



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

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www.deq.idaho.gov

Governor Brad Little  
Director John H. Tippetts

January 30, 2019

Tim A. Vedder III, Manager  
ITAFOS Conda LLC  
3010 Conda Road  
Soda Springs, ID 83276

RE: Facility ID No. 029-00003, ITAFOS Conda LLC, Soda Springs  
Final Tier I Operating Permit Letter

Dear Mr. Vedder III:

The Department of Environmental Quality (DEQ) is issuing Tier I Operating Permit No. T1- 2016.0015 to ITAFOS Conda LLC at Soda Springs 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. This permit replaces Tier I Operating Permit No. T1-060308, issued March 4, 2011. The enclosed operating permit is based on the information contained in your permit application received on August 26, 2015. 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 Melissa Gibbs, Regional Air Quality Manager, 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 Dan Pitman at (208) 373-0502 or [daniel.pitman@deq.idaho.gov](mailto:daniel.pitman@deq.idaho.gov) to address any questions or concerns you may have with the enclosed permit.

Sincerely,

A handwritten signature in black ink that reads "Dan Pitman".

*Deq,* Mike Simon  
Stationary Source Program Manager  
Air Quality Division

MS\DP

Permit No. T1-2016.0015 PROJ 61693

Enclosure

# Air Quality

## TIER I OPERATING PERMIT

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<b>Permittee</b>	ITAFOS Conda LLC
<b>Permit Number</b>	T1-2016.0015
<b>Project ID</b>	61693
<b>Facility ID</b>	029-00003
<b>Facility Location</b>	3010 Conda Road Soda Springs, Idaho 83276

### Permit Authority

This permit (a) is issued according to the "Rules for the Control of Air Pollution in Idaho" (Rules) (IDAPA 58.01.01.300–386) (b) 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 permittee shall comply with the terms and conditions of this permit. The effective date of this permit is the date of signature by DEQ on this cover page.

**Date Issued** January 30, 2019

**Date Expires** January 30, 2024

  
\_\_\_\_\_  
**Dan Pitman, Permit Writer**

  
\_\_\_\_\_  
**Mike Simon, Stationary Source Manager**

for,

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# 1 Acronyms, Units, and Chemical Nomenclature

APS	ammonium phosphate sulfate
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
CEMS	continuous emission monitoring systems
CFR	Code of Federal Regulations
CI	compression ignition
CMS	continuous monitoring systems
CO	carbon monoxide
COMS	continuous opacity monitoring systems
DEQ	Idaho Department of Environmental Quality
dscf	dry standard cubic feet
EPA	United States Environmental Protection Agency
gr	grains (1 lb = 7,000 grains)
HAP	hazardous air pollutants
hp	horsepower
ICE	internal combustion engines
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
lb/hr	pounds per hour
MACT	Maximum Achievable Control Technology
MAP	monoammonium phosphate
MGA	merchant grade phosphoric acid
MMBtu	million British thermal units
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO <sub>2</sub>	nitrogen dioxide
NO <sub>x</sub>	nitrogen oxides
NSPS	New Source Performance Standards
O <sub>2</sub>	oxygen
PM	particulate matter
PM <sub>2.5</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers
PM <sub>10</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppm	parts per million
psi	pounds per square inch
PTC	permit to construct
PW	process weight rate
RICE	reciprocating internal combustion engines
Rules	Rules for the Control of Air Pollution in Idaho
scf	standard cubic feet
SI	Spark Ignition
SIP	State Implementation Plan
SO <sub>2</sub>	sulfur dioxide
SO <sub>x</sub>	sulfur oxides
SPA	Superphosphoric Acid
T/hr	tons per hour
T/yr	tons per consecutive 12 calendar-month period
T1	Tier I operating permit
VOC	volatile organic compound

## 2 Permit Scope

### Purpose

- 2.1 This Tier I operating permit establishes facility-wide requirements in accordance with the Idaho State Implementation Plan control strategy and the Rules.
- 2.2 This Tier I operating permit incorporates the following permit(s) and consent order:
- Permit to Construct No. P-2009.0002, Gyp Stacks 0, 1, 2, issued January 12, 2018
  - Permit to Construct No. P-2018.0001, B5 Boiler, issued October 15, 2018
  - Permit to Construct No. P-2017.0050, Gyp Stack 3, issued January 12, 2018
  - Permit to Construct No. P-2013.0001, Super Phos. Acid 3, issued January 12, 2018
  - Permit to Construct No. P-2009.0068, Phos. Acid, Granulation, Cleaver- Brooks Boiler issued January 12, 2018
  - Permit to Construct No. P-2010.0002, East Sulfuric Acid, issued January 12, 2018
  - Amended Consent Order issued October 24, 1973, regarding the West Sulfuric Acid Plant
- 2.3 This Tier I operating permit replaces the following permit:
- Tier I Operating Permit No. T1-060308, issued March 4, 2011

### Regulated Sources

Table 2.1 lists a summary of sources of regulated emissions in this permit.

**Table 2.1 Regulated Sources**

Permit Section	Source Description	Emissions Control(s)
3	North End ore receiving, handling and storage	Reasonable control of fugitive dust
4	Granulation Plant	A-Fa-1a Venturi Scrubber (wet, Phosphoric Acid) A-Fa-1b Spray tower scrubber (water)
4	Granulation Plant	A-Fa-2a Multiple Cyclone (dry) A-Fa-2b Venturi Scrubber (wet, Phosphoric Acid)
4	Dry product transfer	Enclosure
4	Dry product storage	Enclosure
4	Dry product loadout	Chemical dust suppressant
5	East Sulfuric Acid Plant	Dual absorption process, vertical tube mist eliminator, cesium catalyst in the fourth bed of converter
6	Nebraska boiler (B-5) Manufacturer: Nebraska Boiler Company Model Number: NSX-G-107-ECON Rated Heat Input: 213.8 MMBtu/hr Steam Capacity: 175,000 lb/hr Fuel: Natural gas	Low NO <sub>x</sub> boiler package
7	Cleaver-Brooks boiler Manufacturer: Cleaver-Brooks Model Number: DFE-132 IWT Rated Heat Input: 180 MMBtu/hr Steam Capacity: ~150,000 lb/hr Fuel: Natural gas	Low-NO <sub>x</sub> package boiler
10	Phosphoric acid process	Multi-stage horizontal cross-flow scrubber (A-Pa-1) Conditioning vent scrubber (A-Pp-3)
10	Superphosphoric acid process	Multi-stage horizontal cross-flow scrubber (A-Pb-1)
10	Thermal fluid heaters	Low NO <sub>x</sub> package thermal heaters
11	Gyp Stack System	Reasonable control of dust, and visible liquid area
12	Emergency Engines	None

### 3 Facility-Wide Conditions

Table 3.1 contains a summary of requirements that apply generally to emissions units at the facility.

**Table 3.1 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Monitoring, Recordkeeping, and Reporting Requirements
3.1-3.5	Fugitive Dust	Reasonable control	IDAPA 58.01.01.650-651	3.3-3.5, 3.25, 3.30
3.6, 3.7	Odors	Reasonable control	IDAPA 58.01.01.775-776	3.7, 3.24, 3.29
3.8-3.10	Visible Emissions	20% opacity for no more than 3 minutes in any 60-minute period	IDAPA 58.01.01.625	3.9, 3.10, 3.25, 3.30
3.11-3.15	Excess Emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130-136	3.11-3.15, 3.25, 3.30
3.16	PM	Natural gas only 0.015 gr/dscf at 3% O <sub>2</sub> Fuel oil only 0.05 gr/dscf at 3% O <sub>2</sub>	IDAPA 58.01.01.676-677	3.24, 3.30
3.17, 3.18	Sulfur Content	ASTM grade No. 1 fuel oil ≤ 0.3% by weight ASTM grade No. 2 fuel oil ≤ 0.5% by weight	IDAPA 58.01.01.725	3.18, 3.25, 3.30
3.19	Open Burning	Compliance with IDAPA 58.01.01.600-623	IDAPA 58.01.01.600-623	3.19, 3.25, 3.30
3.20	Asbestos	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	3.20, 3.25, 3.30
3.21	Accidental Release Prevention	Compliance with 40 CFR 68	40 CFR 68	3.21, 3.25, 3.30
3.22	Recycling and Emissions Reductions	Compliance with 40 CFR 82, Subpart F	40 CFR 82, Subpart F	3.22, 3.25, 3.30
3.23, 3.24	NSPS/NESHAP General Provisions	Compliance with 40 CFR 60/63, Subpart A	IDAPA 58.01.01.107.03	3.23, 3.24, 3.25, 3.30
3.25	Monitoring and Recordkeeping	Maintenance of required records	IDAPA 58.01.01.322.06	3.25, 3.30
3.26-3.29	Testing	Compliance testing	IDAPA 58.01.01.157	3.26-3.29, 3.25, 3.30
3.30	Reports and Certifications	Submittal of required reports, notifications, and certifications	IDAPA 58.01.01.322.08	3.30
3.31	PM <sub>10</sub> & SO <sub>2</sub>	Operate monitors per consent order and SIP	Consent Order, Condition 10, 10/24/73; 40 CFR 52.670(d)	NA
3.32	Reports	Reporting schedule per 40 CFR 63 Subpart A	[40 CFR 63.10(a)(5) and (7)]	NA
3.33	Incorporation of Federal Requirements by Reference	Compliance with applicable federal requirements referenced	IDAPA 58.01.01.107	NA

## **Fugitive Dust**

- 3.1** All reasonable precautions shall be taken to prevent particulate matter (PM) from becoming airborne in accordance with IDAPA 58.01.01.650–651.  
[IDAPA 58.01.01.650–651, 4/11/15]
- 3.2** 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.  
[PTC No. P-2009.0068, 1/12/18]
- 3.3** 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 emissions.  
[IDAPA 58.01.01.322.06, 07, 5/1/94]
- 3.4** The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receiving 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]
- 3.5** The permittee shall conduct a monthly facility wide inspection, including Reference Method 22 observations or Department approved alternative, of potential sources of fugitive emissions during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive 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 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 emissions, and the date the corrective action was taken.  
[IDAPA 58.01.01.322.06, 07, 5/1/94]

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.

[PTC No. P-2009.0068, 1/18/18]

## **Odors**

- 3.6** The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.  
[IDAPA 58.01.01.775–776 (state only), 5/1/94]
- 3.7** 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 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 (state only), 5/1/94]

## Visible Emissions

**3.8** 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, NO<sub>x</sub>, 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]

**3.9** The permittee shall conduct a monthly 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:

a) Take appropriate corrective action as expeditiously as practicable to eliminate the visible emissions. Within 24 hours of the initial see/no see evaluation and after the corrective action, the permittee shall conduct a see/no see evaluation of the emissions point in question. If the visible emissions are not eliminated, the permittee shall comply with b).

or

b) 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 actions and report the period or periods as an excess emission in the annual compliance certification and in accordance with IDAPA 58.01.01.130–136.

[IDAPA 58.01.01.322.06, 5/1/94]

**3.10** 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 58.01.01.322.07, 5/1/94]

## Excess Emissions

### *Excess Emissions-General*

**3.11** The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130–136 for excess emissions. The provisions of IDAPA 58.01.01.130–136 shall govern in the event of conflicts between the excess emissions facility wide conditions and the regulations of IDAPA 58.01.01.130–136.

During an excess emissions event, the permittee 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, and Scheduled Maintenance***

**3.12** 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 permittee shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

- Prohibiting 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.
- 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 permittee demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.
- Reporting and recording the information required pursuant to the excess emissions reporting and recordkeeping requirements (Permit Conditions 3.14 and 3.15) 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, 4/11/06]

### ***Excess Emissions-Upset, Breakdown, or Safety Measures***

**3.13** 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 permittee shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

- 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.
- 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 permittee demonstrates to DEQ's satisfaction that the longer reporting period was necessary.
- Report and record the information required pursuant to the excess emissions reporting and recordkeeping facility wide conditions and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.
- During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the permittee 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 permittee.

