



October 14, 2010

Eric Vettergren, Plant Manager  
Nu-West Industries, Inc., Agrium Conda Phosphate Operations  
3010 Conda Road  
Soda Springs, ID 83726

RE: Facility ID No. 029-00003, Nu-West Industries, Inc., Agrium CPO, Soda Springs  
Final Permit Letter

Dear Mr. Vettergren:

The Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) No. P-2009.0068 Project 0068 to Nu-West Industries, Inc., Agrium Conda Phosphate Operations, located near Soda Springs for changes to the NO<sub>x</sub> monitoring requirements for the Superphosphoric Acid Oxidation Process. This PTC is issued in accordance with IDAPA 58.01.01.200 through 228 (Rules for the Control of Air Pollution in Idaho) and is based on the certified information provided in your PTC application received May 15, 2009.

This permit is effective immediately and replaces PTC No. P-060310 issued on August 22, 2007. This permit does not release Nu-West Industries, Inc. from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

The draft Tier I operating permit was made available for public comment along with the draft permit to construct. EPA will now be provided the proposed Tier I operating permit for its 45 day review prior to issuance of the Tier I permit.

Pursuant to the Construction and Operation Notification General Provision of your permit, it is required that construction and operation notification be provided. Please provide this information as listed to DEQ's Regional Office as listed in your Tier I operating permit.

In order to fully understand the compliance requirements of this permit, DEQ highly recommends that you schedule a meeting with Rick Elkins, Air Quality Analyst, at (208) 236-6160 to review and discuss the terms and conditions of this permit. Should you choose to schedule this meeting, DEQ recommends that the following representatives attend the meeting: your facility's plant manager, responsible official, environmental contact, and any other staff responsible for day-to-day compliance with permit conditions.

Pursuant to IDAPA 58.01.23, you, as well as any other entity, may have the right to appeal this final agency action within 35 days of the date of this decision. However, prior to filing a petition for a contested case, I encourage you to contact Ken Hanna at (208) 373-0283 or [kenneth.hanna@deq.idaho.gov](mailto:kenneth.hanna@deq.idaho.gov) to address any questions or concerns you may have with the enclosed permit.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Simon". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Mike Simon  
Stationary Source Program Manager  
Air Quality Division

MSKH

Permit No. P-2009.0068 PROJ 0068

Enclosures



**Air Quality  
PERMIT TO CONSTRUCT**

State of Idaho  
Department of Environmental Quality

**PERMIT No.:** P-2009.0068  
**FACILITY ID No.:** 029-00003  
**AQCR:** 61      **CLASS:** A      **ZONE:** 12  
**SIC:** 2874      **NAICS:** 325312  
**UTM COORDINATE (km):** 455.8, 4731.8

**1. PERMITTEE**  
Nu-West Industries, Inc.; dba Agrium Conda Phosphate Operations

**PROJECT # 068:** PTC Revision; Phosphoric Acid Plant and Granulation Plant

<b>3. MAILING ADDRESS</b> 3010 Conda Road	<b>CITY</b> Soda Springs	<b>STATE ID</b>	<b>ZIP</b> 83276
<b>4. FACILITY CONTACT</b> Michael Bauerle	<b>TITLE</b> Environmental Supervisor	<b>TELEPHONE</b> (208) 547-4381 ext. 215	
<b>5. RESPONSIBLE OFFICIAL</b> Eric Vettergren	<b>TITLE</b> Plant Manager	<b>TELEPHONE</b> (208) 547-4381	
<b>6. EXACT PLANT LOCATION</b> 7 miles north of Soda Springs, 1.2 miles east of Highway 34		<b>COUNTY</b> Caribou	

**7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS**  
Phosphate-based fertilizer products

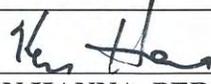
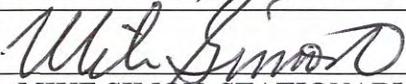
**8. GENERAL CONDITIONS**

This permit is issued according to the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.200 through 228, and pertains only to emissions of air contaminants regulated by the state of Idaho and to the sources specifically allowed to be constructed or modified by this permit.

This permit (a) does not affect the title of the premises upon which the equipment is to be located; (b) does not release the permittee from any liability for any loss due to damage to person or property caused by, resulting from, or arising out of the design, installation, maintenance, or operation of the proposed equipment; (c) does not release the permittee from compliance with other applicable federal, state, tribal, or local laws, regulations, or ordinances; (d) in no manner implies or suggests that the Department of Environmental Quality (DEQ) or its officers, agents, or employees, assume any liability, directly or indirectly, for any loss due to damage to person or property caused by, resulting from, or arising out of design, installation, maintenance, or operation of the proposed equipment.

This permit will expire if construction has not begun within two years of its issue date or if construction is suspended for one year.

This permit has been granted on the basis of design information presented with its application. Changes in design, equipment or operations may be considered a modification. Modifications are subject to DEQ review in accordance with IDAPA 58.01.01.200 through 228 of the Rules for the Control of Air Pollution in Idaho.

	<b>DATE ISSUED:</b>	<b>October 14, 2010</b>
<b>KEN HANNA, PERMIT WRITER</b>		
		
<b>MIKE SIMON, STATIONARY SOURCE MANAGER</b>		

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## Acronyms, Units, and Chemical Nomenclature

AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
BAE	baseline actual emissions
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
EPA	U.S. Environmental Protection Agency
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
lb/hr	pound per hour
MACT	Maximum Achievable Control Technology
MMBtu	million British thermal units
NO <sub>2</sub>	nitrogen dioxide
NO <sub>x</sub>	nitrogen oxides
NSPS	New Source Performance Standards
NSR	New Source Review
O&M	operations and maintenance
P <sub>2</sub> O <sub>5</sub>	phosphorus pentoxide
PM	particulate matter
PM <sub>10</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
PTC	permit to construct
RATA	relative accuracy test audit
SIC	Standard Industrial Classification
SPA	superphosphoric acid
T/yr	tons per year
UTM	Universal Transverse Mercator
VOC	volatile organic compound

