



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

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

February 20, 2009

Certified Mail No. 7190 0596 0014 0000 5643

Eric Vettergren, Plant Manager
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 revised Permit to Construct (PTC) No. P-2009.0002 to Nu-West Industries, Inc., Agrium Conda Phosphate Operations, for the gypsum stacks at its Soda Springs facility in accordance with IDAPA 58.01.01.200 through 228 (Rules for the Control of Air Pollution in Idaho).

This permit is based on your permit application received on December 24, 2008. This permit is effective immediately and replaces PTC No. P-2007.0170, issued on December 19, 2007, the terms and conditions of which no longer apply. This permit does not release Nu-West Industries, Inc. from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

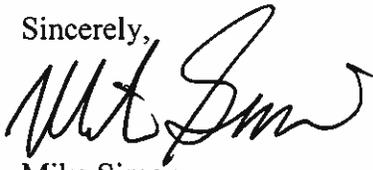
This permit to construct does not contravene any existing Tier I operating permit conditions, therefore, the process or equipment may be operated in accordance with the permit to construct before the Tier I operating permit is changed. The permit to construct will be incorporated into the Tier I operating permit at the time of renewal.

Pursuant to General Provision 5 of your permit, it is required that Construction and Operation Notification be provided. Please provide this information as listed to DEQ's Pocatello Regional Office at the address provided 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) 236-5020 to review and discuss the terms and conditions of this permit. Should you choose to schedule this meeting, DEQ recommends 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) 373-0502 or 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 tail.

Mike Simon
Stationary Source Program Manager
Air Quality Division

MSKH/hp

Project No. P-2009.0002

Enclosure



**Air Quality
PERMIT TO CONSTRUCT
State of Idaho
Department of Environmental Quality**

PERMIT No.: P-2009.0002
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.; Agrium Conda Phosphate Operations

2. PROJECT

Phosphogypsum Stacks, revision for construction of the West Gypsum Stack II (F-GYP-2)

3. MAILING ADDRESS

3010 Conda Road

CITY

Soda Springs

STATE

ID

ZIP

83276

4. FACILITY CONTACT

Coleman Kavanagh

TITLE

Environmental Supervisor

TELEPHONE

(208) 547-4381 ext 263

5. RESPONSIBLE OFFICIAL

Erik Vettergren

TITLE

Plant Manager

TELEPHONE

(208) 547-4381

6. EXACT PLANT LOCATION

7 miles north of Soda Springs, 1.2 miles east of Highway 34

COUNTY

Caribou

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Phosphate-based fertilizer products

8. PERMIT AUTHORITY

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.

**KEN HANNA, PERMIT WRITER
DEPARTMENT OF ENVIRONMENTAL QUALITY**

**MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER
DEPARTMENT OF ENVIRONMENTAL QUALITY**

DATE MODIFIED/REVISED:	February 20, 2009
DATE ISSUED:	July 22, 2005

Table of Contents

ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE.....	3
1. PERMIT TO CONSTRUCT SCOPE.....	4
2. GYP STACKS.....	5
3. PERMIT TO CONSTRUCT GENERAL PROVISIONS.....	10

Acronyms, Units, and Chemical Nomenclature

AFS	AIRS Facility Subsystem
AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
CAA	Clean Air Act
CFR	Code of Federal Regulations
DEQ	Department of Environmental Quality
EPA	U.S. Environmental Protection Agency
gyp	gypsum or phosphogypsum
HAP	hazardous air pollutant
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
lb/hr	pounds per hour
m	meter(s)
MACT	Maximum Achievable Control Technology
NAICS	North American Industry Classification System
NESHAP	Nation Emission Standards for Hazardous Air Pollutants
NSPS	New Source Performance Standards
pCi	picocurie
PM	particulate matter
PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
PTC	permit to construct
scf	standard cubic feet
SIC	Standard Industrial Classification
SIP	State Implementation Plan
TAP	toxic air pollutant
T/yr	tons per year
UTM	Universal Transverse Mercator

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2009.0002

Permittee:	Nu-West Industries, Agrium	Facility ID No. 029-00003
Location:	Soda Springs, Idaho	

1. PERMIT TO CONSTRUCT SCOPE

Purpose

- 1.1 The purpose of this PTC revision is to revise the requirements for construction of the West Gypsum Stack II (F-GYP-2). This revised permit clarifies the pond surface size requirements, emissions limits, and the monitoring requirements for the facility's phosphogypsum (gyp) stacks.
- 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.
- 1.3 This PTC replaces PTC No. P-2007.0170, issued on December 19, 2007, for construction of the West Gypsum Stack II (F-GYP-2), the terms and conditions of which shall no longer apply.

