from October 2, 2008, through November 3, 2008. DEQ received comments via email from the public including one comment from the Idaho Conservation League. Each comment and DEQ's response is provided in the following section. Comments with a common theme have been grouped together as one comment and responded to as one comment. All comments submitted in response to DEQ's proposed action are included in the appendix of this document.

2. PUBLIC COMMENT AND RESPONSES

Public comments regarding the permit analysis and air quality aspects of the proposed permit are summarized below. Due to the similarity of many of the comments received, the summary presented below combines and/or paraphrases some comments in order to eliminate duplication and to provide a more concise summary. Questions, comments, and/or suggestions received during the comment period that did not relate to the air quality aspects of the permit application, the Department's technical analysis, or the proposed permit are not addressed.

Comment 1:

Three comments were received regarding the odor originating from the facility. One of the commenters indicated that she contacted Tom Krinke of Boise Regional Office and complained about the odor. The commenter stated that Tom Krinke contacted the company and it was explained to him that the source of the odor was from some torn spots in the baffle area east of the plant. In the comment it appears the bad odor occurs more at night. Commenters are also concerned about the value of their properties because of the odors.

Response:

Odor is addressed under Permit Condition 3.3., which states, "The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution in accordance with IDAPA 58.01.01.775." In addition, Permit Condition 3.7, Odor Complaints, states, "The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken." These requirements, along with periodic inspections, have been established to minimize odors originating from the facility and are consistent with requirements in other air quality permits.

DEQ included in the final permit a permit condition that controls odorous emissions from rendering plants, in accordance with IDAPA 58.01.01.776.02 (Restrictions on Rendering Plants). IDAPA 58.01.01.776.02 states, "No person shall allow, suffer, cause or permit any plant engaged in the processing of animal, mineral, or vegetable matter or chemical process utilizing animal, mineral or vegetable matter to be operated without employing reasonable measures for the control of odorous emissions including wet scrubbers, incinerators, chemicals or such other measures as may be approved by the Department." Therefore, DEQ revised the draft permit to include a restriction on the emission of odorous gases from the rendering plants. Also, DEQ believes that the proposed packed-bed scrubber is more efficient in removing the odorous gases from the existing Quad wet scrubber.

Regarding the commenter's concern for the value of their properties, DEQ does not have the authority to determine the location of a facility with respect to zoning. Zoning is the responsibility of the county or city. Upon receipt of an air quality application, it is DEQ's responsibility to review the permit application, and where appropriate, impose conditions in a permit to ensure compliance with state and federal air quality requirements.

Comment 2:

Two commenters indicated that the upgrade of the proposed packed-bed scrubber will be good to help reduce the odor.

Response:

The comment is noted.

Comment 3:

DEQ received a comment from the Idaho Conservation League (ICL) on November 3, 2008. ICL questioned the documents provided by DEQ and XL Four Star Beef Inc. which do not include an emissions inventory as required by IDAPA 58.01.01.202.01(a) and do not provide adequate information regarding the specifications of the new packed-bed scrubber.

Response:

IDAPA 58.01.01.202.01(a) states the following: "Required Information. Depending upon the proposed size and location of the new or modified stationary source or facility, the application for a permit to construct shall include all of the following information required by one or more of the following provisions: a. for any new or modified stationary source:" This permitting action is not a modification but it is rather a revision to install a more efficient packed bed wet scrubber instead of the currently existing wet scrubber to control odor. Modification is defined in IDAPA 58.01.01.006.63(a) as follows: "Any physical change in, or change in method of operation of, a stationary source of facility which results in an increase in emission as defined in Section 007 or which results in the emissions of any regulated air pollutant not previously permitted." There is no increase in emissions that will result from upgrading the scrubber.

Based on experience and engineering judgment, there will not be an emissions increase associated with this proposed permit revision. The proposed scrubber has a much higher scrubber media flowrate (250 versus 14 gallons per minute) than the existing Quad Corp scrubber. The higher flowrate results in a higher gas-liquid contact which typically results in higher collection efficiencies. In addition, the

proposed scrubber is a packed-bed scrubber. In a packed-bed scrubber, the gas stream enters the bottom of the scrubber column and passes upward through a wetted packed bed. The scrubber media liquid enters the top of the column and is uniformly distributed over the column packing. The column packing can have any of a number of commercially available geometric shapes designed to give maximum gas-liquid contact and low gas-phase pressure drop. Due to the high wetted area of the packing, maximum surface area contact with the scrubber media is achieved which adds to increased collection efficiency. The existing Quad Corp scrubber is not a packed-bed scrubber.

Regarding the specifications of the proposed project, they are included in table 3.1 of the statement of basis.

Appendix

Public Comments Submitted for

Permit to Construct

P-2008.0102

Name: Shelly Williams
Email Address: williams.david2@gmail.com
Affiliation:
Comments: In regards to XL four star beef.

Is this new scrubber intended to reduce odor inside the plant or outside the plant?

We live in a neighborhood that is affected by the odor AND noise from xl four star beef. We purchased our house two years ago, before the plant was opened. We now suffer everyday from the sometimes unbearable stench from the plant. The smell drives the kids inside and often IF you have to be outside you literally hold your nose.

I would be interested in finding out what XL Four Star Beef is going to do to be "good neighbors" as they promised when they opened.

Our house value and quality of life has decreased since they arrived. The only ray of light was they did not operate on weekends, but now even on Saturday's we are subjected to the DEAD SMELL coming from the plant.

thank you.