## 1. PERMIT TO CONSTRUCT SCOPE

### *Purpose*

- 1.1 The purpose of this PTC revision is to replace the NO<sub>x</sub> monitoring currently conducted for the Superphosphoric Acid Oxidation Process with requirements to perform periodic NO<sub>x</sub> performance tests instead. The MACT permit conditions relating to the Phosphoric Acid Process, the Superphosphoric Acid Process and the Granulation Plant are also updated to present the federal requirements more clearly and for consistency with the Tier I permit conditions. Permit conditions relating to the Cleaver-Brooks Boiler also have been revised to better clarify monitoring, recordkeeping and reporting requirements.
- 1.2 Those permit conditions that have been modified or revised by this permitting action are identified by a date citation located directly under the permit condition and on the right hand margin.
- 1.2 This PTC replaces PTC No. P-060310 issued on August 22, 2007.

## **2. FACILITY-WIDE CONDITIONS**

### **2.1 Opacity Limit**

Visible emissions from any stack, vent, or other functionally equivalent opening shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period, as required in IDAPA 58.01.01.625. Opacity shall be determined using IDAPA 58.01.01.625.

### **2.2 Fugitive Dust Emissions**

Fugitive emissions shall not be observed leaving the property for a period or periods aggregating more than three minutes in any 60-minute period. Visible emissions shall be determined by EPA Reference Method 22, as described in 40 CFR 60, Appendix A, or by an Idaho Department of Environmental Quality (DEQ) approved alternative method.

### **2.3 Reasonable Control of Fugitive Emissions**

All reasonable precautions shall be taken to prevent particulate matter from becoming airborne, in accordance with IDAPA 58.01.01.651 (*Rules for the Control of Air Pollution in Idaho*). In determining what is reasonable, considerations will be given to factors such as the proximity of dust emitting operations to human habitations, and/or activities and atmospheric conditions which might affect the movement of particulate matter. Some of the reasonable precautions include, but are not limited to, the following:

- 2.3.1 Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands;
- 2.3.2 Application, where practical, of asphalt, oil, water or suitable chemicals to, or covering of, dirt roads, material stockpiles, and other surfaces which can create dust;
- 2.3.3 Installation and use, where practical, of hoods, fans and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations;
- 2.3.4 Covering, where practical, of open bodied trucks transporting materials likely to give rise to airborne dusts;
- 2.3.5 Paving of roadways and their maintenance in a clean condition, where practical; or
- 2.3.6 Prompt removal of earth or other stored material from streets, where practical.

### **2.4 Fugitive Dust Control Log**

Unless specified elsewhere in this permit, the permittee shall monitor and record in a log the frequency and the method(s) used (i.e., water, chemical dust suppressants, etc.) to reasonably control fugitive emissions. The most recent five years' compilation of data shall be kept on site and shall be made available to DEQ representatives upon request.

## **2.5 Performance Test Report**

The proposed performance test date(s), test date rescheduling notice(s), compliance test report, and all other performance testing correspondence shall be submitted in accordance with PTC General Provision No. 6 to the following address:

Air Quality Permit Compliance  
Department of Environmental Quality  
Pocatello Regional Office  
444 Hospital Way, # 300  
Pocatello, Idaho 83201  
Office: (208) 236-6160  
Fax: (208) 236-6168

## **2.6 MACT 40 CFR 63 Subpart A – Reporting Schedule**

In accordance with 40 CFR 63.10(a)(5), if an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. Procedures governing the implementation of this provision are specified in 40 CFR 63.9(i).

and,

In accordance with 40 CFR 63.10(a)(7), if an owner or operator supervises one or more stationary sources affected by standards established pursuant to section 112 of the Act (as amended November 15, 1990) and standards set under part 60, part 61, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. Procedures governing the implementation of this provision are specified in 40 CFR 63.9(i).

## **2.7 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. Documents include, but are not limited to:

- Standards of Performance for New Stationary Sources (NSPS), 40 CFR Part 60
- National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP), 40 CFR Part 61 and Part 63

For permit conditions referencing or cited in accordance with any document incorporated by reference (including permit conditions identified as NSPS or NESHAP), should there be any conflict between the requirements of the permit condition and the requirements of the document, the requirements of the document shall govern, including any amendments to that regulation.

**[October 14, 2010]**

### 3. PHOSPHORIC ACID AND SUPERPHOSPHORIC ACID PROCESS LINES

#### ***Emission Limits***

#### 3.1 **MACT 40 CFR 63 Subpart AA – Wet Process Phosphoric Acid Process Line Fluoride Standard**

In accordance with 40 CFR 63.603(a), the owner or operator shall not cause to be discharged into the atmosphere from the Wet Process Phosphoric Acid Process Line any gases which contain total fluorides in excess of 6.750 gram/metric ton of equivalent  $P_2O_5$  feed (0.01350 lb/ton). 40 CFR 63.601 defines a wet process phosphoric acid process line as any process line manufacturing phosphoric acid by reacting phosphate rock and acid. The Conditioning Vent Scrubber System is part of the Phosphoric Acid Production Process.

#### 3.2 **MACT 40 CFR 63 Subpart AA – Superphosphoric Acid Process Line Fluoride Standard**

In accordance with 40 CFR 63.603(b), the owner or operator shall not cause to be discharged into the atmosphere from the Superphosphoric Acid Process Line any gases which contain total fluorides in excess of 4.350 gram/metric ton of equivalent  $P_2O_5$  feed (0.00870 lb/ton). 40 CFR 63.601 defines a superphosphoric acid process line as “*any process line which concentrates wet-process phosphoric acid to 66% or greater  $P_2O_5$  by weight.*”

#### 3.3 **NO<sub>x</sub> - Superphosphoric Acid Oxidation Process**

Emissions of oxides of nitrogen (NO<sub>x</sub>) from the Superphosphoric Acid Oxidation Process shall not exceed the emission rate limit listed in the Appendix of this permit at Section 6 below.

