

**AIR QUALITY EFFECTS ANALYSIS
FOR
PERMIT TO CONSTRUCT
ACP-18228 v1.0**

Applicant:

Crusoe Energy Systems, Inc.
255 Fillmore Street
Denver, CO 80206

Facility Location:

Hulk Central Delivery Point (CDP)
Williams County, ND 58830
Lat/Long: 48.52778/-103.47409
NE ¼, Sec. 9, T158N, R99W

Introduction:

Crusoe Energy Systems, Inc. (Crusoe) submitted a permit to construct application to the North Dakota Department of Environmental Quality – Division of Air Quality (Department) on March 15, 2024. The application was for the construction of a new power generation station used to power a set of on-site data centers, Hulk Central Delivery Point (CDP), to be located in Williams County, North Dakota.

Hulk CDP will be located adjacent to the Kraken Operating, LLC Hulk facility. Hulk CDP will purchase gas from Kraken. The gas will undergo compression through two compressor engines and will be utilized to operate one turbine and ten generator engines that will power the on-site data centers.

The application requested approval for the construction and operation of the equipment listed in Table 1. The facility will be a synthetic minor source under the prevention of significant deterioration (PSD) program and future major source under the Title V permit to operate program.

Table 1 - Source-wide Permitted Equipment.

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Two (2) Waukesha Model H24SE natural gas-fired compressor engines with maximum rating of 530 hp each (NSPS JJJJ, MACT ZZZZ)	1 & 2	1 & 2	Non-selective and Reduction Catalyst
Ten (10) Waukesha Model 9394GSI natural gas-fired generator engines with a maximum rating of 2500 hp each (NSPS JJJJ, MACT ZZZZ)	3-12	3-12	NO _x Storage and Reduction Catalyst
Titan Model 130 natural gas-fired turbine rated at 134.6 MMBtu/hr (NSPS KKKK)	13	13	SoLoNox - Dry lean-premixed combustion technology
Two (2) Diesel fuel-fired emergency generator rated at a maximum of 2,941 hp each (NSPS IIII, MACT ZZZZ)	14 & 15	14 & 15	Diesel Oxidation Catalyst, Ammonia Slip Catalyst, Selective Catalytic Reduction

Facility Wide Emissions Profile
Potential to Emit (PTE)

Table 2 – Facility-wide PTE for NSR Pollutants (tons per year) ^A

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	CO	NO_x	SO₂	VOCs	PM	PM₁₀	PM_{2.5}	Total HAPs	Methanol (Largest HAP)
Compressor engine #1	1	1	1.5	0.8	0.3	0.1	0.1	0.1	0.1	0.2	0.1
Compressor engine #2	2	2	1.5	0.8	0.3	0.1	0.1	0.1	0.1	0.2	0.1
Generator engine #1	3	3	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Generator engine #2	4	4	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Generator engine #3	5	5	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Generator engine #4	6	6	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Generator engine #5	7	7	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Generator engine #6	8	8	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Generator engine #7	9	9	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Generator engine #8	10	10	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Generator engine #9	11	11	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Generator engine #10	12	12	7.2	3.6	0.6	0.7	0.2	0.2	0.2	0.9	0.2
Combustion turbine	13	13	68.9	56.8	4.0	26.7	3.9	3.9	3.9	0.6	0.0
Emergency Generator #1	14	14	0.2	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Emergency Generator #2	15	15	0.2	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total (without Fugitives):			144.7	95.8	10.5	34.2	6.4	6.4	6.4	9.9	2.3
Total (with Fugitives):			144.7	95.8	10.5	34.2	6.4	6.4	6.4	9.9	2.3

^A Abbreviations:

PM: filterable and condensable particulate matter

PM_{2.5}: filterable and condensable particulate matter with an aerodynamic diameter less than or equal to 2.5 microns ($\leq 2.5 \mu\text{m}$)

PM₁₀: filterable and condensable particulate matter with an aerodynamic diameter less than or equal to 10 microns ($\leq 10 \mu\text{m}$) including PM_{2.5}

SO₂: sulfur dioxide

NO_x: oxides of nitrogen

CO: carbon monoxide

VOCs: volatile organic compounds

HAPs: hazardous air pollutants as defined in Section 112(b) of the Clean Air Act

As shown in Table 2, the facility-wide PTE is above 100 tons per year (tpy) for Carbon Monoxide (CO), below 100 tpy for the other criteria air pollutants, below 10 tpy for any single hazardous air pollutant (HAP), and below 25 tpy for the combined HAP emissions. Detailed calculations have been provided in the permit application received on March 15, 2024. The Department has reviewed these calculations and believes they accurately represent the proposed facility operations.

