

Statement of Basis

Tier I Operating Permit No. T1-2013.0060

Project ID 61302

**Shelley Facility of Basic American Foods, a Division of Basic American, Inc.
Shelley, Idaho**

Facility ID 011-00020

Final

September 25, 2014

Robert Baldwin 

Permit Writer

The purpose of this Statement of Basis is to set forth the legal and factual basis for the Tier I operating permit terms and conditions, including references to the applicable statutory or regulatory provisions for the terms and conditions, as required by IDAPA 58.01.01.362

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1. ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE

acfm	actual cubic feet per minute
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
BMP	best management practices
Btu	British thermal unit
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	continuous emission monitoring systems
cfm	cubic feet per minute
CFR	Code of Federal Regulations
CI	compression ignition
CMS	continuous monitoring systems
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	CO ₂ equivalent emissions
COMS	continuous opacity monitoring systems
DEQ	Department of Environmental Quality
dscf	dry standard cubic feet
EPA	U.S. Environmental Protection Agency
GHG	greenhouse gases
gph	gallons per hour
gpm	gallons per minute
gr	grains (1 lb = 7,000 grains)
HAP	hazardous air pollutants
HHV	higher heating value
hp	horsepower
hr/yr	hours per consecutive 12 calendar month period
ICE	internal combustion engines
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
iwg	inches of water gauge
km	kilometers
lb/hr	pounds per hour
m	meters
MACT	Maximum Achievable Control Technology
mg/dscm	milligrams per dry standard cubic meter
MMBtu	million British thermal units
MMscf	million standard cubic feet
MRRR	Monitoring, Recordkeeping and Reporting Requirements
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO ₂	nitrogen dioxide
NO _x	nitrogen oxides
NSPS	New Source Performance Standards
O&M	operation and maintenance
O ₂	oxygen
PC	permit condition
PM	particulate matter
PM _{2.5}	particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers

PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppm	parts per million
ppmw	parts per million by weight
PSD	Prevention of Significant Deterioration
psig	pounds per square inch gauge
PTC	permit to construct
PTE	potential to emit
PW	process weight rate
RICE	reciprocating internal combustion engines
<i>Rules</i>	<i>Rules for the Control of Air Pollution in Idaho</i>
scf	standard cubic feet
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SO _x	sulfur oxides
T/day	tons per calendar day
T/hr	tons per hour
T/yr	tons per consecutive 12 calendar month period
T1	Tier I operating permit
T2	Tier II operating permit
TAP	toxic air pollutants
T-RACT	Toxic Air Pollutant Reasonably Available Control Technology
ULSD	ultra low sulfur diesel
U.S.C.	United States Code
VOC	volatile organic compound

2. INTRODUCTION AND APPLICABILITY

The Shelley Facility of Basic American Foods, a Division of Basic American, Inc. (BAF Shelley) plant includes a food drying and dehydrating plant and is located at 434 S. Emerson Ave, Shelley, Idaho. The facility is classified as a major facility, as defined by IDAPA 58.01.01.008.10.c, because it emits or has the potential to emit NO_x and CO above the major source threshold of 100 tons-per-year.

At the time of this permitting action, the facility is not a major source of HAP emissions. As a major facility, BAF Shelley is required to apply for a Tier I operating permit pursuant to IDAPA 58.01.01.301. The application for a Tier I operating permit must contain a certification from BAF Shelley as to its compliance status with all applicable requirements (IDAPA 58.01.01.314.09).

IDAPA 58.01.01.362 requires that as part of its review of the Tier I application, DEQ shall prepare a technical memorandum (i.e. statement of basis) that sets forth the legal and factual basis for the draft Tier I operating permit terms and conditions including reference to the applicable statutory provisions or the draft denial. This document provides the basis for the draft Tier I operating permit for BAF Shelley.

The format of this Statement of Basis follows that of the permit with the exception of the facility's information discussed first followed by the scope, the applicable requirements and permit shield, and finally the general provisions.

BAF Shelley Tier I operating permit is organized into sections. They are as follows:

Section 1 - Tier I Operating Permit Scope

The scope describes this permitting action.

Section 2 - Facility-Wide Conditions

The Facility-wide Conditions section contains the applicable requirements (permit conditions) that apply facility-wide. Where required, monitoring, recordkeeping and reporting requirements sufficient to assure compliance with each permit condition follows the permit condition.

Sections 3 through 9 - Emissions Unit/Source Name

The emissions unit-specific sections of the permit contain the applicable requirements that specially apply to each regulated emissions unit. Some requirements that apply to an emissions unit (e.g. opacity limits) may be contained in the facility-wide conditions. As with the facility-wide conditions, monitoring, recordkeeping and reporting requirements sufficient to assure compliance with each applicable requirement immediately follows the applicable requirement.

Section 10 through 11 - Non-applicable Requirements and Insignificant Activities

This section lists those requirements that the applicant has requested as non-applicable, and DEQ proposes to grant a permit shield in accordance with IDAPA 58.01.01.325.

If requested by the applicant, this section also lists emissions units and activities determined to be insignificant activities based on size or production as allowed by IDAPA 58.01.01.317.01.b.

Section 12 - General Provisions

The final section of the permit contains standard terms and conditions that apply to all major facilities subject to IDAPA 58.01.01.300. This section is the same for all Tier I sources. These conditions have been reviewed by EPA and contain all terms required by IDAPA 58.01.01 et al as well as requirements from other air quality laws and regulations. Each general provision has been paraphrased so it is more easily understood by the general public; however, there is no intent to alter the effect of the requirement. Should there be a discrepancy between a paraphrased general provision in this statement of basis and the rule or permit, the rule or permit shall govern.

3. FACILITY INFORMATION

3.1 Facility Description

The Shelley Facility of Basic American Foods, a Division of Basic American, Inc. (BAF Shelley) plant includes a food drying and dehydrating plant. The BAF Shelley plant produces dehydrated food products using a variety of drying and dehydration processes. Products are dried by contact with heated air. Drying air is heated either by direct-firing with natural gas or indirectly using steam heat exchangers. Air suspension unit processes are also used to classify materials and to remove unsuitable fractions from the production stream. Steam for plant operations is provided by boiler numbers 1, 3, 4, and 5.

Materials transport occurs both internally within a processing activity and externally to transfer materials between processes, to place them into or take them out of bulk storage, or to transport them to packaging and load-out activities. BAF Shelley uses air suspension systems to transport granules and most formulated products; these suspension processes include air slides and pneumatic bulk transfer operations. BAF Shelley also uses belt and bucket conveyors at various locations in its operations to transport raw materials, products in processing, and finished products. All bucket and belt conveyors are entirely contained within enclosed buildings. BAF Shelley also uses wet flumes to transport raw potatoes. Forklifts are used to transfer tote containers within the plant. Materials recovery units (primarily cyclones) are integral to the operation of all unit processes in which granules or formulated products are suspended in air.

