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 4, 2008

Certified Mail No. 7190 0596 0014 0000 1829

Wade Chapman
General Manager
Idaho Supreme Potatoes, Inc.
P.O. Box 246
Firth, Idaho 83236-0246

Subject: Facility ID No. 011-00013, Idaho Supreme Potatoes, Inc., Firth
Final Tier I Operating Permit Letter

Dear Mr. Chapman:

The Department of Environmental Quality (DEQ) is issuing Tier I Operating Permit No. TI-030513 to Idaho Supreme Potatoes, Inc. at Firth in accordance with IDAPA 58.01.01.300 through 386, Rules for the Control of Air Pollution in Idaho (Rules).

The enclosed permit is effective immediately, summarizes the applicable requirements for your facility, and requires an annual compliance certification for all emissions units. The enclosed operating permit is based on the information contained in your permit application received on May 5, 2003. Modifications to and/or renewal of this operating permit shall be requested in a timely manner in accordance with the Rules.

In order to fully understand the compliance requirements of this permit, DEQ highly recommends that you schedule a meeting with Rick Elkins, Inspection/Compliance Coordinator, at 208-236-6160 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 call Michael Stambulis at (208) 373-0502 or Michael.Stambulis@deq.idaho.gov to address any questions or concerns you may have with the enclosed permit.

Sincerely,

Mike Simon
Stationary Source Program Manager
Air Quality Division

MS/MS/hp Permit No. TI-030513

Enclosure

HARD COPY TO FACILITY

en: Rick Elkins, Tom Edwards, Pocatello Regional Office
Mike Stambulis, Permit Writer
Marilyn Seymore/ Pat Rayne, AQ Division QA
Helen Price, Stationary Source Administrative Assistant
Faye Weber, AQ Public Comment

en-web: Laurie Kral, U.S. EPA region 10

ec: Wade Chapman, wade@idahosupreme.com
Dan Heiser, JBR Environmental, dheiser@jbrenv.com

c: Reading File
Source File
Permit Binder
Bill Rogers, Permit Coordinator (Ltr Only)
Phyllis Heitman, AQ Division (Ltr Only)

✓ Update permit tracking database

Air Quality **TIER I OPERATING PERMIT** **State of Idaho** **Department of Environmental Quality**	**PERMIT No.:** T1-030513 **FACILITY ID No.:** 011-00013 **AQCR:** 61 **CLASS:** A **SIC:** 2034 **ZONE:** 12 **UTM COORDINATE (km):** 404.8 , 4795.9

1. **PERMITTEE** Idaho Supreme Potatoes, Inc.			
2. **PROJECT** Initial Tier I Operating Permit			
3. **MAILING ADDRESS** P.O. Box 246	**CITY** Firth	**STATE** ID	**ZIP** 83236-0246
4. **FACILITY CONTACT** Tod Sanders	**TITLE** Power Systems Manager	**TELEPHONE** 208-346-4100	
5. **RESPONSIBLE OFFICIAL** Wade Chapman	**TITLE** General Manager	**TELEPHONE** 208-346-4100, ext. 105	
6. **EXACT PLANT LOCATION** Corner of Highway 91 and 800 North Goshen Highway		**COUNTY** Bingham	
7. **GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS** Dehydrated Potato Processing Plant			

8. **PERMIT AUTHORITY**

This Tier I operating permit is issued pursuant to the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.300 through 386. The permittee shall comply with the terms and conditions of this permit.

This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.

The effective date of this permit is the date of signature by DEQ on the cover page.

