



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502

C.L. "Butch" Otter, Governor  
Toni Hardesty, Director

April 25, 2007

**Certified Mail No. 7005 1160 0000 1550 2294**

Lance Carter  
Environmental Manager  
J.R. Simplot Company  
P. O. Box 1059  
Caldwell, Idaho 83606

RE: Facility ID No. 027-00009, J.R. Simplot Company, Caldwell  
Administrative Amendment Tier I Operating Permit

Dear Mr. Carter:

The Department of Environmental Quality (DEQ) is issuing amended Tier I Operating Permit No. TI-2007.0042 J.R. Simplot (Simplot) in Caldwell, Idaho, in accordance with IDAPA 58.01.01.381, Rules for the Control of Air Pollution in Idaho. This permit has been administratively amended by DEQ as requested in your March 27, 2007 submittal. This amended permit lists Jim Englar as the facilities new responsible official.

Please be aware this permit replaces Tier I Operating Permit No. TI-2007.0010, issued March 8, 2007, the terms and conditions of which shall no longer apply.

If you have questions regarding the amendment procedure or this notification, please contact Jonathan Pettit (208) 373-0502 or [Jonathan.Pettit@deq.idaho.gov](mailto:Jonathan.Pettit@deq.idaho.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Simon".

Mike Simon  
Stationary Source Program Manager  
Air Quality Division

MS/JCP/bf

Permit No. TI-2007.0042

Enclosure

c: Lenard Herr, Boise Regional Office  
Jonathan Pettit, Permit Writer  
Bill Rogers, Permit Coordinator  
Marilyn Seymore/Pat Rayne, Air Quality Division  
Laurie Kral, EPA Region 10  
Source File  
Permit Binder  
Phyllis Heitman, (Ltr Only)  
Reading File (Ltr Only)



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## Acronyms, Units, and Chemical Nomenclature

AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
CAA	Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
dscf	dry standard cubic feet
EPA	U.S. Environmental Protection Agency
ESP	electrostatic precipitator
gr	grain (1 lb = 7,000 grains)
HAPs	hazardous air pollutants
H <sub>2</sub> S	hydrogen sulfide
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
lb/hr	pound per hour
lb/mo	pounds per month
MMBtu	million British thermal units
O&M	operations and maintenance
O <sub>2</sub>	oxygen
PM	particulate matter
PM <sub>10</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppmv	parts per million by volume
PTC	permit to construct
SIC	Standard Industrial Classification
SO <sub>2</sub>	sulfur dioxide
T/yr	tons per year
T/mo	tons per month
U.S.C.	United States Code
UTM	Universal Transverse Mercator
VOC	volatile organic compound

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-2007.0042**

<b>Permittee</b> :	J.R. Simplot Co., Food Group	<b>Facility ID No. 027-00009</b>
<b>Location:</b>	Caldwell, Idaho	

**1. TIER I OPERATING PERMIT SCOPE**

***Purpose***

- 1.1 This Tier I operating permit administratively amends the facility's existing Tier I operating permit. This Tier I operating permit replaces Tier I Operating Permit No. T1-2007.0010, issued March 8, 2007, the terms and conditions of which shall no longer apply.
- 1.2 This Tier I operating permit incorporates the following permit(s):
  - PTC No. P-030014, issued October 17, 2003.
  - PTC No. P-050016, issued December 22, 2005.
  - PTC No. P-060025, issued June 14, 2006.

***Regulated Sources***

- 1.3 Table 1.1 lists all sources of emissions regulated in this Tier I operating permit.

**Table 1.1 REGULATED SOURCES**

<b>Permit Condition</b>	<b>Source Description</b>	<b>Emissions Control(s)</b>
3	Production Lines No. 1, 4, and 6	Wet ESP
4	Steam Generating Plant	None
5	Heater S-C-H5	None
6	Biogas Unit	Flare

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-2007.0042**

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**2. FACILITY-WIDE CONDITIONS**

The following table contains a summary of requirements that apply generally to emissions units at the facility.