[IDAPA 58.01.01.134, 4/11/06]

### ***Excess Emissions-Reporting and Recordkeeping***

**3.14** The permittee shall submit a written report to DEQ for each excess emissions event, 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, 4/11/06]

**3.15** The permittee 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:

- An excess emissions log 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
- Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the permittee 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, 4/5/00]

### **Fuel-Burning Equipment**

**3.16** The permittee shall not discharge to the atmosphere from any fuel-burning equipment PM in excess of 0.015 grains per dry standard cubic foot (gr/dscf) of effluent gas corrected to 3% oxygen by volume for gas, and 0.050 gr/dscf of effluent gas corrected to 3% oxygen by volume for liquid.

[IDAPA 58.01.01.676–677, 5/1/94]

### **Sulfur Content**

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

- Distillate fuel oil containing more than the following percentages of sulfur:
  - ASTM Grade 1 fuel oil, 0.3% by weight
  - ASTM Grade 2 fuel oil, 0.5% by weight

[IDAPA 58.01.01.725, 4/11/15]

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

[IDAPA 58.01.01.322.07, 5/1/94]

### **Open Burning**

**3.19** The permittee shall comply with the “Rules for Control of Open Burning” (IDAPA 58.01.01.600–623).

[IDAPA 58.01.01.600–623, 3/29/12]

### **Asbestos**

**3.20** NESHAP 40 CFR 61, Subpart M—National Emission Standard for Asbestos

The permittee shall comply with all applicable requirements of 40 CFR 61, Subpart M—“National Emission Standard for Asbestos.”

[40 CFR 61, Subpart M]

## Accidental Release Prevention

**3.21** A permittee 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

**3.22** 40 CFR Part 82—Protection of Stratospheric Ozone

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

[40 CFR 82, Subpart F]

## NSPS/NESHAP General Provisions

**3.23** NSPS 40 CFR 60, Subpart A-General Provisions

The permittee shall comply with the applicable requirements of 40 CFR 60, Subpart A-“General Provisions”-in accordance with 40 CFR 60.1. A summary of requirements for affected facilities is provided in Table 3.2, should there be a conflict between this permit and Subpart A, Subpart A shall govern.

Table 3.2 NSPS 40 CFR 60, Subpart A - Summary of General Provisions

Section	Subject	Summary of Section Requirements
60.4	Address	<ul style="list-style-type: none"> <li>• All requests, reports, applications, submittals, and other communications associated with 40 CFR 60, Subpart(s) shall be submitted to: Pocatello Regional Office 444 Hospital Way, #300 Pocatello, ID 83201</li> </ul>
60.7(a), (b), and (f)	Notification and Recordkeeping	<ul style="list-style-type: none"> <li>• Notification shall be furnished of commencement of construction postmarked no later than 30 days of such date.</li> <li>• Notification shall be furnished of initial startup postmarked within 15 days of such date.</li> <li>• Notification shall be furnished of any physical or operational change that may increase emissions postmarked 60 days before the change is made.</li> <li>• Records shall be maintained of the occurrence and duration of any startup, shutdown or malfunction; any malfunction of the air pollution control equipment; or any periods during which a CMS or monitoring device is inoperative.</li> <li>• Records shall be maintained, in a permanent form suitable for inspection, of all measurements, performance testing measurements, calibration checks, adjustments and maintenance performed, and other required information. Records shall be maintained for a period of two years following the date of such measurements, maintenance, reports, and records.</li> </ul>
60.8	Performance Tests	<ul style="list-style-type: none"> <li>• At least 30 days prior notice of any performance test shall be provided to afford the opportunity to have an observer to be present.</li> <li>• Within 60 days of achieving the maximum production rate, but not later 180 days after initial startup,</li> </ul>

Section	Subject	Summary of Section Requirements
		<p>performance test(s) shall be conducted and a written report of the results of such test(s) furnished.</p> <ul style="list-style-type: none"> <li>• Performance testing facilities shall be provided as follows: <ul style="list-style-type: none"> <li>◦ Sampling ports adequate for test methods applicable to such facility.</li> <li>◦ Safe sampling platform(s).</li> <li>◦ Safe access to sampling platform(s).</li> <li>◦ Utilities for sampling and testing equipment.</li> </ul> </li> <li>• Performance tests shall be conducted and data reduced in accordance with 40 CFR 60.8(b), (c), and (f)</li> </ul>
60.11(a), (d), (f), and (g)	Compliance with Standards and Maintenance Requirements	<ul style="list-style-type: none"> <li>• When performance tests are required, compliance with standards is determined by methods and procedures established by 40 CFR 60.8.</li> <li>• At all times, including periods of startup, shutdown, and malfunction, the owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.</li> <li>• For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard, nothing 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 or procedure had been performed.</li> </ul>
60.11(b), (c), and (e)	Compliance with Standards and Maintenance Requirements (Opacity)	<ul style="list-style-type: none"> <li>• Compliance with opacity standards shall be determined by Method 9 in Appendix A of 40 CFR 60. The permittee may elect to use COM measurements in lieu of Method 9, provided notification is made at least 30 days before the performance test.</li> <li>• The opacity standards shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided.</li> <li>• Opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR 60.8 in accordance with the requirements and exceptions in 40 CFR 60.11(e).</li> </ul>
60.12	Circumvention	<ul style="list-style-type: none"> <li>• No permittee shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard.</li> </ul>
60.13	Monitoring Requirements (CMS)	<ul style="list-style-type: none"> <li>• All CMS and monitoring devices shall be installed and operational prior to conducting performance tests required by 40 CFR 60.8.</li> <li>• A performance evaluation of the COMS or CEMS shall be conducted before or during any performance test and a written report of the results of the performance evaluation furnished. Reporting requirements include submitting performance evaluations reports within 60 days of the evaluations required by this section, and submitting results of the performance evaluations for the COM within 10 days before a performance test, if using a COM to determine compliance with opacity during a performance test instead of Method 9.</li> <li>• The zero and span calibration drifts must be checked at least once daily and adjusted in accordance with the requirements in 40 CFR 60.13(d).</li> <li>• The zero and upscale (span) calibration drifts of a COMS must be automatically, intrinsic to the opacity monitor, checked at least once daily.</li> <li>• Except for system breakdowns, repairs, calibration checks, and zero and span adjustments, all CMS shall be in continuous operation and shall meet minimum frequency of operation requirements as specified in 40 CFR 60.13(e).</li> <li>• All CMS or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. CMS shall be located and installed in accordance with the requirements in 40 CFR 60.13(f) and (g).</li> <li>• Data shall be reduced and computed in accordance with the procedures in 40 CFR 60.13(h), (i), and (j).</li> </ul>
60.14	Modification	<ul style="list-style-type: none"> <li>• A physical or operational change which results in an increase in the emission rate to the atmosphere or any pollutant to which a standard applies shall be considered a modification, and upon modification an existing facility shall become an affected facility in accordance with the requirements and exemptions in 40 CFR 60.14.</li> <li>• Within 180 days of the completion of any physical or operational change, compliance with all applicable standards must be achieved.</li> </ul>
60.15	Reconstruction	<ul style="list-style-type: none"> <li>• An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate in accordance with the requirements of 40 CFR 60.15.</li> </ul>

[40 CFR 60, Subpart A]

### 3.24 NESHAP 40 CFR 63, Subpart A—General Provision

The permittee shall comply with the requirements of 40 CFR 63, Subpart A—“General Provisions.” A summary of applicable requirements for affected sources is provided in Table 3.3, should there be a conflict between this permit and Subpart A, Subpart A shall govern.

**Table 3.3 NSPS 40 CFR 63, Subpart A – Summary of General Provisions for Affected Sources**

Section	Subject	Summary of Section Requirements		
63.13	Address	<ul style="list-style-type: none"> <li>All requests, reports, applications, submittals, and other communications associated with 40 CFR 63, Subpart(s) shall be submitted to:               <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Director Air and Waste US EPA 1200 Sixth Ave. Seattle, WA 98101</td> <td style="width: 50%;">Pocatello Regional Office 444 Hospital Way, #300 Pocatello, ID 83201</td> </tr> </table> </li> </ul>	Director Air and Waste US EPA 1200 Sixth Ave. Seattle, WA 98101	Pocatello Regional Office 444 Hospital Way, #300 Pocatello, ID 83201
Director Air and Waste US EPA 1200 Sixth Ave. Seattle, WA 98101	Pocatello Regional Office 444 Hospital Way, #300 Pocatello, ID 83201			
63.4(a)	Prohibited Activities	<ul style="list-style-type: none"> <li>No permittee must operate any affected source in violation of the requirements of 40 CFR 63 in accordance with 40 CFR 63.4(a). No permittee subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part.</li> </ul>		
63.4(b)	Circumvention/ Fragmentation	<ul style="list-style-type: none"> <li>No permittee shall build, erect, install or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard.</li> <li>Fragmentation which divides ownership of an operation, within the same facility among various owners where there is no real change in control, will not affect applicability in accordance with 40 CFR 63.4(c).</li> </ul>		
63.6(b) and (c)	Compliance Dates	<ul style="list-style-type: none"> <li>The permittee of any new or reconstructed source must comply with the relevant standard as specified in 40 CFR 63.6(b).               <ul style="list-style-type: none"> <li>The permittee of a source that has an initial startup before the effective date of a relevant standard must comply not later than the standard's effective date in accordance with 40 CFR 63.6(b)(1).</li> <li>The permittee of a source that has an initial startup after the effective date of a relevant standard must comply upon startup of the source in accordance with 40 CFR 63.6(b)(2).</li> </ul> </li> <li>The permittee of any existing sources must comply with the relevant standard by the compliance date established in the applicable subpart or as specified in 40 CFR 63.6(c).               <ul style="list-style-type: none"> <li>The permittee of an area source that increases its emissions of hazardous air pollutants such that the source becomes a major source shall be subject to relevant standards for existing sources in accordance with 40 CFR 63.6(c)(5).</li> </ul> </li> </ul>		
63.6(e) and (f)	Compliance with Standards and Maintenance Requirements (Non-Opacity)	<ul style="list-style-type: none"> <li>At all times, including periods of startup, shutdown, and malfunction, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions in accordance with 40 CFR 63.6(e).</li> <li>The permittee of an affected source must develop a written startup, shutdown, and malfunction plan and a program of corrective action for malfunctioning process, air pollution control, and monitoring equipment used to comply with the relevant standard in accordance with 40 CFR 63.6(e). The permittee must maintain the current plan at the affected source and must make the plan available upon request. If the plan fails to address or inadequately addresses a malfunction, the permittee must revise the plan within 45 days after the event.</li> <li>The permittee must record and report actions taken during a startup, shutdown, or malfunction in accordance with the requirements in 40 CFR 63.6(e). The permittee shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the plan in the semiannual startup, shutdown, and malfunction report.</li> <li>Non-opacity emission standards shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified, in accordance with 40 CFR 63.6(f).</li> </ul>		
63.7	Performance Testing Requirements	<ul style="list-style-type: none"> <li>If required to do performance testing, the permittee must perform such tests within 180 days of the compliance date in accordance with 40 CFR 63.7(a).</li> <li>The permittee must notify in writing of the intention to conduct a performance test at least 60 calendar days before the performance test is initially scheduled to begin to allow review of the site-specific test plan and to have an observer present during the test in accordance with 40 CFR 63.7(b).</li> <li>Before conducting a required performance test, the permittee shall develop and, if requested, shall submit a site-specific test plan for approval in accordance with 40 CFR 63.7(c). The test plan shall include a test program summary, the test schedule, data quality objectives, and both an internal and external quality assurance (QA) program.</li> </ul>		