Michael Stambulis

MICHAEL STAMBULIS, PERMIT WRITER
DEPARTMENT OF ENVIRONMENTAL QUALITY

Mike Simon

MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER
DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED:	**February 4, 2008**
DATE MODIFIED/AMENDED:	
DATE EXPIRES:	**February 4, 2013**

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Acronyms, Units, and Chemical Nomenclature

acfm	actual cubic feet per minute
AFS	AIRS Facility Subsystem
AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
dscf	dry standard cubic feet
EPA	U.S. Environmental Protection Agency
gpm	gallons per minute
gr	grain (1 lb = 7,000 grains)
HAPs	hazardous air pollutants
hp	horsepower
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
m	meter(s)
MACT	Maximum Achievable Control Technology
MMBtu	million British thermal units
NESHAP	Nation Emission Standards for Hazardous Air Pollutants
NO_2	nitrogen dioxide
NO_x	nitrogen oxides
NSPS	New Source Performance Standards
PM	particulate matter
PM_{10}	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppm	parts per million
PSD	Prevention of Significant Deterioration
PTC	permit to construct
PTE	potential to emit
scf	standard cubic feet
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SM	synthetic minor
SO_2	sulfur dioxide
SO_x	sulfur oxides
T/yr	tons per year
$\mu g/m^3$	micrograms per cubic meter
U.S.C.	United States Code
UTM	Universal Transverse Mercator
VOC	volatile organic compound

1. TIER I OPERATING PERMIT SCOPE

Purpose

1.1 This Tier I operating permit establishes facility-wide requirements in accordance with the Idaho State Implementation Plan control strategy and the Rules.

1.2 This Tier I permit incorporates the following permit and consent order:

- Tier II Operating Permit No. 011-00013, issued June 7, 2002
- Consent Order between Idaho Supreme Potatoes, Inc. and the Department of Environmental Quality (DEQ); signed by DEQ on December 20, 2004

Regulated Sources

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

Table 1.1 REGULATED SOURCES

Permit Section	Source Description	Emissions Control(s)
2	One 16,000-gallon aboveground storage tank containing fuel oil Two 30,000-gallon aboveground storage tanks containing fuel oil One 10,000-gallon aboveground storage tank containing No. 2 distillate oil One 20,000-gallon aboveground storage tank containing No. 2 distillate oil	None
3	No. 4 Boiler Manufacturer: Bigelow Burner: Coen 200 Series FYR with CSI NOx mixer size 34 Burner type: horizontal Rated Heat Capacity: 140 MMBtu/hr	None
4	No. 3 Boiler Manufacturer: Cleaver Brooks Model: WT200X-BR3 Burner type: horizontal Rated Heat Capacity: 43 MMBtu/hr	None
5	Fluidized Bed Dryer Manufacturer: Maxon; Model: 325 Oven Park II Installed/Modified: Maximum throughput: 1 ton per hour Maximum rated heat capacity: 7 MMBtu/hr Fuels: natural gas(primary), propane (backup)	None
5	Dryer National Maxon NP-1 with three stages: Stage A (~ 8 MMBtu/hr); Stage B (~ 3.2 MMBtu/hr); and Stage C (~ 3.2 MMBtu/hr)	None
5	Secondary Dryer Maxon 405 Ovenpak: ~ 0.55 MMBtu/hr	None
5	Industrial Space Heater South Maxon NP-1: ~ 8.25 MMBtu/hr	None
5	Industrial Space Heater North Maxon NP-1: ~ 8.25 MMBtu/hr	None
5	Industrial Space Heater East Maxon NP-1: ~ 15.4 MMBtu/hr	None
5	Miscellaneous Industrial Space Heaters Various Manufacturers: ~ 2 MMBtu/hr aggregate	None
6	Process dehydration lines (12 total) Maximum product output of 14.5 tons dried potatoes per hour	None
6	Storage silos (10 total)	None