#### ***Operating Requirements***

#### 3.4 **MACT 40 CFR 63 Subpart AA – Operating Requirements, Pressure Drops and Flow Rates for Wet Scrubbers**

In accordance with 40 CFR 63.604, the owner/operator using a wet scrubbing emission control system must maintain daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber within the allowable ranges established pursuant to the requirements of 40 CFR 63.605(d)(1) or (2).

#### 3.5 **MACT 40 CFR 63 Subpart AA – Standard for Evaporative Cooling Towers**

No owner or operator shall introduce into any evaporative cooling tower any liquid effluent from any wet scrubbing device installed to control emissions from process equipment, in accordance with 40 CFR 63.603(e).

#### ***Monitoring and Recordkeeping Requirements***

#### 3.6 **NO<sub>x</sub> Performance Test for Superphosphoric Acid Oxidation Process**

3.6.1 The permittee shall conduct performance tests on the Superphosphoric Acid Oxidation Process Stack to demonstrate compliance with the NO<sub>x</sub> emission limit in Permit Condition 3.3. The permittee is encouraged to submit a source testing protocol for approval 30 days prior to conducting the performance test. The permittee shall test in accordance with IDAPA 58.01.01.157, the conditions of this permit, and General Provision 6. General Provisions 6 includes notification requirements, testing procedures and reporting requirements.

- 3.6.2 The source test shall be conducted under “worst case normal” conditions as required by IDAPA 58.01.01.157 and General Provision 6 and the source test report shall contain documentation that the test was conducted under these conditions. As part of this documentation, the P<sub>2</sub>O<sub>5</sub> feed rate and the production rate of the Superphosphoric Acid Oxidation Process shall be monitored and recorded during the test.
- 3.6.3 Performance testing shall be performed according to the following schedule. If the pollutant emission rate measured in the most recent test is less than or equal to 75% of the emission standard in Permit Condition 3.3, the next test shall be conducted within five years of the test date. If the pollutant emission rate measured during the most recent performance test is greater than 75%, but less than or equal to 90%, of the emission standard in Permit Condition 3.3, the next test shall be conducted within two years of the test date (no more than 26 calendar months following the previous performance test). If the pollutant emission rate measured during the most recent performance test is greater than 90% of the emission standard in Permit Condition 3.3, the next test shall be conducted within one year of the test date (no more than 14 calendar months following the previous performance test).

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3.7 **MACT 40 CFR 63 Subpart AA – P<sub>2</sub>O<sub>5</sub> Feed Rate Monitoring Equipment**

In accordance with 40 CFR 63.605(a), the owner or operator shall install, calibrate, maintain, and operate a monitoring system which can be used to determine and permanently record the mass flow of phosphorus-bearing feed material to the Wet-Process Phosphoric Acid Process Line and the Superphosphoric Acid Process Line. The monitoring system shall have an accuracy of ± 5% over its operating range.

3.8 **MACT 40 CFR 63 Subpart AA – P<sub>2</sub>O<sub>5</sub> Feed Rate Recordkeeping**

In accordance with 40 CFR 63.605(b)(1), each owner or operator of a new or existing wet-process phosphoric acid process line or superphosphoric acid process line subject to the provisions of 40 CFR Part 63, Subpart AA shall maintain a daily record of equivalent P<sub>2</sub>O<sub>5</sub> feed by first determining the total mass rate in metric ton/hour of phosphorus-bearing feed using a monitoring system for measuring mass flowrate which meets the requirements of 40 CFR 63.605(a) and then proceeding according to 40 CFR 63.606(c)(3).

3.9 **MACT 40 CFR 63 Subpart AA – Monitoring Requirements, Scrubber Pressure Drop**

In accordance with 40 CFR 63.605(c)(1), each owner or operator of a Wet-Process Phosphoric Acid Process Line or Superphosphoric Acid Process Line using a wet scrubbing emission control system shall install, calibrate, maintain, and operate a monitoring system which continuously measures and permanently records the pressure drop across each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of ±5% over its operating range.

3.10 **MACT 40 CFR 63 Subpart AA – Monitoring Requirements, Scrubber Liquid Flow Rate**

In accordance with 40 CFR 63.605(c)(2), each owner or operator of a Wet-Process Phosphoric Acid Process Line or Superphosphoric Acid Process Line using a wet scrubbing emission control system shall install, calibrate, maintain, and operate a monitoring system which continuously measures and permanently records the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of ±5% over its operating range.

**3.11 MACT 40 CFR 63 Subpart AA – Monitoring Requirements, Scrubber Pressure Drop and Liquid Flow Rate Ranges**

In accordance with 40 CFR 63.605(d), the owner or operator of an affected source using a wet scrubbing emission control system and subject to emissions limitations for total fluorides or particulate matter contained in 40 CFR 63, Subpart AA must establish allowable ranges for operating parameters using the methodology specified in either (1) or (2) of this section:

