

December 11, 2020

VIA ELECTRONIC DELIVERY

Brad Newland
Wilmington Regional Supervisor
NCDEQ Division of Air Quality
127 Cardinal Drive Extension
Wilmington, North Carolina 28405

Re: Response to December 8, 2020 Additional Information Request
Align RNG, LLC – BF Grady Road
Facility ID# 3100179
Permit No. 10644

Dear Mr. Newland:

This letter is in response to the Additional Information Request (“AIR”) sent to Align Renewable Natural Gas (“Align RNG”) by the NCDEQ Division of Air Quality on December 8, 2020. On behalf of Align RNG, let me thank you and your colleagues for your extensive work on this application, which was submitted on December 10, 2019.

During the past year, we have promptly provided all information requested by DEQ. In this instance, however, we must respectfully state that much of the information you are requesting in this latest AIR is outside the scope of the permit application before you or was answered in previous AIR responses.

Stated Scope of the AIR

The AIR states that the requested information is to respond to comments and “will be used to determine whether the emissions from the animal operations related to production of biogas: (a) may be subject to DEQ permitting requirements or other regulations; (b) may cause community impacts such as odor; and (c) should be aggregated with the emissions from the BF Grady Road facility in identifying the permitted source.”

As an initial matter, Align RNG does not understand why “emissions from the animal operations” are relevant to this air permit for the BF Grady Road facility. Unless the animal operations (i.e., farms) and the BF Grady Road facility are considered a single stationary source, their emissions do not factor into any air analysis under review here. DEQ has already gathered the necessary facts to determine that the farms are not part of a single source whose emissions should be aggregated with the BF Grady Road facility.

On July 13, DEQ issued an AIR specifically entitled “Source Aggregation,” and requested information to supplement what had already been submitted in the Application materials. Align RNG’s response on July 27, 2020 demonstrated that the prospective farms would not meet the criteria necessary to be deemed a single source with the BF Grady Road facility. No new facts have been presented since Align RNG submitted this comprehensive response.

Further, the AIR states that DEQ seeks to determine whether specific farms “may be subject to DEQ permitting requirements or other regulations.” As explained below, in past responses to AIRs, and in public comments, final decisions have not been made as to which farms will supply raw biogas to the BF Grady Road facility. This air permit is not the proper vehicle for DEQ to attempt to determine what

permitting requirements may apply in the future to independently owned and operated farms that may qualify and choose to participate.

Similarly, to the extent that DEQ seeks to evaluate “odor” at the farms (as opposed to emissions at the BF Grady Road facility), such an evaluation exceeds the scope of this permit proceeding.¹

Nevertheless, we refer you to the comprehensive analysis by Dr. Craig Frear regarding impacts from anaerobic digesters, including odor. See Align RNG Comments to Draft Air Permit No. 10644R00 (June 16, 2020), Attach. B (C. Frear, *Environmental Impacts of Adding Anaerobic Digesters to Existing Swine Manure Management Systems* (Regenis, 2020)) (“In summary, inclusion of an engineered anaerobic digester and re-purposed use of the existing storage lagoon as a secondary treatment should reduce the potential for odors within each of the barn, lagoon, and field operations.”)

Notwithstanding concerns about the scope of the AIR, Align RNG provides responses below to assist DEQ in responding to the public’s comments.

Responses to Specific Requests

- 1. Provide the location of the 19 animal operations that will supply gas to the subject BF Grady Road facility. Please provide the physical addresses, coordinates, and a map. DEQ notes that Align has provided a representation of where the animal operations that will supply gas are located in a flyer distributed to the public earlier this year. For each animal operation, identify whether a covered lagoon or digester will be used for the production of biogas. Also, please provide the technical specifications on the type of digester that will be used at each site.**

Response: Respectfully, the information requested is beyond the scope of Air Quality Permit Application No. 3100179.19A. This permit is for the infrastructure necessary to convert biogas into RNG at the BF Grady Road facility. The facility is being sized, and permitted, to receive raw biogas from numerous, to-be-determined farms scattered throughout Duplin and Sampson Counties.

As indicated in Align RNG’s November 20, 2020 response to comments, the information requested is speculative because Align RNG does not control whether a particular farm will make the decision to participate in the project. Although prospective farms have been identified on the flyer referenced by DEQ, Align RNG currently does not know whether and which farms will ultimately decide to participate.