2. FACILITY-WIDE CONDITIONS

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

Table 2.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Condition	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
2.1	Fugitive Dust	Reasonable control	IDAPA 58.01.01.650 - 01.651	2.2, 2.3, 2.4, 2.11
2.5	Odors	Cannot release in such quantities as to cause air pollution.	IDAPA 58.01.01.775 - 01.776	2.6, 2.11
2.7	Visible Emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625	2.8, 2.11
2.9	Excess Emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130 - 01.136	2.9.1 - 2.9.5, 2.11
2.10	Performance Testing	Compliance with IDAPA 58.01.01.157	IDAPA 58.01.01.157	2.10, 2.11, 2.12
2.13	Fuel-burning Equipment	Compliance with IDAPA 58.01.01.675 - .01-677	IDAPA 58.01.01.675 - .01.677	2.11, 3.2, 4.3, 5.2, 5.3, 5.4, 5.5
2.14	Sulfur Content	1.75% or less for residual fuel; 0.3% or less for No. 1 fuel; 0.5% or less for No. 2 fuel	IDAPA 58.01.01.727, 01.728	2.14.1 - 2.14.2, 2.11
2.15	Open Burning	Compliance with IDAPA 58.01.01.600 – 01.616	IDAPA 58.01.01.600 – 01.616	2.15
2.16	Emissions of Asbestos	Compliance with 40 CFR Part 61, Subpart M	40 CFR Part 61, Subpart M	2.16
2.17	Accidental Release Prevention	Compliance with 40 CFR Part 68, Subpart F	40 CFR Part 68, Subpart F	2.17
2.18	Recycling and Emissions Reductions	Compliance with 40 CFR Part 82, Subpart F	40 CFR Part 82, Subpart F	2.18
2.19	Volatile Organic Liquid Storage Tanks	Compliance with 40 CFR Part 60, Subpart Kb	40 CFR Part 60, Subpart Kb	2.11, 2.19
2.20	Process Weight Rate	Compliance with IDAPA 58.01.01.702	IDAPA 58.01.01.700, *et seq* .	2.11, 6.2, 6.3, 6.4
2.21	Process Weight Rate	Compliance with IDAPA 58.01.01.701	IDAPA 58.01.01.700, *et seq* .	2.11, 6.2, 6.3, 6.4

Fugitive Dust

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

[IDAPA 58.01.01.650-651, 5/1/94]

2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (e.g., water, chemical dust suppressants) to reasonably control fugitive dust emissions.

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

2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records

shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

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

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

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

Odors

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

[IDAPA 58.01.01.775-776, 5/1/94]

2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

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

Visible Emissions

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

[IDAPA 58.01.01.625, 4/5/00]

2.8 The permittee shall conduct a quarterly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. Sources that are monitored using a continuous opacity monitoring system (COMS) are not required to comply with this permit condition. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable, or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20%, as measured using Method 9, for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and

results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

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

Excess Emissions

Excess Emissions - General

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

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

[IDAPA 58.01.01.132, 4/5/00]

Excess Emissions – Startup, Shutdown, Scheduled Maintenance

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

[IDAPA 58.01.01.133, 4/5/00]

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

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

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

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

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

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

Excess Emissions – Upset, Breakdown, or Safety Measures

2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or

emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

[IDAPA 58.01.01.134, 4/5/00]

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

[IDAPA 58.01.01.134.02, 4/5/00]

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

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

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

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

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

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

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

[IDAPA 58.01.01.134.03 4/5/00]

Excess Emissions – Reporting and Recordkeeping

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

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

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

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

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

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

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

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

Performance Testing

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

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

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

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

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

Air Quality Permit Compliance
Department of Environmental Quality
Pocatello Regional Office
444 Hospital Way, No. 300
Pocatello, Idaho 83201
Phone: (208) 236-6160 Fax: (208) 236-6168

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

Monitoring and Recordkeeping

2.11 The permittee shall maintain sufficient records to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were

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

[IDAPA 58.01.01.322.07, 5/1/94]

Reports and Certifications

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

Air Quality Permit Compliance
Department of Environmental Quality
Pocatello Regional Office
444 Hospital Way, No. 300
Pocatello, Idaho 83201
Phone: (208) 236-6160 Fax: (208) 236-6168

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

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

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

Fuel-Burning Equipment

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

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

Sulfur Content

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

- Residual fuel oil - 1.75% by weight.
- ASTM Grade 1 fuel oil - 0.3% by weight.
- ASTM Grade 2 fuel oil - 0.5% by weight.

[IDAPA 58.01.01.727-728, 5/1/94]

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

[IDAPA 58.01.01.729, 5/1/94]

2.14.2 Idaho Supreme Potatoes shall maintain documentation from the fuel oil supplier of the sulfur content in percent by weight for all fuel oil received on-site. The documentation shall be kept at the facility for a minimum period of five years and shall be made available to DEQ representatives upon request.

