

R. SERIES/Initials CON10-1 / C.A.R.

FACILITY ID 64-01-012

WK ACT/Doc Code CP / GC

Project # / Permit # 07-602 /

07/28/08

NOVs & BACT

**Correspondence with IPL concerning
Notice of Violation (NOV) procedure and
BACT**

Roling, Chris [DNR]

From: Siegfried, Dan [DanSiegfried@alliantenergy.com]
Sent: Monday, July 28, 2008 10:06 AM
To: Roling, Chris [DNR]
Cc: Arnold, Alan; Hutchins, Brian [DNR]; Phelps, Dave [DNR]
Subject: RE: voicemail from Friday

Thanks Chris. This answers my question. We were curious if there was language in the MidAm permit. We couldn't find it. Now we know why...it's not there.

Thanks for the follow up.

Dan

From: Roling, Chris [DNR] [mailto:Chris.Roling@dnr.iowa.gov]
Sent: Monday, July 28, 2008 9:34 AM
To: Siegfried, Dan
Cc: Arnold, Alan; Hutchins, Brian [DNR]; Phelps, Dave [DNR]
Subject: voicemail from Friday

Hi Dan,

Sorry I haven't had a chance to call you yet this morning. I thought I better at least drop you an email concerning the discussion I had with Alan. In the case where testing has been done and a BACT limit cannot be met it is my understanding that the normal procedure has been for the Department to issue an NOV that requires the company to either retest or apply for a permit amendment. The company would have to demonstrate that everything has been done to meet the limit (i.e. proper design, materials, operating unit & controls properly, etc.) before the limit could be amended based on the testing. Assuming everything has been done and it is just the case that the limit is not achievable the test data would be used to reset the limit. It would be enforcement discretion as to what action would be required beyond an NOV.

As I told Alan you need to talk to Brian Hutchins from Compliance to make sure I am correct on my understanding as his section would be involved. There is no language in the MidAmerican permits that I can think of that detail this procedure and I don't think it is something we could put in a permit. Again, you would want to talk to Brian. I know Brian is currently in a meeting, but his number is (515) 281-8448.

Chris

Christopher A. Roling, PE
Environmental Engineer Senior
Air Quality Bureau, IDNR
ph: 515-242-6002
fax: 515-242-5094

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