- (1) The allowable range for the daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system is  $\pm 20\%$  of the baseline average value determined as a requirement of 40 CFR 63.606(c)(4), (d)(4), or (e)(2). The Administrator retains the right to reduce the  $\pm 20\%$  adjustment to the baseline average values of operating ranges in those instances where performance test results indicate that a source's level of emissions is near the value of an applicable emissions standard, but, in no instance shall the adjustment be reduced to less than  $\pm 10\%$ . The owner or operator must notify the Administrator of the baseline average value and must notify the Administrator each time that the baseline value is changed as a result of the most recent performance test. When a source using the methodology of this paragraph is retested, the owner or operator shall determine whether new allowable ranges of baseline average values will be based upon the new performance test or (if the new performance test results are within the previously established range) whether there will be no change in the operating parameters derived from previous tests. When a source using the methodology of this paragraph is retested and the performance test results are submitted to the Administrator pursuant to 40 CFR 63.607(c)(1), 63.7(g)(1), and/or 63.10(d)(2), the owner or operator will indicate whether the operating range will be based on the new performance test or the previously established range. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.
- (2) The owner or operator of any new or existing affected source shall establish, and provide to the Administrator for approval, allowable ranges for the daily averages of the pressure drop across and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system for the purpose of assuring compliance with 40 CFR 63 Subpart AA. Allowable ranges may be based upon baseline average values recorded during previous performance tests using the test methods required in 40 CFR 63.606(c)(4), (d)(4), or (e)(2). As an alternative, the owner or operator can establish the allowable ranges using the results of performance tests conducted specifically for the purposes of this paragraph using the test methods required in 40 CFR 63, Subpart AA and established in the manner required in 40 CFR 63.606(c)(4), (d)(4), or (e)(2). The source shall certify that the control devices and processes have not been modified subsequent to the testing upon which the data used to establish the allowable ranges were obtained. The allowable ranges developed pursuant to the provisions of this paragraph must be submitted to the Administrator for approval. The owner or operator must request and obtain approval of the Administrator for changes to the allowable ranges. When a source using the methodology of this paragraph is retested, the owner or operator shall determine new allowable ranges of baseline average values unless the retest indicates no change in the operating parameters outside the previously established ranges. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.

**3.12 MACT 40 CFR 63 Subpart AA – Performance Testing**

In accordance with 40 CFR 63.606(a), once per annum, the owner or operator shall conduct a performance test to demonstrate compliance with the applicable emission standards for the Wet-Process Phosphoric Acid Process Line and the Superphosphoric Acid Process Line. The owner or operator shall conduct the performance test according to the procedures in 40 CFR 63, Subpart A and in 40 CFR 63.606.

**3.13 MACT 40 CFR 63 Subpart AA – Performance Test Methods**

In accordance with 40 CFR 63.606(b), in conducting performance tests, each owner or operator of an affected source shall use as reference methods and procedures the test methods in 40 CFR 60, Appendix A, or other methods and procedures as specified in 40 CFR 63.606, except as provided in 40 CFR 63.7(f).

**3.14 MACT 40 CFR 63 Subpart AA – Performance Testing - Fluorides**

In accordance with 40 CFR 63.606(c), each owner or operator of a Wet-Process Phosphoric Acid Process Line or Superphosphoric Acid Process Line shall determine compliance with the applicable total fluorides standards specified in 40 CFR 63.602 and 40 CFR 63.603 as specified in 40 CFR 63.606(c).

**3.15 NO<sub>x</sub> Emissions from SPA Oxidation Process**

On a monthly basis, the permittee shall calculate and record the NO<sub>x</sub> emissions from the Superphosphoric Acid Oxidation Process stack, based on an emission factor derived from NO<sub>x</sub> performance testing conducted under Permit Condition 3.6. The emissions shall be recorded for the month and for the most recent consecutive 12 calendar month period to demonstrate compliance with the NO<sub>x</sub> emission rate limit in Permit Condition 3.3.

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**3.16 MACT 40 CFR 63 Subpart AA – Recordkeeping Requirements**

In accordance with 40 CFR 63.607(b), each owner or operator subject to the requirements of 40 CFR 63, Subpart AA shall comply with the recordkeeping requirements in 40 CFR 63.10.

***Reporting Requirements***

**3.17 MACT 40 CFR 63 Subpart AA – Reporting Requirements**

In accordance with 40 CFR 63.607(c), the owner or operator of an affected source shall comply with the reporting requirements specified in 40 CFR 63.10 as follows:

**3.17.1 Performance Test Report**

In accordance with 40 CFR 63.607(c)(1), as required by 40 CFR 63.10 the owner or operator shall report the results of the initial and annual performance tests as part of the notification of compliance status required in 40 CFR 63.9.

**3.17.2 Excess Emissions Report**

In accordance with 40 CFR 63.607(c)(2), as required by 40 CFR 63.10 the owner or operator of an affected source shall submit an excess emissions report for any exceedance of an operating parameter limit. The report shall contain the information specified in 40 CFR 63.10. When no exceedances of an

operating parameter have occurred, such information shall be included in the report. The report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half. If exceedances are reported, the owner or operator shall report quarterly until a request to reduce reporting frequency is approved, as described in 40 CFR 63.10.

### 3.17.3 Summary Report

In accordance with 40 CFR 63.607(c)(3), if the total duration of control system exceedances for the reporting period is less than 1% of the total operating time for the reporting period, the owner or operator shall submit a summary report containing the information specified in 40 CFR 63.10, rather than the full excess emissions report, unless required by the Administrator. The summary report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half.

3.17.4 In accordance with 40 CFR 63.607(c)(4), if the total duration of control system operating parameter exceedances for the reporting period is 1% or greater of the total operating time for the reporting period, the owner or operator shall submit a summary report and excess emissions report.

### 3.18 MACT 40 CFR 63 Subpart AA – Notification Requirements

In accordance with 40 CFR 63.607(a), each owner or operator subject to the requirements of 40 CFR 63, Subpart AA shall comply with the notification requirements in 40 CFR 63.9.

### 3.19 MACT 40 CFR 63 Subpart AA – Evaporative Cooling Tower Annual Report

In accordance with 40 CFR 63.603(e), each owner or operator of an affected source subject to the evaporative cooling tower requirements in 40 CFR 63.603(e) must certify to the Administrator annually that he/she has complied with the requirements contained in that section. This action may be completed as part of the annual Tier I permit compliance certification.

### ***MACT 40 CFR 63 Subpart AA - Phosphoric Acid Manufacturing Plant Exemption From New Source Performance Standards***

3.20 In accordance with 40 CFR 63.610, the affected sources at the phosphoric acid manufacturing plant that are subject to the provisions of 40 CFR 63 Subpart AA are exempted from any otherwise applicable new source performance standard contained in 40 CFR 60, Subpart T, Subpart U, or Subpart NN. To be exempt, a source must have a current operating permit pursuant to Title V of the Act and the source must be in compliance with all requirements of 40 CFR 63, Subpart AA.