As the independently owned and operated farms have not yet decided whether to supply biogas to BF Grady Road, it would not be appropriate for Align RNG to provide the requested information such as the owners’ specific addresses, and doing so may, inadvertently, provide information that is inaccurate (as the addresses may not correlate to project participants if such addressee chooses not to provide biogas to Align RNG). To the extent farms ultimately choose to participate, they will be required to obtain all necessary permits at that time.²

Additionally, the request for this information addresses whether emissions from the farms that will supply raw biogas to the BF Grady Road facility should be aggregated with the facility for air permitting purposes. As indicated in Align RNG’s July 24, 2020 response to DEQ’s July 13 AIR

¹ Requested information must be “necessary to properly evaluate *the source, its air pollution abatement equipment, or the facility.*” 15 NCAC 02Q .0312(a)(1)(C) (emphasis added).

² At this time, 4 farms have submitted applications to DEQ’s Division of Water Quality (“DWQ”) for Swine Waste Management permits, and DWQ conducted a public briefing regarding those permit applications on November 16, 2020.

request and in Align RNG's November 20, 2020 response to comments, there is no potential for any farm that may supply raw biogas to the BF Grady Road facility to be considered the same stationary source as the facility. As acknowledged in DEQ's September 16, 2020 Draft Permit Review (pages 1-2), the potential farms are independently owned and operated, with the closest being approximately 1.1 miles from the BF Grady Road facility. See Figure 1 attached (aerial showing no hog farms within 1 mile of BF Grady Road GUS).

- 2. In your July 24, 2020 response to the Division's July 2, 2020 additional information request, you represented there will be no "excess gas" and thus no flaring or venting at the animal operations. However, the animal operations will be equipped with emergency flares and emergency vents on the digesters for safety purposes. Please provide emission estimates from the animal operation flares and vents and include the technical specifications for the animal operation flares. Please provide detailed calculations on the emission estimates.***

Response: As a point of clarification, Align RNG stated in our July 24, 2020 response that there would be no excess gas under normal operations. As noted in that response, any flaring or venting would be the result of an emergency. It is not practicable to estimate emissions arising from the nearly infinite different types of emergencies that could arise. Moreover, it would be speculative to attempt to provide technical specifications for farm-specific flares when it is not known what farms will participate and when it is very likely that farms have not identified the flares they will use if they do choose to participate. Align RNG will not control what flares that the farms choose.

- 3. Provide emission estimates of methane, ammonia, and hydrogen sulfide from the animal operation digesters and covered lagoons including leaks and fugitives on a site-by-site basis.***

Response: As demonstrated in this response and in responses to DEQ's previous AIRs, the farms and the BF Grady Road facility cannot be considered a single source; therefore the requested information relating to the farms is outside the scope of the air permit for the BF Grady Road facility. Moreover, as previously noted, attempting to provide the requested information for each individual farm is not practicable and would be speculative as Align RNG currently does not know whether and which farms will ultimately decide to participate and supply raw biogas to the BF Grady Road facility.

- 4. Provide current (pre-project) emission estimates of methane, ammonia, and hydrogen sulfide from each of the existing 19 animal operations that will supply gas to the subject BF Grady Road facility. Provide future (post-project) emission estimates of methane, ammonia, and hydrogen sulfide (after installation of digesters and/or lagoon covers; flares; vents) from each of the 19 animal operations.***

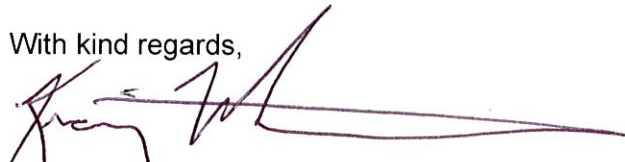
Response: Respectfully, the requested information is beyond the scope of Air Quality Permit Application No. 3100179.19A. Moreover, as noted in response to requests #1 and #3 above, attempting to provide the requested information for each individual farm is not practicable and would be speculative. Nonetheless, as indicated in Align RNG's June 16, 2020 comments, emissions at any farms that choose to participate are expected to decrease as a result of collecting the raw biogas instead of allowing it to be emitted directly to the atmosphere. See Align RNG Comments to Draft Air Permit No. 10644R00 (June 16, 2020), Attach. B (C. Frear, *Environmental Impacts of Adding Anaerobic Digesters to Existing Swine Manure Management Systems* (Regenis, 2020)). Likewise, odor at participating farms is expected to decrease. *Id.*

5. Provide information and details on how and where Align has secured or will secure property rights such as easements to transport gas from the 19 animal operations to the subject BF Grady Road facility.