		<ul style="list-style-type: none"> <li>• If required to do performance testing, the permittee shall provide performance testing facilities in accordance with 40 CFR 63.7(d): <ul style="list-style-type: none"> <li>◦ Sampling ports adequate for test methods applicable to such source.</li> <li>◦ Safe sampling platform(s);</li> <li>◦ Safe access to sampling platform(s);</li> <li>◦ Utilities for sampling and testing equipment; and</li> <li>◦ Any other facilities deemed necessary for safe and adequate testing of a source.</li> </ul> </li> <li>• Performance tests shall be conducted and data reduced in accordance with 40 CFR 63.7(e) and (f).</li> <li>• The permittee shall report the results of the performance test before the close of business on the 60th day following the completion of the test, unless specified or approved otherwise in accordance with 40 CFR 63.7(g).</li> </ul>
63.9	Notification Requirements	<ul style="list-style-type: none"> <li>• The permittee of an affected source that has an initial startup before the effective date of a relevant standard shall notify in writing that the source is subject to the relevant standard, in accordance with 40 CFR 63.9(b)(2). The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information: <ul style="list-style-type: none"> <li>◦ The name and address of the permittee;</li> <li>◦ The address (i.e., physical location) of the affected source;</li> <li>◦ An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;</li> <li>◦ A brief description of the nature, size, design, and method of operation of the source and an identification of the types of emission points within the affected source subject to the relevant standard and types of hazardous air pollutants emitted; and</li> <li>◦ A statement of whether the affected source is a major source or an area source.</li> </ul> </li> <li>• The permittee of a new or reconstructed major affected source for which an application for approval of construction or reconstruction is required must provide the following information in writing in accordance with 40 CFR 63.9(b)(4): <ul style="list-style-type: none"> <li>◦ A notification of intention to construct a new major-emitting affected source, reconstruct a major-emitting affected source, or reconstruct a major source such that the source becomes a major-emitting affected source;</li> <li>◦ A notification of the actual date of startup of the source delivered or postmarked within 15 calendar days after that date.</li> </ul> </li> <li>• The permittee of a new or reconstructed affected source for which an application for approval of construction or reconstruction is not required must provide the following information in writing in accordance with 40 CFR 63.9(b)(5): <ul style="list-style-type: none"> <li>◦ A notification of intention to construct a new affected source, reconstruct an affected source, or reconstruct a source such that the source becomes an affected source, and</li> <li>◦ A notification of the actual date of startup of the source delivered or postmarked within 15 calendar days after that date.</li> <li>◦ Unless the permittee has requested and received prior permission, the notification must include the information required in the application for approval of construction or reconstruction as specified in 40 CFR 63.5(d)(1).</li> </ul> </li> </ul>
63.9	Notification Requirements (continued)	<ul style="list-style-type: none"> <li>• The permittee shall notify in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the opportunity to review and approve the site-specific test plan required by 40 CFR 63.7(c), and to have an observer present during the test.</li> <li>• The permittee of an affected source shall notify in writing of the anticipated date for conducting the opacity or visible emission observations in accordance with 40 CFR 63.9(f), if such observations are required.</li> <li>• Each time a notification of compliance status is required under this part, the permittee of such source shall submit a notification of compliance status in accordance with 40 CFR 63.9(h)(2)(i). The notification shall list: <ul style="list-style-type: none"> <li>◦ The methods that were used to determine compliance;</li> <li>◦ The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;</li> <li>○ The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;</li> <li>○ If the relevant standard applies to both major and area sources, an analysis demonstrating whether the affected source is a major source (using the emissions data generated for this notification);</li> <li>○ A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and</li> <li>○ A statement by the permittee of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.</li> </ul> <ul style="list-style-type: none"> <li>● The notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard unless otherwise specified in accordance with 40 CFR 63.9(h)(2)(ii). If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with a standard, the notification shall be sent before close of business on the 30th day following the completion of the observations.</li> <li>● Each time a notification of compliance status is required under this part, the permittee of such source shall submit the notification of compliance status following completion of the relevant compliance demonstration activity specified.</li> <li>● If a permittee submits estimates or preliminary information in an application in place of the actual emissions data or control efficiencies, the permittee shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section in accordance with 40 CFR 63.9(h)(5).</li> <li>● Any change in the information already provided under this section shall be provided in writing within 15 calendar days after the change in accordance with 40 CFR 63.9(j).</li> </ul>
63.10	Recordkeeping and Reporting Requirements	<ul style="list-style-type: none"> <li>● 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).</li> <li>● 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).</li> <li>● The permittee shall maintain files of all required information recorded in a form suitable and readily available for expeditious inspection and review in accordance with 40 CFR 63.10(b)(1). The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site.</li> <li>● The permittee shall maintain relevant records of the following in accordance with 40 CFR 63.10(b)(2); <ul style="list-style-type: none"> <li>○ The occurrence and duration of each startup or shutdown when the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards;</li> <li>○ The occurrence and duration of each malfunction of operation or the required air pollution control and monitoring equipment;</li> <li>○ All required maintenance performed on the air pollution control and monitoring equipment;</li> <li>○ Actions taken during periods of startup or shutdown when the source exceeded applicable emission limitations in a relevant standard and when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan; or</li> <li>○ Actions taken during periods of malfunction when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan;</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ All information necessary, including actions taken, to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see 40 CFR 63.6(e)(3)) when all actions taken during periods of startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "checklist," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);</li> <li>○ Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);</li> <li>○ All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);</li> <li>○ All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;</li> <li>○ All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;</li> <li>○ All CMS calibration checks;</li> <li>○ All adjustments and maintenance performed on CMS;</li> <li>○ All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under 40 CFR 63.8(f)(6); and</li> <li>○ All documentation supporting initial notifications and notifications of compliance status under 40 CFR 63.9.</li> </ul> <ul style="list-style-type: none"> <li>● If an permittee determines that his or her stationary source that emits one or more HAP, and that stationary source is in the source category regulated by the relevant standard, but that source is not subject to a relevant standard because of limitations on the source's potential to emit or an exclusion, the permittee must keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source, whichever comes first in accordance with 40 CFR 63.10(b).</li> </ul>
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[40 CFR 63, Subpart A]

### Monitoring and Recordkeeping

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

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

## Performance Testing

- 3.26** 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.
- 3.27** 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.
- 3.28** Within 60 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 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.
- 3.29** The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the DEQ address specified in the "Reports and Certifications" facility wide condition.

[IDAPA 58.01.01.157, 4/11/15; IDAPA 58.01.01.322.06, 08.a, 09, 4/5/00]

[IDAPA 58.01.01.157, 4/11/15; IDAPA 58.01.01.322.06, 08.a, 09, 4/5/00]

## Reports and Certifications

- 3.30** 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, #300  
Pocatello, ID 83201  
Phone: (208) 236-6160  
Fax: (208) 236-6168

The periodic compliance certification required in the general provisions shall also be submitted within 30 days of the end of the specified reporting period to:

Part 70 Operating Permit Program  
U.S. EPA Region 10, Mail Stop: OAW-150  
1200 Sixth Ave., Suite 155  
Seattle, WA 98101

Reports may be submitted electronically provided the certification signature is an accurate representation of responsible official's signature.

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

### **Operation of Ambient Monitors**

**3.31** The permittee shall operate two PM<sub>10</sub> monitors and one continuous ambient SO<sub>2</sub> monitor at sites approved by DEQ. Results of the above described monitoring shall be submitted to DEQ monthly in accordance with the State Implementation Plan, 40 CFR 52.670(d), EPA-approved State Source-specific Requirements.

[Consent Order, Condition 10, 10/24/73; 40 CFR 52.670(d)]

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

**3.32** 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).

Periodic reports shall be submitted as provided below. Any change may be done without a revision of this permit in accordance with this permit condition:

Reports required by 40 CFR 63.10(d)(5)(i) shall be submitted with the reports required by General Provisions 15.22 and 15.26;

Reports required by 40 CFR 63.6(e)(3)(iv) shall be submitted with the report required by General Provision 15.26; and

Reports required by 40 CFR 63.10(d)(5)(ii) shall be submitted with the report required by General Provision 15.26.

[40 CFR 63.10(a)(5) and (7)]

## **Incorporation of Federal Requirements by Reference**

**3.33** 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 Subpart A, H, Db.
- National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP), 40 CFR Part 61 Subpart A and R, 40 CFR Part 63 Subpart A, AA ,BB and ZZZZ.

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.

[40 CFR Parts 60, 61, and 63]

## **Process Weight PM Emissions Limitations**

**3.34** No person shall emit into the atmosphere from any process or process equipment commencing operation 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,  $E = 0.045(PW)^{0.6}$
- 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]

## 4 Granulation Plant and Dry Product Storage and Transfer

### Summary Description

Dry products are produced in the Granulation Plant by neutralizing phosphoric acid, or a combination of phosphoric and sulfuric acid, with anhydrous ammonia. Neutralization may take place in the Pre-neutralizer Tank, the Pipe Cross Reactor, the Granulator, or a combination of the three. The resulting slurry is sprayed into the Rotating Drum Granulator, which is constantly supplied with a stream of undersize granular material. Heat generated by the neutralization reaction removes most of the moisture from the granules, and final moisture removal occurs in a Rotary Dryer following the Granulator. The dry granules are screened to remove the target product size fraction. Oversize material is crushed and returned to the Granulator along with the undersize fraction. The product size fraction is cooled in a Plate Cooler, dust suppressant is added, and the final product is conveyed to the Shipping Warehouse. Alternatively, the Plate Cooler and addition of dust suppressant may be bypassed and the final product conveyed directly to the Shipping Warehouse.

A baghouse is used to recover product from material handling equipment and transfer points within the Granulation Building, which is returned to the process. The baghouse discharge gases are utilized as secondary air for the Rotary Dryer.

Offgas from the Pre-neutralizer Tank and Granulator are scrubbed in the Granulation Scrubber. Offgas from the Rotary Dryer is scrubbed separately in the Dryer Scrubber. Both scrubbers share a common discharge stack.

Dry fertilizer in the Shipping Warehouse is stored until it is shipped to customers. Front-end loaders are used to transfer the product from the piles inside the warehouse to the feeders and conveyers. The fertilizer products are screened for size, dust suppressant is normally added, and the products are loaded into railcars or trucks for shipment off-site.

Table 4.1 describes the devices used to control emissions from the granulation plant.

**Table 4.1 Granulation Plant Emissions Units and Control Device Descriptions**

Emissions Units / Processes	Control Devices
Granulator	Granulation Scrubber
Dryer & Dryer Cyclones	Dryer Scrubber
Cooler and Baghouse	Dryer Scrubber
Dry product sizing and transfer	Enclosure, chemical dust suppressant
Dry product storage	Enclosure
Dry product loadout	Chemical dust suppressant, physical stabilization

The purpose of this section of the permit is to incorporate the applicable provisions of 40 CFR 63 Subpart BB – National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizer Production Plants.

Table 4.2 contains only a summary of the requirements that apply to the phosphate fertilizer process line. Specific permit requirements are listed below.

**Table 4.2 Applicable Requirements Summary**

<b>Permit Conditions</b>	<b>Parameter</b>	<b>Limit/Standard Summary</b>	<b>Applicable Requirements Reference</b>	<b>Operating, Monitoring, and Recordkeeping Requirements</b>
4.2	Total fluorides	0.0580 lb/ton of equivalent P <sub>2</sub> O <sub>5</sub> feed	40 CFR 63.662 (a)(2)	4.5-4.20

**40 CFR 63 Subpart BB – National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizer Production Plants**

**MACT 40 CFR 63, Subpart BB – Standards and Compliance Dates**

**4.1** In accordance with 40 CFR 63.622(a) on and after the dates specified in paragraph (a)(2) of this section, for each phosphate fertilizer process line (e.g., monoammonium phosphate process line) the permittee must comply with the emission limits as specified in paragraph (a)(2) of this section. If a process line contains more than one emission point, the permittee must sum the emissions from all emission points in a process line to determine compliance with the specified emission limits.

[40 CFR 63.622(a)]

**4.2** In accordance with 40 CFR 63.622(a)(2) for each new phosphate fertilizer process line (e.g., monoammonium phosphate process line), that commences construction or reconstruction after December 27, 1996 and on or before August 19, 2015, the permittee must comply with the emission limits specified in Table 2 to this subpart beginning on June 10, 1999, or at startup, whichever is later.

[40 CFR 63.622 (a)(2)]

**Table 2 to Subpart BB of Part 63—New Source Emission Limits**

	<b>You must meet the emission limits for the specified pollutant . . .</b>
<b>For the following new sources . . .</b>	<b>Total fluorides</b>
Phosphate Fertilizer Process Line (Monoammonium Phosphate Process Line) (monoammonium phosphate process line includes: Reactors, granulators, dryers, coolers, screens, and mills -§63.621)	0.0580 lb/ton of equivalent P <sub>2</sub> O <sub>5</sub> feed.

[40 CFR 63 Subpart BB Table 2]

**4.3** In accordance with 40 CFR 63.622(c), the permittee must not introduce into any evaporative cooling tower any liquid effluent from any absorber installed to control emissions from process equipment.

