

AGP 23NOC1627- Subpart DD Applicability to T4 Facilities

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Hello, it was nice meeting with you all this afternoon. As we discussed, each facility at Terminal 2 (T2) is approved/permitted to store/transfer/handle Subpart DD grains, and, therefore, Subpart DD applies to each facility at T2.

Per the applicability and designated facility determination/definition in Subpart DD (40 CFR 60.300(a)), "The provisions of this subpart apply to each affected facility at any grain terminal elevator or any grain storage elevator, except as provided under [§ 60.304\(b\)](#). The affected facilities are each truck unloading station, truck loading station, barge and ship unloading station, barge and ship loading station, railcar loading station, railcar unloading station, grain dryer, **and all grain handling operations** (emphasis added by ORCAA staff)."

While ORCAA considers AGP one facility with respect to permitting, registration, and Title V applicability, ORCAA agrees that provided the storage/transfer/handling operations of the facilities at Terminal 4 (T4) are kept physically completely separate of the T2 affected facility operations, T4 facilities can be considered 'separate facilities' with respect to Subpart DD and remain exempt from Subpart DD. However, should T4 facilities be in a position in which storing/transferring/handling Subpart DD grains became necessary, it would require pre-approval from ORCAA through additional permitting. It might be easier to just include Subpart DD applicability and approval in this permitting action, but that is AGP's decision.

Let me know if you'd like to keep the T4 facilities exempt from Subpart DD and we will keep that in mind when writing the permit conditions. I'll also be on the lookout for the NOC application addendum. Feel free to contact me with any questions or concerns.

Sincerely,

Aaron Manley, P.E.

Engineer II

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