**Table 2.1 APPLICABLE REQUIREMENTS SUMMARY**

<b>Permit Condition</b>	<b>Parameter</b>	<b>Permit Limit/ Standard Summary</b>	<b>Applicable Requirements Reference</b>	<b>Monitoring and Recordkeeping Requirements</b>
2.1	Fugitive dust	Reasonable control and no more than three minutes in any 60-minute period leaving the property boundary of the permitted facility	IDAPA 58.01.01.650-651, PTC No. 027-00009	2.2, 2.3, 2.4, 2.11, 2.12
2.5	Odors	No emissions of odorous gas, liquids, or solids	IDAPA 58.01.01.775-776	2.6, 2.11, 2.12
2.7	Visible emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625	2.8, 2.11, 2.12
2.9	Excess emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130-136	2.9.1-2.9.5, 2.11, 2.12
2.13	Fuel- burning equipment	Compliance with IDAPA 58.01.01.676-677	IDAPA 58.01.01.676-677	2.13, 2.11
2.14	Fuel sulfur content	ASTM Grade 1 fuel oil – 0.3% by weight ASTM Grade 2 fuel oil – 0.5% by weight	IDAPA 58.01.01.728	2.14, 2.11
2.15	Open burning	Compliance with IDAPA 58.01.01.600-617	IDAPA 58.01.01.600-617	2.15, 2.11
2.16	Renovation and demolition	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	2.16, 2.11
2.17	Chemical accident prevention	Compliance with 40 CFR 68	40 CFR 68	2.17, 2.11

***Fugitive Dust***

- 2.1 All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650-651.  
**[IDAPA 58.01.01.650-651, 5/1/94]**
  
- 2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (i.e., water, chemical dust suppressants, etc.) to reasonably control fugitive dust emissions.  
**[IDAPA 58.01.01.322.06, 07, 5/1/94]**

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<b>Location:</b>	Caldwell, Idaho	

- 2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.  

**[IDAPA 58.01.01.322.06, 07, 5/1/94]**
- 2.4 The permittee shall conduct a quarterly facility-wide inspection of potential sources of fugitive dust emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive dust emissions are effective. If fugitive dust emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive dust emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive dust emissions, and the date the corrective action was taken.  

**[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]**

***Odors***

- 2.5 The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.  

**[IDAPA 58.01.01.775-776(state-only), 5/1/94]**
- 2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.  

**[IDAPA 58.01.01.322.06, 07 (state-only), 5/1/94]**

***Visible Emissions***

- 2.7 The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.  

**[IDAPA 58.01.01.625, 4/5/00]**

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<b>Location:</b>	Caldwell, Idaho	

2.8 The permittee shall conduct a quarterly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable, or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

**[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]**

***Excess Emissions***

*Excess Emissions - General*

2.9 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 shall govern in the event of conflicts between Permit Condition 2.9 and the regulations of IDAPA 58.01.01.130-136.

2.9.1 The person responsible for or in charge of a facility during an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing the excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and shall, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.

**[IDAPA 58.01.01.132, 4/5/00]**

*Excess Emissions – Startup, Shutdown, Scheduled Maintenance*

2.9.2 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

**[IDAPA 58.01.01.133, 4/5/00]**

- A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory or a Wood Stove Curtailment Advisory has been declared by DEQ.

**[IDAPA 58.01.01.133.01.a, 3/20/97]**

- Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to, the start of the event, unless the owner or operator demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.

**[IDAPA 58.01.01.133.01.b, 4/5/00]**

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<b>Permittee</b> :	J.R. Simplot Co., Food Group	<b>Facility ID No. 027-00009</b>
<b>Location:</b>	Caldwell, Idaho	

- The owner or operator of a source of excess emissions shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

**[IDAPA 58.01.01.133.01.c, 3/20/97]**

*Excess Emissions – Upset, Breakdown, or Safety Measures*

2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

**[IDAPA 58.01.01.134, 4/5/00]**

2.9.3.1 For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:

**[IDAPA 58.01.01.134.02, 4/5/00]**

- The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.

**[IDAPA 58.01.01.134.02.a, 4/5/00]**

- The owner or operator shall notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the owner or operator demonstrates to DEQ's satisfaction that the longer reporting period was necessary.

**[IDAPA 58.01.01.134.02.b, 4/5/00]**

- The owner or operator shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

**[IDAPA 58.01.01.134.02.c, 3/20/97]**

2.9.3.2 During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the facility owner or operator.

**[IDAPA 58.01.01.134.03 4/5/00]**

*Excess Emissions – Reporting and Recordkeeping*

2.9.4 A written report for each excess emissions event shall be submitted to DEQ by the owner or operator no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

**[IDAPA 58.01.01.135.01 and 02, 3/20/97]**

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<b>Location:</b>	Caldwell, Idaho	

2.9.5 The owner or operator shall maintain excess emissions records at the facility for the most recent five-calendar-year period. The excess emissions records shall be made available to DEQ upon request and shall include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

**[IDAPA 58.01.01.136.01, 02, 3/20/97; IDAPA 58.01.01.136.03, 4/5/00]**

2.9.5.1 An excess emissions record book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and

**[IDAPA 58.01.01.136.03.a, 4/5/00]**

2.9.5.2 Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the owner or operator in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

**[IDAPA 58.01.01.136.03.b, 3/20/97]**

### ***Performance Testing***

2.10 If performance testing is required, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test or shorter time period as provided in a permit, order, consent decree, or by DEQ approval. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests such testing not be performed on weekends or state holidays.

All testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, prior to conducting any performance test, the permittee is encouraged to submit in writing to DEQ, at least 30 days in advance, the following for approval:

- The type of method to be used
- Any extenuating or unusual circumstances regarding the proposed test
- The proposed schedule for conducting and reporting the test

The permittee shall submit a compliance test report for the respective test to DEQ within 30 days following the date in which a compliance test required by this permit is concluded. The compliance test report shall include all process operating data collected during the test period as well as the test results, raw test data, and associated documentation, including any approved test protocol.

The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the following address:

Air Quality Permit Compliance  
Department of Environmental Quality  
Boise Regional Office  
1445 N. Orchard  
Boise, ID 83706-2239  
Telephone: (208) 373-0550      Fax: (208) 373-0287

**[IDAPA 58.01.01.157, 4/5/00; IDAPA 58.01.01.322.06, 08.a, 09, 5/1/94]**

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-2007.0042**

<b>Permittee:</b>	J.R. Simplot Co., Food Group
<b>Location:</b>	Caldwell, Idaho

**Facility ID No. 027-00009**

***Monitoring and Recordkeeping***

2.11 The permittee shall maintain sufficient records to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

**[IDAPA 58.01.01.322.07, 5/1/94]**

***Reports and Certifications***

2.12 All periodic reports and certifications required by this permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications, and notifications shall be submitted to:

Air Quality Permit Compliance  
Department of Environmental Quality  
Boise Regional Office  
1445 N. Orchard  
Boise, ID 83706-2239  
Telephone: (208) 373-0550      Fax: (208) 373-0287

The periodic compliance certification required by General Provision 21 shall also be submitted within 30 days of the end of the specified reporting period to:

EPA Region 10  
Air Operating Permits, OAQ-107  
1200 Sixth Ave.  
Seattle, WA 98101

**[IDAPA 58.01.01.322.08, 11, 5/1/94]**

***Fuel-Burning Equipment***

2.13 The permittee shall not discharge PM to the atmosphere from any fuel-burning equipment in excess of 0.015 gr/dscf of effluent gas corrected to 3% oxygen by volume for gas, 0.050 gr/dscf of effluent gas corrected to 3% oxygen by volume for liquid, 0.050 gr/dscf of effluent gas corrected to 8% oxygen by volume for coal, and 0.080 gr/dscf of effluent gas corrected to 8% oxygen by volume for wood products.

**[IDAPA 58.01.01.676-677, 5/1/94]**

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<b>Permittee:</b>	J.R. Simplot Co., Food Group
<b>Location:</b>	Caldwell, Idaho

**Facility ID No. 027-00009**

***Sulfur Content***

2.14 The permittee shall not sell, distribute, use, or make available for use any distillate fuel oil containing more than the following percentages of sulfur:

- ASTM Grade 1 fuel oil - 0.3% by weight.
- ASTM Grade 2 fuel oil - 0.5% by weight.

**[IDAPA 58.01.01.728, 5/1/94]**

2.14.1 The permittee shall not sell, distribute, use, or make available for use, any coal containing greater than 1% sulfur by weight.

**[IDAPA 58.01.01.729, 5/1/94]**

2.14.2 The permittee shall maintain documentation of supplier verification of distillate fuel oil content on an as-received basis.

**[IDAPA 58.01.01.322.06, 5/1/94]**

***Open Burning***

2.15 The permittee shall comply with the Rules for Control of Open Burning, IDAPA 58.01.01.600-617.

**[IDAPA 58.01.01.600-617, 3/21/03]**

***Renovation/Demolition***

2.16 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.

**[40 CFR 61, Subpart M]**

***Regulated Substances for Accidental Release Prevention – Asbestos Requirement***

2.17 An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR 68 no later than the latest of the following dates:

- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130.
- The date on which a regulated substance is first present above a threshold quantity in a process.

**[40 CFR 68.10 (a)]**

***Recycling and Emissions Reductions – CFC Requirement***

2.18 The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, Recycling and Emissions Reduction.

**[40 CFR 82, Subpart F]**

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<b>Permittee:</b>	J.R. Simplot Co., Food Group
<b>Location:</b>	Caldwell, Idaho

**Facility ID No. 027-00009**

***Ethanol Production Plant &– Ethanol Storage Tanks***

- 2.19 The ethanol production plant, which includes the ethanol storage tanks, shall not be operated at any time. There shall be no air pollutant emissions from the ethanol production plant.