### ***MACT 40 CFR 63 Subpart AA - Applicability of General Provisions***

3.21 In accordance with 40 CFR 63.608, the owner or operator shall comply with the requirements of the general provisions in 40 CFR 63, Subpart A as shown in Appendix A to 40 CFR 63, Subpart AA.

## 4. GRANULATION PLANT

### *Emission Limits*

#### 4.1 MACT 40 CFR 63 Subpart BB – Fluoride - Diammonium and/or Monoammonium Phosphate Process Line

In accordance with 40 CFR 63.623(a), the owner or operator shall not cause to be discharged into the atmosphere from any affected source any gases which contain total fluorides in excess of 29.0 grams/metric ton of equivalent P<sub>2</sub>O<sub>5</sub> feed (0.0580 lb/ton).

#### 4.2 PM - Process Weight Rate Limitations

In accordance with IDAPA 58.01.01.701, no person shall emit into the atmosphere from any process or process equipment commencing operation on or after October 1, 1979, PM in excess of the amount shown by the following equations, where E is the allowable emission from the entire source in pounds per hour, and PW is the process weight in pounds per hour.

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

$$E = 0.045(PW)^{0.6}$$

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

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

### *Operating Requirements*

#### 4.3 MACT 40 CFR 63 Subpart BB – Pressure Drops and Flow Rates for Wet Scrubbers

In accordance with 40 CFR 63.624, the owner/operator using a wet scrubbing emission control system must maintain daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber within the allowable ranges established pursuant to the requirements of 40 CFR 63.625(f)(1) or (2).

#### 4.4 Granulator Drum Replacement - PSD

The permittee shall permanently discontinue operation of the existing granulator drum after the replacement granulator drum is installed. If the existing granulator drum is proposed to be brought back into operation, it shall be considered to be a new emissions unit and shall be subject to permitting in accordance with IDAPA 58.01.01.200 and 205 (40 CFR 52.21(b)(33)(iv)).

### *Monitoring and Recordkeeping Requirements*

#### 4.5 MACT 40 CFR 63 Subpart BB – Throughput Monitoring Systems

In accordance with 40 CFR 63.625(a), the owner or operator shall install, calibrate, maintain, and operate a monitoring system which can be used to determine and permanently record the mass flow of phosphorus-bearing feed material to the process. The monitoring system shall have an accuracy of ±5% over its operating range.

**4.6 MACT 40 CFR 63 Subpart BB – P<sub>2</sub>O<sub>5</sub> Throughput**

In accordance with 40 CFR 63.625(b), the owner or operator shall maintain a daily record of equivalent P<sub>2</sub>O<sub>5</sub> feed by first determining the total mass rate in metric ton/hour of phosphorus bearing feed using a monitoring system for measuring mass flow rate which meets the requirements of 40 CFR 63.625(a) and then by proceeding according to 40 CFR 63.626(c)(3).

**4.7 MACT 40 CFR 63 Subpart BB – Pressure Drop Across Each Scrubber**

In accordance with 40 CFR 63.625(c)(1), the owner or operator shall install, calibrate, maintain, and operate a monitoring system which continuously measures and permanently records the pressure drop across each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of ±5% over its operating range.

**4.8 MACT 40 CFR 63 Subpart BB – Liquid Flow Rate of Each Scrubber**

In accordance with 40 CFR 63.625(c)(2), the owner or operator shall install, calibrate, maintain, and operate a monitoring system which continuously measures and permanently records the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of ±5% over its operating range.

**4.9 MACT 40 CFR 63 Subpart BB – Scrubber Pressure Drop and Liquid Flow Rate Ranges**

In accordance with 40 CFR 63.625(f), the owner or operator must establish allowable ranges for operating parameters using the methodology specified in either 63.625(f)(1) or 63.625(f)(2).

4.9.1 In accordance with 40 CFR 63.625(f)(1), the allowable range for the daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system is ±20% of the baseline average value determined as a requirement of 40 CFR 63.626(c)(4) or (d)(4). The Administrator retains the right to reduce the ±20% adjustment to the baseline average values of operating ranges in those instances where performance test results indicate that a source's level of emissions is near the value of an applicable emissions standard, but in no instance shall the adjustment be reduced to less than ±10%. The owner or operator must notify the Administrator of the baseline average value and must notify the Administrator each time that the baseline value is changed as a result of the most recent performance test. When a source using the methodology of this paragraph is retested, the owner or operator shall determine whether new allowable ranges of baseline average values will be based upon the new performance test or (if the new performance test results are within the previously established range) whether there will be no change in the operating parameters derived from previous tests. When a source using the methodology of this paragraph is retested and the performance test results are submitted to the Administrator pursuant to 40 CFR 63.627(c)(1), 63.7(g)(1), and/or 63.10(d)(2), the owner or operator will indicate whether the operating range will be based on the new performance test or the previously established range. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.

4.9.2 In accordance with 40 CFR 63.625(f)(2), the owner or operator of any new or existing affected source shall establish, and provide to the Administrator for approval, allowable ranges for the daily averages of the pressure drop across and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system for the purpose of assuring compliance with 40 CFR 63, Subpart BB. Allowable ranges may be based upon baseline average values recorded during previous performance tests using the test methods required in 40 CFR 63.626(c)(4) or (d)(4). As an alternative, the owner or operator can establish

the allowable ranges using the results of performance tests conducted specifically for the purposes of this paragraph using the test methods required in 40 CFR 63, Subpart BB and established in the manner required in 40 CFR 63.626(c)(4) or (d)(4). The source shall certify that the control devices and processes have not been modified subsequent to the testing upon which the data used to establish the allowable ranges were obtained. The allowable ranges developed pursuant to the provisions of this paragraph must be submitted to the Administrator for approval. The owner or operator must request and obtain approval of the Administrator for changes to the allowable ranges. When a source using the methodology of this paragraph is retested, the owner or operator shall determine new allowable ranges of baseline average values unless the retest indicates no change in the operating parameters outside the previously established ranges. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.