[40 CFR 63.622(c)]

**4.4** In accordance with 40 CFR 63.622(d), during periods of startup and shutdown (as defined in §63.621), the permittee must comply with the work practice specified in this paragraph in lieu of the emission limits specified in paragraph (a) of this section. During periods of startup and shutdown, the permittee must operate any control device(s) being used at the affected source, monitor the operating parameters specified in Table 3 of this subpart, and comply with the operating limits specified in Table 4 of this subpart.

[40 CFR 63.622(d)]

## **MACT 40 CFR 63, Subpart BB – Operating and Monitoring Requirements**

**4.5** In accordance with 40 CFR 63.625(a) for each phosphate fertilizer process line (e.g., monoammonium phosphate process line subject to the provisions of this subpart, the permittee must comply with the monitoring requirements specified in paragraphs (a)(1) and (2) of this section.

(1) Install, calibrate, maintain, and operate a continuous monitoring system (CMS) according to the permittees site-specific monitoring plan specified in §63.628(c). The CMS must have an accuracy of  $\pm 5$  percent over its operating range and must determine and permanently record the mass flow of phosphorus-bearing material fed to the process.

(2) Maintain a daily record of equivalent  $P_2O_5$  feed. Calculate the equivalent  $P_2O_5$  feed by determining the total mass rate in metric ton/hour of phosphorus bearing feed using the procedures specified in §63.626(f)(3).

[40 CFR 63.625(a)]

**4.6** In accordance with 40 CFR 63.625(d) if the permittee uses a control device(s) to comply with the emission limits specified in Table 2 of this subpart, must install a continuous parameter monitoring system (CPMS) and comply with the requirements specified in paragraphs (d)(1) through (3) of this section.

(1) The permittee must monitor the operating parameter(s) applicable to the control device that the permittee uses as specified in Table 3 to this subpart and establish the applicable limit or range for the operating parameter limit as specified in paragraphs (d)(1)(i) and (ii) of this section, as applicable.

(i) Except as specified in paragraph (d)(1)(ii) of this section, determine the value(s) as the arithmetic average of operating parameter measurements recorded during the three test runs conducted for the most recent performance test.

(ii) If the permittee uses an absorber to comply with the emission limits in Table 2 to this subpart and the permittee monitors pressure drop across the absorber, the permittee must establish allowable ranges using the methodology specified in paragraphs (d)(1)(ii)(A) and (B) of this section.

(A) The allowable range for the daily averages of the pressure drop across an absorber and of the flow rate of the absorber liquid to each absorber in the process absorbing system, or secondary voltage for a wet electrostatic precipitator, is  $\pm 20$  percent of the baseline average value determined in paragraph (d)(1)(i) of this section. The DEQ retains the right to reduce the  $\pm 20$  percent 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. However, the adjustment must not be reduced to less than  $\pm 10$  percent under any instance.

(B) As an alternative to paragraph (d)(1)(ii)(A) of this section, the permittee may establish allowable ranges for the daily averages of the pressure drop across an absorber for the purpose of assuring compliance with this subpart using the procedures described in this paragraph. The permittee must establish the allowable ranges based on the baseline average values recorded during previous performance tests or the results of performance tests conducted specifically for the purposes of this paragraph. The permittee must conduct all performance tests using the methods specified in §63.626. The permittee must certify that the control devices and processes have not been modified since the date of the performance test from which the permittee obtained the data used to establish the allowable ranges. When a source using the methodology of this paragraph is retested, the permittee must determine new allowable ranges of baseline average values unless the retest indicates no change in the operating parameters outside the previously

established ranges.

(2) The permittee must monitor, record, and demonstrate continuous compliance using the minimum frequencies specified in Table 4 to this subpart.

(3) The permittee must comply with the calibration and quality control requirements that are applicable to the operating parameter(s) the permittee monitors as specified in Table 5 to this subpart.

[40 CFR 63.625(d)]

**Table 3 to Subpart BB of Part 63—Monitoring Equipment Operating Parameters**

<b>You must . . .</b>	<b>If . . .</b>	<b>And you must monitor . . . <sup>(a)</sup></b>	<b>And . . . <sup>(a)</sup></b>
<b>Absorbers (Wet Scrubbers)</b>			
Install a continuous parameter monitoring system (CPMS) for liquid flow at the inlet of the absorber.	Your absorber is designed and operated with pressure drops of 5 inches of water column or more; and you choose to monitor only the influent liquid flow, rather than the liquid-to-gas ratio	Influent liquid flow.	
Install CPMS for liquid and gas flow at the inlet of the absorber	Your absorber is designed and operated with pressure drops of 5 inches of water column or less; or Your absorber is designed and operated with pressure drops of 5 inches of water column or more, and you choose to monitor the liquid-to-gas ratio, rather than only the influent liquid flow, and you want the ability to lower liquid flow with changes in gas flow	Liquid-to-gas ratio as determined by dividing the influent liquid flow rate by the gas flow rate through the absorber. The units of measure must be consistent with those used to calculate this ratio during the performance test	You must determine the gas flow rate through the absorber by: Measuring the gas flow rate at the absorber inlet or outlet; Using the blower design capacity, with appropriate adjustments for pressure drop or Using a regression model
Install CPMS for pressure at the gas stream inlet and outlet of the absorber	Your absorber is designed and operated with pressure drops of 5 inches of water column or more	Pressure drop through the absorber	You may measure the pressure of the inlet gas using amperage on the blower if a correlation between pressure and amperage is established.

a) To monitor an operating parameter that is not specified in this table (including process-specific techniques not specified in this table to determine gas flow rate through an absorber), you must request, on a site-specific basis, an alternative monitoring method under the provisions of §63.8(f).

**Table 4 to Subpart BB of Part 63—Operating Parameters, Operating Limits and Data Monitoring, Recordkeeping and Compliance Frequencies**

For the operating parameter applicable to you, as specified in Table 3 . . .	You must establish the following operating limit during your performance test . . .	And you must monitor, record, and demonstrate continuous compliance using these minimum frequencies . . .		
		Data measurement	Data recording	Data averaging period for compliance
<b>Absorbers (Wet Scrubbers)</b>				
Influent liquid flow	Minimum inlet liquid flow	Continuous	Every 15 minutes	Daily.
Influent liquid flow rate and gas stream flow rate	Minimum influent liquid-to-gas ratio <sup>a</sup>	Continuous	Every 15 minutes	Daily
Pressure drop	Pressure drop range	Continuous	Every 15 minutes	Daily.
<b>Sorbent Injection</b>				
Sorbent injection rate If used	Minimum injection rate	Continuous	Every 15 minutes	Daily.
Sorbent injection carrier gas flow rate If used	Minimum carrier gas flow rate	Continuous	Every 15 minutes	Daily.

**Table 5 to Subpart BB of Part 63—Calibration and Quality Control Requirements for Continuous Parameter Monitoring Systems (CPMS)**

If you monitor this parameter . . .	Your accuracy requirements are . . .	And your calibration requirements are . . .
Flow Rate	±5 percent over the normal range of flow measured or 1.9 liters per minute (0.5 gallons per minute), whichever is greater, for liquid flow rate. ±5 percent over the normal range of flow measured or 28 liters per minute (10 cubic feet per minute), whichever is greater, for gas flow rate. ±5 percent over the normal range measured for mass flow rate.	Performance evaluation annually and following any period of more than 24 hours throughout which the flow rate exceeded the maximum rated flow rate of the sensor, or the data recorder was off scale. Checks of all mechanical connections for leakage monthly. Visual inspections and checks of CPMS operation every 3 months, unless the CPMS has a redundant flow sensor. Selection of a representative measurement location where swirling flow or abnormal velocity distributions due to upstream and downstream disturbances at the point of measurement are minimized.
Pressure	±5 percent over the normal range measured or 0.12 kilopascals (0.5 inches of water column), whichever is greater.	Checks for obstructions ( <i>e.g.</i> , pressure tap pluggage) at least once each process operating day. Performance evaluation annually and following any period of more than 24 hours throughout which the pressure exceeded the maximum rated pressure of the sensor, or the data recorder was off scale. Checks of all mechanical connections for leakage monthly. Visual inspection of all components for integrity, oxidation and galvanic corrosion every 3 months, unless the CPMS has a redundant pressure sensor. Selection of a representative measurement location that minimizes or eliminates pulsating pressure, vibration, and internal and external corrosion.

**MACT 40 CFR 63, Subpart BB – Performance tests and compliance provisions**

4.7 In accordance with 40 CFR 63.626(b) the permittee must conduct a performance test once per calendar year to demonstrate compliance with the emission limits specified in Table 2 to this subpart.

[40 CFR 63.626(b)]

4.8 In accordance with 40 CFR 63.626(c) for affected sources (as defined in §63.620 – e.g. reactors, granulators, dryers, coolers, screens, and mills) that have not operated since the previous annual performance test was conducted and more than 1 year has passed since the previous performance test, the permittee must conduct a performance test no later than 180 days after the re-start of the affected source according to the applicable provisions in §63.7(a)(2).

[40 CFR 63.626(c)]

4.9 In accordance with 40 CFR 63.626(d)(1) the permittee must conduct the performance tests specified in this section at representative (normal) conditions for the process. Representative (normal) conditions means those conditions that:

(i) Represent the range of combined process and control measure conditions under which the facility expects to operate (regardless of the frequency of the conditions); and

(ii) Are likely to most challenge the emissions control measures of the facility with regard to meeting the applicable emission standards, but without creating an unsafe condition.

(2) Operations during startup, shutdown, and malfunction do not constitute representative (normal) operating conditions for purposes of conducting a performance test. The permittee must record the process information that is necessary to document the operating conditions during the test and include in such record an explanation to support that such conditions represent representative (normal) conditions. Upon request, the permittee must make available to the DEQ such records as may be necessary to determine the conditions of performance tests.

[40 CFR 63.626(d)]

4.10 In accordance with 40 CFR 63.626(e) in conducting all performance tests, the permittee must use as reference methods and procedures the test methods in 40 CFR part 60, appendix A, or other methods and procedures as specified in this section, except as provided in §63.7(f).

[40 CFR 63.626(e)]

4.11 In accordance with 40 CFR 63.626(f) for each phosphate fertilizer process line (e.g., monoammonium phosphate process line) the permittee must determine compliance with the applicable total fluorides standards specified in Table 2 to this subpart as specified in paragraphs (f)(1) through (3) of this section.

(1) Compute the emission rate (E) of total fluorides for each run using Equation BB-1:

$$E = \left( \sum_{i=1}^N C_i Q_i \right) / (PK) \quad (\text{Eq. BB-1})$$

Where:

E = Emission rate of total fluorides, gram/metric ton (pound/ton) of equivalent P<sub>2</sub>O<sub>5</sub> feed.

C<sub>i</sub> = Concentration of total fluorides from emission point “i,” milligram/dry standard cubic meter (milligram/dry standard cubic feet).

$Q_i$  = Volumetric flow rate of effluent gas from emission point "i," dry standard cubic meter/hour (dry standard cubic feet/hour).

$N$  = Number of emission points associated with the affected facility.

$P$  = Equivalent  $P_2O_5$  feed rate, metric ton/hour (ton/hour).

$K$  = Conversion factor, 1000 milligram/gram (453,600 milligram/pound).

(2) The permittee must use Method 13A or 13B (40 CFR part 60, appendix A) to determine the total fluorides concentration ( $C_i$ ) and the volumetric flow rate ( $Q_i$ ) of the effluent gas at each emission point. The sampling time for each run at each emission point must be at least 60 minutes. The sampling volume for each run at each emission point must be at least 0.85 dscm (30 dscf). If Method 13B is used, the fusion of the filtered material described in Section 7.3.1.2 and the distillation of suitable aliquots of containers 1 and 2, described in section 7.3.3 and 7.3.4 in Method 13 A, may be omitted.

(3) Compute the equivalent  $P_2O_5$  feed rate ( $P$ ) using Equation BB-2:

$$P = M_p R_p \quad (\text{Eq. BB-2})$$

Where:

$P$  =  $P_2O_5$  feed rate, metric ton/hour (ton/hour).

$M_p$  = Total mass flow rate of phosphorus-bearing feed, metric ton/hour (ton/hour).