[Consent Order Condition 8, 12/20/04; IDAPA 58.01.01.322.06, 5/1/94]

Open Burning

2.15 The permittee shall comply with the *Rules for Control of Open Burning,* IDAPA 58.01.01.600-616.

[IDAPA 58.01.01.600-617, 3/30/07]

Renovation/Demolition

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

[40 CFR 61, Subpart M]

Regulated Substances for Accidental Release Prevention

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

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

[40 CFR 68.10 (a)]

Recycling and Emissions Reductions

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

[40 CFR 82, Subpart F]

Volatile Organic Liquid Storage Vessels

2.19 The permittee shall keep readily accessible records showing dimensions and an analysis showing the capacity of the following storage vessels utilized at the facility: one 16,000-gallon AST containing fuel oil; two 30,000-gallon ASTs containing fuel oil; one 10,000-gallon AST containing No. 2 distillate oil; and one 20,000-gallon AST containing No. 2 distillate oil.

[Tier II Operating Permit No. 011-00013, 6/7/02]

Particulate Matter - Process Weight Limitations

2.20 No person shall emit to the atmosphere from any process or process equipment operating prior to October 1, 1979, particulate matter in excess of the amount shown by the following equations, where E is the allowable emission from the entire source in pounds per hour (lb/hr), and PW is the process weight in pounds per hour:

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

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

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

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

[IDAPA 58.01.01.702, 4/5/00]

2.21 No person shall emit to the atmosphere from any process or process equipment operating on or after October 1, 1979, particulate matter in excess of the amount shown by the following equations, where E is the allowable emission from the entire source in pounds per hour, and PW is the process weight in pounds per hour.

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

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

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

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

[IDAPA 58.01.01.701, 4/5/00]

3. BOILER NO. 4 (BIGELOW BOILER)

Summary Description

Boiler No. 4 is used in the dehydration process and has a maximum rated heat capacity of approximately 140 million British thermal units per hour (MMBtu/hr). Boiler No. 4 utilizes a Coen 200 series low-nitrogen oxide (NO_x) burner.

Table 3.1 contains only a summary of the requirements that apply to Boiler No. 4. Specific permit requirements are listed below Table 3.1.

Table 3.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating and Monitoring and Recordkeeping Requirements
3.1	Sulfur dioxide emissions	127.6 pounds per hour; 248 tons per consecutive 12-month period	Consent Order signed 12/20/04	3.5, 3.6
3.2	Sulfur combustion rate	95.6 pounds per hour; 265,240 pounds per consecutive 12-month period	Consent Order signed 12/20/04	3.5, 3.6
3.3	Residual oil sulfur content	Not to exceed 1.75% by weight	Consent Order signed 12/20/04	2.14.2, 3.5
3.4	Coal combustion	Prohibited until issued permit to construct	Consent Order signed 12/20/04	3.4

Permit Limits / Standard Summary

3.1 Sulfur dioxide emissions from the No. 4 Bigelow boiler shall not exceed 127.6 pounds per hour and 248 tons per any consecutive 12-month period.

[Consent Order Condition 9, 12/20/04]

3.2 Total sulfur combustion rate in the No. 4 Bigelow boiler shall not exceed 95.6 pounds per hour and 265,240 pounds per any consecutive 12-month period.

[Consent Order Condition 10, 12/20/04]

3.3 Residual oil sulfur content received on-site shall not exceed 1.75% sulfur by weight, per IDAPA 58.01.01.727.

[Consent Order Condition 8, 12/20/04]

Operating Requirements

3.4 The permittee is prohibited from combusting coal in the No. 4 Bigelow boiler without first obtaining a permit to construct and performing a DEQ-approved PSD analysis and an EPA-approved NSPS Subpart Db applicability analysis.