BAF Shelley operates packaging equipment to fill product containers with bulk product. Spices and flavoring may be added to the bulk product during the packaging process. Dust pickups located within the packaging area exhaust to the atmosphere through baghouses.

Raw materials are received on site by truck. Granules can be received by rail as well as by truck. All shipments are by rail or truck. Trucks are also used to move potatoes to and from the onsite cellars.

Plant products are described as follows.

Dehydrated potato granules

Potato granules are individual potato cells prepared from raw potatoes by cooking, followed by gentle drying. Granules typically range from 50 to 120 microns in size. Most of the granules produced at the Shelley Plant are used at the Shelley Plant; occasionally granules are shipped to other BAF Shelley plants for use in products produced at those plants.

Dehydrated potato flakes

Potato flakes are small flakes made of dehydrated, cooked potatoes. Flakes are typically 1/8 inch to 1/4 inch in diameter.

Dehydrated piece food products

BAF Shelley prepares dehydrated piece food products by dehydrating cooked and/or blanched foods. These foods can be either whole vegetables or vegetable pieces. Piece products range up to several inches in diameter.

Food processing byproducts

Sellable food fractions and off-specification materials that are not suitable for use in other products are produced as by-products of plant processes. BAF Shelley uses various materials classification processes to segregate, collect, and transport these byproducts. Food byproducts are transferred directly to load-out operations after collection without further processing beyond collection.

The Shelley facility uses a variety of drying and dehydration processes. Potato granules and dehydrated piece products are dried by contact with heated air. Drying air is heated either by direct-firing with natural gas or indirectly using steam heat exchangers. Air suspension unit processes are also used to classify materials and to remove unsuitable fractions from the production stream.

Potato flakes are produced by drying a thin film of cooked potatoes directly on a steam-heated drum. The heat from the drum evaporates the moisture from the flakes, producing a thin sheet of dried potatoes. This sheet is then broken and crushed to produce flake products.

Food processing by-products are produced from food fractions that are not suitable for sale as primary products.

3.2 Facility Permitting History

Tier I Operating Permit History - Previous 5-year permit term October 4, 2012 to June 4, 2014

The following information is the permitting history of this Tier I facility during the previous five-year permit term which was from June 4, 2009 to June 4, 2014. This information was derived from a review of the permit files available to DEQ. Permit status is noted as active and in effect (A) or superseded (S).

October 4, 2012 T1-2007.0104, Tier I Operating Permit to incorporate a Permit to Construct P-2011.0131 project 60942 issued May 18, 2012, Permit status (A)

Underlying Permit History - Includes every underlying permit issued to this facility

The following information is the comprehensive permitting history of all underlying applicable permits issued to this Tier I facility. This information was derived from a review of the permit files available to DEQ. Permit status is noted as active and in effect (A) or superseded (S).

October 4, 2012	T1-2007.0104, Tier I Operating Permit to incorporate a Permit to Construct P-2011.0131 project 60942 issued May 18, 2012, Permit status (S) after the Tier I permit T1-2013.0060 is issued.
May 18, 2012	P-2011.0131, project 60942, converting the existing Tier II permit T2-2008.0145 into a Permit to Construct (A)
June 4, 2009	T2-2008.0145, Facility-wide Tier II operating permit and Permit to Construct with a Facility Emissions Cap (FEC), Permit status (S)
June 4, 2009	T1-2007.0104, Tier I permit renewal, Permit status (S)
February 11, 2003	PTC permit 011-00020, revised permit for ownership transfer from the Pillsbury Co. to Basic American Foods (it was determined that PTC No. 0140-0020 was never implemented and therefore expired two years after issuance), Permit status (S)
December 11, 2002	Tier I permit 011-00020, Incorporating PTC permits 0140-0020, incorporating PTC permits 0140-0020, issued March 20, 1990, and 011-0020, issued September 10, 2001, Permit status (S)
September 10, 2001	PTC permit 011-00020, A Permit to Construct for the ownership transfer from the Pillsbury Co. to Basic American Foods of Boilers 1, 3, and 4 and Flake Lines 2, 3, and 4, Permit status (S)
March 20, 1990	PTC permit 0140-0040, issued to the Pillsbury Co. for installing Boiler 4 and Flake Lines 2, 3, and 4, Permit status (S)
November 20, 1986	PTC permit 0140-0020 issued to the Pillsbury Co. for Boilers 1 and 3, Permit status (S)

4. APPLICATION SCOPE AND APPLICATION CHRONOLOGY

4.1 Application Scope

This permit is the renewal of the facility's currently effective Tier I operating permit and to include the 40 CFR 63 regulations regarding the stationary engine.

4.2 Application Chronology

December 4, 2013	DEQ received an application.
January 31, 2014	DEQ determined that the application was complete.
April, 18, 2014	DEQ made available the draft permit and statement of basis for peer and regional office review.
May 7, 2014	DEQ made available the draft permit and statement of basis for applicant review.
June 9 – July 9, 2014	DEQ provided a public comment period on the proposed action.
July 25, 2014	DEQ provided the proposed permit and statement of basis for EPA review.
September 25, 2014	DEQ issued the final permit and statement of basis.

5. EMISSIONS UNITS, PROCESS DESCRIPTION(S), AND EMISSIONS INVENTORY

This section lists the emissions units, describes the production or manufacturing processes, and provides the emissions inventory for this facility. The information presented was provided by the applicant in its permit application. Also listed in this section are the insignificant activities based on size or production rate.

5.1 Process No. 1 - Boiler 1, Boiler 3, Boiler 4, and Boiler 5

Table 5.1 lists the emissions units and control devices associated with Boiler 1, Boiler 3, Boiler 4, and Boiler 5.

Table 5.1 EMISSIONS UNITS, CONTROL DEVICE, AND DISCHARGE POINT INFORMATION

Emissions Unit ID No.	Emissions Unit Description	Control Device (if applicable)	Emission Point ID No.
Boiler 1	Manufacturer: Cleaver-Brooks Model: D-52 S/N: WL-2012 Heat input rating: 42.9 MMBtu/hr Maximum steam production rate: 33,000 lb/hr Fuels: Natural Gas Date installed: 1973	None	N/A
Boiler 3	Manufacturer: Keeler Model: Not Stated on Name Plate S/N: 13445 Heat input rating: 28.6 MMBtu/hr Maximum steam production rate: 22,000 lb/hr Fuels: Natural Gas Date installed: 1958	None	N/A
Boiler 4	Manufacturer: Cleaver-Brooks Model: DL-76-RH S/N: W-3511 (not labeled as S/N) Heat input rating: 72.1 MMBtu/hr Maximum steam production rate: 60,000 lb/hr Fuels: Natural Gas Date installed: 1990	None	N/A
Boiler 5	Manufacturer: Cleaver-Brooks Model: CBI700600150 S/N: OLO 99677 Heat input rating: 24.5 MMBtu/hr Maximum steam production rate: 20,700 lb/hr Fuels: Natural Gas Date installed: 2000	None	N/A

Boilers 1, 3, and 4 provide process steam for the Shelley plant. Boiler 5 provides steam for process water management activities. All boilers are natural gas-fired.

