Public Notice of intent to issue
Air
Permit 05301286-101

General information

Public comment period begins: June 9, 2020
Public comment period ends: July 9, 2020 (4:30 p.m.)

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to issue this permit.

Name and address of Permittee: Facility name and location: MPCA contact person:
Upsher-Smith Laboratories Inc Upsher-Smith Laboratories LLC Jesse Loi
6701 Evenstad Dr N 6701 Evenstad Dr N Industrial Division
Maple Grove, Minnesota 55369-6026 Maple Grove, MN 55369-6026 Minnesota Pollution Control Agency
Hennepin County

File manager phone: 651-757-2728 or 1-844-828-0942

A draft permit and supporting documentation are available for review on the MPCA Public Notices webpage at http://www.pca.state.mn.us/publicnotices. Additional materials relating to the issuance of this permit are available for inspection by appointment at any MPCA office (https://www.pca.state.mn.us/about-mpca/mpca-offices) between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The MPCA will mail or email a copy of the draft permit upon request. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and time identified above.

Watershed: NA
Receiving water: NA

Description of permitted facility

Upsher-Smith Laboratories (USL) is a pharmaceutical production company that intends to construct a new pharmaceutical manufacturing facility at their Maple Grove headquarters, with a pilot plant also located on-site but in a separate section of the building. The primary sources of emissions from both the manufacturing plant and pilot plant altogether are six fluid bed processors, six tablet coaters, ten milling operations, many solution preparation tanks, and eleven boilers; additional staging, storage, and post-production processing activities are not expected to generate emissions.

The primary pollutants of concern include particulate matter (PM), particulate matter less than 10 microns (PM10), particulate matter less than 2.5 microns (PM2.5), volatile organic compounds (VOC), and methanol as a hazardous air pollutant (HAP). Methanol, which is both a VOC and a HAP, is used as a solvent for manufacturing some pharmaceutical products, and is emitted from the fluid bed processors and solution preparation tanks. Non-methanol VOC emissions come from the fluid bed processors, tablet coaters, solution preparation tanks, and boilers. PM, PM10, and PM2.5 are emitted from the fluid bed processors, tablet coaters, milling operations, and boilers. The boilers will also emit carbon monoxide (CO), nitrogen oxides (NOx), sulfur dioxide (SO2), and carbon dioxide equivalent (CO2e), however these are not primary pollutants of concern at this facility. USL has sixteen fabric filters that will control emissions of PM, PM10, and PM2.5. USL also has a regenerative thermal oxidizer (RTO) to control methanol and VOC emissions.

This permit authorizes the construction of a new pharmaceutical manufacturing facility and all process units that will be part of its operations as listed above. The authorization to construct expires 5 years from issuance of this permit.

The preliminary determination to issue this Air permit is tentative.

This permit action is for construction and operation of the facility. The permit action is issuance of the Part 70 Operating Permit; therefore, the draft permit has been placed on public notice.

A summary of the Potential to Emit (PTE) in tons per year is as follows:
<table>
<thead>
<tr>
<th>Pollutant</th>
<th>PM</th>
<th>PM$_{10}$</th>
<th>PM$_{2.5}$</th>
<th>SO$_2$</th>
<th>NO$_x$</th>
<th>VOCs</th>
<th>CO</th>
<th>CO$_2e$</th>
<th>Methanol</th>
<th>Total HAP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Facility PTE</td>
<td>42.7</td>
<td>43.7</td>
<td>43.7</td>
<td>0.32</td>
<td>53.5</td>
<td>91.9</td>
<td>44.9</td>
<td>64600</td>
<td>91.9</td>
<td>92.9</td>
</tr>
</tbody>
</table>

PM = Particulate Matter  
PM$_{10}$ = PM, 10 microns and smaller  
PM$_{2.5}$ = PM, 2.5 microns and smaller  
SO$_2$ = Sulfur Dioxide  
NO$_x$ = Nitrogen Oxides  
VOCs = Volatile Organic Compounds  
CO = Carbon Monoxide  
CO$_2e$ = Carbon Dioxide Equivalents as defined in Minn. R. 7007.0100  
HAP = Hazardous Air Pollutant

The Permittee is not required to submit a pollution prevention progress report pursuant to Minn. Stat. § 115D.08.

Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA’s consideration of this matter. Interested persons may:

1. Submit written comments on the draft permit.
2. Petition the MPCA to hold a public informational meeting.
3. Petition the MPCA to hold a contested case hearing.

Submitting written comments

To submit comments or petitions to the MPCA through the mail or email, you must state:

1. Your interest in the permit application or the draft permit.
2. The action you wish the MPCA to take, including specific references to the section of the draft permit you believe should be changed.
3. The reasons supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

Public informational meeting

A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

Contested Case Hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.