[Consent Order Condition 7, 12/20/04]

3.5 Idaho Supreme Potatoes shall immediately cease combusting fuel oil with a sulfur content greater than 0.5% by weight if either Idaho Supreme Potatoes or DEQ determines that particulate matter emissions are in excess of the 0.05 grain per dry standard cubic foot at 3% oxygen standard per IDAPA 58.01.01.677 and Section 2.13 of this permit.

[Consent Order Condition 12, 12/20/04]

Monitoring and Recordkeeping Requirements

3.6 Idaho Supreme shall monitor the amount of sulfur combusted in the No. 4 Bigelow boiler each hour and each consecutive 12-months. Monitoring records shall include the quantities of fuel combusted, the density of fuel, the concentration of sulfur in percent by weight and all calculations which were used to determine sulfur combustion rates. The records shall be kept at the facility for a minimum period of five years and shall be made available to DEQ representatives upon request.

[Consent Order Condition 11, 12/20/04]

4. BOILER NO. 3 (CLEAVER BROOKS BOILER)

Summary Description

Boiler No. 3 is used in the dehydration process and has a maximum rated heat capacity of approximately 43 MMBtu/hr. Boiler No. 3 utilizes a low-NO_x burner.

Table 4.1 contains only a summary of the requirements that apply to Boiler No. 3. Specific permit requirements are listed below Table 4.1.

Table 4.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating and Monitoring and Recordkeeping Requirements
4.1	Allowable fuel	Operated exclusively on either natural gas or propane.	Consent Order signed 12/20/04	4.2

Operating Requirements

4.1 The No. 3 Cleaver Brooks boiler shall be operated exclusively on either natural gas or propane.

[Consent Order Condition 6, 12/20/04]

Monitoring and Recordkeeping Requirements

4.2 Idaho Supreme Potatoes shall maintain documentation on-site of the type of fuel combusted in the No. 3 Cleaver Brooks boiler. The documentation shall be kept at the facility for a minimum period of five years and shall be made available to DEQ representatives upon request.

[Consent Order Condition 6, 12/20/04]

5. DRYERS AND OTHER NATURAL GAS-BURNING EQUIPMENT

Summary Description

The permittee utilizes one fluidized bed dryer, one dryer with three stages (A, B, and C), one secondary dryer, three industrial space heaters, and other miscellaneous space heaters in the dehydration process. The permittee combusts natural gas in all this equipment, and uses propane as the backup fuel. The permittee has not installed control devices on any of this equipment.

Table 5.1 contains only a summary of the requirements that apply to the fluidized bed dryer; dryer stages A, B, and C; secondary dryer; three industrial space heaters, and other miscellaneous space heaters. Specific permit requirements are listed below Table 5.1.

Table 5.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
5.1	PM_{10}[a] and SO_2[b] emissions	See Table 5.2 for hourly and annual emissions limits.	Tier II OP No. 011-00013, 6/7/02	5.2, 5.3, 5.4, 5.5, and 5.6

a Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers.
b Sulfur dioxide.

Permit Limits / Standard Summary

5.1 The permittee shall not cause PM_{10} or SO_2 emissions from the fluidized bed dryer, secondary dryer, dryer Stage A, B, and C, space heaters north, south, and east, and miscellaneous space heaters to exceed any corresponding emissions rate limits listed in Table 5.2.

Table 5.2 Emissions Limits[a] - Dryers and Other Natural Gas-Burning Equipment

Source Description	PM_{10}[b]		Sulfur Dioxide	
	Pounds per hour	Tons per any consecutive 12-month period[c]	Pounds per hour	Tons per any consecutive 12-month period
Fluidized Bed Dryer	0.76	3.30	4E-03	2E-02
Secondary Dryer	4.1E-03	0.02	3E-04	1E-03
Dryer – Stage A	5.9E-02	0.26	5E-03	2E-02
Dryer – Stage B	2.4E-02	0.10	2E-03	8E-03
Dryer – Stage C	2.4E-02	0.10	2E-03	8E-03
Space Heater - North	6.1E-02	0.18	5E-03	1.5E-02
Space Heater - South	6.1E-02	0.18	5E-03	1.5E-02
Space Heater - East	0.11	0.34	9E-03	2.7E-02
Misc. Space Heaters	1.5E-02	0.045	1E-03	3.5E-03

[a] As determined by a pollutant-specific U.S. EPA reference method, a Department-approved alternative, or as determined by the Department's emissions estimation methods used in this permit analysis.