Boiler 1 is a Cleaver-Brooks boiler with a rated heat input of 42.9 MMBtu/hr, installed in 1973. Boiler 3 is a Keeler boiler with a rated heat input of 28.6 MMBtu/hr, installed in 1958. Boiler 4 provides steam to the processes throughout the plant. Boiler 4 is a Cleaver-Brooks boiler with a rated heat input of 72.1 MMBtu/hr, installed in 1989. Boiler 5 is a Cleaver-Brooks boiler with a rated heat input of 24.5 MMBtu/hr, installed in 2000. Boilers 4 and 5 are 40 CFR 60 Subpart Dc affected units.

5.2 Process No. 2 - Process A (Drying Process and Material Transfer Systems)

Table 5.2 lists the emissions units and control devices associated with with Process A (Drying Process and Material Transfer Systems).

Table 5.2 EMISSIONS UNITS, CONTROL DEVICE, AND DISCHARGE POINT INFORMATION

Emissions Unit ID No.	Emissions Unit Description	Control Device (if applicable)	Emission Point ID No.
P1-1	Dryer - 20 MMBtu/hr, natural gas-fired	None	N/A
P1-2	Dryer - 0.5 MMBtu/hr, natural gas-fired	None	N/A
P1-3	Material recovery unit	None	N/A
P2-1	Dryer - 20 MMBtu/hr, natural gas-fired	None	N/A
P2-2	Dryer - 0.5 MMBtu/hr, natural gas-fired	None	N/A
P2-3	Material recovery unit	None	N/A
P3-1	Dryer - 20 MMBtu/hr, natural gas-fired	None	N/A
P3-2	Dryer - 0.5 MMBtu/hr, natural gas-fired	None	N/A
P3-3	Material recovery unit	None	N/A
P4-1	Dryer - 20 MMBtu/hr, natural gas-fired	None	N/A
P4-2	Dryer - 0.5 MMBtu/hr, natural gas-fired	None	N/A
P4-3	Material recovery unit	None	N/A
P5-1	Purifier	None	N/A
P5-2	Purifier	None	N/A

The Shelley facility uses a variety of drying and dehydration processes. Potato granules and dehydrated piece products are dried by contact with heated air. Drying heat is provided by natural gas combustion. Raw material input to the process is cooked potatoes and food additives, including sulfites. Air suspension unit processes are also used to classify materials and to remove unsuitable fractions from the production stream.

The emissions units addressed by this section are listed in Table 5.2 and include coolers, dryers, dehydration lines, and material transfer systems. Emissions of PM from each of these sources are uncontrolled. Material Recovery Units (MRUs), in the form of cyclones and fabric filters, are integral process equipment used to separate the pneumatically conveyed product from the air stream. Drying heat is provided by both natural gas combustion and steam produced by the plant boilers.

5.3 Process No. 3 - Process B (Drying Process and Material Transfer Systems)

Table 5.3 lists the emissions units and control devices associated with Process B (Drying Process and Material Transfer Systems).

Table 5.3 EMISSIONS UNITS, CONTROL DEVICE, AND DISCHARGE POINT INFORMATION

Emissions Unit ID No.	Emissions Unit Description	Control Device (if applicable)	Emission Point ID No.
P6-1	Dryer - 41 MMBtu/hr, natural gas-fired	None	N/A
P6-2	Cooler	None	N/A
P8-1	Dryer - Steam-heated	None	N/A
P8-2	Dryer - Steam-heated	None	N/A
P8-VE	Material recovery unit	None	N/A
P8-VW	Material recovery unit	None	N/A
P9-1	Dryer - Steam heated	None	N/A
P10-1	Dryer - Steam heated	None	N/A
P11-1	Dryer - Steam heated	None	N/A
PKG-1	Material recovery unit on packaging line	None	N/A
PKG-2	Material recovery unit on packaging line	None	N/A
MT-2	Material recovery unit to animal feed storage	None	N/A
MT-3	Material recovery unit to bulk storage	None	N/A

The Shelley facility uses a variety of drying and dehydration processes. Potato granules and dehydrated piece products are dried by contact with heated air. Drying heat is provided by natural gas combustion. Raw material input to the process is cooked potatoes and food additives, including sulfites. Air suspension unit processes are also used to classify materials and to remove unsuitable fractions from the production stream.

Potato flakes are produced by drying a thin film of cooked potatoes directly on a steam-heated drum. The heat from the drum evaporates the moisture from the flakes, producing a thin sheet of dried potatoes. This sheet is then broken and crushed to produce flake products.

The facility operates packaging equipment to fill product containers with bulk product. Spices and flavorings may be added to the bulk product during the packaging process. Dust pickups located within the packaging area exhaust to the atmosphere through baghouses.

The emissions units addressed by this section are listed in Table 5.3 and include coolers, dryers, dehydration lines, and material transfer systems. Emissions of PM from each of these sources are uncontrolled. Material Recovery Units (MRUs), in the form of cyclones and fabric filters, are integral process equipment used to separate the pneumatically conveyed product from the air stream. Drying heat is provided by both natural gas combustion and steam produced by the plant boilers. Process B was initially established in the 1960's, with significant additions in 1972 (the P8 stacks), 1986 (the P6-1 and P6-2 stacks), and 1990 (the P9-1, P10-1, and P11-1 stacks).

5.4 Process No. 4 – Plant Space Heaters

Table 5.4 lists the emissions units and control devices associated with the Natural Gas Space Heaters.

Table 5.4 EMISSIONS UNITS, CONTROL DEVICE, AND DISCHARGE POINT INFORMATION

Emissions Unit ID No.	Emissions Unit Description	Control Device (if applicable)	Emission Point ID No.
N/A	Natural gas space heaters	None	N/A

The BAF Shelley Facility has natural gas-fired space heaters ranging in size from less than 200,000 Btu/hr to 7.5 MMBtu/hr. At the time of permit issuance total space heater combustion capacity is 59.5 MMBtu/hr. Most of the units provide direct heating; i.e., the combustion air from the unit is discharged directly into the room to provide heating.

5.5 Process No. 5 - Natural Gas-Fired Engine

Table 5.5 lists the emissions units and control devices associated with the Natural Gas-Fired Engine.

