

**MINNESOTA POLLUTION CONTROL AGENCY
PUBLIC NOTICE ON DRAFT/PROPOSED
AIR EMISSION FACILITY PERMIT**

NOTICE IS HEREBY GIVEN, that the Commissioner of the Minnesota Pollution Control Agency (MPCA) proposes to issue Air Emission Permit No. 06300025-004 to Heron Lake BioEnergy LLC for their facility located at 91246 390th Avenue, Heron Lake, Jackson County, Minnesota.

The permit action is for modification of the permit and operation of the facility. The permit action replaces the current State permit with a federal Part 70 permit and also establishes Best Available Control Technology emission limits pursuant to the federal Prevention of Significant Deterioration regulation (40 CFR § 52.21); therefore, the draft/proposed permit has been placed on public notice. The MPCA is seeking U.S. Environmental Protection Agency's (EPA) concurrent review of this draft/proposed permit and the EPA 45-day review period will begin with the 30-day public review period.

A summary of the Potential to Emit (PTE) in tons per year is as follows:

Pollutant	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOCs	CO	HAP
Point-source PTE	57.1	145.4	145.4	98.7	97.9	81.1	98.4	17.13
Fugitive PTE	36.3	10.4	2.4	0	0	9.4	0	2.57
Total Facility PTE	93.4	155.8	147.8	98.7	97.9	90.5	98.4	19.70

PM = Particulate Matter

PM_{2.5} = PM smaller than 2.5 microns

NO_x = Nitrogen Oxides

CO = Carbon Monoxide

PM₁₀ = PM smaller than 10 microns

SO₂ = Sulfur Dioxide

VOCs = Volatile Organic Compounds

HAP = Hazardous Air Pollutant

The federal PSD regulation cited above requires an analysis of the amount by which air quality is deteriorated by PM₁₀, SO₂, and NO_x, compared to the amount allowed by the PSD regulation, known as increment. The amount of increment consumed by this facility's emissions follows:

PM₁₀ 24-hour averaging time 83 percent

PM₁₀ annual averaging time 21 percent

SO₂ 3-hour averaging time 7 percent

SO₂ 24-hour averaging time 18 percent

SO₂ annual averaging time 2 percent

NO_x annual averaging time 2 percent

The preliminary determination to issue the air emission permit is tentative. There are four formal procedures for public participation in the MPCA's consideration of the permit application.

Interested persons may (1) submit written comments on the proposed permit; (2) request that the MPCA hold a public information meeting; (3) request the MPCA hold a contested case hearing; and/or (4) submit a petition to the Commissioner requesting that the MPCA Board consider the permit matter.

The decision whether to issue the permit and, if so, under what terms, will be presented to the MPCA Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the MPCA Board; (2) an MPCA Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the permit; or (3) a request for a contested case hearing is pending. Otherwise, the Commissioner will make the decision.

Persons who submit comments or petitions to the MPCA must state (1) their interest in the permit application or the draft permit; (2) the action they wish the MPCA to take, including specific references to the section of the draft permit they believe should be changed; and (3) the reasons supporting their position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

As described in Minn. R. 7000.1800, persons who submit requests 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. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900. Most public libraries throughout the state have copies of the current Minnesota Rules. They are also available on the Internet at www.revisor.leg.state.mn.us.

The public comment period commences November 12, 2009, and terminates December 11, 2009. Comments must be received in writing at the MPCA by 4:30 p.m. on December 11, 2009. Evidence of timely receipt includes a date/time stamp imprinted on the first page of the written comments by the first floor information and reception area of the MPCA or by the Industrial Division support staff, or receipt by fax.

Comments, requests and petitions should be sent to:

David L. Beil, P.E., Biofuels Sector
Minnesota Pollution Control Agency, Industrial Division
520 Lafayette Road North, St. Paul, Minnesota 55155
651-757-2218 – Voice 651-296-8717 -- Fax

A copy of the draft/proposed permit will available on the MPCA's website at <http://www.pca.state.mn.us/news/data/index.cfm?PN=1>, or will also be mailed to any interested person upon the MPCA's receipt of a written request. Additional materials relating to the issuance of this permit are available for inspection by appointment at the Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155, phone 651-757-2218, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. All MPCA offices may be reached by calling 1-800-657-3864.

DATED: November 3, 2009

Don Smith, P.E., Manager
Air Quality Permits Section
Industrial Division