$R_p$  =  $P_2O_5$  content, decimal fraction.

(i) Determine the mass flow rate ( $M_p$ ) of the phosphorus-bearing feed using the measurement system described in §63.625(a).

(ii) Determine the  $P_2O_5$  content ( $R_p$ ) of the feed using, as appropriate, the following methods specified in the Book of Methods Used and Adopted By The Association of Florida Phosphate Chemists (incorporated by reference, see §63.14) where applicable:

(A) Section IX, Methods of Analysis for Phosphate Rock, No. 1 Preparation of Sample.

(B) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus- $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method A—Volumetric Method.

(C) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus- $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method B—Gravimetric Quimociac Method.

(D) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus- $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method C—Spectrophotometric Method.

(E) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus- $P_2O_5$ , Method A—Volumetric Method.

(F) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus- $P_2O_5$ , Method B—Gravimetric Quimociac Method.

(G) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P<sub>2</sub>O<sub>5</sub>, Method C—Spectrophotometric Method.

[40 CFR 63.626(f)]

- 4.12 In accordance with 40 CFR 63.626(h) if the permittee uses a CMS, the permittee must conduct a performance evaluation, as specified in §63.8(e), in accordance with the permittee's site-specific monitoring plan in §63.628(c).

[40 CFR 63.626(h)]

**MACT 40 CFR 63, Subpart BB – Notification, recordkeeping, and reporting requirements**

- 4.13 In accordance with 40 CFR 63.627(a) the permittee must comply with the notification requirements specified in §63.9. During the most recent performance test, if the permittee demonstrates compliance with the emission limit while operating control device outside the previously established operating limit, the permittee must establish a new operating limit based on that most recent performance test and notify the DEQ that the operating limit changed based on data collected during the most recent performance test. When a source is retested and the performance test results are submitted to the DEQ pursuant to paragraph (b)(1) of this section, §63.7(g)(1), or §63.10(d)(2), the permittee must indicate whether the operating limit is based on the new performance test or the previously established limit. Upon establishment of a new operating limit, the permittee must thereafter operate under the new operating limit. If the DEQ determines that the permittee did not conduct the compliance test in accordance with the applicable requirements or that the operating limit established during the performance test does not correspond to representative (normal) conditions, the permittee must conduct a new performance test and establish a new operating limit.

[40 CFR 63.627(a)]

- 4.14 In accordance with 40 CFR 63.627(b) the permittee must comply with the reporting and recordkeeping requirements in §63.10 as specified in paragraphs (b)(1) through (5) of this section.

(1) The permittee must comply with the general recordkeeping requirements in §63.10(b)(1); and

(2) As required by §63.10(d), the permittee must report the results of the initial and subsequent performance tests as part of the notification of compliance status required in §63.9(h). The permittee must verify in the performance test reports that the operating limits for each process have not changed or provide documentation of revised operating limits established according to §63.625, as applicable. In the notification of compliance status, the permittee must also:

(i) Certify to the DEQ that the permittee has not shipped fresh granular triple superphosphate from an affected facility.

(ii) Certify to the DEQ annually that the permittee has complied with the evaporative cooling tower requirements specified in §63.622(c).

(iv) If the permittee elects to demonstrate compliance by following the procedures in §63.625(d)(1)(ii)(B), certify to the DEQ annually that the control devices and processes have not been modified since the date of the performance test from which the permittee obtained the data used to establish the allowable ranges.

(3) As required by §63.10(e)(1), the permittee must submit an excess emissions report for any exceedance of an emission or operating parameter limit if the total duration of the exceedances for the reporting period is 1 percent of the total operating time for the reporting period or greater. The report must contain the information specified in §63.10 and paragraph (b)(4) of this section. When exceedances of an emission limit or operating parameter have not occurred, the permittee

must include such information in the report. The permittee must submit the report semiannually and the report must be delivered or postmarked by the 30th day following the end of the calendar half. If exceedances are reported, the permittee must submit the excess emissions report quarterly until a request to reduce reporting frequency is approved as described in §63.10(e)(3).

(4) In the event that an affected unit fails to meet an applicable standard, record and report the following information for each failure:

(i) The date, time and duration of the failure.

(ii) A list of the affected sources or equipment for which a failure occurred.

(iii) An estimate of the volume of each regulated pollutant emitted over any emission limit.

(iv) A description of the method used to estimate the emissions.

(v) A record of actions taken to minimize emissions in accordance with §63.628(b), and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(5) The permittee must submit a summary report containing the information specified in §63.10(e)(3)(vi). The permittee must submit the summary report semiannually and the report must be delivered or postmarked by the 30th day following the end of the calendar half.

[40 CFR 63.627(b)]

**4.15** In accordance with 40 CFR 63.627(c) the permittee's records must be in a form suitable and readily available for expeditious review. The permittee must keep each record for 5 years following the date of each recorded action. The permittee must keep each record on site, or accessible from a central location by computer or other means that instantly provide access at the site, for at least 2 years after the date of each recorded action. The permittee may keep the records off site for the remaining 3 years.

[40 CFR 63.627(c)]

**4.16** In accordance with 40 CFR 63.627(d) in computing averages to determine compliance with this subpart, the permittee must exclude the monitoring data specified in paragraphs (d)(1) through (3) of this section.

(1) Periods of non-operation of the process unit;

(2) Periods of no flow to a control device; and

(3) Any monitoring data recorded during continuous parameter monitoring system (CPMS) breakdowns, out-of-control periods, repairs, maintenance periods, instrument adjustments or checks to maintain precision and accuracy, calibration checks, and zero (low-level), mid-level (if applicable), and high-level adjustments.

[40 CFR 63.627(d)]

**4.17** In accordance with 40 CFR 63.627(e) Within 60 days after the date of completing each performance test (as defined in §63.2) required by this subpart, the permittee must submit the results of the performance tests, including any associated fuel analyses, following the procedure specified in either paragraph (e)(1) or (2) of this section.

(1) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<http://www.epa.gov/ttn/chief/ert/index.html>), the permittee must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). CEDRI can be accessed through the EPA's Central Data Exchange (CDX) ([http://cdx.epa.gov/epa\\_home.asp](http://cdx.epa.gov/epa_home.asp)). Performance test data must be submitted in a file format generated through the use of the EPA's ERT. Alternatively, the permittee may submit performance test data in an electronic file format consistent with the

extensible markup language (XML) schema listed on the EPA's ERT Web site once the XML schema is available. If the permittee claim that some of the performance test information being submitted is confidential business information (CBI), the permittee must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph.

(2) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site, the permittee must submit the results of the performance test to the Administrator at the appropriate address listed in §63.13.

[40 CFR 63.627(e)]

**MACT 40 CFR 63, Subpart BB – General requirements and applicability of general provisions of this part**

**4.18** In accordance with 40 CFR 63.628(a) the permittee must comply with the general provisions in subpart A of this part as specified in appendix A to this subpart.

[40 CFR 63.628(a)]

**4.19** In accordance with 40 CFR 63.628(b) at all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination by the DEQ of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the DEQ that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.628(b)]

**4.20** In accordance with 40 CFR 63.628(c) for each CMS used to demonstrate compliance with any applicable emission limit, the permittee must develop, and submit to the DEQ for approval upon request, a site-specific monitoring plan according to the requirements specified in paragraphs (c)(1) through (3) of this section. The permittee must submit the site-specific monitoring plan, if requested by the DEQ, at least 60 days before the initial performance evaluation of the CMS. The requirements of this paragraph also apply if a petition is made to the Administrator for alternative monitoring parameters under §63.8(f).

(1) The permittee must include the information specified in paragraphs (c)(1)(i) through (vi) of this section in the site-specific monitoring plan.

(i) Location of the CMS sampling probe or other interface. The permittee must include a justification demonstrating that the sampling probe or other interface is at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (*e.g.*, on or downstream of the last control device).

(ii) Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction systems.

(iii) Performance evaluation procedures and acceptance criteria (*e.g.*, calibrations).

(iv) Ongoing operation and maintenance procedures in accordance with the general requirements

of §63.8(c)(1)(ii), (c)(3), (c)(4)(ii), and Table 4 to this subpart.

(v) Ongoing data quality assurance procedures in accordance with the general requirements of §63.8(d)(1) and (2) and Table 5 to this subpart.

(vi) Ongoing recordkeeping and reporting procedures in accordance with the general requirements of §63.10(c), (e)(1), (e)(2)(i).

(2) The permittee must include a schedule for conducting initial and subsequent performance evaluations in the site-specific monitoring plan.

(3) The permittee must keep the site-specific monitoring plan on site for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the DEQ. If the permittee revises the site-specific monitoring plan, the permittee must keep previous (*i.e.*, superseded) versions of the plan on site to be made available for inspection, upon request, by the DEQ, for a period of 5 years after each revision to the plan. The permittee must include the program of corrective action required under §63.8(d)(2) in the plan.

[40 CFR 63.628(c)]

**4.21** In accordance with 40 CFR 63.628(e) if the permittee uses blower design capacity to determine the gas flow rate through the absorber for use in the liquid-to-gas ratio as specified in Table 3 to this subpart, then you must include in the site-specific monitoring plan specified in paragraph (c) of this section calculations showing how you determined the maximum possible gas flow rate through the absorber based on the blower's specifications (including any adjustments you made for pressure drop).

[40 CFR 63.628(e)]

**4.22** In accordance with 40 CFR 63.628(f) if the permittee uses a regression model to determine the gas flow rate through the absorber for use in the liquid-to-gas ratio as specified in Table 3 to this subpart, then you must include in the site-specific monitoring plan specified in paragraph (c) of this section the calculations that were used to develop the regression model, including the calculations you use to convert amperage of the blower to brake horsepower. You must describe any constants included in the equations (e.g., efficiency, power factor), and describe how these constants were determined. If the permittee want to change a constant in your calculation, then you must conduct a regression model verification to confirm the new value of the constant. In addition, the site-specific monitoring plan must be updated annually to reflect the data used in the annual regression model verification that is described in Table 3 to this subpart.

[40 CFR 63.628(f)]

## 5 East Sulfuric Acid Plant

### Summary Description

The East Sulfuric Acid Plant is a sulfur burning, dual contact, dual-absorption plant that produces 93% sulfuric acid and 250 psi steam for use in other areas and processes within the CPO facility. Primary raw inputs to the plant include water and elemental sulfur.

Sulfuric acid production begins with combustion of elemental sulfur in air to produce sulfur dioxide (SO<sub>2</sub>). The combustion gas is passed through a series of four catalyst beds which convert the SO<sub>2</sub> into sulfur trioxide (SO<sub>3</sub>). The catalyst in all four beds is primarily composed of diatomaceous earth with a vanadium pentoxide component to catalyze the SO<sub>2</sub> to SO<sub>3</sub> conversion. Two waste heat boilers, an economizer, and two gas-gas shell and tube heat exchangers are integral to ensuring the gas stream is maintained within optimal temperature ranges throughout the conversion and absorption process. In between the 3rd and 4th catalyst bed, the gas stream is passed counter current to 98% sulfuric acid through a packed tower and the SO<sub>3</sub> is absorbed by the acid. Remaining SO<sub>2</sub> in the gas stream is passed through the 4th catalyst bed where additional conversion to SO<sub>3</sub> occurs. The catalyst in this bed contains a cesium component and is specifically designed for conversion of low concentrations of SO<sub>2</sub>. Following the 4th catalyst bed, the gas stream is passed counter current to 98% sulfuric acid through a 2nd packed tower and the SO<sub>3</sub> is absorbed by the acid. The gas exiting this tower continues out the stack where it is continuously monitored for residual SO<sub>2</sub>.

Table 5.1 describes the devices used to control emissions from the East Sulfuric Acid Plant.

**Table 5.1 East Sulfuric Acid Plant Description**

Emissions Units / Processes	Control Devices
East Sulfuric Acid Plant	Dual absorption contact process, vertical tube mist eliminator, and cesium catalyst in the fourth bed of the converter
Cooling Tower	Mist Eliminator
Cold Startup of Sulfuric Acid Plant (use natural gas in the sulfur burner during startup/heat up mode)	none
Sulfur Storage and Transfer	Enclosed Systems
Acid Storage Tanks and Acid Pump Tanks and Transfer	Enclosed Systems

Table 5.2 contains only a summary of the requirements that apply to the East Sulfuric Acid Plant. Specific permit requirements are listed below.