Response: Respectfully, the requested information is beyond the scope of Air Quality Permit Application No. 3100179.19A. Depending on what farms choose to participate, Align RNG will be required to acquire various property rights and it will do so in accordance with law. See also response to request #1 above.

In closing, please accept the thanks of our team for your agency's extensive work on this permit application. We stand ready to provide promptly information that is within the scope of the application. Please also accept our best wishes for a safe and pleasant holiday season.

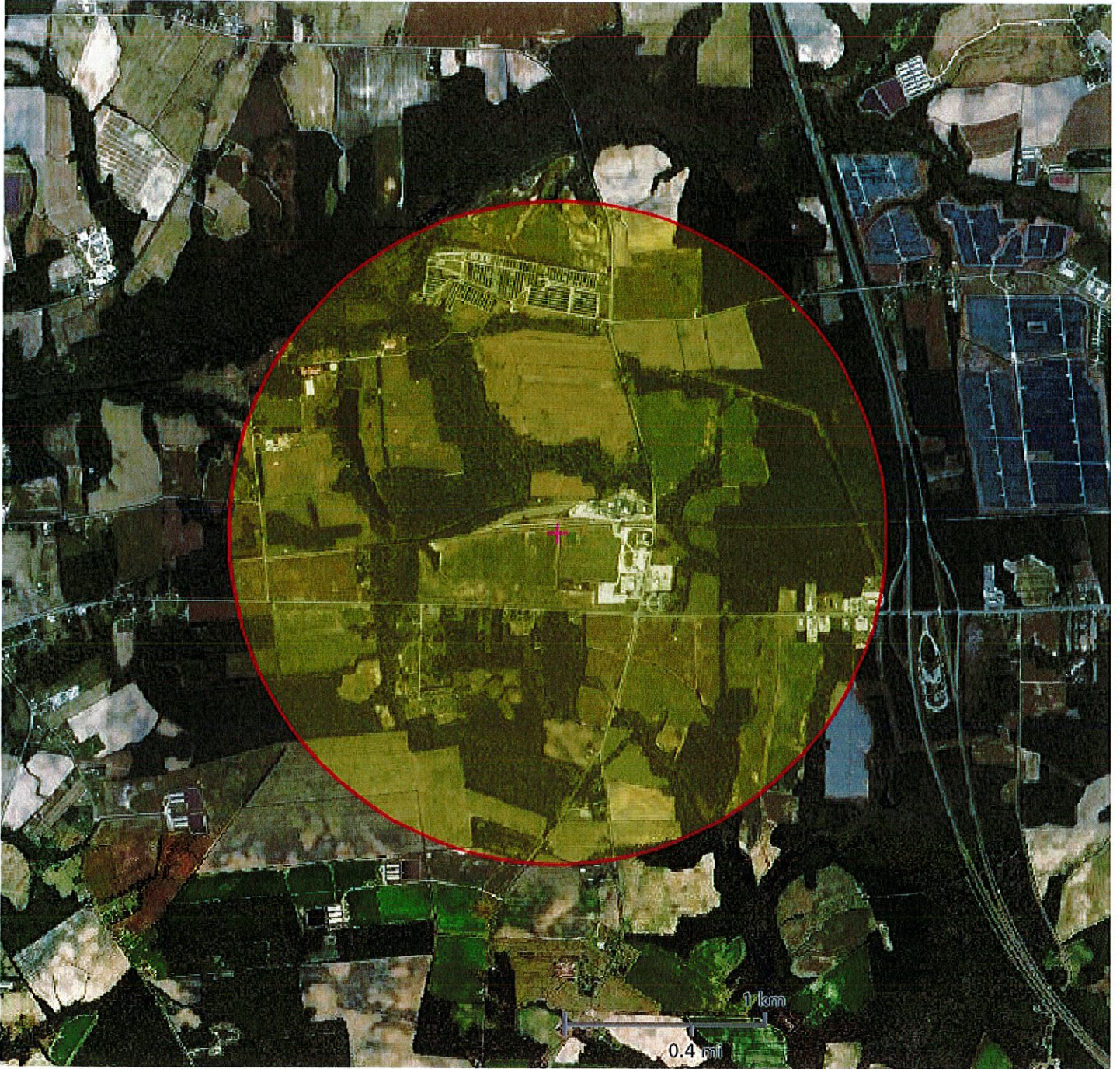
With kind regards,



Kraig Westerbeek
Align Renewable Natural Gas, LLC

FIGURE 1

Area Within 1 Mile of BF Grady Road GUS³



³ Source: EJSscreen.