**(IDAPA 58.01.01.460.04, 4/5/00)**

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-2007.0042**

<b>Permittee:</b>	J.R. Simplot Co., Food Group	<b>Facility ID No. 027-00009</b>
<b>Location:</b>	Caldwell, Idaho	

**3. PRODUCTION LINES NO. 1, 4, AND 6**

***Summary Description***

The following is a narrative description of the No. 1, 4, and 6 production lines regulated in this Tier I operating permit. This description is for informational purposes only. The Line No. 1 fryer was initially permitted as the Line No. 5 fryer in PTC No. 027-00009, dated December 31, 1997, and will be referred to as Line No. 1 throughout this operating permit unless otherwise noted.

The plant has three processing lines (No. 1, 4, and 6) located in Plant 2, each equipped with a blancher, a dryer, and a fryer. The Line No. 1 dryer and fryer were installed in 1995 and 1998, respectively; Line No. 4 dryer and fryer were installed in 1972 and 1970, respectively; and Line No. 6 dryer and fryer were installed in 1968 and 1970, respectively. The rated capacities of the Line No. 1, 4, and 6 dryers are 5.5, 16, and 28 MMBtu/hr, respectively. The rated capacities of the Line No. 1, 4, and 6 fryers are 75,000; 260,000; and 270,000 pounds per eight-hour shift. Each dryer is typically one large unit that is vented directly to the atmosphere. The fryers are primarily vented to a wet electrostatic precipitator. Table 3.1 lists the unit numbers associated with each unit.

**Table 3.1 EMISSIONS UNIT IDENTIFICATION NUMBERS**

Production Line No. 1		Production Line No. 4		Production Line No. 6	
Dryer	Fryer	Dryer	Fryer	Dryer	Fryer
S-C-D1	S-C-F1	S-C-D4	S-C-F4	S-C-D6	S-C-F6

Table 3.2 below describes the devices used to control emissions from production line fryers 1, 4, and 6.

**Table 3.2 EMISSIONS UNITS AND EMISSIONS CONTROL DEVICES**

Emission Unit(s) / Process(es)	Emission Control Device
Production Line No. 1 fryer	Wet ESP
Production Line No. 4 fryer	Wet ESP
Production Line No. 6 fryer	Wet ESP

Table 3.3 contains a summary of the requirements that apply to the No. 1, 4, and 6 production lines. Specific permit requirements are listed below Table 3.3.

**Table 3.3 APPLICABLE REQUIREMENTS SUMMARY**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring, Recordkeeping, and Reporting Requirements
3.1, 3.2	PM	Process weight	IDAPA 58.01.01.701-702	None required
3.3	PM (line No. 1)	10.88 lb/hr and 47.65 T/yr	PTC Condition	3.6, 3.7, 3.8, 3.10
3.4	Visible emissions (line No. 1)	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625, PTC Condition	3.6, 3.7, 3.8, 3.10
3.5	Throughput (line No. 1)	41, 908 T/yr in any consecutive 12-month period	PTC Condition	3.9

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-2007.0042**

<b>Permittee:</b>	J.R. Simplot Co., Food Group
<b>Location:</b>	Caldwell, Idaho

**Facility ID No. 027-00009**

**Permit Limits / Standard Summary**

3.1 None of the Line No. 4 and Line No. 6 dryers or fryers shall emit to the atmosphere PM in excess of the amount shown by the following equations, where E is the allowable emission from the entire source in pounds per hour (lb/hr), and PW is the process weight in pounds per hour:

a. If PW is less than 17,000 lb/hr,

$$E = 0.045(PW)^{0.60}$$

b. If PW is equal to or greater than 17,000 lb/hr,

$$E = 1.12(PW)^{0.27}$$

**[IDAPA 58.01.01.702, 4/5/00]**

3.2 The Line No. 1 dryer or fryer shall not emit to the atmosphere PM in excess of the amount shown by the following equations, where E is the allowable emission from the entire source in pounds per hour, and PW is the process weight in pounds per hour:

a. If PW is less than 9,250 lb/hr,

$$E = 0.045(PW)^{0.60}$$

b. If PW is equal to or greater than 9,250 lb/hr,

$$E = 1.10(PW)^{0.25}$$

**[IDAPA 58.01.01.701, 4/5/00]**

3.3 The PM emissions from the line No. 1 fryer stack shall not exceed 10.88 lb/hr or 47.65 T/yr.

**[PTC No. P-050016, 12/22/05]**

3.4 For line No. 1 fryer, the permittee shall comply with Permit Condition 2.7

**[PTC No. P-050016, 12/22/05]**

3.5 The maximum throughput of preformed potato product to the Line No. 1 fryer shall not exceed 41,908 T/yr, measured as finished product, in any consecutive 12-month period.

**[PTC No. P-050016, 12/22/05]**

3.6 The permittee shall install, calibrate, maintain, and operate, in accordance with manufacturer's specifications and recommendations, equipment to monitor the secondary voltage of the WESP and the quench water flow rate.