#### **4.10 MACT 40 CFR 63 Subpart BB – Performance Testing**

In accordance with 40 CFR 63.626(a), once per annum, the owner or operator shall conduct a performance test to demonstrate compliance with the applicable emission standard for each existing and each new diammonium and/or monoammonium phosphate process line. The owner or operator shall conduct the performance test according to the procedures in 40 CFR 63, Subpart A and in 40 CFR 63.626.

#### **4.11 MACT 40 CFR 63 Subpart BB – Performance Test Methods**

In accordance with 40 CFR 63.626(b), in conducting performance tests, each owner or operator of an affected source shall use as reference methods and procedures the test methods in 40 CFR 60, Appendix A, or other methods and procedures as specified in 40 CFR 63.626, except as provided in 40 CFR 63.7(f).

#### **4.12 MACT 40 CFR 63 Subpart BB – Performance Testing - Fluorides**

Each owner or operator of a new or existing diammonium and/or monoammonium phosphate process line shall determine compliance with the applicable total fluorides standards in 40 CFR 63.622 or 63.623, in accordance with 40 CFR 63.626(c).

#### **4.13 MACT 40 CFR 63 Subpart BB – Recordkeeping**

In accordance with 40 CFR 63.627(b), the owner or operator shall comply with the recordkeeping requirements in 40 CFR 63.10.

### ***Reporting Requirements***

#### **4.14 MACT 40 CFR 63 Subpart BB – MACT Reports**

In accordance with 40 CFR 63.627(c), the owner or operator shall comply with the reporting requirements specified in 40 CFR 63.10 as follows:

##### **4.14.1 Performance Test Report**

As required by 40 CFR 63.10, the owner or operator shall report the results of the initial and annual performance tests as part of the notification of compliance status required in 40 CFR 63.9.

#### 4.14.2 Excess Emissions Report

As required by 40 CFR 63.10, the owner or operator shall submit an excess emissions report for any exceedance of an operating parameter limit. The report shall contain the information specified in 40 CFR 63.10. When no exceedances of an operating parameter have occurred, such information shall be included in the report. The report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half. If exceedances are reported, the owner or operator shall report quarterly until a request to reduce reporting frequency is approved, as described in 40 CFR 63.10.

#### 4.14.3 Summary Report

If the total duration of control system exceedances for the reporting period is less than 1% of the total operating time for the reporting period, the owner or operator shall submit a summary report containing the information specified in 40 CFR 63.10 rather than the full excess emissions report, unless required by the Administrator. The summary report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half.

- 4.14.4 If the total duration of control system operating parameter exceedances for the reporting period is 1% or greater of the total operating time for the reporting period, the owner or operator shall submit a summary report and the excess emissions report.

#### 4.15 MACT 40 CFR 63 Subpart BB – Notification Requirements

In accordance with 40 CFR 63.627(a), the owner or operator shall comply with notification requirements in 40 CFR 63.9.

#### ***MACT 40 CFR 63 Subpart BB – Phosphate Fertilizers Production Plant Exemption From New Source Performance Standards***

- 4.16 In accordance with 40 CFR 63.631, the Granulation Plant is an affected source subject to the provisions of 40 CFR 63, Subpart BB, and it is exempted from any otherwise applicable new source performance standard contained in 40 CFR 60, Subpart V, Subpart W, or Subpart X. To be exempt, a source must have a current operating permit pursuant to Title V of the Act and the source must be in compliance with all requirements of 40 CFR 63, Subpart BB.

#### ***MACT 40 CFR 63 Subpart BB – Applicability of MACT General Provisions***

- 4.17 In accordance with 40 CFR 63.628, the owner or operator shall comply with the requirements of the general provisions in 40 CFR 63, Subpart A as shown in Appendix A to 40 CFR 63, Subpart BB.

## 5. CLEAVER-BROOKS BOILER

### ***Emission Limits***

#### 5.1 **NO<sub>x</sub> Emission Limit**

Oxides of nitrogen (NO<sub>x</sub>) emissions from the boiler stack shall not exceed any corresponding emission rate limits listed in the Appendix of this permit.

#### 5.2 **NSPS 40 CFR 60 Subpart Db – NO<sub>x</sub> Emission Limit**

The permittee shall not cause any gases that contain NO<sub>x</sub> (expressed as NO<sub>2</sub>) to be discharged into the atmosphere in excess of 0.10 pounds per million Btu (0.10 lb/MMBtu) heat input to the boiler in accordance with 60.44b(a)(1) and 40 CFR 60.44b(1)(2).

[October 14, 2010]

5.2.1 Compliance with the emission limit under 40 CFR 60.44b is determined on a 30-day rolling average basis in accordance with 40 CFR 60.44b(i).

5.2.2 For purposes of applying 40 CFR 60.44b(i), the NO<sub>x</sub> standard under 40 CFR 60.44b applies at all times including periods of startup, shutdown, or malfunction in accordance with 40 CFR 60.44b(h) and 60.46b(a).

#### 5.3 **PM Emission Limit for Fuel Burning Equipment**

The PM emissions shall not exceed the grain loading emission limit of 0.015 gr/dscf of effluent gas corrected to 3% oxygen by volume for combustion of natural gas in accordance with IDAPA 58.01.01.676.

### ***Operating Requirements***

#### 5.4 **Fuel Specification**

The boiler shall use only natural gas as fuel.

### ***Monitoring & Recordkeeping Requirements***

#### 5.5 **NSPS 40 CFR 60 Subpart Db – Standard for Sulfur Dioxide (SO<sub>2</sub>)**

Units firing only natural gas are exempt from the SO<sub>2</sub> emissions limit in 40 CFR 60.42b in accordance with 40 CFR 60.42b(k)(2). The owner or operator seeking to demonstrate compliance in 40 CFR 60.42b(k)(2) shall follow the applicable procedures in 40 CFR 60.49b(r) in accordance with 40 CFR 60.45b(k).