**Table 5.2 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
5.1	SO <sub>2</sub>	258 lb/hr 735.5 T/yr	PTC No. P-2010.00002	5.4, 5.6
5.2	SO <sub>x</sub>	28 pounds per ton of 100% sulfuric acid production	IDAPA 58.01.01.846	5.6,5.11
5.9	SO <sub>2</sub>	4 pounds per ton of 100% sulfuric acid production	40 CFR 60.82	5.11
5.8	Sulfuric acid mist	0.15 pounds per ton of sulfuric acid production	40 CFR 60.83	5.6
5.9	Visible emissions	10% opacity	40 CFR 60.83	5.6

## Emission Limits

### 5.1 Sulfur Dioxide Emissions from the East Sulfuric Acid Plant

The emissions from the East Sulfuric Acid Plant stack shall not exceed any emissions rate limit in Table 4.3.

Table 4.3 Emission Limits<sup>(a)</sup>

Source Description	SO <sub>2</sub>	
	Lb/hr <sup>(b)</sup>	Tons/yr <sup>(c)</sup>
East Sulfuric Acid Plant Stack	258	735.5

- In absence of any other credible evidence, compliance is assured by complying with permit operating, monitoring, and record keeping requirements.
- Pounds per hour, 3 hour rolling average, as determined by multiplying sulfuric acid production data by the CEM results required by 40 CFR 60.84, or DEQ approved alternative.
- Tons per 12 month rolling average (any 12 consecutive months).

[PTC No. P-2010.0002, 1/12/18]

### 5.2 Rules for Control of Sulfur Oxide Emissions from Sulfuric Acid Plants

No person shall allow, suffer, cause or permit the operation of any sulfuric acid plant which emits sulfur oxides (SO<sub>x</sub>) into the atmosphere in excess of twenty-eight (28) pounds per ton of 100% sulfuric acid produced in accordance with IDAPA 58.01.01.845-847.

[IDAPA 58.01.01.845-847, 4/5/00]

## Operating Requirements

### 5.3 Production Rate Limit

The East Sulfuric Acid Plant shall have a maximum daily production rate of 1,550 tons per day as 100% sulfuric acid.

[PTC No. P-2010.0002, 1/12/18]

## Monitoring and Recordkeeping Requirements

### 5.4 Demonstration of Compliance with the SO<sub>2</sub> Pound Per Hour and Ton Per Year Limits

The permittee shall:

- Each hour calculate and record the three-hour rolling average SO<sub>2</sub> emissions in pounds per hour as the product of pounds of SO<sub>2</sub> per ton of 100% H<sub>2</sub>SO<sub>4</sub> and tons of 100% H<sub>2</sub>SO<sub>4</sub> produced (each hour calculate arithmetic average of the preceding three-hour period);
- Each calendar month calculate and record SO<sub>2</sub> emissions in tons per year as the sum of the preceding 12 months total emissions.
- All three-hour running average sulfur dioxide emissions shall be reported to DEQ in a calendar-quarterly report. The report shall be received by DEQ no later than 30 days after each calendar quarter. All repairs or changes to the continuous emission monitoring system and any calibration problem shall be reported to DEQ within 7 days and shall be included in the quarterly report.

[PTC No. P-2010.0002, 1/12/18]

### 5.5 Production Monitoring

Each day, the permittee shall monitor and record the production of the East Sulfuric Acid Plant in ton/day of 100% sulfuric acid.

[PTC No. P-2010.0002, 1/12/18]

## Performance Testing Requirements

- 5.6** Sulfur dioxide and sulfuric acid mist emission tests shall be performed at least once during each 13-month period using EPA Reference Methods 1, 2, 3, and 8, or DEQ approved alternative methods. The tests shall be performed to conduct a monitoring system performance evaluation of the SO<sub>2</sub> CEMS as described in this permit and to demonstrate compliance with the emission limits in this permit. All emission tests shall be performed in accordance with IDAPA 58.01.01.157 with the exception that all source testing shall be conducted in accordance with a written and DEQ approved protocol. Visible emissions shall be observed and recorded during the emissions tests using EPA Reference Method 9. A minimum of 24 observations shall be recorded. The production rate in tons of 100% H<sub>2</sub>SO<sub>4</sub> per hour (T/hr) shall be recorded during each performance test; the production rate shall be included in each test report.

[PTC No. P-2010.0002, 1/12/18]

## NSPS Requirements – 40 CFR 60 Subpart H

### 5.7 NSPS 40 CFR 60 Subpart H – Standard for Sulfur Dioxide

The owner or operator shall not cause to be discharged into the atmosphere from the East Sulfuric Acid Plant any gases which contain sulfur dioxide in excess of 2 kg per metric ton of acid produced (4 pounds per ton), the production being expressed as 100% H<sub>2</sub>SO<sub>4</sub>, in accordance with 40 CFR 60.82(a). Periods of excess emissions shall be all three-hour periods (or the arithmetic average of three consecutive one-hour periods) during which the integrated average sulfur dioxide emissions exceed the applicable standards, in accordance with 40 CFR 60.84(e).

[40 CFR 60.82(a) and 60.84(e)]

### 5.8 NSPS 40 CFR 60 Subpart H – Standard for Acid Mist

Sulfuric acid mist emissions from the East Sulfuric Acid Plant shall not exceed 0.15 lb per ton of 100% sulfuric acid production in accordance with 40 CFR 60.83(a)(1) as determined by using the test methods and procedures specified in 40 CFR 60.85.

[40 CFR 60.83(a)(1) and 60.85]

### 5.9 NSPS 40 CFR 60 Subpart H – Standard for Opacity

Visible emission limits from the East Sulfuric Acid Plant shall not exceed 10% opacity in accordance with 40 CFR 60.83(a)(2).

[40 CFR 60.83(a)(2)]

### 5.10 NSPS 40 CFR 60 Subpart A – Excess Emissions

Emissions in excess of the level of the applicable NSPS emission limits during periods of startup, shutdown, and malfunction shall not be considered a violation of the applicable emission limit, in accordance with 40 CFR 60.8(c).

[40 CFR 60.8(c)]

### 5.11 NSPS 40 CFR 60 Subpart H – Emission Monitoring with CEMS

In accordance with 40 CFR 60.84(a), a continuous monitoring system for the measurement of sulfur dioxide shall be installed, calibrated, maintained, and operated by the owner or operator. The pollutant gas used to prepare calibration gas mixtures under Performance Specification 2 and for calibration checks under 40 CFR 60.13(d), shall be sulfur dioxide (SO<sub>2</sub>). Method 8 shall be used for conducting monitoring system performance evaluations under 40 CFR 60.13(c) except that only the SO<sub>2</sub> portion of the Method 8 results shall be used. The span value shall be set at 1000 ppm of SO<sub>2</sub>.

- A conversion factor shall be established for the purpose of converting monitoring data into units of the applicable standard (kg/metric ton, lb/ton). The conversion factor shall be determined, as a minimum, three times daily by measuring the concentration of sulfur dioxide entering the converter using suitable methods (e.g., the Reich test, National Air Pollution Control Administration Publication No. 999-AP-13) and calculating the appropriate conversion factor for each 8-hour period in accordance with 40 CFR 60.84(b).
- In accordance with 40 CFR 60.84(c), the owner or operator shall record all conversion factors and values under 40 CFR 60.84(b) from which they were computed (i.e., CF, r, and s).
- Alternatively, a source that processes elemental sulfur or an ore that contains elemental sulfur and uses air to supply oxygen may use the continuous emission monitoring approach and calculation procedures in determining SO<sub>2</sub> emission rates in terms of the standard in accordance with 40 CFR 60.84(d).
- In accordance with 40 CFR 60.84(e), for the purpose of reports under 40 CFR 60.7(c), periods of excess emissions shall be all three-hour periods (or the arithmetic average of three consecutive one-hour periods) during which the integrated average sulfur dioxide emissions exceed the applicable standards under 40 CFR 60.82.

[40 CFR 60.84]

## 6 Nebraska Boiler (B-5)

### Summary Description

The natural gas-fired Nebraska Boiler (B-5) is located at the North Sulfuric Acid Plant. This boiler, which has a rated heat input capacity of 213.8 MMBtu/hr and a steam-generating capacity of approximately 175,000 pounds per hour, supplements steam produced by the East Sulfuric Acid plant or the Cleaver-Brooks Boiler (B-6) to meet the production area's steam demand.

Table 6.1 describes the devices used to control emissions from the B-5 boiler.

**Table 6.1 Control Device Descriptions**

Emissions Units / Processes	Control Devices
B-5 Boiler Manufacturer: Nebraska Boiler Company Model: NSX-G-107-ECON Rated Heat Input: 213.8 MMBtu/hr Steam Capacity: 175,000 lb/hr Fuel: Natural Gas	COEN low-NO <sub>x</sub> burner, or Department approved equivalent

[PTC No. P-2018.0001, 10/15/18]

This section of the permit includes applicable requirements from the underlying permit to construct that originate from the authority of IDAPA 58.01.01.211.01 (Reasonable Conditions). NSPS Subpart Db and NESHAP Subpart DDDDD provisions applicable to the boiler are included in Section 8 and 9 of this Tier I operating permit.

**Table 6.2 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
6.1	PM, PM <sub>10</sub> , SO <sub>2</sub> , NO <sub>x</sub> , CO and VOC emissions	See Table 6.3	PTC No. P-2018.0001, 1/12/18	6.3, 6.4, 6.5, 6.6, 6.7
6.3	NO <sub>x</sub> emissions	0.20 lb/MMBtu	PTC No. P-2018.0001, 10/15/18	40 CFR 60 Subpart Db monitoring (Section 8 of the permit)

### Emission Limits

**6.1** The PM, PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emissions from the B-5 boiler exhaust stack shall not exceed any corresponding emission limit listed in Table 6.3.

**Table 6.3 Emission Limits<sup>(a)</sup>**

Source Description	PM/PM <sub>10</sub> <sup>(b)</sup>		SO <sub>2</sub>		NO <sub>x</sub>		CO		VOC	
	lb/hr	T/yr <sup>(d)</sup>	lb/hr	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr	T/yr <sup>(d)</sup>	lb/hr	T/yr <sup>(d)</sup>
B-5 Boiler	1.05	4.42	0.13	0.53	16.84	70.71	8.42	35.4	0.36	1.50

- In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- Particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- 30 day pounds per hour average as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- Tons per any consecutive 12-calendar month period.

[PTC No. P-2018.0001, 10/15/18]

- 6.2 NO<sub>x</sub> (oxides of nitrogen) emissions from the B-5 boiler stack shall not exceed 0.20 lb/MMBtu in accordance with 40 CFR 60.44b and the NO<sub>x</sub> emission limits listed in Table 6.3.  
[PTC No. P-2018.0001, 10/15/18]

### **Operating Requirements**

- 6.3 The B-5 boiler shall only use natural gas as fuel.  
[PTC No. P-2018.0001, 10/15/18]
- 6.4 The B-5 boiler shall not burn more than one billion seven hundred sixty-eight million standard cubic feet (1,768,000,000 scf) of natural gas fuel per year.  
[PTC No. P-2018.0001, 10/15/18]
- 6.5 The B-5 gas-fired boiler shall be equipped with a COEN low-NO<sub>x</sub> burner, or Department approved equivalent for the control of NO<sub>x</sub> emissions.  
[PTC No. P-2018.0001, 10/15/18]

### **Monitoring and Recordkeeping Requirements**

- 6.6 The permittee shall monitor and record the 30 day average hourly NO<sub>x</sub> emissions rates in lb/hr.  
[PTC No. P-2018.0001, 10/15/18]
- 6.7 The permittee shall monitor the cumulative volume of natural gas fuel consumption on a quarterly basis. Quarterly is defined as a three (3) month period during the calendar year.  
[PTC No. P-2018.0001, 10/15/18]
- 6.8 Each month the permittee shall use the NO<sub>x</sub> monitoring data (i.e. lb/MMBtu and fuel consumption) required by 40 CFR 60 Subpart Db to calculate the tons of NO<sub>x</sub> emitted during the previous consecutive 12-month period.  
[IDAPA 58.01.01.322.06]

## 7 Cleaver-Brooks Boiler (B-6)

### Summary Description

The Cleaver-Brooks Boiler (B-6) is located in the phosphoric acid area and supplies steam for various facility operations. The boiler's heat input rate is 180 MMBtu/hr and the steam-generating capacity is approximately 150,000 pounds per hour.