The facility PTE is based on enforceable emissions restrictions placed on the two gas compressor engines, the ten gas generator engines, and the gas turbine limiting the allowable amount of NO_x, CO, and VOC. These restrictions mean the facility will be a synthetic minor PSD source. Additionally, the facility will be a future major source under the Title V permit to operate program, as potential emissions exceed the Title V thresholds.

Rules Analysis**Potentially Applicable Rules and Expected Compliance Status**

A. NDAC 33.1-15-01 – General Provisions:

Multiple topics are included in the General Provisions chapter: entry onto premises - authority, variances, circumvention, severability, land use plans and zoning regulations (only to provide air quality information), measurement of air contaminants, shutdown and malfunction of an installation - requirements for notification, time schedule for compliance, prohibition of air pollution, confidentiality of records, enforcement, and compliance certifications.

Applicability and Expected Compliance

Based on the review of the information provided, the facility will comply with all applicable sections of this rule.

B. NDAC 33.1-15-02 – Ambient Air Quality Standards:

The facility must comply with the North Dakota and Federal Ambient Air Quality Standards (AAQS). In addition to these standards, compliance with the “Criteria Pollutant Modeling Requirements for a Permit to Construct” guidelines¹.

Applicability and Expected Compliance

The facility is not subject to PSD however the facility’s PTE triggers the modeling thresholds listed in the “Criteria Pollutant Modeling Requirements for a Permit to Construct,” therefore, preconstruction modeling for this facility was required. Based on the facility PTE and proposed stack parameters, compliance with the ambient air quality standards is demonstrated through dispersion modeling, for further details see ACP-18228 v1.0 AQIA.

C. NDAC 33.1-15-03 – Restriction of Emission of Visible Air Contaminants:

This chapter requires all non-flare sources from new facilities to comply with an opacity limit of 20% except for one six-minute period per hour when 40% opacity is permissible. This chapter also requires facility flares to comply with an opacity limit of 20% except for one six-minute period per hour when 60% opacity is permissible. Lastly, this chapter restricts the opacity of fugitive emissions transported off property to 40% except for one six-minute period per hour when 60% opacity is permissible. This chapter also contains exceptions under certain circumstances and provides the method of measurement to determine compliance with the referenced limits.

Applicability and Expected Compliance

Based on Department experience with similar sources, visible air contaminants from the facility are expected to be minimal and able to comply with the 20% opacity limit.

¹ See October 6, 2014, Criteria Pollutant Modeling Requirements for a Permit to Construct. Available at: https://www.deq.nd.gov/publications/AQ/policy/Modeling/Criteria_Modeling_Memo.pdf

D. NDAC 33.1-15-04 – Open Burning:

No person may dispose of refuse and other combustible material by open burning, or cause, allow, or permit open burning of refuse and other combustible material, except as provided for in Section 33.1-15-04-02 or 33.1-15-10-02, and no person may conduct, cause, or permit the conduct of a salvage operation by open burning.

Applicability and Expected Compliance

The facility is subject to this chapter and will comply with all open burning regulations.

E. NDAC 33.1-15-05 – Emissions of Particulates Matter Restricted:

This chapter establishes particulate matter emission limits and restrictions for industrial process equipment and fuel burning equipment used for indirect heating.

Applicability and Expected Compliance

Since the fuel burning equipment is fired on gaseous fuels, the particulate matter limits in this chapter do not apply. It should be noted that combustion of gaseous fuels in the units is expected to result in extremely low particulate matter emissions that are well below the allowable levels established by this chapter.