Table 5.5 EMISSIONS UNITS, CONTROL DEVICE, AND DISCHARGE POINT INFORMATION

Emissions Unit ID No.	Emissions Unit Description	Control Device (if applicable)	Emission Point ID No.
N/A	68.8 hp-rated natural gas-fired engine	None	N/A

The BAF Shelley Facility has a 68.8 hp-rated natural gas-fired engine that provides emergency backup power for a company data center. The engine was installed in Shelley. It is typically operated approximately weekly for 15 minutes to verify operational status.

5.6 Insignificant Emissions Units Based on Size or Production Rate

No emissions unit or activity subject to an applicable requirement may qualify as an insignificant emissions unit or activity. As required by IDAPA 58.01.01.317.01.b, insignificant emissions units (IEU's) based on size or production rate must be listed in the permit application. Table 5.6 lists the IEU's identified in the permit application. Also summarized is the regulatory authority or justification for each IEU.

Table 5.6 INSIGNIFICANT EMISSION UNITS AND REGULATORY AUTHORITY/JUSTIFICATION

Emissions Unit / Activity	Regulatory Authority / Justification
Operation, loading, and unloading of storage tanks and storage vessels, with lids or other appropriate closures and less than 260-gallon capacity, heated only to the minimum extent necessary to avoid solidification.	IDAPA 58.01.01.317.01.b.i.(1)
Operation, loading, and unloading of storage tanks not greater than 1,100 gallon capacity with lids, not containing hazardous air pollutants, and with maximum vapor pressure of 550 mm Hg.	IDAPA 58.01.01.317.01.b.i.(2)
Operation, loading, and unloading of volatile organic compound storage tanks, 10,000 gallon capacity or less, with lids or other appropriate closure and vapor pressure not greater than 80 mm Hg at 21°C.	IDAPA 58.01.01.317.01.b.i.(3)
Operation, loading, unloading, and storage of butane, propane, or liquefied petroleum gas in storage tanks or vessels with less than 40,000 gallon capacity.	IDAPA 58.01.01.317.01.b.i.(4)
Operation, loading, and unloading of gasoline storage tanks, 10,000 gallon capacity or less, with lids or other appropriate closure.	IDAPA 58.01.01.317.01.b.i.(3)
Combustion sources, less than 5 MMBTU/hr, exclusively using natural gas, butane, propane, and/or liquefied petroleum gas.	IDAPA 58.01.01.317.01.b.i.(5)
Welding using not more than one ton of rod per day.	IDAPA 58.01.01.317.01.b.i.(9)
"Parylene" coaters using less than 500 gallons of	IDAPA 58.01.01.317.01.b.i.(11)

Emissions Unit / Activity	Regulatory Authority / Justification
coating per year.	
Printing and silk-screening, using less than 2 gallons per day of a combination of inks, coatings, adhesives, fountain solutions, thinners, retarders, or nonaqueous cleaning solutions.	IDAPA 58.01.01.317.01.b.i.(12)
Water cooling towers, not using chromium-based corrosion inhibitors, not using barometric jets or condensers, not greater than 10,000 gallons per minute, and not in direct contact with gaseous or liquid process streams containing regulated air pollutants.	IDAPA 58.01.01.317.01.b.i.(13)
Industrial water chlorination, less than 20 million gallons per day capacity. The exemption does not apply to wastewater treatment.	IDAPA 58.01.01.317.01.b.i.(16)
Surface coating, using less than 2 gallons per day.	IDAPA 58.01.01.317.01.b.i.(17)
Space heaters and hot water heaters using natural gas, propane or kerosene, and generating less than 5 MMBTU/hr.	IDAPA 58.01.01.317.01.b.i.(18)
Tanks, vessels and pumping equipment, with lids or other appropriate closure, for storage or dispensing of aqueous solutions of inorganic salts, bases and acids. Excluding solutions with 99% or greater sulfuric or phosphoric acid; 77% or greater nitric acid; 30% or greater hydrochloric acid; or more than one liquid phase where the top phase is more than 1% VOC.	IDAPA 58.01.01.317.01.b.i.(19)
Equipment, with lids or other appropriate closure, used exclusively to pump, load, unload, or store high-boiling-point organic material, with an initial boiling point not less than 150°C or vapor pressure not more than 5 mm Hg at 21°C.	IDAPA 58.01.01.317.01.b.i.(20)
Milling and grinding activities (paste forms, if used, are less than 1% VOC).	IDAPA 58.01.01.317.01.b.i.(22)
Rolling, forging, drawing, stamping, shearing, and spinning metals.	IDAPA 58.01.01.317.01.b.i.(23)
Dip-coating operations using materials with less than 1% VOC.	IDAPA 58.01.01.317.01.b.i.(24)
Surface coating, aqueous solution or suspension, containing less than 1% VOC.	IDAPA 58.01.01.317.01.b.i.(25)
Cleaning and stripping activities and equipment, using solutions having less than 1% volatile organic compounds by weight (no acid cleaning or stripping on metal substrates).	IDAPA 58.01.01.317.01.b.i.(26)
Storage and handling of water based lubricants for metal working with organic content less than 10%.	IDAPA 58.01.01.317.01.b.i.(27)

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

5.7 Emissions Inventory

Table 5.77 summarizes the emissions inventory for this major facility. All values are expressed in units of tons-per-year and represent the facility's potential to emit. Potential to emit is defined as the maximum capacity of a facility or stationary source to emit an air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or source to emit an air pollutant, including air pollution control equipment and restrictions on hour of operation or on the type or amount of material combusted, stored or processed shall be treated as part of its design if the limitation or the effect it would have on emission is state or federally enforceable.

Listed below Table 5.77 are the references for the emission factors used to estimate the emissions. The documentation provided by the applicant for the emissions inventory and emission factors is provided as Appendix B of this statement of basis.