**Table 7.1 Control Device Descriptions**

Emissions Units / Processes	Control Devices
Cleaver-Brooks boiler (B-6) Manufacturer: Cleaver-Brooks Model Number: DFE-132 IWT Rated Heat Input: 180 MMBtu/hr Steam Capacity: ~150,000 lb/hr Fuel: Natural gas	Low-NOx package boiler

This section of the permit includes applicable requirements from the underlying permit to construct that originate from the authority of IDAPA 58.01.01.211.01 (Reasonable Conditions). NSPS Subpart Db and NESHAP Subpart DDDDD provisions applicable to the boiler are included in other sections of this Tier I operating permit.

**Table 7.2 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
7.1	NO <sub>x</sub> emissions	33 T/yr	PTC No. P-2009.0068, 1/12/18	7.2, 7.3
7.2	Fuel Type	Natural gas only	PTC No. P-2009.0068, 1/12/18	3.25

### Emission Limit

7.1 Oxides of nitrogen (NO<sub>x</sub>) emissions from the boiler stack shall not exceed 33 tons per any consecutive 12-month period.

[PTC No. P-2009.0068, 1/12/18]

### Operating Requirements

7.2 The boiler shall use only natural gas as fuel.

[PTC No. P-2009.0068, 1/12/18]

### Monitoring and Recordkeeping Requirements

7.3 Each month the permittee shall use the NO<sub>x</sub> monitoring data (i.e. lb/MMBtu and fuel consumption) required by 40 CFR 60 Subpart Db to calculate the tons of NO<sub>x</sub> emitted during the previous consecutive 12-month period.

[IDAPA 58.01.01.322.06, PTC No. P-2009.0068, 1/12/18]

# 8 40 CFR 60 Subpart Db Industrial Steam Generating Units

## Summary Description

The purpose of the section of the permit is to include the applicable requirements of 40 CFR 60 Subpart Db that apply to the Nebraska and Cleaver Brooks boilers. DEQ is delegated this subpart.

**Table 8.1 Emissions Units and Control Device Description**

Emissions Units / Processes	Control Devices
<b>B-5 Boiler</b> Manufacturer: Nebraska Boiler Company Model: NSX-G-107-ECON Rated Heat Input: 213.8 MMBtu/hr Steam Capacity: 175,000 lb/hr Fuel: Natural Gas	Low NO <sub>x</sub> burner
<b>Cleaver-Brooks boiler (B-6)</b> Manufacturer: Cleaver-Brooks Model Number: DFE-132 IWT Rated Heat Input: 180 MMBtu/hr Steam Capacity: ~150,000 lb/hr Fuel: Natural gas	Low-NO <sub>x</sub> package boiler

### NSPS 40 CFR 60.42b - Standard for sulfur dioxide (SO<sub>2</sub>)

- 8.1** In accordance with 40 CFR 60.42b(k)(2) units firing only very low sulfur gaseous fuel with a potential SO<sub>2</sub> emission rate of 140 ng/J (0.32 lb/MMBtu) heat input or less are exempt from the SO<sub>2</sub> emissions limit in paragraph (k)(1) of this section.

[40 CFR 60.42b(k)(2)]

### NSPS 40 CFR 60.44b - Standard for nitrogen oxides (NO<sub>x</sub>)

- 8.2** In accordance with 40 CFR 60.44b(a) no owner or operator of an affected facility that is subject to the provisions of this section and that combusts only natural gas shall cause to be discharged into the atmosphere from that affected facility any gases that contain NO<sub>x</sub> (expressed as NO<sub>2</sub>) in excess of the following emission limits:

Fuel/steam generating unit type	Nitrogen oxide emission limits (expressed as NO <sub>2</sub> ) heat input
	lb/MMBtu
Low heat release rate (Cleaver Brooks Boiler)	0.10
High heat release rate (Nebraska Boiler)	0.20

[40 CFR 60.44b(a)]

- 8.3** In accordance with 40 CFR 60.44b(h) the NO<sub>x</sub> standards under this section apply at all times including periods of startup, shutdown, or malfunction.

[40 CFR 60.44b(h)]

### NSPS 40 CFR 60.48b - Emission monitoring for particulate matter and nitrogen oxides

- 8.4** In accordance with 40 CFR 60.48b(g) the owner or operator of an affected facility that has a heat input capacity of 73 MW (250 MMBtu/hr) or less, and that has an annual capacity factor for natural gas, greater than 10 percent (0.10) shall:

(1) Comply with the provisions of paragraphs (b), (c), (d), (e)(2), (e)(3), and (f) of this section; or

(2) Monitor steam generating unit operating conditions and predict NO<sub>x</sub> emission rates as specified in a plan submitted pursuant to §60.49b(c).

[40 CFR 60.46b(g)]

#### **NSPS 40 CFR 60.49b - Reporting and recordkeeping requirements**

**8.5** In accordance with 40 CFR 60.49b(c) the owner or operator of each affected facility subject to the NO<sub>x</sub> standard in §60.44b who seeks to demonstrate compliance with those standards through the monitoring of steam generating unit operating conditions in the provisions of §60.48b(g)(2) shall submit to the Administrator for approval a plan that identifies the operating conditions to be monitored in §60.48b(g)(2) and the records to be maintained in §60.49b(g). If the plan is approved, the owner or operator shall maintain records of predicted nitrogen oxide emission rates and the monitored operating conditions, including steam generating unit load, identified in the plan. The plan shall:

(1) Identify the specific operating conditions to be monitored and the relationship between these operating conditions and NO<sub>x</sub> emission rates (i.e., ng/J or lbs/MMBtu heat input). Steam generating unit operating conditions include, but are not limited to, the degree of staged combustion (i.e., the ratio of primary air to secondary and/or tertiary air) and the level of excess air (i.e., flue gas O<sub>2</sub> level);

(2) Include the data and information that the owner or operator used to identify the relationship between NO<sub>x</sub> emission rates and these operating conditions; and

(3) Identify how these operating conditions, including steam generating unit load, will be monitored under §60.48b(g) on an hourly basis by the owner or operator during the period of operation of the affected facility; the quality assurance procedures or practices that will be employed to ensure that the data generated by monitoring these operating conditions will be representative and accurate; and the type and format of the records of these operating conditions, including steam generating unit load, that will be maintained by the owner or operator under §60.49b(g).

[40 CFR 60.49b(c)]

**8.6** The permittee shall maintain a copy of the approved monitoring plan on-site and shall make the plan available to Department representatives upon request.

[IDAPA 58.01.01.322.06]

**8.7** In accordance with 40 CFR 60.49b(g) the owner or operator of an affected facility subject to the NO<sub>x</sub> standards under §60.44b shall maintain records of the following information for each steam generating unit operating day:

(1) Calendar date;

(2) The average hourly NO<sub>x</sub> emission rates (expressed as NO<sub>2</sub>) (ng/J or 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 the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days;

(4) Identification of the steam generating unit operating days when the calculated 30-day average NO<sub>x</sub> emission rates are in excess of the NO<sub>x</sub> emissions standards under §60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken;

(5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken;

- (6) Identification of the times when emission 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;
- (8) Identification of the times when the pollutant concentration exceeded full span of the CEMS;
- (9) Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3; and
- (10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.

[40 CFR 60.49b(g)]

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

(2) Any affected facility that is subject to the NO<sub>x</sub> standard of §60.44b, and that:

(i) Combusts natural gas.

(4) For purposes of §60.48b(g)(1), excess emissions are defined as any calculated 30-day rolling average NO<sub>x</sub> emission rate, as determined under §60.46b(e), that exceeds the applicable emission limits in §60.44b.

(i) The owner or operator of any affected facility subject to the continuous monitoring requirements for NO<sub>x</sub> under §60.48(b) shall submit reports containing the information recorded under paragraph (g) of this section.

[40 CFR 60.49b(h)]

**8.9** In accordance with 40 CFR 60.49b(r) the owner or operator of an affected facility who elects to use the fuel based compliance alternatives in §60.42b or §60.43b shall:

(1) The owner or operator of an affected facility who elects to demonstrate that the affected facility combusts only very low sulfur natural gas, shall obtain and maintain at the affected facility fuel receipts (such as a current, valid purchase contract, tariff sheet, or transportation contract) from the fuel supplier that certify that the gaseous fuel the definition of natural gas as defined in §60.41b and the applicable sulfur limit.

[40 CFR 60.49b(r)]

## 9 40 CFR 63 Subpart DDDDD Industrial Boilers and Process Heaters

The purpose of the section of the permit is to include the applicable requirements of 40 CFR 63 Subpart DDDDD that apply to the boilers and process heaters listed in Table 9.1.

**Table 9.1 Emissions Units and Control Device Description**

Emissions Units / Processes	Control Devices
<b>B-5 Boiler</b> Manufacturer: Nebraska Boiler Company Model: NSX-G-107-ECON Rated Heat Input: 213.8 MMBtu/hr Steam Capacity: 175,000 lb/hr Fuel: Natural Gas	Low NO <sub>x</sub> burner, Continuous Oxygen Trim System
<b>Cleaver-Brooks boiler (B-6)</b> Manufacturer: Cleaver-Brooks Model Number: DFE-132 IWT Rated Heat Input: 180 MMBtu/hr Steam Capacity: ~150,000 lb/hr Fuel: Natural gas	Low-NO <sub>x</sub> package boiler
<b>#1 SPA Process Heater</b> Rated Input: 25.55 MMBtu/hr Fuel: Natural gas	NA
<b>#2 SPA Process Heater</b> Rated Input: 25.55 MMBtu/hr Fuel: Natural gas	NA

### **NESHAP 40 CFR 63.7500 What emission limitations, work practice standards, and operating limits must I meet?**

- 9.1** In accordance with 40 CFR 63.7500(a)(1) the permittee must meet each work practice standard in Table 3 to this subpart that applies to your boiler or process heater.

**Table 3 to Subpart DDDDD of Part 63—Work Practice Standards**

If your unit is . . .	You must meet the following . . .
1. A existing boiler or process heater with a continuous oxygen trim system that maintains an optimum air to fuel ratio. (Nebraska Boiler and #1 SPA)	Conduct a tune-up of the boiler or process heater every 5 years as specified in §63.7540.
3. A existing boiler or process heater without a continuous oxygen trim system and with heat input capacity of 10 million Btu per hour or greater. (Cleaver Brooks Boiler and #2 SPA)	Conduct a tune-up of the boiler or process heater annually as specified in §63.7540.

[40 CFR 63.7500(a)(1)]

- 9.2** In accordance with 40 CFR 63.7500(a)(3) at all times, the permittee must operate and maintain any affected source (as defined in §63.7490), including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.7500(a)(3)]

**NESHAP 40 CFR 63.7515 When must I conduct subsequent performance tests, fuel analyses, or tune-ups?**

- 9.3 In accordance with 40 CFR 63.7515(d) the permittee must conduct an annual or 5-year performance tune-up according to §63.7540(a)(10) or (12). Each annual tune-up specified in §63.7540(a)(10) must be no more than 13 months after the previous tune-up. Each 5-year tune-up specified in §63.7540(a)(12) (with a continuous oxygen trim system) must be conducted no more than 61 months after the previous tune-up.

[40 CFR 63.7515(d)]

**NESHAP 40 CFR 63.7540 How do I demonstrate continuous compliance with the emission limitations, fuel specifications and work practice standards?**

- 9.4 In accordance with 40 CFR 63.7540(a) the permittee must demonstrate continuous compliance with the work practice standards in Table 3 and paragraphs (a)(10) and (12) of this section.

[40 CFR 63.7540(a)]

- 9.5 In accordance with 40 CFR 63.7540(a)(10) the permittee must conduct an annual tune-up of the boiler or process heater to demonstrate continuous compliance as specified in paragraphs (a)(10)(i) through (vi) of this section. The permittee must conduct the tune-up while burning the type of fuel (or fuels in case of units that routinely burn a mixture) that provided the majority of the heat input to the boiler or process heater over the 12 months prior to the tune-up. This frequency does not apply to units with continuous oxygen trim systems that maintain an optimum air to fuel ratio.