F. NDAC 33.1-15-06 – Emissions of Sulfur Compounds Restricted:

This chapter applies to any installation in which fuel is burned and the SO₂ emissions are substantially due to the sulfur content of the fuel; and in which the fuel is burned primarily to produce heat. This chapter is not applicable to installations which are subject to an SO₂ emission limit under Chapter 33.1-15-12, Standards for Performance for New Stationary Sources, or installations which burn pipeline quality natural gas.

Applicability and Expected Compliance

The facility is exempt from this chapter since the engines (EUs 1 through 12) and turbine (EU 13) will be fired on gas containing no more than 3.2 grains of sulfur per 100 standard cubic feet. Additionally, the emergency generator engines will be fired on ultra-low sulfur diesel fuel (ULSD) containing no more than 0.0015 percent sulfur by weight.

G. NDAC 33.1-15-07 – Control of Organic Compounds Emissions:

This chapter establishes requirements for the construction of organic compound facilities and the disposal of organic compounds gas and vapor generated as waste resulting from storage, refining, or processing operations at the facility.

Applicability and Expected Compliance

The facility is not considered an organic compound facility and is not expected to produce any organic compounds in need of proper disposal (e.g., flaring). Therefore, the requirements of this chapter are not applicable.

The Department encourages the facility to conduct periodic leak detection monitoring to limit leaks of gas and subsequently lower fuel costs.

H. NDAC 33.1-15-08 – Control of Air Pollution from Vehicles and Other Internal Combustion Engines:

This chapter restricts the operation of internal combustion engines which emit from any source unreasonable and excessive smoke, obnoxious or noxious gas, fumes or vapor. This chapter also prohibits the removal or disabling of motor vehicle pollution control devices.

Applicability and Expected Compliance

The gas engines (EUs 1 through 12) and emergency diesel fired generator engines (EU 14 & 15) are also subject to opacity requirements under NDAC 33.1-15-03-02 and subject to the requirements of NSPS Subpart IIII and Subpart JJJJ. As a result of expected compliance with these provisions, the engines are not expected to emit any unreasonable and excessive smoke, obnoxious or noxious gases, fumes, or vapor.

I. NDAC 33.1-15-09 – [repealed]

J. NDAC 33.1-15-10 – Control of Pesticides:

This chapter provides restrictions on pesticide use and restrictions on the disposal of surplus pesticides and empty pesticide containers.

Applicability and Expected Compliance

The facility is subject to this chapter and is expected to comply with all applicable requirements should pesticides be used.

K. NDAC 33.1-15-11 – Prevention of Air Pollution Emergency Episodes:

When an air pollution emergency episode is declared by the Department, the facility shall comply with the requirements in Chapter 33.1-15-11 of the North Dakota Air Pollution Control (NDAPC) rules.

L. NDAC 33.1-15-12 – Standards of Performance for New Stationary Sources [40 Code of Federal Regulations Part 60 (40 CFR Part 60)]:

This chapter adopts most of the Standards of Performance for New Stationary Sources (NSPS) under 40 CFR Part 60. The facility is subject to the following subparts under 40 CFR Part 60 which have been adopted by North Dakota as of July 1, 2019:

Subpart A – General Provisions

Subpart A contains general requirements for plan reviews, notification, recordkeeping, performance tests, reporting, monitoring and general control device requirements.

Applicability and Expected Compliance

The facility will comply with the general provisions of Subpart A through submission of timely notifications, performance testing, reporting, and following the general control device and work practice requirements under Subpart A. In addition, any changes to the facility after it is built will be evaluated with respect to this subpart as well as others.

Subpart III – Standards of Performance for Stationary Compressor Ignition Internal Combustion Engines

This subpart applies to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines. It covers provisions and requirements related to emission standards, certification, labeling and recordkeeping, performance tests, monitoring requirements, and compliance with standards and maintenance requirements. The subpart also includes definitions and general provisions that apply to the regulations.