Table 5.7 EMISSIONS INVENTORY - POTENTIAL TO EMIT (T/yr)

Source Description	PM ₁₀	SO ₂	NO _x	CO	VOC	GHG CO ₂ e
	T/yr	T/yr	T/yr	T/yr	T/yr	T/yr
Boiler 1	1.3	0.09	16.95	14.2	0.92	22,548
Boiler 3	1.0	0.09	12.4	10.4	0.7	15,032
Boiler 4	2.4	0.74	44.4	49.2	5.6	28,802
Boiler 5	0.8	0.26	7.7	15.6	2.15	12,877
P1-1	11.4	1.09	5.3	22.8	0.47	10,512
P1-2	0.4	0.05	0.1	0.6	0.01	263
P1-3	0.0	0	0	0	0	0
P2-1	11.4	1.09	5.3	22.8	0.47	10,512
P2-2	0.4	0.05	0.1	0.6	0.01	263
P2-3	0.0	0	0	0	0	0.0
P3-1	13.7	1.26	5.3	22.8	0.47	10,512
P3-2	0.4	0.06	0.1	0.6	0.01	263
P3-3	0.0	0	0	0	0	0.0
P4-1	13.7	1.26	5.3	22.8	0.47	10,512
P4-2	0.4	0.06	0.1	0.6	0.01	263
P4-3	0.0	0	0	0	0	0.0
P5-1	0.0	0	0	0	0	0.0
P5-2	0.0	0	0	0	0	0.0
P6-1	5.7	1.31	11.0	46.7	0.97	21,550
P6-2	2.9	0.44	0	0	0	0.0
P8-1N	0.7	0.18	0	0	0	0.0
P8-1S	0.7	0.18	0	0	0	0.0
P8-1A	0.1	0	0	0	0	0.0
P8-2N	0.7	0.18	0	0	0	0.0
P8-2S	0.7	0.18	0	0	0	0.0
P8-2A	0.1	0	0	0	0	0.0
P8-VE	0.3	0	0	0	0	0.0
P8-VW	0.3	0	0	0	0	0.0
P9-1	7.23	0.73	0	0	0	263
P10-1	7.23	0.73	0	0	0	0.0
P11-1	7.23	0.73	0	0	0	0.0
PKG-1	0.0	0	0	0	0	0.0
PKG-2	0.4	0	0	0	0	0.0
MT-2	0	0	0	0	0	0.0
MT-3	0.1	0	0	0	0	0.0
Heaters	1.0	0.31	12.8	10.7	0.7	15,637
Total Emissions	92.69	11.07	126.85	240.40	12.96	159,809

6. EMISSIONS LIMITS AND MRRR

This section contains the applicable requirements for this major facility. Where applicable, monitoring, recordkeeping and reporting requirements (MRRR) follow the applicable requirement and state how compliance with the applicable requirement is to be demonstrated.

This section is divided into several subsections. The first subsection lists the requirements that apply facility wide. The next subsection lists the emissions units- and emissions activities-specific applicable requirements. The final subsection contains the general provisions that apply to all major facilities subject to Idaho DEQ's Tier I operating permit requirements.

This section contains the following subsections:

- Facility-Wide Conditions;
- EMISSIONS UNIT No. 4 Facility emissions cap;
- EMISSIONS UNIT No. 5 Boilers;
- EMISSIONS UNIT No. 6 Process A;
- EMISSIONS UNIT No. 7 Process B;
- EMISSIONS UNIT No. 8 Plant Space Heaters;
- EMISSIONS UNIT No. 9 Natural Gas-Fired Engine
- NON-APPLICABLE REQUIREMENTS
- INSIGNIFICANT ACTIVITIES
- Tier I Operating Permit General Provisions.

MRRR

Immediately following each applicable requirement (permit condition) is the periodic monitoring regime upon which compliance with the underlying applicable requirement is demonstrated. A periodic monitoring regime consists of monitoring, recordkeeping and reporting requirements for each applicable requirement. If an applicable requirement does not include sufficient monitoring, recordkeeping and reporting to satisfy IDAPA 58.01.01.322.06, 07, and 08, then the permit must establish adequate monitoring, recordkeeping and reporting sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit. This is known as gap filling. In addition to the specific MRRR described under each permit condition, generally applicable facility-wide conditions and general provisions may also be required, such as monitoring, recordkeeping, performance testing, reporting, and certification requirements.

The discussion of each permit condition includes the legal and factual basis for the permit condition. If a permit condition was changed due to facility draft or public comments, a description of why and how the condition was changed is provided.

State Enforceability

An applicable requirement that is not required by the federal CAA and has not been approved by EPA as a SIP-approved requirement is identified as a "State-only" requirement and is enforceable only under state law. State-only requirements are not enforceable by the EPA or citizens under the CAA. State-only requirements are identified in the permit within the citation of the legal authority for the permit condition.

Federal Enforceability

Unless identified as "State-only," all applicable requirements, including MRRR, are state and federally enforceable. It should be noted that while a violation of a MRRR is a violation of the permit, it is not necessarily a violation of the underlying applicable requirement (e.g. emissions limit).

To minimize the length of this document, the following permit conditions and MRRR have been paraphrased. Refer to the permit for the complete requirements.

6.1 Facility-Wide Conditions

Permit Conditions 3.1 through 3.4 - Fugitive Dust

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, 3/30/07]

MRRR (Permit Conditions 3.1 through 3.4)

- Monitor and maintain records of the frequency and the methods used to control fugitive dust emissions;
- Maintain records of all fugitive dust complaints received and the corrective action taken in response to the complaint;
- Conduct facility-wide inspections of all sources of fugitive emissions. If any of the sources of fugitive dust are not being reasonably controlled, corrective action is required.

[IDAPA 58.01.01.322.06, 07, 08, 4/5/2000]

Permit Conditions 3.5 through 3.6 - Odors

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]

MRRR (Permit Conditions 3.5 through 3.6)

- Maintain records of all odor complaints received and the corrective action taken in response to the complaint;
- Take appropriate corrective action if the complaint has merit, and log the date and corrective action taken.

[IDAPA 58.01.01.322.06, 07 (State only), 5/1/94]

Permit Conditions (3.7 through 3.9) - Visible Emissions

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]

MRRR (Permit Condition 3.7 through 3.9)

- Conduct facility-wide inspections of all emissions units subject to the visible emissions standards (or rely on continuous opacity monitoring);
- If visible emissions are observed, take appropriate corrective action and/or perform a Method 9 opacity test;
- Maintain records of the results of each visible emissions inspection.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

Permit Conditions 3.10 through 3.14 - Excess Emissions

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 the excess emissions facility wide conditions and the regulations of IDAPA 58.01.01.130-136.

MRRR (Permit Conditions 3.10 through 3.14)

Monitoring, recordkeeping and reporting requirements for excess emissions are provided in Sections 131 through 136.

- Take appropriate action to correct, reduce, and minimize emissions from excess emissions events;
- Prohibit excess emissions during any DEQ Atmospheric Stagnation Advisory or Wood Stove Curtailment Advisory;
- Notify DEQ of each excess emissions events as soon as possible, including information regarding upset, breakdown, or safety events.
- Submit a report for each excess emissions event to DEQ;
- Maintain records of each excess emissions event.

Permit Conditions 3.15 through 3.16 - Sulfur Content Limits

The permittee shall not sell, distribute, use, or make available for use any of the following:

- 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.
- Coal containing greater than 1.0% sulfur by weight.
- DEQ may approve an exemption from these fuel sulfur content requirements (IDAPA 58.01.01.725.01 725.04) if the permittee demonstrates that, through control measures or other means, SO₂ emissions are equal to or less than those resulting from the combustion of fuels complying with these limitations.