**[PTC No. P-050016, 12/22/05]**

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<b>Permittee:</b>	J.R. Simplot Co., Food Group
<b>Location:</b>	Caldwell, Idaho

**Facility ID No. 027-00009**

3.7 The permittee shall have developed an O&M manual for the WESP that describes the procedures that will be followed to comply with the requirements for the WESP as contained in this permit, and assures that the permittee shall at all times (except as provided in the Rules for the Control of Air Pollution in Idaho) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution. The O&M manual shall contain, at a minimum, the following information: a general discussion of the operation of the WESP, operating procedures, normal operating ranges for the secondary voltage and the quench water flow rate, corrective action steps for when operation is not consistent with normal operating ranges, cleanup and maintenance procedures, and recordkeeping. The O&M manual shall remain on site at all times and shall be made available to DEQ representatives upon request.

The permittee shall operate the WESP system in accordance with the O&M manual.

**[PTC No. P-050016, 12/22/05]**

3.8 The Line No. 1, 4, and 6 dryers shall be fired by natural gas exclusively.

**[IDAPA 58.01.01.322.01, 3/19/99]**

***Monitoring & Recordkeeping Requirements***

3.9 The permittee shall monitor and record the throughput to the Line 1 fryer monthly and annually to demonstrate compliance Permit Condition 3.5. Annual throughput shall be determined by summing each monthly throughput over the previous consecutive 12-month period. Records of this information shall be kept on site for the most recent five year period and shall be made available to DEQ representatives upon request.

**[PTC No. P-050016, 12/22/05]**

3.10 The permittee shall monitor and record the following operating parameters once per day while the WESP is operating. Records of this information shall remain on site for the most recent two-year period and shall be made available to DEQ representatives upon request:

- The secondary voltage of the WESP
- The flow rate of the quench water system
- The quench water system shall be monitored and a daily record kept of whether the sprays are in operation and the corrective action taken when the sprays are not in operation

**[PTC No. P-050016, 12/22/05]**

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-2007.0042**

**Permittee:** J.R. Simplot Co., Food Group  
**Location:** Caldwell, Idaho

**Facility ID No. 027-00009**

**4. STEAM GENERATING PLANT**

***Summary Description***

The following is a narrative description of the steam generating plant regulated in this Tier I operating permit. This description is for informational purposes only.

The steam generating plant consists of three natural gas-fired boilers that supply steam to the potato processing plant and the ethanol plant. The Kewanee boiler (Unit No. S-C-B8) was installed in 1966 and has a rated capacity of 80.8 MMBtu/hr. The remaining two boilers are both Cleaver-Brooks boilers with rated capacities of 99 MMBtu/hr. The first Cleaver-Brooks boiler (Unit No. S-C-B9) was installed in 1969, and the second Cleaver-Brooks boiler (Unit No. S-C-B10) was installed in 1972. There are currently no control devices on the boilers.

Table 4.1 contains a summary of the requirements that apply to the steam generating plant. The steam generating plant consists of three natural gas-fired boilers that supply steam to the potato processing plant and the ethanol plant. The Kewanee boiler (Unit No. S-C-B8) was installed in 1966 and has a rated capacity of 80.8 MMBtu/hr. The remaining two boilers are both Cleaver-Brooks boilers with rated capacities of 99 MMBtu/hr. The first Cleaver-Brooks boiler (Unit No. S-C-B9) was installed in 1969, and the second Cleaver-Brooks boiler (Unit No. S-C-B10) was installed in 1972. There are currently no control devices on the boilers. Table 4.1 contains a summary of the requirements that apply to the steam generating plant. Specific permit requirements are listed below Table 4.1.

**Table 4.1 APPLICABLE REQUIREMENTS SUMMARY**

<b>Permit Conditions</b>	<b>Parameter</b>	<b>Permit Limit / Standard Summary</b>	<b>Applicable Requirements Reference</b>	<b>Operating and Monitoring and Recordkeeping Requirements</b>
4.1	PM	0.015 gr/dscf at 3% oxygen	IDAPA 58.01.01.677	4.2
4.2	Fuel type	Natural gas only	IDAPA 58.01.01.322.01; PTC Condition	2.11

***Permit Limits / Standard Summary***

4.1 The permittee shall not discharge to the atmosphere from any fuel burning equipment in operation prior to October 1, 1979, PM in excess of 0.015 gr/dscf corrected to 3% oxygen.

**[IDAPA 58.01.01.677, 5/1/94]**

4.2 The three boilers shall be fired by natural gas exclusively.

**[PTC No. P-060025, 6/14/06]**

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**5. HEATER S-C-H5**

***Summary Description***

There is one natural gas-fired heating unit (S-C-H5) used to heat the plant that does not qualify as an insignificant activity. This heater has a rated capacity of 10.1 MMBtu/hr and was installed on January 15, 1991. Emissions from the heaters are released to the atmosphere through room vents. Combustion emissions for the heaters are based on continuous operation at burner capacity, assuming all emissions are released to the atmosphere.