Regulated Sources

- 1.4 Table 1.1 lists all sources of regulated emissions in this PTC.

Table 1.1 SUMMARY OF REGULATED SOURCES

Permit Section	Source Description	Emissions Control
2	125-acre Gyp Stack, F-GYP-0, built prior to 1967 The gyp stack is a phosphogypsum settling pond	Reasonable control of fugitive emissions
2	125-acre West Gyp Stack I, F-GYP-1 The gyp stack is a phosphogypsum settling pond	Reasonable control of fugitive emissions
2	125-acre West Gyp Stack II, F-GYP-2 The gyp stack is a phosphogypsum settling pond	Reasonable control of fugitive emissions

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2009.0002

Permittee:	Nu-West Industries, Agrium	Facility ID No. 029-00003
Location:	Soda Springs, Idaho	

2. GYP STACKS

2.1 Process Description

Phosphogypsum, a by-product of the phosphoric acid production process, is slurried to a pile referred to as a “gyp stack.” The slurry is approximately 20% solids. At the gyp stack, solids in the slurry are allowed to settle and the water is decanted to an evaporative cooling pond. The process water is recycled to the processing plant.

The settled phosphogypsum is allowed to dry to a moisture content of about 40% by directing the slurry to a rotation of cells on the stack. When a cell has dried appropriately, the cell is excavated using a backhoe to build up the exterior dikes of the stack. When the interior of the cell is excavated and dikes are elevated to the necessary height, the cell is flooded with slurry again.

2.2 Emissions Control Description

Table 2.1 DESCRIPTION FOR WEST GYP STACKS

Emissions Units / Processes	Emissions Control Device	Emissions Point
125-acre Gyp Stack, F-GYP-0	Reasonable control of fugitive emissions	Fugitive from gyp stack
125-acre West Gyp Stack I, F-GYP-1	Reasonable control of fugitive emissions	Fugitive from gyp stack
125-acre West Gyp Stack II, F-GYP-2	Reasonable control of fugitive emissions	Fugitive from gyp stack

Emissions Limits

2.3 Gyp Stack Emissions Limits

- 2.3.1 Upon completion of construction of F-GYP-2, the combined emissions of fluoride (F) from the three 125-acre gypsum stacks (F-GYP-0, F-GYP-1, and F-GYP-2) shall not exceed 200 pounds per day and 14.6 tons per any consecutive rolling 12-month period.
- 2.3.2 Prior to completion of construction of F-GYP-2, the combined emissions of fluoride (F) from the two 125-acre gypsum stacks (F-GYP-0 and F-GYP-1) shall not exceed 200 pounds per day and 36.5 tons per any consecutive rolling 12-month period. After construction of F-GYP-2 is completed, Permit Condition 2.3.2 no longer applies.
- 2.3.3 For purposes of compliance with Permit Conditions 2.3, 2.7, and 2.10, construction of the new gypsum stack (F-GYP-2) shall include placement of at least two feet of compacted phosphogypsum atop the 60 mil HDPE composite liner membrane and compacted clay to ensure adequate liner integrity. At that point, process water will be introduced and when fully displaced by gypsum slurry in both cells, the construction process shall be deemed complete.

[02/20/09]

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2009.0002

Permittee: Nu-West Industries, Agrium

Location: Soda Springs, Idaho

Facility ID No. 029-00003

2.4 Phosphoric Acid Plant Emissions Limit

The fluoride emissions from the phosphoric acid plant shall not exceed 3.8 tons per any consecutive 12-month period.

[12/19/07]

2.5 Reasonable Control of Fugitive Dust

All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650-651.

2.6 Radon Emissions from Phosphogypsum Stacks

Each person who generates phosphogypsum shall place all phosphogypsum in stacks. Phosphogypsum may be removed from a phosphogypsum stack only as expressly provided by 40 CFR 61, Subpart R, National Emission Standards for Radon Emissions from Phosphogypsum Stacks. If the gypsum stack becomes classified as inactive, the stack is then subject to the radon-222 emissions limits (1.9 pCi/(ft²-sec)) and related requirements in 40 CFR 61 Subpart R. *Inactive stack* means a stack to which no further routine additions of phosphogypsum will be made and which is no longer used for water management associated with the production of phosphogypsum. If a stack has not been used for either purpose for two years, it is presumed to be inactive.

Operating Requirements

2.7 Gyp Stack Area Limits

2.7.1 Upon completion of construction of F-GYP-2, the combined visible liquid layer surface area of the ponds within the three 125-acre gyp stacks (F-GYP-0, F-GYP-1, and F-GYP-2) shall not exceed 50 acres on a 12-month rolling average basis.