5.5.1 In accordance with 40 CFR 60.47b(f), the owner or operator that is demonstrating compliance under 60.45b(k) is not subject to the SO<sub>2</sub> emission monitoring requirements under 40 CFR 60.47b(a) if fuel records are maintained as described in 40 CFR 60.49b(r).

**5.6 NSPS 40 CFR 60 Subpart Db – Compliance & Performance Test Methods & Procedures for NO<sub>x</sub>**

5.6.1 In accordance with 40 CFR 60.46b(c), compliance with the NO<sub>x</sub> emission standards under 40 CFR 60.44b shall be determined through performance testing under 40 CFR 60.46b(e).

5.6.2 40 CFR 60.8 specifies that at such times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s). In accordance with 40 CFR 60.46b(e), when such a test is required to determine compliance with the NO<sub>x</sub> emission limits under 40 CFR 60.44b, the owner or operator shall conduct the performance test as required under 40 CFR 60.8 using the continuous system for monitoring nitrogen oxides under 40 CFR 60.48(b), and as follows:

In accordance with 40 CFR 60.46b(e)(4), the owner or operator shall upon request determine compliance with the NO<sub>x</sub> standards under 40 CFR 60.44b through the use of a 30-day performance test. During periods when performance tests are not requested, nitrogen oxides emissions data collected pursuant to 40 CFR 60.48b(g)(1) or 40 CFR 60.48b(g)(2) are used to calculate a 30-day rolling average emission rate on a daily basis and used to prepare excess emission reports, but will not be used to determine compliance with the NO<sub>x</sub> emission standards. A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly NO<sub>x</sub> emission data for the preceding 30 steam generating unit operating days.

**5.7 NSPS 40 CFR 60 Subpart Db – Emission Monitoring for NO<sub>x</sub>**

In accordance with 40 CFR 60.48b(g), the owner or operator shall:

- (1) Comply with the provisions of 40 CFR 60.48b(b) through 40 CFR 60.48b(f), or
- (2) Monitor steam generating unit operating conditions and predict NO<sub>x</sub> emission rates as specified in a plan submitted pursuant to 40 CFR 60.49b(c).

5.8 If compliance with the NO<sub>x</sub> standard of 40 CFR 60.44b is demonstrated through the monitoring of steam generating unit operating conditions under the provisions of 40 CFR 60.48b(g)(2), records shall be maintained of predicted NO<sub>x</sub> emission rates and the monitored operating conditions, including steam generating unit load, identified in the approved plan in accordance with 40 CFR 60.49b(c).

5.9 In accordance with 40 CFR 60.49b(d)(1), the permittee shall record and maintain records of the amount of fuel combusted during each day and calculate the annual capacity factor for natural gas for the reporting period. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

5.10 The permittee shall maintain records of the following information for each steam generating unit operating day in accordance with 40 CFR 60.49b(g):

- (1) Calendar date;
- (2) The average hourly NO<sub>x</sub> emission rates (expressed as NO<sub>2</sub>) in lb/MMBtu heat input measured or predicted;
- (3) The 30-day average NO<sub>x</sub> emission rates (ng/J or lb/MMBtu heat input) calculated at the end of each steam generating unit operating day from measured or predicted hourly NO<sub>x</sub> emission rates for the preceding 30 steam generating unit operating days;
- (4) Identification of boiler operating days when the calculated 30-day average NO<sub>x</sub> emission rates are in excess of the NO<sub>x</sub> emissions standard under 40 CFR 60.44b, with the reasons for such excess emissions as well as a description of the corrective actions taken;

- (5) Identification of the boiler operating days for which NO<sub>x</sub> data have not been obtained, including the reasons for not obtaining sufficient data and a description of the correction actions taken;
- (6) Identification of the times when emissions data have been excluded from the calculation of average emission rates and the reasons for excluding data;
- (7) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted; and
- (8) If NO<sub>x</sub> is measured using a CEMS under 40 CFR 60.48b(g)(1), then the requirements under 40 CFR 60.49(g)(8), (9), and (10) shall also be complied with.

5.11 In accordance with 40 CFR 60.49b(o), all records required under 40 CFR 60.49b shall be maintained for a period of 2 years following the date of such record.

5.12 In accordance with 40 CFR 60.49b(r), the owner or operator of an affected facility who elects to demonstrate that the affected facility combusts only natural gas shall obtain and maintain at the affected facility fuel receipts from the fuel supplier that certify that the gaseous fuel meets the definition of natural gas as defined in 40 CFR 60.41b. Reports shall be submitted to the Administrator certifying that only natural gas was combusted in the affected facility during the reporting period.

Natural gas is defined by 40 CFR 60.41b as follows:

- (1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or
- (2) Liquefied petroleum gas, as defined by the American Society for Testing and Materials in ASTM D1835 (incorporated by reference, see 40 CFR 60.17); or
- (3) A mixture of hydrocarbons that maintains a gaseous state at ISO conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 34 and 43 megajoules (MJ) per dry standard cubic meter (910 and 1,150 Btu per dry standard cubic foot).

### 5.13 NO<sub>x</sub> Annual Emission Rate Monitoring

On a monthly basis, using the testing and monitoring records obtained under Permit Conditions 5.6, 5.9 and 5.10 the permittee shall record the NO<sub>x</sub> emissions from the Cleaver Brooks boiler in units of tons per month and tons per consecutive 12-month period to demonstrate compliance with Permit Condition 5.1.

[October 14, 2010]

### **Reporting Requirements**

5.14 In accordance with 40 CFR 60.49b(h), the owner or operator of any affected facility in any category listed in Paragraphs (1) or (2) below this section is required to submit excess emission reports for any excess emissions that occurred during the reporting period.

