

Notice of Public Comment Period and Public Hearing
Mississippi Environmental Quality Permit Board
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Public Comment Period Start Date: October 11, 2024
Public Comment Period End Date: November 26, 2024
Date of Public Hearing: November 14, 2024

MDEQ Contact: Mr. Jaricus Whitlock

Amite BioEnergy, LLC – Wood Pellet Manufacturing Facility (“Amite BioEnergy”), located at 1763 Georgia Pacific Road No. 2 in Gloster, MS, Air Reference No. 0080-00031, has applied to the Mississippi Department of Environmental Quality (MDEQ) for the following permitting actions: Modification of the Permit to Construct Air Emissions Equipment issued March 9, 2021; Issuance of an Initial Title V Operating Permit (“TVOP”). In tandem with this notice of the public comment period for the proposed permitting actions, the Permit Board will hold a public hearing on the noted permitting actions at 6:00 p.m. on November 14, 2024, at the Gloster Public Library located at 229 East Main Street; Gloster, MS 39638.

Amite BioEnergy is an existing industrial facility that manufactures wood pellets from green wood fiber material – specifically southern yellow pine. For the production of wood pellets, Amite BioEnergy implements log chipping, bark hogging, log debarking, a rotary dryer, dry hammer mills, pellet mills and coolers, pellet storage silos, truck loading activities, and other ancillary activities. Overall, the facility-wide operations fall within SIC Code 2499 (Wood Products, Not Elsewhere Classified).

The wood pellet production process has the maximum uncontrolled potential-to-emit volatile organic compounds (VOCs), total particulate matter (PM), particulate matter less than 10 microns in diameter (PM₁₀), particulate matter less than 2.5 microns in diameter (PM_{2.5}), and carbon monoxide (CO) greater than the Prevention of Significant Deterioration (PSD) major source threshold of 250 tons per year (tpy); therefore, both draft permits contain Federally enforceable operational restrictions and air pollution control device requirements to limit the respective emission of each aforementioned pollutant below the aforementioned PSD major source threshold. As such, complying with these restrictions and requirements will make Amite BioEnergy a PSD moderate source.

Additionally, Amite BioEnergy is now considered a major source of hazardous air pollutants (HAPs) given that it has the potential-to-emit in excess of 25 tpy for all HAPs in total and 10 tpy for any individual HAP. Accordingly, the facility is now subject to the case-by-case maximum achievable control technology (MACT) requirements in Regulation 11 Miss. Admin. Code Pt. 2, R. 1.8. [Provisions for Hazardous Air Pollutants] and Regulation 11 Miss. Admin. Code Pt. 2, R. 8.1. [Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Section 112(g)]. The results of the case-by-case MACT determination are included in the draft permits.

The staff of the Permit Board has developed these draft permits based on information submitted to the Permit Board by the applicant, appropriate State and Federal agencies, and other interested parties. The staff of the Permit Board is soliciting all relative information pertaining to the proposed activity, including public comment, to ensure that the final staff recommendation on the draft permits comply with all State and Federal regulations. Public review and comment on the draft permits and supporting documentation is an important element in the staff evaluation and resulting recommendation to the Permit Board. The draft permit conditions have been developed to ensure compliance with all State and Federal regulations but are subject to change based on information received as a result of public participation.

The Permit Board was created by Mississippi Law for the purpose of issuing or denying, under such conditions and limitations as it may prescribe, environmental protection permits to control or prevent the release of contaminants into the air and waters of the State. By law, the Board is composed of the following individuals (or their respective designees): the Chief of the Bureau of Environmental Health within the State Department of Health; the Director of the Department of Wildlife, Fisheries, and Parks; the Director of the Office of Land and Water Resources within the MDEQ; the Supervisor of the State Oil and Gas Board; the Director of the Department of Marine Resources; the Director of Geology within the MDEQ; and the Commissioner of Agriculture and Commerce.

Persons wishing to comment upon or object to the proposed determinations are invited to submit comments to the attention of Mr. Jaricus Whitlock either electronically at <https://www.mdeq.ms.gov/whitlock-jaricus/> or in writing using the address shown above no later than the end of November 26, 2024. All comments received by this date will be considered in the formulation of final determinations regarding the applications. The Permit Board is limited in the scope of its analysis to environmental impact; therefore, any comments related to either zoning or economic and social impacts are within the jurisdiction of local zoning and planning authorities and should be addressed to them.

After receipt of public comments and thorough consideration of all comments, the staff will formulate its recommendations for permit issuance and a proposed permit if that is the recommendation. The TVOP is a permit that is required by Title V of the Federal Clean Air Act and the Mississippi Air and Water Pollution Control Law. The TVOP is a Federally-enforceable permit as well as a State permit. Therefore, the U.S. Environmental Protection Agency (EPA) will also be allowed an opportunity to review the application, proposed permit, and all comments received during the public comment period prior to Permit Board action on the application.

The status regarding EPA's 45-day review of draft TVOP and the deadline for citizen's petitions can be found at the following website address: <https://www.epa.gov/caa-permitting/mississippi-proposed-title-v-permits>

The purpose of the public hearing is to explain the proposed permitting actions and to receive comments from the public regarding the actions, particularly on the draft permits and the disclosure statement. Upon arrival at the public hearing, everyone will be asked to register and note if they expect to make a statement. Statements will be received in the order of registration (i.e., first to register will be the first to give public comment). However, everyone will be given an opportunity to comment, including those who indicated during registration that they did not expect to comment. Comments can be presented in writing if preferred. In order to help facilitate understanding between citizens and the Permit Board staff, the staff will attempt to answer questions at the hearing. However, such exchanges should be as brief as possible so that everyone who wants to speak has the opportunity as promptly as possible.

All comments made during this public hearing will be transcribed and made part of the Permit Board file on this matter. Before making any decision, the Board will consider all the issues and concerns raised regarding environmental protection. Any interested party aggrieved by the decision of the Permit Board may file a written request for a formal hearing after the formal evidentiary hearing the Permit Board will make its final decision on the matter. Any person aggrieved by that decision may appeal to the chancery court in the county of the proposed project.

Additional details about the application, including a copy of the draft permit, are available by writing or calling the Public Records Request Officer at the above Permit Board address and telephone number or by completing the form at the following website: <https://www.mdeq.ms.gov/about-mdeq/public-records-request/public-records-request-form/>. Additionally, a copy of the draft permit and Permit Review Summary may be found on the MDEQ's website at: <https://opcgis.deq.state.ms.us/ensearchonline/epd-permits-at-public-notice.aspx>. Additional documents can be found on the Online Public Hearing link at: <https://opcgis.deq.state.ms.us/ensearchonline/public-hearings.aspx>. This information is also available for review at the office of the MDEQ at the Permit Board address shown above during normal business hours. Please bring the foregoing to the attention of persons whom you know will be interested.