2.7.2 Prior to completion of construction of F-GYP-2, the combined visible liquid layer surface area of the ponds within the two 125-acre gyp stacks (F-GYP-0 and F-GYP-1) shall not exceed 125 acres. After construction of F-GYP-2 is completed, Permit Condition 2.7.2 no longer applies.

[02/20/09]

2.8 Distribution and Use of Phosphogypsum

Phosphogypsum may be lawfully removed from a stack and distributed for use in outdoor agricultural research and development, agricultural field use, indoor research and development activities, or for other purposes, only in accordance with the requirements of 40 CFR 61 Subpart R.

2.9 Phosphoric Acid Plant P₂O₅ Throughput Limit

The equivalent P₂O₅ feed to the phosphoric acid plant shall not exceed 560,000 tons per any consecutive 12-month period.

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2009.0002

Permittee:	Nu-West Industries, Agrium	Facility ID No. 029-00003
Location:	Soda Springs, Idaho	

Monitoring and Recordkeeping Requirements

2.10 Gyp Stack Area Monitoring

2.10.1 Upon completion of construction of F-GYP-2, on a twice-monthly basis (the first and third full calendar week of each month), Nu-West shall measure and record, in acres, the combined visible liquid layer surface area of each of the ponds within the three 125-acre gyp stacks. Monitoring and recordkeeping procedures for performing this measurement shall be included in a Water Management and Monitoring Plan. For purposes of demonstrating compliance using the approved Water Management and Monitoring Plan, the term "visible liquid layer area," as used in Permit Condition 2.7, shall mean that observable surface area that is covered with a visible layer of liquid (standing or flowing) within the Gyp Stack system ponds. The Water Management and Monitoring Plan is incorporated by reference into this permit and shall be maintained on-site and made available to DEQ representatives upon request.

Compliance with the 50-acre limit in Permit Condition 2.7 shall be based on a rolling 12-month average of the twice-monthly observations.

Compliance with the daily emission limit in Permit Condition 2.3 shall be demonstrated based on each of the individual observations. Monitoring records that are generated to demonstrate compliance with the daily limit shall also be maintained in accordance with General Provision 7.

2.10.2 Prior to completion of construction of F-GYP-2, once per year the permittee shall measure and record, in acres, the combined visible liquid layer surface area of each of the ponds within the two 125-acre gyp stacks (F-GYP-0 and F-GYP-1). After construction of F-GYP-2 is completed, Permit Condition 2.10.2 no longer applies.

2.10.3 Within 60 days of issuance of the permit, the permittee shall submit a copy of the Water Management and Monitoring Plan (Plan) to DEQ at the address listed in Table 2.2 of this permit. If the Plan is changed, a copy of the revised Plan shall be sent to DEQ.

[02/20/09]

2.11 NSR Projected Emissions Records for the Gypsum Stack Project; 52.21(r)(6)

The permittee shall maintain records and provide reports as follows for the project to construct a new gypsum stack in accordance with IDAPA 58.01.01.205.01 [40 CFR 52.21(r)(6) and (7)]:

2.11.1 In accordance with 40 CFR 52.21(r)(6)(i), before beginning actual construction of the project, the owner or operator shall document and maintain a record of the following information:

- (a) A description of the project;
- (b) Identification of the emissions unit(s) whose emissions of a regulated NSR pollutant could be affected by the project (i.e., gypsum stacks); and
- (c) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under 40 CFR 52.21(b)(41)(ii)(c) and an explanation for why such amount was excluded, and any netting calculations, if applicable.

2.11.2 In accordance with 40 CFR 52.21(r)(6)(iii), the owner or operator shall monitor the emissions of fluoride from the emissions units listed in Permit Condition 2.11.1; and calculate and maintain a record of the

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2009.0002

Permittee:	Nu-West Industries, Agrium	Facility ID No. 029-00003
Location:	Soda Springs, Idaho	

annual emissions, in tons per year on a calendar year basis, for a period of 10 years following resumption of regular operations after the change.

- 2.11.3 In accordance with 40 CFR 52.21(r)(6)(v), the owner or operator shall submit a report to DEQ and the EPA Administrator if the annual emissions, in tons per year, from the project identified under Permit Condition 2.11.1, exceed the baseline actual emissions (as documented and maintained pursuant to Permit Condition 2.11.1(c)), by a significant amount (as defined in 40 CFR 52.21(b)(23)) for that regulated NSR pollutant, and if such emissions differ from the preconstruction projection as documented and maintained pursuant to Permit Condition 2.11.1(c). Such report shall be submitted to DEQ and the EPA Administrator within 60 days after the end of such year. The report shall contain the following:
- (a) The name, address and telephone number of the major stationary source;
 - (b) The annual emissions as calculated pursuant to 40 CFR 52.21(r)(6)(iii); and
 - (c) Any other information that the owner or operator wishes to include in the report (e.g., an explanation as to why the emissions differ from the preconstruction projection).
- 2.11.4 In accordance with 40 CFR 52.21(r)(7), the owner or operator of the source shall make the information required to be documented and maintained pursuant to 40 CFR 52.21(r)(6) available for review upon a request for inspection by the Administrator or the general public pursuant to the requirements contained in 40 CFR 70.4(b)(3)(viii).
- 2.11.5 Written procedures to demonstrate compliance with Permit Condition 2.11 shall be included in the Water Management and Monitoring Plan, including the required records maintenance activities.