Table 5.1 contains a summary of the requirements that apply to the heater.

**Table 5.1 APPLICABLE REQUIREMENTS SUMMARY**

<b>Permit Conditions</b>	<b>Parameter</b>	<b>Permit Limit / Standard Summary</b>	<b>Applicable Requirements Reference</b>	<b>Operating and Monitoring and Recordkeeping Requirements</b>
5.1	PM	0.015 gr/dscf at 3% O <sub>2</sub>	IDAPA 58.01.01.676	5.2
5.2	Fuel type	Natural gas only	IDAPA 58.01.01.322.01	2.11

***Permit Limits / Standard Summary***

5.1 The permittee shall not discharge to the atmosphere from any fuel-burning equipment in operation on or after October 1, 1979, with a maximum rated input equal to or exceeding 10 MMBtu/hr, PM in excess of 0.015 gr/dscf corrected to 3% oxygen.

**[IDAPA 58.01.01.676, 5/1/94]**

5.2 The heater shall be fired by natural gas exclusively.

**[IDAPA 58.01.01.322.01, 3/19/99]**

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**6. BIOGAS UNIT**

**Summary Description**

Gases produced by the ADI-BVF anaerobic digester at the wastewater treatment facility are referred to as biogases. The biogas primarily consists of methane, carbon dioxide, and hydrogen sulfide (H<sub>2</sub>S). These gases are collected and routed to a waste flare (Unit No. S-C-BF) equipped with a natural gas-fired pilot light. The flare combusts the biogas to form carbon dioxide, sulfur dioxide, and water, which are vented to the atmosphere. The ADI-BVF anaerobic digester and biogas flare were initially permitted for construction in PTC No. 027-00009, dated December 17, 1997. The PTC was amended on December 10, 2001, and was later incorporated into PTC No. P-030014, dated October 17, 2003, as a permit revision.

Table 6.1 contains a summary of the requirements that apply to the biogas unit.

**Table 6.1 APPLICABLE REQUIREMENTS SUMMARY**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring, Recordkeeping, and Reporting Requirements
6.1	SO <sub>2</sub>	Not to exceed 90.0 T/yr	PTC Condition	6.7, 6.11
6.2	H <sub>2</sub> S	Not to exceed 5391 ppmv	PTC Condition	6.9, 6.12
6.3	Visible emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625; PTC Condition	6.10, 6.11
6.4	COD	COD reduction in the digester shall not exceed 2,000,000 lb/mo	PTC Condition	6.7, 6.11
6.5	Flare operation	Flare shall be operated with pilot flame	PTC Condition	6.8, 6.11

**Permit Limits / Standard Summary**

- 6.1 Sulfur dioxide emissions from the ADI-BVF digester flare shall not exceed 90.0 T/yr.  
**[PTC No. P-030014, 10/17/03]**
- 6.2 The H<sub>2</sub>S concentration in the biogas shall not exceed a maximum of 5391 ppmv.  
**[PTC No. P-030014, 10/17/03]**
- 6.3 The permittee shall comply with Permit Condition 2.7.  
**[PTC No. P-030014, 10/17/03]**
- 6.4 The COD reduction of the wastewater in the ADI-BVF anaerobic digester shall be limited to an average 2.0 million pounds per month during any 12-month period.  
**[PTC No. P-030014, 10/17/03]**
- 6.5 The ADI-BVF anaerobic digester flare shall be operated with a pilot flame present at all times during the operation of the digester.  
**[PTC No. P-030014, 10/17/03]**

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- 6.6 As required in PTC No. P-030014, dated October 17, 2003, the permittee shall have developed an O&M manual for the ADI-BVF digester flare that describes the procedures that will be followed to maintain good working order and assure operation as efficiently as practical, in accordance with manufacturer specifications. The manual shall remain onsite at all times and shall be made available to DEQ representatives upon request.

**[PTC No. P-030014, 10/17/03]**

***Monitoring & Recordkeeping Requirements***

- 6.7 The COD reduced in the ADI-BVF digester shall be monitored and recorded at least once on a monthly basis. Monthly values shall be used to calculate consecutive 12-month averages. A compilation of the most recent five years of data shall be kept onsite and shall be made available to DEQ representatives upon request.

**[PTC No. P-030014, 10/17/03]**

- 6.8 The permittee shall install, calibrate, maintain, and operate, in accordance with manufacturer specifications, a thermocouple or other equivalent device, which detects the presence of the flame. When a pilot flame is not present, the following information shall be recorded in a log: the date, the duration time the flame was not present, the reason the flame was not present, and any corrective action or maintenance taken. A compilation of the most recent five years of data shall be kept onsite and shall be made available to DEQ representatives upon request.