Applicability and Expected Compliance

The emergency diesel fired generator engines (EUs 14 & 15) are subject to Subpart III. Subpart III requires EUs 14 and 15 to comply with the standards contained in §60.4205.² The engines will have a maximum rating capacity of 2,941 horsepower (hp) each, will be constructed after July 1, 2006, and will have National Fire Protection Association (NFPA) certification. The facility will maintain applicable records for the emergency engines and will comply with the following emission standards:

- NMHC + NO_x: 6.4 g/KW-hr or 4.8 g/HP-hr
- CO: 3.5 g/KW-hr or 2.6 g/HP-hr
- PM: 0.20 g/KW-hr or 0.15 g/HP-hr

Subpart JJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

Subpart JJJ establishes emissions standards (NO_x, CO, VOC) and compliance schedules for all new, modified, and reconstructed stationary spark ignition (SI) internal combustion engines (ICE) and equipment manufactured on or after July 1, 2007, regardless of size. The subpart applies to manufacturers, owners, and operators of such engines and equipment. SI ICE are categorized in this subpart by usage, size, and fuel type.

Applicability and Expected Compliance

The gas-fired engines (EUs 1 through 12) are subject to the requirements of NSPS Subpart JJJ. EUs 1 and 2 are each rated at 530 hp, and EUs 3 through 12 are each rated at 2,500 hp.

Subpart JJJ requires each engine to comply with the following emissions standards:

- NO_x of 1.0 g/hp-hr or 82 ppmvd @ 15% O₂
- CO of 2.0 g/hp-hr or 270 ppmvd @ 15% O₂
- VOC of 0.7 g/hp-hr or 60 ppmvd @ 15% O₂

² See <https://www.ecfr.gov/current/title-40/section-60.4205> for applicable NSPS Subpart III standards.

Beyond the Subpart JJJJ limits, EUs 1 & 2 are restricted to lower engine emissions limits to avoid major source thresholds under Title V. As a result, Table 3-1 of ACP-18228 v1.0 established the following limits:

- NO_x of 0.15 g/hp-hr
- CO of 0.30 g/hp-hr
- VOC of 0.019 g/hp-hr

Beyond the Subpart JJJJ limits, EUs 3 through 12 are restricted to lower engine emissions limits to avoid major source thresholds under Title V. As a result, Table 3-1 of ACP-18228 v1.0 established the following limits:

- NO_x of 0.15 g/hp-hr
- CO of 0.30 g/hp-hr
- VOC of 0.03 g/hp-hr

The facility is expected to comply with Subpart JJJJ requirements by properly maintaining and operating an air-to-fuel ratio controller and keeping a maintenance plan and records of conducted maintenance and, to the extent practicable, will maintain and operate the engines in a manner consistent with good air pollution control for minimizing emissions.

Subpart KKKK – Standards of Performance for Stationary Combustion Turbines

Subpart KKKK establishes emission standards (NO_x, SO₂), compliance and monitoring schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005.

Applicability and Expected Compliance

The project combustion turbine (EU 13) is subject to the requirements of NSPS Subpart KKKK. In general, Subpart KKKK requires the facility to operate and maintain EU 13, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.

Based on the combustion turbine type and heat input, Subpart KKKK establishes a NO_x limit of 25 ppm at 15% oxygen or 1.2 lb/MWh during typical operations. When the turbine is operating at less than 75% of peak load or operating at a temperature of less than 0°F, a NO_x limit of 150 ppm at 15% oxygen or 8.7 lb/MWh applies. Each turbine must meet these NO_x limits. The facility will demonstrate compliance with the NO_x limit listed above by conducting annual performance tests per 40 CFR 60.4400.

The Subpart KKKK limit for SO₂ is 0.90 lb/MWh gross output or the fuel must not contain total potential sulfur emissions in excess of 0.060 lb/10⁶ Btu heat input. The facility will receive gas demonstrated not to exceed the potential sulfur limits set forth in Subpart KKKK. Hulk CDP will maintain records in accordance with 40 CFR 60.4365(a) to demonstrate compliance with the SO₂ requirements.

- M. NDAC 33.1-15-13 – Emission Standards for Hazardous Air Pollutants [40 Code of Federal Regulations Part 61 (40 CFR Part 61)]:

This chapter discusses emission standards for hazardous air pollutants. It specifically incorporates a majority of the subparts and appendices of the National Emission Standards for Hazardous Air Pollutants (NESHAP) under 40 CFR Part 61.

Applicability and Expected Compliance

The facility does not appear to have any applicable requirements under this chapter.

