

January 4, 2024

Mr. Doug Emerson  
Environmental Affairs Manager  
American Crystal Sugar Company  
P.O. Box 190  
Drayton, ND 58225

Re: Air Pollution Control  
Draft Permit to Construct No. ACP-18197 v1.0

Dear Mr. Emerson:

Pursuant to the Air Pollution Control Rules of the State of North Dakota, the Department of Environmental Quality (Department) has reviewed the permit applications received August 18, 2022, and December 28, 2022, to obtain a Permit to Construct for modification and facility expansion of the existing American Crystal Sugar Company's Drayton Plant located in Pembina County, North Dakota.

Before making final determination on the draft Permit to Construct, the Department must solicit public comment by means of the enclosed public notice. As indicated in the notice, the public comment period will begin on January 11, 2024, and end on February 10, 2024. The Department's analysis and a draft copy of the Permit to Construct may be found at <https://deq.nd.gov/AQ/PublicCom.aspx>. The documents will be posted on or before January 11, 2024.

All comments received will be considered in the final determination concerning issuance of the permit. You will be notified in writing of our final determination.

If you have any questions, please contact me at (701)328-5229 or [destroh@nd.gov](mailto:destroh@nd.gov).

Sincerely,



David Stroh  
Manager, Permit Program  
Division of Air Quality

DS:

Enc:

xc: Adam Eisele, EPA Region 8 (email - [eisele.adam@epa.gov](mailto:eisele.adam@epa.gov))

NOTICE OF INTENT TO ISSUE AN  
AIR POLLUTION CONTROL  
PERMIT TO CONSTRUCT

Take notice that the North Dakota Department of Environmental Quality (NDDEQ) proposes to issue an Air Pollution Control Permit to Construct to American Crystal Sugar Company in accordance with the North Dakota Air Pollution Control Rules. The proposed air pollution control permit is for modification and facility expansion of the existing Drayton Plant located in Pembina County, North Dakota.

Preliminary evaluations made by Department staff indicate that the project will comply with all applicable Air Pollution Control Rules and there will be no detrimental/significant effects to air quality. Predicted concentrations in the air surrounding the facility are expected to be below the state and federal ambient air quality standards, which are standards that are set at a level to protect human health and the environment.

Based on the expected emissions from the project and the distance from the project to the nearest Class I area (National Parks, etc.), any impacts on the Class I areas, including Prevention of Significant Deterioration of Air Quality (PSD) Class I increment, were determined to be insignificant. The maximum cumulative impact on PSD Class II increment is as follows: 0% for annual PM<sub>10</sub>, 84% for 24-hour PM<sub>10</sub>, 14% for annual PM<sub>2.5</sub>, 44% for 24-hour PM<sub>2.5</sub>, 0% for annual SO<sub>2</sub>, 1% for 3-hour and 24-hour SO<sub>2</sub>, and 13% for annual NO<sub>2</sub>. More detail regarding increment consumption can be found in the Department's Air Quality Impacts Analysis.

A 30-day public comment period for the proposed permit to construct will begin January 11, 2024, and end on February 10, 2024. Direct comments in writing, including Re: Public Comment Permit Number ACP-18197 v1.0, to AirQuality@nd.gov or the NDDEQ, Division of Air Quality, 4201 Normandy Street, 2<sup>nd</sup> Floor, Bismarck, ND 58503-1324. Emailed comments must be sent to the email address above to be considered. Comments must be received by 11:59 p.m. central time on the last day of the public comment period to be considered in the final permit determination.

A public meeting regarding issuance of the Permit to Construct will be held if a significant degree of public interest exists as determined by NDDEQ. Requests for a public meeting must be received in writing by NDDEQ before the end of the public comment period. The application, NDDEQ analysis and draft permit are available for review at the above address and on-line at <http://deq.nd.gov/AQ/PublicCom.aspx>. A copy of these documents may be obtained by writing to the Division of Air Quality or contacting David Stroh at (701)328-5229 or by email at [dstroh@nd.gov](mailto:dstroh@nd.gov).

The NDDEQ will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for people with disabilities, language interpretation for people with limited English proficiency (LEP), and translations of written material necessary to access programs and information. Language assistance services are available free of charge to you. To request accommodations, contact NDDEQ's Non-discrimination Coordinator at 701-328-5150 or [deqEJ@nd.gov](mailto:deqEJ@nd.gov). TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

Dated this 4<sup>th</sup> day of January 2024

James L. Semerad  
Director  
Division of Air Quality