**[PTC No. P-030014, 10/17/03]**

- 6.9 If the H<sub>2</sub>S concentration measured in the initial compliance test is less than or equal to 75% of the concentration limit in Permit Condition 6.2, no further testing shall be required during the permit term. If the H<sub>2</sub>S concentration measured during the initial compliance test is greater than 75%, but less than or equal to 90% of the concentration limit in Permit Condition 6.2, a second test shall be required between October 4, 2004, and October 3, 2005. If the H<sub>2</sub>S concentration measured during the initial compliance test is greater than 90% of the concentration limit in Permit Condition 6.2, the permittee shall conduct a compliance test annually.

**[IDAPA 58.01.01.322.06, 09, 5/1/94]**

- 6.10 The permittee shall comply with Permit Condition 2.8.

**[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]**

***Reporting***

- 6.11 Beginning on October 4, 2002, the permittee shall submit a summary compliance report to DEQ every six months for the monitoring required in Permit Conditions 6.7, 6.8, and 6.10. The report is to be received no later than 30 days after the end of each six-month period, and shall clearly identify any deviations from the conditions specified in this permit.

**[IDAPA 58.01.01.322.08, 11, 4/5/00]**

- 6.12 The permittee shall report the results of the performance test required in Permit Condition 6.9 to DEQ in a written report to be received no later than 30 days after completion of the test. If additional performance testing is performed in accordance with Permit Condition 6.9, the permittee shall report the results to DEQ and EPA in a written report to be received no later than 30 days after completion of the test.

**[IDAPA 58.01.01.322.08, 11, 4/5/00]**

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- 6.13 All documents, including, but not limited to, records, monitoring data, supporting information, testing reports, or compliance certifications submitted to DEQ shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**[PTC No. P-030014, 10/17/03]**

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**7. INSIGNIFICANT ACTIVITIES**

Activities and emission units identified as insignificant under IDAPA 58.01.01.317.01(b) are listed in the Tier I operating permit to qualify for a permit shield.

**Table 7.1 INSIGNIFICANT ACTIVITIES**

Description	Insignificant Activities IDAPA 58.01.01.317.01(b)(I) Citation
Storage tanks and vessels with less than 260 gallon capacity with appropriate closures	IDAPA 58.01.01.317.01(b)(i)(1)
Storage tanks and vessels with less than 1,100 gallon capacity with appropriate closures, not for use with HAPs ,and with a maximum vapor pressure of 550 mmHg	IDAPA 58.01.01.317.01(b)(i)(2)
Unleaded gasoline storage tank and off-specification ethanol storage tank	IDAPA 58.01.01.317.01(b)(i)(3)
Propane storage tank	IDAPA 58.01.01.317.01(b)(i)(4)
Various natural gas-fired air makeup units rated less than 5 MMBtu/hr	IDAPA 58.01.01.317.01(b)(i)(5)
Various combustion sources rated less than 5 MMBtu/hr, containing less than 0.4% by weight sulfur for coal or less than 1% by weight for other fuels	IDAPA 58.01.01.317.01(b)(i)(6)
Diesel-fired emergency generators rated less than 1 MMBtu/hr	IDAPA 58.01.01.317.01(b)(i)(7)
Welding using less than 1 T/day	IDAPA 58.01.01.317.01(b)(i)(9)
Ink used to print on packaging using less than 2 gallons per day	IDAPA 58.01.01.317.01(b)(i)(12)
Various water-cooling towers that are non-process-contact coolers and not greater than 10,000 gallons per minute	IDAPA 58.01.01.317.01(b)(i)(13)
Water chlorination less than 20,000,000 gallons per day of water	IDAPA 58.01.01.317.01(b)(i)(16)
Natural gas, propane, or kerosene-fired space heaters rated less than 5 MMBtu/hr	IDAPA 58.01.01.317.01(b)(i)(18)
Equipment used to exclusively pump, load, and store vegetable oil	IDAPA 58.01.01.317.01(b)(i)(20)
Cleaning and stripping activities and equipment using solutions with less than 1% VOCs by weight	IDAPA 58.01.01.317.01(b)(i)(26)
Storage and handling of water-based lubricants for metal working with an organic content of less than 10%	IDAPA 58.01.01.317.01(b)(i)(27)
Heaters S-C-H4, S-C-H6, S-C-H7, S-C-H8, S-C-H9, S-C-H10, S-C-H11, and S-C-H12	IDAPA 58.01.01.317.01(b)(i)(30)

7.1 There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the Facility-wide Permit Conditions.

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**8. TIER I OPERATING PERMIT GENERAL PROVISIONS**

***General Compliance***

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.  