- N. NDAC 33.1-15-14 – Designated Air Contaminant Sources, Permit to Construct, Minor Source Permit to Operate, Title V Permit to Operate:

This chapter designates that federally regulated sources are required to obtain a Permit to Construct and a Permit to Operate and comply with specific emission control and air quality standards.

Applicability and Expected Compliance

The facility has submitted an application for a permit to construct and has met all requirements necessary to obtain a permit to construct. The facility will be considered a future major source per NDAC 33.1-15-14-06.1.q.

The permit must undergo public comment per NDAC 33.1-15-14-02.6.b.

Once the facility completes construction and meets the permit to construct requirements, a facility inspection will be performed by the Department. Pending a satisfactory facility inspection and receipt of a timely Title V permit to operate application, the facility will be issued a Title V permit to operate by the Department.

- O. NDAC 33.1-15-15 – Prevention of Significant Deterioration of Air Quality [40 CFR 52.21]:

This chapter adopts the federal provisions of the Prevention of Significant Deterioration of air quality (PSD) program (40 CFR 52.21). A facility is subject to PSD review if it is classified as a “major stationary source” under Chapter 33.1-15-15.

Applicability and Expected Compliance

This facility is not classified as a “major stationary source” under 40 CFR 52.21(b)(1)(i)(a) and is therefore only subject to PSD review if emissions of a regulated new source review (NSR) pollutant³ exceed 250 tpy (excluding fugitive emissions). The PTE for this facility, as shown in Table 2, is below the 250 tpy threshold and therefore not subject to PSD review. The facility will be a synthetic minor source under PSD due to the restriction listed in Table 3-1 of ACP-18228 v1.0.

³ See 40 CFR 52.21(b)(50). Available at: [https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-52/subpart-A/section-52.21#p-52.21\(b\)\(50\)](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-52/subpart-A/section-52.21#p-52.21(b)(50))

P. NDAC 33.1-15-16 – Restriction of Odorous Air Contaminants:

This chapter restricts the discharge of objectionable odorous air contaminants which measures seven odor concentration units or greater outside the property boundary. The emission of hydrogen sulfide is also addressed with strict concentration limitations. The chapter also establishes the method of measurement using certified inspectors, scentometers, and other approved instruments.

Applicability and Expected Compliance

Based on Department experience with sources having similar emission units, processes, and low hydrogen sulfide concentrations, the facility is expected to comply with this chapter.

Q. NDAC 33.1-15-17 – Restriction of Fugitive Emissions:

This Chapter restricts fugitive emissions from particulate matter or other visible air contaminants and gaseous emissions that would violate Chapter 2 (ambient air quality standards), Chapter 15 (PSD), Chapter 16 (odor), or Chapter 19 (visibility).

Applicability and Expected Compliance

The facility will be required to take reasonable precautions to prevent fugitive emissions in violation of the above referenced NDAC chapters.

R. NDAC 33.1-15-18 – Stack Heights:

This chapter restricts the use of stack heights above good engineering practices (GEP). The chapter primarily adopts federal regulations listed under 40 CFR 51.100(ii). This chapter also restricts the use of dispersion techniques to affect the concentration of a pollutant in the ambient air. Demonstrations of good engineering practice stack heights must be made available for review.

Applicability and Expected Compliance

The proposed stacks at the facility do not exceed GEP and will not use dispersion techniques to affect the pollutant concentration in the ambient air.

The stack heights at the facility are listed Table 5-c of ACP-18228 v1.0.

S. NDAC 33.1-15-19 – Visibility Protection:

This chapter outlines regulations regarding visibility protection and applies to new major stationary sources as defined in Section 33.1-15-15-01. It contains provisions regarding visibility impact analysis, visibility models, notification requirements for permit applications, review by federal land managers, permit issuance criteria, and visibility monitoring.

Applicability and Expected Compliance

The facility is not a new PSD major stationary source and therefore is not subject to the requirements of this chapter. There are no Class I areas within a 50 km radius of the facility. Given the minor source levels of the visibility impairing air pollutants and distance from Class

I area, it is expected that the facility will not adversely contribute to visibility impairment within the three units of the Theodore Roosevelt National or at the Lostwood National Wildlife Refuge.