[02/20/09]

2.12 Radon Monitoring and Compliance Procedures

Within 60 days following the date on which a stack becomes an inactive stack, each owner or operator of an inactive phosphogypsum stack shall test the stack for radon-222 flux in accordance with the procedures described in 40 CFR part 61, Appendix B, Method 115. DEQ and EPA shall be notified at least 30 days prior to each such emissions test so that DEQ or the EPA may, at its option, observe the test. The test report shall be submitted according to the requirements in 40 CFR 61.203.

2.13 Phosphoric Acid Plant Feed

Each month, the permittee shall monitor and record the equivalent P₂O₅ feed to the phosphoric acid plant for the previous month and for the previous consecutive 12-month period. Monitoring of P₂O₅ feed shall be conducted in accordance with 40 CFR 63.605.

[12/19/07]

NESHAP 40 CFR 61 Subpart A – General Provisions

- 2.14 Generally applicable reporting, record keeping, and notification requirements of Subpart A of the National Emission Standards for Hazardous Air Pollutants (NESHAP, 40 CFR 61) are included in Table 2.2. These summaries are provided to highlight the notification and record keeping requirements of 40 CFR 61 for affected facilities, and are not intended to be a comprehensive listing of all general provision requirements that may apply nor do the summaries relieve the permittee from the responsibility to comply with all applicable requirements of the CFR. Should there be a conflict between these

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2009.0002

Permittee:	Nu-West Industries, Agrium	Facility ID No. 029-00003
Location:	Soda Springs, Idaho	

summaries and the NESHAP, the NESHAP shall govern. The permittee is encouraged to read all of 40 CFR 61 Subpart A. The CFRs are available online at: <http://www.gpoaccess.gov/cfr/index.html> .

Table 2.2 NESHAP SUBPART A (40 CFR 61) SUMMARY OF GENERAL PROVISIONS FOR AFFECTED FACILITIES

Section	Section Title	Summary of Section
61.04	Address	All requests, reports, applications, and other communications shall be submitted to: Director Air and Waste Office Air Quality Permit Compliance EPA Region 10 Department of Environmental Quality Air Operating Permits, OAQ-107 Pocatello Regional Office 1200 Sixth Avenue 444 Hospital Way, #300 Seattle, WA 98101 Pocatello, ID 83201
61.05	Prohibited Activities	No owner or operator shall construct or modify any stationary source subject to a standard without first obtaining written approval in accordance with 40 CFR 61.08
61.07	Application for approval of construction/ modification	Submit application for approval of construction of any new source or modification of an existing source before the construction or modification is planned to commence.
61.09	Notification of startup	Notification of anticipated date of initial startup of the source not more than 60 days nor less than 30 days before that date; and notification of the actual date of initial startup of the source within 15 days after that date.
61.10	Source reporting	All facilities designated under Subpart R are exempt from the reporting requirements of 40 CFR 61.10 in accordance with 40 CFR 61.210.
61.12(c) and (e)	Compliance with standards and maintenance requirements	The owner or operator of each stationary source shall maintain and operate the source, including associated equipment for air pollution control, in a manner consistent with good air pollution control practice for minimizing emissions. For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test had been performed.
61.13	Emission tests	When emission testing is required under Subpart R, the requirements under 40 CFR 61.13 shall be complied with also.
61.14	Monitoring Requirements	For any monitoring required under Subpart R, the requirements under 40 CFR 61.14 shall be complied with also
61.19	Circumvention	No owner or operator shall build, erect, install or use any article or method, including dilution, to conceal an emission which would otherwise constitute a violation.

[02/20/09]

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2009.0002

Permittee: Nu-West Industries, Agrium

Location: Soda Springs, Idaho

Facility ID No. 029-00003

3. 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;

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2009.0002

Permittee:	Nu-West Industries, Agrium	Facility ID No. 029-00003
Location:	Soda Springs, Idaho	

- 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]

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2009.0002

Permittee:	Nu-West Industries, Agrium	Facility ID No. 029-00003
Location:	Soda Springs, Idaho	

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