[IDAPA 58.01.01.725, 3/29/10]

MRRR - (Permit Conditions 3.15 through 3.16)

The permittee shall maintain documentation of supplier verification of fuel sulfur content on an as received basis.

[IDAPA 58.01.01.322.06, 5/1/94]

Permit Condition 3.17 - Open Burning

The permittee shall comply with the *Rules for Control of Open Burning*, IDAPA 58.01.01.600-623.

[IDAPA 58.01.01.600-623, 5/08/09]

MRRR- (Permit Condition 3.17)

No specific monitoring is required for this facility-wide condition. As with all permit conditions, the permittee must certify compliance with this condition annually, which includes making a reasonable inquiry to determine if this requirement was met during the reporting period.

Permit Condition 3.18 - Asbestos

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]

MRRR – (Permit Condition 3.18)

No specific monitoring is required for this facility-wide condition. As with all permit conditions, the permittee must certify compliance with this condition annually, which includes making a reasonable inquiry to determine if this requirement was met during the reporting period.

Permit Condition 3.19 - Accidental Release Prevention

(a)

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)]

MRRR – (Permit Condition 3.19)

No specific monitoring is required for this facility-wide condition. As with all permit conditions, the permittee must certify compliance with this condition annually, which includes making a reasonable inquiry to determine if this requirement was met during the reporting period.

Permit Condition 3.20 - Recycling and Emissions Reductions

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

[40 CFR 82, Subpart F]

MRRR – (Permit Condition 3.19)

No specific monitoring is required for this facility-wide condition. As with all permit conditions, the permittee must certify compliance with this condition annually, which includes making a reasonable inquiry to determine if this requirement was met during the reporting period.

Permit Condition 3.21 through 3.22 - NSPS/NESHAP General Provisions

This facility is subject to NSPS/NESHAP Subparts **Dc/ZZZZ**, and is therefore required to comply with applicable General Provisions.

[40 CFR 60, Subpart A]

MRRR – (Permit Conditions 3.21 through 3.22)

No specific monitoring is required for this facility-wide condition. As with all permit conditions, the permittee must certify compliance with this condition annually, which includes making a reasonable inquiry to determine if this requirement was met during the reporting period.

Permit Condition 3.23 - Monitoring and Recordkeeping

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 58.01.01.322.06, 07, 5/1/94]

MRRR – (Permit Condition 3.23)

No specific monitoring is required for this facility-wide condition. As with all permit conditions, the permittee must certify compliance with this condition annually, which includes making a reasonable inquiry to determine if this requirement was met during the reporting period.

Permit Conditions 3.24 through 3.27 - Performance Testing

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

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

MRRR (Permit Conditions 3.24 and 3.27)

The permittee shall submit compliance test report(s) to DEQ following testing.

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

Permit Condition 3.28 - Reports and Certifications

This permit condition establishes generally applicable MRRR for submittal of reports, certifications, and notifications to DEQ and/or EPA as specified.

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

MRRR – (Permit Condition 3.28)

No specific monitoring is required for this facility-wide condition. As with all permit conditions, the permittee must certify compliance with this condition annually, which includes making a reasonable inquiry to determine if this requirement was met during the reporting period.

Permit Condition 3.29- Incorporation of Federal Requirements by Reference

Unless expressly provided otherwise, any reference in this permit to any document identified in IDAPA 58.01.01.107.03 shall constitute the full incorporation into this permit of that document for the purposes of the reference, including any notes and appendices therein.

[IDAPA 58.01.01.107, 4/7/11]

MRRR – (Permit Condition 3.29)

No specific monitoring is required for this facility-wide condition. As with all permit conditions, the permittee must certify compliance with this condition annually, which includes making a reasonable inquiry to determine if this requirement was met during the reporting period.

6.2 Emissions Unit-Specific Emissions Limits and MRRR

Emissions Unit No. 4

No changes were made to permit conditions regarding Section 4

Emissions Unit No. 5

No changes were made to permit conditions regarding Section 5

Emissions Unit No. 6

No changes were made to permit conditions regarding Section 6

Emissions Unit No. 7

No changes were made to permit conditions regarding Section 7 except the old permit condition 7.5 regarding the establishment of stack height is now obsolete.

Emissions Unit No. 8

No changes were made to permit conditions regarding Section 8

Emissions Unit No. 9

Emission unit No. 9 was added to the permit because the natural gas-fired engine is subject to 40 CFR 63. Permit Condition 9.1 and 9.2 address in Section 4 that all units burn natural gas and the Facility Emission Cap restricts the total fuel usage of the facility annually.

Permit Condition 9.3

The permittee must comply with the applicable emission limitations and operating limitations no later than October 19, 2013.

MRRR - (Permit Condition 9.3)

The permit condition establishes the date, October 19, 2013, the facility is required to meet the emission limitations and operating limitations which are applicable to the emission unit at the facility.

Permit Condition 9.4

The permittee shall change oil and filter every 500 hours of operation or annually, whichever comes first.

MRRR - (Permit Condition 9.4)

This permit condition establishes the operational limitations between a change of oil and filter to meet the requirement of 40CFR 63 Subpart ZZZZ.

Permit Condition 9.5

The permittee shall inspect spark plugs every 1,000 hour of operation or annually, whichever comes first.

MRRR - (Permit Condition 9.5)

This permit condition establishes the operational limitations between a change of oil and filter to meet the requirement of 40CFR 63 Subpart ZZZZ.

Permit Condition 9.6

The permittee shall inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

MRRR - (Permit Condition 9.6)

This permit condition establishes the operational limitations for inspection of all belts and hoses to meet the requirement of 40CFR 63 Subpart ZZZZ.

Permit Condition 9.7

The permittee must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instruction or develop your own maintenance plan which must provide to the extent practical for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

MRRR - (Permit Condition 9.7)

This permit condition establishes the maintenance plan to meet the requirement of 40CFR 63 Subpart ZZZZ.

Permit Condition 9.8

The permittee must install a non-resettable hour meter if one is not already installed.

MRRR - (Permit Condition 9.8)

This permit condition establishes the type of hour meter to be installed to meet the requirement of 40CFR 63 Subpart ZZZZ.

Permit Condition 9.9

The permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup.

MRRR - (Permit Condition 9.9)

This permit condition establishes the start up procedure the time limit for start up to before meeting the emission standards requirements of 40CFR 63 Subpart ZZZZ.

Permit Condition 9.10

The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement stated within permit condition 8.3 of this permit. However, the option must meet the requirements stated within 40 CFR 63.6625(j).

MRRR - (Permit Condition 9.10)

This permit condition establishes an alternative procedure the facility could use to meet the requirements of 40CFR 63 Subpart ZZZZ and be able to use the oil for longer periods of time.