Hello Faye-

As I'm writing to you there has come up a slight breeze to take the foul odor that has been hanging around since last night at about 8-9 pm, it's now 9am. At that time I had to close all my windows & thankfully it had cooled off enough to do this. We bought this home in Oct 2006 so at that time we didn't even know that XL existed until they re-opened it seems like in 2007 early summer. Since then we have battled the foul smells that have gone from very bad, wake you up out of a sound sleep, give you a headache pretty much all the time to less pervasive. We feel because we complained along with I'm sure hundreds of others!! In trying to save on our air conditioning bill it's been difficult because of this foul odor to leave windows open! We have called to complain & spoken to Tom Krinkle & we know he did contact a Michael Thompson at XL. It seems like his explanation was some torn spots in the baffle area east of the plant. But it seems like at night there are very bad odors like they open something they don't want to open during the day. We realize that this is a business that gives this area much needed jobs but they need to do more than say they are trying to be good neighbors!! This odor is devaluing our property and giving me added problems with my allergies. We would also like to say we found this article in a small inconspicuous spot in the Statesman. We take both the Statesman & the Press Tribune and it was not in the Press Tribune. So feel there might be some people that didn't see this article thus not getting the opportunity to give their voice. We do appreciate the opportunity to give our opinion and hope that there can be some adjustment on XL's part to give us better air quality here in Nampa.

Sincerely, Fermena Montgomery

Pat & Fermena Montgomery
3008 E. Georgia Ave.
Nampa, ID. 83686
208-442-5179
patfermena@msn.com

Please approve XL Four Star Beef's request for the revision of their air quality permit.

I live in the Kings Road Estates subdivision. Any help in reducing the odor would be appreciated.

Please let me know if you have any questions.

Apryl Richmond
3327 Coachman Corut
Nampa ID 83687
(208) 440-5436

Name: Myron McCasland
Email Address: mmccasland@intgas.com
Affiliation: Resident near plant

Comments: I would like to start by saying Thank You to XL Four Star Beef for their work so far. I have lived near, and driven past on a daily basis, the plant for over nine years now. The current owners are by far the cleanest and less smelly. I'm not sure what they have done to the ponds, but they seem to have less stench than before.

I say let them do the upgrade. They willingly want to do the right thing without being forced by DEQ, EPA.... If this helps the air quality and smell in the area I'm all for it.

Name: Claudia Haynes
Email Address: claudialee3@aol.com
Affiliation: homeowner-own property down wind.
Comments: My Public comment.

As long as the scrubbers are more efficient, and this new system improves the odors in the area I have no objection. The packing plant has been an odor problem for a long time. If they minimise the odors then people down wind should be able to use their back yards. Thank you for the opportunity to submit comments.
Claudia Haynes.

Name: Geoff Kappes
Email Address: gkappes@hotmail.com
Affiliation: Resident in Meadows at Park Ridge
Comments: The odors coming from this plant are horrific. We can't open our windows on most given days due to the wafting stink from this plant. We have lived here for years and the odors coming from this plant have caused us to shut windows and doors even when outdoor temperatures are pleasant. The idea of having a window open to breathe fresh air while we sleep is simply an impossibility...The smell is strong enough to wake us up. PLEASE FIX THIS PROBLEM.

The following comment was received from Idaho Conservation League on November 3, 2008.

Idaho Department of Environmental Quality November 3, 2008

Harbi Elshafei
Air Quality Division
1410 North Hilton
Boise, Idaho 83706

RE: Idaho Conservation League Comments on the proposed revised air quality permit to construct for XL Four Star Beef, Nampa

Dear Mr. Elshafei:

Thank you for the opportunity to comment on the proposed revised air quality permit to construct (PTC) for XL Four Star Beef, Nampa. For thirty-four years, the Idaho Conservation League has been Idaho's voice for clean water, clean air, and wilderness—values that are the foundation to Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through citizen action, public education, and professional advocacy. As Idaho's largest state-based conservation organization we represent over 9,500 members, many of whom have a deep personal interest in protecting air quality.

According to the draft permit and associated documents, a revised PTC is required based on facility modifications. Specifically, XL Four Star Beef plans to upgrade from a Quad Corp Spray Wet Scrubber to a pac bed scrubber. The upgrade is in response to a suggestion that resulted from a third party review of the odor control system. While reducing odors associated with this facility is important, the documents provided by DEQ and XL Four Star Beef do not include an emissions inventory (as required by IDAPA 58.01.01.202.01(a)) and do not provide adequate information regarding the specifications of the new pac bed scrubber.

According to Idaho Administrative Code, the "nature and amount of emissions" for any new or modified stationary source or facility is required for PTCs (IDAPA 58.01.01.202.01(a)). An emissions inventory should be created for this facility and included in the proposed statement of basis prior to permit approval.

In June, XL Four Star Beef informed DEQ that there was no manufacturer information, no model number or identifying information on the pac bed scrubbing equipment obtained for this upgrade. The proposed permit provides a manufacturer and model number, but it is unclear where the provided specifications came from. It is inappropriate to assume that the pac bed scrubber is effective in reducing odors, when the only specifications provided by the facility include the measurements of the machine. DEQ should provide clarification within the public record detailing the origin of the pac bed scrubber specifications so that the public can be assured the specifications are credible and legitimate.

If you have any comments or questions, please contact me at (208) 345-6942 ex 23, or as scohn@wildidaho.org.

Sincerely,
Sara Cohn. Community Conservation Associate