[b] Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers. Includes condensibles.

[c] As determined by multiplying the actual or allowable (if actual is not available) pound per hour emission rate by the allowable hours per year that the process(es) may operate(s), or by actual annual production rates.

[Tier II Operating Permit No. 011-00013, 6/7/02]

Operating Requirements

5.2 The maximum amount of natural gas burned in the fluidized bed dryer shall not exceed 6,843 standard cubic feet per hour (scf/hr) on average per day. The maximum amount of LPG burned shall not exceed 78 gallons per hour (gal/hr) on average per day.

[Tier II Operating Permit No. 011-00013, 6/7/02]

5.3 The combined maximum amount of natural gas burned in the dryers A, B, C and the secondary dryer shall not exceed 53,000 scf/hr on average per day. The combined maximum amount of LPG burned shall not exceed 253 gal/hr on average per day.

[Tier II Operating Permit No. 011-00013, 6/7/02]

5.4 The permittee shall operate the three industrial space heaters and the miscellaneous space heaters for a period not to exceed 6,048 hours each per consecutive 12-month period.

[Tier II Operating Permit No. 011-00013, 6/7/02]

5.5 The combined maximum amount of natural gas burned in the industrial space heaters shall not exceed 41,235 scf/hr on average per day. The combined maximum amount of LPG burned shall not exceed 174 gal/hr on average per day.

[Tier II Operating Permit No. 011-00013, 6/7/02]

Monitoring and Recordkeeping Requirements

5.6 The permittee shall record the following parameters in a quarterly record to verify compliance with Permit Conditions 5.3 through 5.5. The records shall be kept at the facility for a minimum period of five years and shall be made available to DEQ representatives upon request.

[Tier II Operating Permit No. 011-00013, 6/7/02]

5.6.1 Number of hours each industrial space heater is operated per consecutive 12-month period.

[Tier II Operating Permit No. 011-00013, 6/7/02]

5.6.2 Hourly amount averaged on a daily basis of natural gas and LPG used in each of the following equipment: fluidized bed dryer; Dryers A, B, and C; secondary dryer; and industrial space heaters.

[Tier II Operating Permit No. 011-00013, 6/7/02]

6. PROCESS DEHYDRATION LINES

Summary Description

Raw potatoes are received at the facility and traverse through several pre-processing steps including peeling and slicing. After these initial steps, the potatoes are dehydrated to produce several final products. This section permits particulate emissions from the dehydration process and associated storage silos. The permittee does not operate emissions control devices on these emissions units.

Table 6.1 contains only a summary of the requirements that apply to the process dehydration lines. Specific permit requirements are listed below Table 6.1.

Table 6.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating and Monitoring and Recordkeeping Requirements
6.1	PM[a] and PM_{10}[b] emissions	6.40 pounds per hour; 22.0 tons per consecutive 12-month period	Tier II Operating Permit No. 011-00013, 6/7/02	6.2, 6.3, 6.4

[a] Particulate matter.

[b] Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers. Includes condensibles.

Permit Limits / Standard Summary

6.1 The permittee shall not cause PM or PM_{10} emissions from the the process dehydration lines and storage silos to exceed any corresponding emissions rate limits listed in Table 6.2.

Table 6.2 Emissions Limits[a] – Process Dehydration Lines

Source Description	PM_{10}[b]	
	Pounds per hour	Tons per consecutive 12-month period[c]
Aggregate Processing[d]	6.40	22.0

[a] As determined by a pollutant-specific U.S. EPA reference method, a Department-approved alternative, or as determined by the Department's emissions estimation methods used in this permit analysis.

[b] Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers. Includes condensibles.

[c] As determined by multiplying the actual or allowable (if actual is not available) pound per hour emission rate by the allowable hours per year that the process(es) may operate(s), or by actual annual production rates.

