



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL**
89 KINGS HIGHWAY
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Office of the
Secretary

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February 17, 2011

Mr. Vimal Vijaykumar
E.I. DuPont de Nemours & Company, Inc.
104 Hay Road
Edge Moor DE 19809

Dear Mr. Vijaykumar:

Relevant programs within our agency have reviewed your application for a Coastal Zone permit to install two natural gas-fired boilers at your Edge Moor facility. The Division of Air Quality has raised questions about your application (attached) that will need to be addressed before your application can be determined to be administratively complete.

The Division made the following observations with regard to your proposed offset:

- You operate under Plantwide Applicability Limits (PAL) as now covered by your Title V permit. The emissions offsets you propose trade potential emissions from one unit for new allowable emissions for two new boilers under this PAL. This emissions trade does not represent an absolute or real reduction in emission; to the extent that your historical actual emissions have been substantially below this cap, actual emissions may indeed increase.
 - “Proposing to stay within the current permit limit shows no real or permanent reduction in emissions. Actual emissions were not used to determine the baseline for emissions reductions,” the Division states.
- In your offset calculations, you propose that the plant “will give up its capacity to use fuel oil in the ore roaster. A significant reduction in emissions can be achieved by switching to only natural gas usage in the Ore Roaster.”
 - The Division of Air Quality notes that the ore roaster has not used No. 5 fuel oil for the past three years (2008-2010). No. 6 oil has not been burned in the roaster for at least the past five years. Eliminating the use of fuel oil in the roaster will provide you room under the PAL cap but do not give reductions that are real or quantifiable.

- As an alternative, the facility may reduce the plantwide permit limits in the PAL in order to provide offsets for this project if these offsets are to be generated at the Edge Moor site.
 - Note, your current PAL limit for NOx is 65 tons per year, and your actual annual emissions have been substantially less : 27.2 tons for 2010, 31.93 tons for 2009 and 37.2 tons for 2008.
- In Part 6A of Section 6.3 of your application, you mention that the proposed installation will incorporate low NOx Burners and Flue Gas Recirculation, and that the Division of Air Quality “accepts this as the Best Available Control Technology to control emissions from the proposed boilers.” The Division states it did not assess or accept this proposed technology as BACT and points out in the attachment that there are lower NOx emission factors that can be used for BACT analysis.

We request that you resubmit your offset proposal and consider – among others – the following:

- Provide Best Available Control Technology, which will lower your NOx emissions for this project
- Discuss with Calpine the potential to share in the likely significant offset that will result from eliminating coal burning at the Hay Road plant
- Propose offsets in other pollutant categories

If you would like to discuss potential alternatives, I can arrange a meeting with Coastal Zone and Air Quality representatives.

In addition, the Solid and Hazardous Waste Management Branch notes some information characterizing the volume and transport of waste that is missing from your application. Those omissions are listed below. Please provide us with that information.

General Comments – CZA Permit Application

1. Section 6.19 requests the applicant to list all solid waste to be generated from this project, including volumes.
 - The E.I. DuPont De Nemours and Company, Inc., Edge Moor Plant stated that amine solid waste will be generated in stream traps. How this solid waste will be transported, stored or disposed was not addressed. The volumes of this waste must also be estimated.
 - The SHWMB anticipates the proposed project will generate construction, demolition, or land clearing solid wastes. The E.I. DuPont De Nemours and Company, Inc., Edge Moor Plant did not include an estimated volume of construction, demolition, or land clearing solid wastes or how this solid waste will be transported, stored or disposed.
2. Section 6.22 requests the applicant to list all hazardous waste to be generated from this project, including volumes and how it will be generated.
 - The SHWMB anticipates the proposed project will generate the potential hazardous waste stream of natural gas condensate. The waste condensate would be a hazardous waste if it has a flash point of less than 60°C (140°F). If the waste stream of natural gas condensate will be produced, the volumes and how it will be generated must also be included.

3. Section 6.23 requests the applicant to describe the transport of any hazardous waste as well as listing which permitted hazardous waste haulers will be utilized.
 - If the condensate referenced in Item 2, regarding Section 6.22 above is a hazardous waste, the E.I. DuPont De Nemours and Company, Inc., Edge Moor Plant needs to describe the transport of any hazardous waste natural gas condensate and include the Delaware permitted hazardous waste transporters that will be utilized.

Regulatory Issues

- 1) Solid Waste – applicable are the *Regulations Governing Solid Waste* (DRGSW).
 - The E.I. DuPont De Nemours and Company, Inc., Edge Moor Plant is reminded that transportation of solid waste in the state must be conducted by a permitted Delaware solid waste transporter.
- 2) Hazardous Waste – applicable are the *Regulations Governing Hazardous Waste* (DRGHW).
 - Hazardous waste determinations must be made on all generated solid waste per DRGHW §262.11.
 - E.I. DuPont De Nemours and Company, Inc., Edge Moor Plant must manage all generated hazardous waste per the applicable standards of DRGHW.
 - The hazardous waste regulations also apply to the commonly generated wastes of fluorescent lamps, used oil/used oil filters, mercury-containing devices, spent batteries, and electronic waste.
 - All DRGHW requirements apply to the generation, accumulation, transportation and disposal of hazardous waste natural gas condensate.

Environmental Impacts

In Part 6C, A the applicant states:

“ . . . solid waste generated from the proposed project is minimal.”

The actual amount of solid waste generated from this project is unknown. From the submitted information, the volumes of solid waste were not included by E.I. DuPont De Nemours and Company in Section 6.19.

Should you have any questions about these solid waste issues, please do not hesitate to contact the SHWMB at extension 302-739-9403.

Sincerely,



Lee Ann Walling
Chief of Planning

Cc: Ali Mirzakhilili