Permit Condition 9.11

The permittee must demonstrate continuous compliance with each operating limitation stated within Permit Conditions 9.3 through 9.7 of this permit. The permittee must report each instance in which the permittee did not meet each operating limitation stated within Permit Conditions 9.3 through 9.7 of this permit. These instances are deviations from the operating limitations. These deviations must be reported according to the requirements in 40 CFR 63.6650 and/or reported in the compliance reports required in the General Provisions of this permit.

MRRR - (Permit Condition 9.11)

This permit condition establishes the permittee must report when the emission units does not meet the operating limitations stated within this permit.

Permit Condition 9.12

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(c) An area source of HAP emissions is a source that is not a major source.

MRRR - (Permit Condition 9.12)

The permit condition establishes the requirements of the emission unit to be applicable to 40 CFR 6585.

Permit Condition 9.13

This subpart applies to each affected source.

(a) *Affected source.* An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) *Existing stationary RICE.*

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

MRRR - (Permit Condition 9.13)

This permit condition establishes which part of the facility is applicable to the subpart ZZZZ.

Permit Condition 9.14

(a) *Affected sources.* (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013

MRRR - (Permit Condition 9.14)

This permit condition establishes the calendar date that compliance to the emission limitations and operating limitations must be achieved.

Permit Condition 9.15

In accordance with 40 CFR 63.6603, compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 of this subpart.

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.

TABLE 2d TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR EXISTING STATIONARY RICE LOCATED AT AREA SOURCES OF HAP EMISSIONS

As stated in §§63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
<p>5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year.²</p>	<p>a. Change oil and filter every 500 hours of operation or annually, whichever comes first;¹ b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.</p>	

¹Sources have the option to utilize an oil analysis program as described in §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of this subpart.

²If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

MRRR - (Permit Condition 9.15)

This permit condition establishes the operational requirements for the applicable engine.

Permit Condition 9.16

In accordance with 40 CFR 63.6605;

(a) You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

MRRR - (Permit Condition 9.16)

This permit condition established the applicable engine not only shall operating within the operational and emission limitations but must be operated in a manner consistent with the safety and good air pollution control practices.

Permit Condition 9.17

In accordance with 40 CFR 63.6625;

(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of Table 2c to this subpart or in items 5, 6, 7, 9, or 11 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

MRRR - (Permit Condition 9.17)

This permit condition establishes the maintenance, monitoring and operational requirements for the applicable stationary engine.

Permit Condition 9.18

In accordance with 40 CFR 63.6640;

- (a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.
- (b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

TABLE 6 TO SUBPART ZZZZ OF PART 63—CONTINUOUS COMPLIANCE WITH EMISSION LIMITATIONS, AND OTHER REQUIREMENTS

As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE <100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate 24 hours</p>	<p>a. Work or Management practices</p>	<p>i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.</p>

or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are remote stationary RICE		
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[40 CFR 63.6640 (a), (b), and Table 6]

- (f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
- (1) There is no time limit on the use of emergency stationary RICE in emergency situations.
- (2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).
- (i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.
- (ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.
- (iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.
- (3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
- (4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations

are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

- (i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.
- (ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
 - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.
 - (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
 - (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
 - (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
 - (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

MRRR - (Permit Condition 9.18)

This permit condition establishes the facility requirements of a work or management practices to demonstrate compliance.

Permit Condition 9.19

In accordance with 40 CFR 63.6655;

- (a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.

- (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).

(2) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.

(1) Records described in §63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in §63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency RICE.

(3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(2)(ii) or (iii) or §63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines

MRRR - (Permit Condition 9.19)

This permit condition establishes the records that are to be maintained to demonstrate compliance.

Permit Condition 9.20

In accordance with 40 CFR 63.6660;

- (a) Your records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).
- (b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

MRRR - (Permit Condition 9.20)

This permit condition establishes type of records and the length of time the records have to be kept to demonstrate compliance.

Permit Condition 9.21

In accordance with 40 CFR 63.6650;

- (b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.
 - (1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in §63.6595.
 - (2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.6595.
 - (3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.
 - (4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.
 - (5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first

and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.

- (6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on December 31.
 - (7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in §63.6595.
 - (8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.
 - (9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.
- (c) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.
- (1) Company name and address.
 - (2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.
 - (3) Date of report and beginning and ending dates of the reporting period.
 - (5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.
- (d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section.
- (1) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.
 - (2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.
- (f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance reports shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

MRRR - (Permit Condition 9.21)

This permit condition establishes the reports that have to be submitted. The General Provisions section of the permit already has semi and annual reporting requirements. When the facility addresses the permit conditions within the general provisions, that demonstration of compliance will cover the requirements with permit condition 9.21.

Permit Condition 9.22

In accordance with 40 CFR 63.6655;

- (a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.
 - (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).
 - (2) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.
 - (3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).
 - (4) Records of all required maintenance performed on the air pollution control and monitoring equipment.
 - (5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- (b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.
 - (1) Records described in §63.10(b)(2)(vi) through (xi).
 - (2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in §63.8(d)(3).
 - (3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable.
- (c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.
- (d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.
- (e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;
 - (1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.
 - (2) An existing stationary emergency RICE.
 - (3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.
- (f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(2)(ii) or (iii) or §63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

- (1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.
- (2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

MRRR - (Permit Condition 9.22)

This permit condition establishes the records that must be kept for an emergency RICE at an area source of HAP emissions applicable requirements for storing required records.

Permit Condition 9.23

In accordance with 40CFR 63.6660;

- (a) Your records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).
- (b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

MRRR - (Permit Condition 9.23)

This permit condition establishes the applicable requirements for storing required records.

6.3 General Provisions

Unless expressly stated, there are no MRRR for the general provisions.

General Compliance, Duty to Comply

The permittee must comply with the terms and conditions of the permit.

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

General Compliance, Need to Halt or Reduce Activity Not a Defense

The permittee cannot use the fact that it would have been necessary to halt or reduce an activity as a defense in an enforcement action.

[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]

General Compliance, Duty to Supplement or Correct Application

The permittee must promptly submit such supplementary facts or corrected information upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application. The permittee must also provide information as necessary to address any new requirements that become applicable after the date a complete application has been filed but prior to the release of a draft permit.

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

Reopening, Additional Requirements, Material Mistakes, Etc.

This term lists the instances when the permit must be reopened and revised, including times when additional requirements become applicable, when the permit contains mistakes, or when revision or revocation is necessary to assure compliance with applicable requirements.

[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)]

Reopening, Permitting Actions

This term discusses modification, revocation, reopening, and/or reissuance of the permit for cause. If the permittee files a request to modify, revoke, reissue, or terminate the permit, the request does not stay any permit condition, nor does notification of planned changes or anticipated noncompliance.