**[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]**
2. It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.  

**[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]**
3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.  

**[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]**

***Reopening***

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.  

**[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1), (2); 40 CFR 70.6(a)(6)(iii)]**
5. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  

**[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]**

***Property Rights***

6. This permit does not convey any property rights of any sort, or any exclusive privilege.  

**[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]**

***Information Requests***

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.  

**[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]**

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8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §39-342A and applicable implementing regulations including IDAPA 58.01.01.128.  
**[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]**

***Severability***

9. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.  
**[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]**

***Changes Requiring Permit Revision or Notice***

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.  
**[IDAPA 58.01.01.200-223, 4/6/05; IDAPA 58.01.01.322.15.i, 3/19/99; IDAPA 58.01.01.380-386, 7/1/02; 40 CFR 70.4(b)(12), (14), (15), and 70.7(d), (e)]**
11. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 U.S.C. Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.  
**[IDAPA 58.01.01.381-385, 7/1/02; IDAPA 58.01.01.209.05, 4/5/00; 40 CFR 70.4(b)(14) and (15)]**

***Federal and State Enforceability***

12. Unless specifically identified as a “State-only” provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source’s potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.  
**[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]**
13. Provisions specifically identified as a “State-only” provision are enforceable only in accordance with state law. “State-only” provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.  
**[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]**

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<b>Location:</b>	Caldwell, Idaho

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***Inspection and Entry***

14. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:
- a. Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d. As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

**[Idaho Code §39-108; IDAPA 58.01.01.322.15.i, 3/19/99; 40 CFR 70.6(c)(2)]**

***New Requirements During Permit Term***

15. The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.

**[IDAPA 58.01.01.322.10, 4/6/05; IDAPA 58.01.01.314.10.a.ii, 5/1/94; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]**

***Fees***

16. The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.525 through IDAPA 58.01.01.538.

**[IDAPA 58.01.01.322.15.n, 7/1/02; 40 CFR 70.6(a)(7)]**

***Certification***

17. All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

**[IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]**

***Renewal***

18. a. The owner or operator of a Tier I source shall submit an application to DEQ for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application nine months prior to the date of expiration.

**[IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]**

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- b. If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and conditions of this permit including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325 shall remain in effect until the renewal permit has been issued or denied.

**[IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]**

***Permit Shield***

- 19. Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

- a. Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
  - i. DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
- b. The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).
- c. Nothing in this permit shall alter or affect the following:
  - i. Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
  - ii. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
  - iii. The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
  - iv. The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

**[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/00;  
IDAPA 58.01.01.322.15.m, 325.01, 5/1/94; IDAPA 58.01.01.325.02, 3/19/99;  
IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]**

***Compliance Schedule and Progress Reports***

- 20. a. For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
- b. For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.
- c. For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.

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**Permittee:** J.R. Simplot Co., Food Group

**Location:** Caldwell, Idaho

**Facility ID No. 027-00009**

- d. For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.

**[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 5/1/94; IDAPA 58.01.01.314.10, 4/5/00; 40 CFR 70.6(c)(3) and (4)]**

***Periodic Compliance Certification***

21. The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:

- a. The compliance certifications for all emissions units shall be from September 5 to September 4 and submitted by October 4 or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ.
- b. The initial compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;
- c. The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
  - i. The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
  - ii. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this Tier I operating permit. If necessary, the owner or operator shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA which prohibits knowingly making a false certification or omitting material information;
  - iii. The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in Paragraph 21.c.ii above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred.
  - iv. Such other facts as DEQ may require to determine the compliance status of the source.

- d. All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.

**[IDAPA 58.01.01.322.11, 4/6/05; 40 CFR 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946 (10/22/97); 40 CFR 70.6(c)(5)(iv)]**

***False Statements***

22. No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.

**[IDAPA 58.01.01.125, 3/23/98]**

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<b>Permittee:</b>	J.R. Simplot Co., Food Group
<b>Location:</b>	Caldwell, Idaho

**Facility ID No. 027-00009**

***No Tampering***

23. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

**[IDAPA 58.01.01.126, 3/23/98]**

***Semiannual Monitoring Reports***

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from September 5 to March 5 and March 6 to September 4. All instances of deviations from this operating permit's requirements must be clearly identified in the report. The semiannual reports shall be submitted to DEQ within 30 days of the end of the specified reporting period.

**[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(iii)]**

***Reporting Deviations and Excess Emissions***

25. The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.

**[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/5/00; 40 CFR 70.6(a)(3)(iii)]**

***Permit Revision Not Required***

26. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.

**[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]**

***Emergency***

27. In accordance with IDAPA 58.01.01.332, an "emergency" as defined in IDAPA 58.01.01.008, constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met.

**[IDAPA 58.01.01.332.01, 4/5/00; 40 CFR 70.6(g)]**