- (1) Any affected facility subject to the operating parameter monitoring requirements under 40 CFR 60.13(i)(1) (i.e., EPA-approved alternative monitoring).
- (2) Any affected facility that is subject to the nitrogen oxides standard of 40 CFR 60.44b, and that;
  - (i) Combusts natural gas; or
  - (ii) Has a heat input capacity of 73 MW (250 MMBtu/hr) or less and is required to monitor NO<sub>x</sub> emissions on a continuous basis under 40 CFR 60.48b(g)(1) or steam generating unit operating conditions under 40 CFR 60.48b(g)(2).
- (3) 40 CFR 60.49b(h)(3) is not applicable.

- (4) If a NO<sub>x</sub> CEMS is used to meet 40 CFR 60.48b(g)(1), the definition that applies for excess emissions is specified by 40 CFR 60.49b(h)(4).
- 5.15 In accordance with 40 CFR 60.49b(i), the permittee shall submit reports containing the information recorded under 40 CFR 60.49(g).
- 5.16 In accordance with 40 CFR 60.49b(v), the owner or operator of an affected facility may submit electronic quarterly reports for NO<sub>x</sub> in lieu of submitting the written reports required under 40 CFR 60.49(h) and (i). The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period. Before submitting reports in the electronic format, the owner or operator shall coordinate with the permitting authority to obtain their agreement to submit reports in this alternative format.
- 5.17 In accordance with 40 CFR 60.49b(w), the reporting period for the reports required under this subpart is each 6 month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

***NSPS 40 CFR 60 Subpart Db – General Provisions***

- 5.18 The owner or operator shall comply with the requirements of the general provisions in 40 CFR 60 Subpart A of the New Source Performance Standards (NSPS).

## 6. APPENDIX

### Nu-West Industries Inc., Conda Phosphate Operations - Soda Springs, Idaho

#### Annual (T/yr) NO<sub>x</sub> Emission Limits<sup>a</sup>

Source Description	NO <sub>x</sub> (Ton/year) <sup>b,c</sup>
Cleaver-Brooks Boiler (CP-5536601)	33
Superphosphoric Acid Oxidation Process	5

<sup>a</sup> As determined by a pollutant-specific U.S. EPA reference method, DEQ-approved alternative, or as determined by DEQ's emission estimation methods used in the permit application analysis.

<sup>b</sup> As determined by multiplying the actual or allowable (if actual is not available) pound per hour, or pound per ton processed, emission rate by the allowable hours per year that the process(es) may operate(s), or by actual annual production rates.

<sup>c</sup> T/yr is tons of emissions per any consecutive 12-month period

## 7. PERMIT TO CONSTRUCT GENERAL PROVISIONS

### ***General Compliance***

1. The permittee has a continuing duty to comply with all terms and conditions of this permit. All emissions authorized herein shall be consistent with the terms and conditions of this permit and the Rules for the Control of Air Pollution in Idaho. The emissions of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, shall constitute a violation of this permit and the Rules for the Control of Air Pollution in Idaho, and the Environmental Protection and Health Act, Idaho Code §39-101, et seq.

**[Idaho Code §39-101, et seq.]**
2. The permittee shall at all times (except as provided in the Rules for the Control of Air Pollution in Idaho) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.

**[IDAPA 58.01.01.211, 5/1/94]**
3. Nothing in this permit is intended to relieve or exempt the permittee from the responsibility to comply with all applicable local, state, or federal statutes, rules and regulations.

**[IDAPA 58.01.01.212.01, 5/1/94]**

### ***Inspection and Entry***

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

**[Idaho Code §39-108]**

### ***Construction and Operation Notification***

5. The permittee shall furnish DEQ written notifications as follows in accordance with IDAPA 58.01.01.211:
  - a. A notification of the date of initiation of construction, within five working days after occurrence;
  - b. A notification of the date of any suspension of construction, if such suspension lasts for one year or more;
  - c. A notification of the anticipated date of initial start-up of the stationary source or facility not more than sixty days or less than thirty days prior to such date;

- d. A notification of the actual date of initial start-up of the stationary source or facility within fifteen days after such date; and
- e. A notification of the initial date of achieving the maximum production rate, within five working days after occurrence - production rate and date.

[IDAPA 58.01.01.211, 5/1/94]

### ***Performance Testing***

- 6. If performance testing (air emissions source test) is required by this permit, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test date or shorter time period as approved by DEQ. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests that such testing not be performed on weekends or state holidays.

All performance 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, at least 30 days prior to conducting any performance test, the permittee is encouraged to submit a performance test protocol to DEQ for approval. The written protocol shall include a description of the test method(s) to be used, an explanation of any or unusual circumstances regarding the proposed test, and the proposed test schedule for conducting and reporting the test.

Within 30 days following the date in which a performance test required by this permit is concluded, the permittee shall submit to DEQ a performance test report. The written report shall include a description of the process, identification of the test method(s) used, equipment used, all process operating data collected during the test period, and test results, as well as raw test data and associated documentation, including any approved test protocol.

[IDAPA 58.01.01.157, 4/5/00]

### ***Monitoring and Recordkeeping***

- 7. The permittee shall maintain sufficient records to ensure compliance with all of the terms and conditions of this 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 and 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 58.01.01.211, 5/1/94]

### ***Excess Emissions***

- 8. The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions due to startup, shutdown, scheduled maintenance, safety measures, upsets and breakdowns.

[IDAPA 58.01.01.130-136, 4/5/00]

### ***Certification***

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

[IDAPA 58.01.01.123, 5/1/94]

### ***False Statements***

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

[IDAPA 58.01.01.125, 3/23/98]

### ***Tampering***

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

[IDAPA 58.01.01.126, 3/23/98]

### ***Transferability***

12. This permit is transferable in accordance with procedures listed in IDAPA 58.01.01.209.06.

[IDAPA 58.01.01.209.06, 4/11/06]

### ***Severability***

13. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

[IDAPA 58.01.01.211, 5/1/94]