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

Property Rights

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

The permittee must furnish, within a reasonable time to DEQ, any information, including records required by the permit, that is requested 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)]

Information Requests, Confidential Business Information

Upon request, the permittee must 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 §9-342A 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

If any provision of the permit is held to be invalid, all unaffected provisions of the permit will remain in effect and enforceable.

[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]

Changes Requiring Permit Revision or Notice

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 must comply with IDAPA 58.01.01.380 through 386 as applicable.

[IDAPA 58.01.01.200-223, 4/2/08; 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)]

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, 4/11/06; 40 CFR 70.4(b)(14) and (15)]

Federal and State Enforceability

All permit conditions are federally enforceable unless specified in the permit as a state or local only requirement. State and local only requirements are not required under the CAA and are not enforceable by EPA or by citizens.

[IDAPA 58.01.01.322.15.j, 5/1/94; IDAPA 58.01.01.322.15.k, 3/23/98; Idaho Code §39-108; 40 CFR 70.6(b)(1), (2)]

Inspection and Entry

Upon presentation of credentials, the facility shall allow DEQ or an authorized representative of DEQ to do the following:

- 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;
- Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
- 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.l, 5/1/94; 40 CFR 70.6(c)(2)]

New Applicable Requirements

The permittee must continue to comply with all applicable requirements and must comply with new requirements on a timely basis.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.10.a.ii, 5/1/94; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]

Fees

The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.387 through IDAPA 58.01.01.397.

[IDAPA 58.01.01.387, 4/2/03; 40 CFR 70.6(a)(7)]

Certification

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

The permittee 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)]

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

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:

- Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
 - 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.

- 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).
- Nothing in this permit shall alter or affect the following:
 - Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
 - 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;
 - The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
 - 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

- For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
- 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.
- 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.
- 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

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

- Compliance certifications for all emissions units shall be submitted annually unless otherwise specified;
- 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

The permittee may not 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]

No Tampering

The permittee may not render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

Semiannual Monitoring Reports.

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 as specified.

[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

Each and every applicable requirement, including MRRR, is subject to prompt deviation reporting. Deviations due to excess emissions must be reported in accordance Sections 130-136. All instances of deviation from Tier I operating permit requirements must be included in the deviation reports. The reports must describe the probable cause of the deviation and any corrective action or preventative measures taken. Deviation reports must be submitted at least every six months unless the permit specifies a different time period as required by IDAPA 58.01.01.322.08.c. Examples of deviations include, but are not limited to, the following:

- Any situation in which an emissions unit fails to meet a permit term or condition
- Emission control device does not meet a required operating condition
- Observations or collected data that demonstrate noncompliance with an emissions standard
- Failure to comply with a permit term that requires a report

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/11/06; 40 CFR 70.6(a)(3)(iii)]

Permit Revision Not Required, Emissions Trading

No permit revision will 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

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)]

7. REGULATORY REVIEW

7.1 Attainment Designation (40 CFR 81.313)

The facility is located in Bingham which is designated as attainment or unclassifiable for PM₁₀, PM_{2.5}, CO, NO₂, SO_x, and Ozone. Reference 40 CFR 81.313.

7.2 Title V Classification (IDAPA 58.01.01.300, 40 CFR Part 70)

The facility is not classified as a major facility as defined in IDAPA 58.01.01.008.10. The facility is a natural minor facility, because without limits on the potential to emit, the emissions of regulated air pollutants are below major source thresholds. The facility is a Tier I source. IDAPA 58.01.01.860.04 requires large municipal landfills to obtain Tier I permits. Therefore, the requirements of 40 CFR 60 Subpart WWW and IDAPA 58.01.01.300–399 are applicable to this permitting action.

IDAPA 58.01.01.301 Tier I Operating Permit

IDAPA 58.01.01.118. Tier I Source. Any of the following: (5-1-94)

- a. Any source located at any major facility as defined in Section 008;

- b. *Any source, including an area source, subject to a standard, limitation, or other requirement under 42 U.S.C. Section 7411 or 40 CFR Part 60, and required by EPA to obtain a Part 70 permit;*
- c. *Any source, including an area source, subject to a standard or other requirement under 42 U.S.C. Section 7412, 40 CFR Part 61 or 40 CFR Part 63, and required by EPA to obtain a Part 70 permit, except that a source is not required to obtain a permit solely because it is subject to requirements under 42 U.S.C. Section 7412(r);*
- d. *Any Phase II source; and*
- e. *Any source in a source category designated by the Department.*

7.3 PSD Classification (40 CFR 52.21)

The facility is not a major stationary source as defined in 40 CFR 52.21(b)(1), nor is it undergoing any physical change at a stationary source not otherwise qualifying under paragraph 40 CFR 52.21(b)(1) as a major stationary source, that would constitute a major stationary source by itself as defined in 40 CFR 52.21(b)(1). Therefore in accordance with 40 CFR 52.21(a)(2), PSD requirements are not applicable to this permitting action. The facility is not a designated facility as defined in 40 CFR 52.21(b)(1)(i)(a), and does not have facility-wide emissions of any criteria pollutant that exceed 250 T/yr.

7.4 NSPS Applicability (40 CFR 60)

40 CFR 60, Subpart Cc

7.5 NESHAP Applicability (40 CFR 61)

The facility is not subject to any NESHAP requirement in 40 CFR 61.

7.6 MACT Applicability (40 CFR 63)

Engines located at major sources of HAP are subject to standards determined by maximum achievable control technology, whereas engines located at area sources are subject to generally achievable control technology (GACT). The BAF facility is minor area source with respect to HAP because its emissions are less than 10 tons per year (tpy) of a single HAP and less than 25 tpy of total HAP. Consequently, the stationary engine is classified as an existing stationary engine under 300 hp located at an area source of HAP and must comply with the following requirements that are applicable in 40 CFR 63 subpart ZZZZ which are stated within the permit.

7.7 CAM Applicability (40 CFR 64)

The facility is not subject to any CAM requirements.

7.8 Acid Rain Permit (40 CFR 72-75)

The facility is not subject to any Acid Rain Permit requirements in 40 CFR 72-75.

8. PUBLIC COMMENT

As required by IDAPA 58.01.01.364, a public comment period was made available to the public from **June 9 to July 9, 2014**. During this time, comment was submitted in response to DEQ's proposed action

9. EPA REVIEW OF PROPOSED PERMIT

As required by IDAPA 58.01.01.366, DEQ provided the proposed permit to EPA Region 10 for its review and comment on **July 25, 2014** via e-mail. On **DATE**, EPA Region 10 responded to DEQ via e-mail indicating **EPA RESPONSE**.

Appendix A - Emissions Inventory

No changes in the emission inventory.

Appendix B - Facility Comments for Draft Permit

No Comments were Received from the Facility