T. NDAC 33.1-15-20 – Control of Emissions from Oil and Gas Well Production Facilities:

The facility is not an oil or gas well facility and is therefore not subject to the requirements of this chapter.

U. NDAC 33.1-15-21 – Acid Rain Program:

This chapter adopts the acid rain provisions of the Clean Air Act specified under 40 CFR Parts 72-78. The facility is not subject to the acid rain provision as they are not an electric utility.

V. NDAC 33.1-15-22 – Emissions Standards for Hazardous Air Pollutants for Source Categories [40 Code of Federal Regulations Part 63 (40 CFR Part 63)]:

This chapter adopts most of the National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP) under 40 CFR Part 63 regulations that regulates hazardous air pollutants (HAPs) from regulated source categories. Typically, these standards apply to major sources of air pollution that are a regulated source category. In addition to the major source requirements, some regulations have “area source” standards (for non-major sources). The Department has not adopted some of the area source standards and compliance will be determined by the United States Environmental Protection Agency (USEPA) (i.e. 40 CFR 63, Subpart ZZZZ area source provisions have not been adopted by the Department).

Applicability

The facility’s potential HAP emissions are less than 10 tons/year of any single HAP and are less than 25 tons/year of any combination of HAPs, so the facility is an area (minor) source of HAPs. As shown in the Table 2, total potential HAPs from the facility are approximately 9.9 tons/year. The greatest single potential HAP is Methanol at 2.3 tons/year.

Subpart A – General Provisions

Subpart A contains general requirements for prohibited activities and circumvention, preconstruction review and notification, standards and maintenance requirements, performance tests, monitoring, recordkeeping, reporting, and control device work practice requirements.

Applicability and Expected Compliance

The facility will comply with the general provisions of Subpart A through submission of timely notifications, performance testing, monitoring, recordkeeping, reporting, and following the control device work practice requirements under Subpart A.

Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

The subpart establishes emission limits and operating requirements for stationary internal combustion engines. It covers engines located at major or area sources of hazardous air

pollutants. The subpart requires performance testing to demonstrate emissions compliance and includes requirements for monitoring and reporting emissions data. The subpart also lists the provisions for petitioning the administrator for alternative standards and for exemptions from the standards.

Applicability and Expected Compliance

The facility gas engines (EUs 1 through 12) and emergency diesel-fired generators (EUs 14 & 15) are subject to the requirements under this subpart. The requirements of Subpart ZZZZ for the engines are met by complying with the requirements of NDAC 33.1-15-12 [40 CFR 60], Subpart IIII, and Subpart JJJJ.

W. NDAC 33.1-15-23 – Fees:

This chapter requires a filing fee of \$325 for a permit to construct applications, plus any additional fees based on actual processing costs. The additional fees based on processing costs will be assessed upon issuance of the draft permit to construct. The annual operating permit fee is also applicable.

The applicant has paid the \$325 filing fee and may be required to pay the additional fees associated with the permit processing.

X. NDAC 33.1-15-24 – Standards for Lead-Based Paint Activities:

The facility will not perform any lead-based painting and is therefore not subject to this chapter.

Y. NDAC 33.1-15-25 – Regional Haze Requirements:

This chapter is specific to existing stationary sources or groups of sources that have the potential to “contribute to visibility impairment” as defined in Section 33.1-15-25-01.2. Existing stationary sources or groups of sources determined to contribute to visibility impairment may be required to implement emissions reduction measures to help the Department make reasonable progress toward North Dakota’s reasonable progress goals established in accordance with 40 CFR 51.308.

Applicability and Expected Compliance

The facility is a new source and based on low PTE of visibility impairment pollutants is not expected to contribute to visibility impairment. Therefore, the facility is not subject to the requirements of this chapter.

Summary:

A complete review of the proposed project indicates that the facility is expected to comply with the applicable federal and state air pollution rules and regulations. The Department will make a final recommendation on the issuance of a Permit to Construct for the Hulk CDP following completion of a 30-day public comment period. The public comment period will run from June 14, 2024, through July 14, 2024.

Update post comment period:
[Reserved]

Date of Draft Analysis: June 11, 2024

Date of Final Analysis: [Reserved]

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SK/RT/DS:er