[d] Aggregate processing emissions include emissions from material handling and throughput, and emissions from storage silos.

[Tier II Operating Permit No. 011-00013, 6/7/02]

Operating Requirements

6.2 The total clean raw potatoes processed shall not exceed a rate of 868 tons per day, nor shall it exceed 287,000 tons per any consecutive 12-month period.

[Tier II Operating Permit No. 011-00013, 6/7/02]

6.3 The total aggregate throughput of the ten storage silos shall not exceed 1,152 tons per day.

[Tier II Operating Permit No. 011-00013, 6/7/02]

Monitoring and Recordkeeping Requirements

6.4 The permittee shall record the calendar date and the daily and consecutive 12-month period throughput of each potato process line in operation, and the daily aggregate throughput of the storage silos to verify compliance with Permit Condition 6.3. The records shall be kept at the facility for a minimum period of five years and shall be made available to DEQ representatives upon request.

[Tier II Operating Permit No. 011-00013, 6/7/02]

7. INSIGNIFICANT ACTIVITIES

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

Table 7.1 INSIGNIFICANT ACTIVITIES

Description	Insignificant Activities IDAPA 58.01.01.317.01(b)(i) Citation
Receiving area heater exhaust – discharge out wall	5
Two maintenance heater exhausts	5
WTP heater exhaust	5
Truck shop area heater	5
10,000 gallon diesel tank	3
5,000 gallon day tank	3
1,000 gallon propane tank	4

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

8. TIER I OPERATING PERMIT GENERAL PROVISIONS

General Compliance

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]

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

3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

Reopening

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1), (2); 40 CFR 70.6(a)(6)(iii)]

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

Property Rights

6. This permit does not convey any property rights of any sort, or any exclusive privilege.
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

Information Requests

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]

8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.

[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

Severability

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

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

Changes Requiring Permit Revision or Notice

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.

[IDAPA 58.01.01.200-223, 4/6/05; IDAPA 58.01.01.322.15.i, 3/19/99; IDAPA 58.01.01.380-386, 7/1/02; 40 CFR 70.4(b)(12), (14), (15), and 70.7(d), (e)]

11. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 U.S.C. Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01. 383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.

[IDAPA 58.01.01.381-385, 7/1/02; IDAPA 58.01.01.209.05, 4/5/00; 40 CFR 70.4(b)(14) and (15)]

Federal and State Enforceability

12. Unless specifically identified as a "State-only" provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source's potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.

[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]

13. Provisions specifically identified as a "State-only" provision are enforceable only in accordance with state law. "State-only" provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

Inspection and Entry

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

    a. Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;

    b. Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;

    c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and

    d. As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

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

New Requirements During Permit Term

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

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

Fees

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

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

Certification

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

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

Renewal

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

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

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

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

Permit Shield

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

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

i. DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.

b. The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).

c. Nothing in this permit shall alter or affect the following:

i. Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;

ii. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and

iv. The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

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

Compliance Schedule and Progress Reports

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

b. For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.

c. For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.

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

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

Periodic Compliance Certification

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

a. The compliance certifications for all emissions units shall be submitted annually from January 1 to December 31 or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ.

b. The initial compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;

c. The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):

i. The identification of each term or condition of the Tier I operating permit that is the basis of the certification;

ii. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period. Such methods and other means shall include, at a minimum, the methods and means required under Subsections 322.06, 322.07, and 322.08;

iii. The status of compliance with the terms and conditions of the Tier I operating permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in Subsection 322.11.c.ii. above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred; and

iv. Such information as the Department may require to determine the compliance status of the emissions unit.

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

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

False Statements

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

[IDAPA 58.01.01.125, 3/23/98]

No Tampering

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

[IDAPA 58.01.01.126, 3/23/98]

Semiannual Monitoring Reports

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from January 1 to June 30 and July 1 to December 31. All instances of deviations from this operating permit's requirements must be clearly identified in the report. The semiannual reports shall be submitted to DEQ within 30 days of the end of the specified reporting period.

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

Reporting Deviations and Excess Emissions

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

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

Permit Revision Not Required

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

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

Emergency

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

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