(i) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (the permittee may perform the burner inspection any time prior to the tune-up or delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

(ii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

(iii) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (the permittee may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection;

(iv) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NO<sub>x</sub> requirement to which the unit is subject;

(v) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and

(vi) Maintain on-site and submit, if requested by the Administrator, a report containing the information in paragraphs (a)(10)(vi)(A) through (C) of this section,

(A) The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

(B) A description of any corrective actions taken as a part of the tune-up; and

(C) The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

[40 CFR 63.7540(a)(10)]

9.6 In accordance with 40 CFR 63.7540(a)(12) if the boiler or process heater has a continuous oxygen trim system that maintains an optimum air to fuel ratio the permittee must conduct a tune-up of the boiler or process heater every 5 years as specified in paragraphs (a)(10)(i) through (vi) of this section to demonstrate continuous compliance. The permittee may delay the burner inspection specified in paragraph (a)(10)(i) of this section until the next scheduled or unscheduled unit shutdown, but the permittee must inspect each burner at least once every 72 months. If an oxygen trim system is utilized on a unit without emission standards to reduce the tune-up frequency to once every 5 years, set the oxygen level no lower than the oxygen concentration measured during the most recent tune-up.

[40 CFR 63.7540(a)(12)]

9.7 In accordance with 40 CFR 63.7540(a)(13) if the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup.

[40 CFR 63.7540(a)(13)]

**NESHAP 40 CFR 63.7545 What notifications must I submit and when?**

9.8 In accordance with 40 CFR 63.7545(a) the permittee must submit to the DEQ all of the notifications in §§63.7(b) and (c), 63.8€ (f)(4) and (6), and 63.9(b) through (h) that apply to the permittee by the dates specified.

[40 CFR 63.7545(a)]

**NESHAP 40 CFR 63.7565 What parts of the General Provisions apply to me?**

9.9 Table 10 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.

[40 CFR 63.7565]

# 10 Phosphoric Acid and Superphosphoric Acid Process Plants

## Summary Description

Ground phosphate rock slurry is fed, along with sulfuric acid and phosphoric acid, into a series of cells where it is mixed and circulated while a chemical reaction takes place forming a slurry of phosphoric acid (approximately 30% P<sub>2</sub>O<sub>5</sub>) and crystals composed primarily of calcium sulfate known as phosphogypsum. The slurry is fed to filters, where the 30% acid is separated from the phosphogypsum. The phosphogypsum is slurried to impoundments, commonly referred to as “gyp stacks,” where the water is decanted for return to the process. The 30% acid is concentrated using steam heated evaporators and vacuum systems with condensers to remove some of the water. Following initial concentration, the phosphoric acid may be used in the production of MAP or APS, or further concentrated to produce MGA or SPA. MGA is produced by adjusting 50% to 60% P<sub>2</sub>O<sub>5</sub> to the specified concentration, and then aging and decanting the acid to produce a product with a very low solids content. SPA is produced by concentrating the acid to 68% to 72% P<sub>2</sub>O<sub>5</sub> using special evaporators with natural gas-fired hot oil heaters. The acid is aged and filtered before it is loaded into trucks and railcars. Emissions from the phosphoric acid plant and SPA plant are controlled by scrubbers.

Table 10.1 describes the devices used to control emissions from phosphoric acid and superphosphoric acid process plants.

**Table 10.1 Emissions Units and Control Device Description**

Emissions Units / Processes	Control Devices
Phosphoric acid process	Multi-stage horizontal cross-flow scrubber (EU ID 26-11-042) Multi-stage horizontal cross-flow scrubber (EU ID 26-11-048) Conditioning vent scrubber (A-Pp-3) (TAG. No. CP-4536101) (EU ID 35-11-009)
Superphosphoric acid process	Multi-stage horizontal cross-flow scrubber (EU ID 26-11-048)
Thermal fluid heaters	Low NOx package thermal heaters
Cooling Tower	Mist eliminator

Table 10.2 contains only a summary of the requirements that apply to phosphoric acid and superphosphoric acid process plants. Specific permit requirements are listed below.

**Table 10.2 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
10.1	NO <sub>x</sub>	5 tons per year	PTC No. P-2009.0068, 1/12/18 & PTC No. 2013.0001, 1/12/18	10.3, 10.5
10.2	Fluoride	3.8 tons per year	PTC No. P-2009.0002, 1/12/18	10.7

10.9	Total Fluoride	Wet Phos. Acid Line - 0.0135 lb/ton of equivalent P <sub>2</sub> O <sub>5</sub> feed Superphosphoric Acid Process Line – 0.00870 lb/ton of equivalent P <sub>2</sub> O <sub>5</sub> feed	40 CFR 63 Subpart AA	10.10-10.32
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## Emission Limits

### 10.1 Emissions Limits

Emissions of nitrogen oxides (NO<sub>x</sub>) from the Superphosphoric Acid Oxidation Process shall not exceed 5 tons per any consecutive 12-month period.

[PTC No. P-2009.0068, 1/12/18 & PTC No. P-2013.0001, 1/12/18]

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

[PTC No. P-2009.0002, 1/12/18]

## Operating Requirements

### 10.3 Fuel Type Restriction

The No. 3 SPA Therminol heater shall be fired on natural gas exclusively.

[PTC No. P-2013.0001, 1/12/18]

10.4 The equivalent P<sub>2</sub>O<sub>5</sub> feed to the phosphoric acid plant shall not exceed 560,000 tons per any consecutive 12-month period.

[PTC No. P-2009.0002, 1/12/18]

## Monitoring and Recordkeeping Requirements

### 10.5 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 required by this permit. 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.

[PTC No. P-2013.0001, 1/12/18]

### 10.6 Phosphoric Acid Plant Feed

Each month, the permittee shall monitor and record the equivalent P<sub>2</sub>O<sub>5</sub> feed to the phosphoric acid plant for the previous month and for the previous consecutive 12-month period. Monitoring of P<sub>2</sub>O<sub>5</sub> feed shall be conducted in accordance with 40 CFR 63.605.

[PTC No. P-2009.0002, 1/12/18]

### 10.7 Annual Fluoride Limit

Each calendar month the permittee shall calculate and record the fluoride emissions from the phosphoric acid plant by multiplying the fluoride emission rate measured in the most recent performance test (40 CFR 63.606(b)) by the throughput each month. Each month the permittee shall record the tons of fluoride emitted during most recent consecutive 12-month period.

[IDAPA 58.01.01.322.06, 5/1/94]

## Performance Testing Requirements

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

- 10.8.1 The permittee shall conduct performance tests on the Superphosphoric Acid Oxidation Process Stack to demonstrate compliance with the NO<sub>x</sub> emission limit. 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.
- 10.8.2 The source test shall be conducted under “worst case normal” conditions as required by IDAPA 58.01.01.157 and the General Provisions 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.
- 10.8.3 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, 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, 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, the next test shall be conducted within one year of the test date (no more than 14 calendar months following the previous performance test).

[PTC No. P-2009.0068, 1/12/18 & PTC No. P-2013.0001, 1/12/18]

## NESHAP Requirements – 40 CFR 63 Subpart AA Phosphoric Acid Manufacturing Plants

### 40 CFR 63.602 – Standards and compliance dates

- 10.9 In accordance with 40 CFR 63.602(a) on and after the dates specified in paragraphs (a)(3) of this section, for each wet-process phosphoric acid process line and superphosphoric acid process line, the permittee must comply with the emission limits as specified in paragraphs (a)(3) of this section. If a process line contains more than one emission point, the permittee must sum the emissions from all emission points in a process line to determine compliance with the specified emission limits.

(3) For each new wet-process phosphoric acid process line, and superphosphoric acid process line, that commences construction or reconstruction after December 27, 1996 and on or before August 19, 2015, the permittee must comply with the emission limits specified in Table 2 to this subpart beginning on June 10, 1999 or at startup, whichever is later.

Table 2 to Subpart AA of Part 63—New Source Emission Limits<sup>(a)(b)</sup>

	The permittee must meet the emissions limits for the specified pollutant . . .
For the following new sources . . .	Total fluorides
Wet-Process Phosphoric Acid Line	0.0135 lb/ton of equivalent P <sub>2</sub> O <sub>5</sub> feed
Superphosphoric Acid Process Line <sup>(c)</sup>	0.00870 lb/ton of equivalent P <sub>2</sub> O <sub>5</sub> feed

- a) The new source compliance dates are based on date of construction or reconstruction as specified in §63.602(a).
- b) During periods of startup and shutdown, for emission limits stated in terms of pounds of pollutant per ton of feed, you are subject to the work practice standards specified in §63.602(f).
- c) Beginning on August 19, 2018, you must include oxidation reactors in superphosphoric acid process lines when determining compliance with the total fluorides limit.

**10.10** In accordance with 40 CFR 63.602(c) beginning on June 10, 2002, the permittee must not introduce into an existing evaporative cooling tower that commenced construction or reconstruction on or before December 27, 1996, any liquid effluent from any absorber installed to control emissions from process equipment. Beginning on June 10, 1999 or at startup, whichever is later, the permittee must not introduce into a new evaporative cooling tower that commences construction or reconstruction after December 27, 1996, any liquid effluent from any absorber installed to control emissions from process equipment.

[40 CFR 63.602(c)]

**10.11** In accordance with 40 CFR 63.602(d) for each gypsum dewatering stack system, the permittee must operate in accordance with, a gypsum dewatering stack and cooling pond management plan that contains the information specified in paragraph (e) of this section beginning on August 19, 2016.

[40 CFR 63.602(d)]

**10.12** In accordance with 40 CFR 63.602(e) The gypsum dewatering stack and cooling pond management plan must include the information specified in paragraphs (e)(1) through (3) of this section. The permittee must submit the gypsum dewatering stack and cooling pond management plan for approval to the Administrator as specified in paragraph (e)(4) of this section.

(1) Location (including latitude and longitude of centroid in decimal degrees to four decimal places) of each gypsum dewatering stack and each cooling pond in the gypsum dewatering stack system.

(2) Permitted maximum footprint acreage of each gypsum dewatering stack and each cooling pond in the gypsum dewatering stack system.

(3) Control measures that the permittee uses to minimize fugitive hydrogen fluoride emissions from the gypsum dewatering stack system. If the permittee operates one or more active gypsum dewatering stacks or cooling ponds that are considered new sources as defined in §63.601, then the permittee must use, and include in the management plan, at least two of the control measures listed in paragraphs (e)(3)(i) through (vii) of this section for the permittee's gypsum dewatering stack system. If the permittee only operates active gypsum dewatering stacks and cooling ponds that are considered existing sources as defined in §63.601, then the permittee must use, and include in the management plan, at least one of the control measures listed in paragraphs (e)(3)(i) through (vii) of this section for the permittee's gypsum dewatering stack system.

(i) For at least one cooling pond that is considered part of the permittee's gypsum dewatering stack system, the permittee may choose to submerge the discharge pipe to a level below the surface of the cooling pond.

(ii) For at least one cooling pond that is considered part of the permittee's gypsum dewatering stack system, the permittee may choose to use lime (or any other caustic substance) to raise the pH of the liquid (e.g., the condensed vapors from the flash cooler and evaporators, and scrubbing liquid) discharged into the cooling pond. If the permittee chooses this control measure, then the permittee must include in the plan the method used to raise the pH of the liquid discharged into the cooling pond, the target pH value (of the liquid discharged into the cooling pond) expected to be achieved by using the method, and the analyses used to determine and support the raise in pH.

(iii) For all cooling ponds that are considered part of the permittee's gypsum dewatering stack system, the permittee may choose to reduce the total cooling pond surface area based on a facility specific evaluation plan. If the permittee choose this control measure, then the permittee must include in the facility specific evaluation plan certified by an independent licensed professional engineer or similarly qualified individual. The permittee must also include in the plan the method

used to reduce total cooling pond footprint, the analyses used to determine and support the reduction in the total cooling pond surface area, and the amount of total cooling pond surface area that was reduced due to the facility specific evaluation plan.

(iv) For at least one gypsum dewatering stack that is considered part of the permittee's gypsum dewatering stack system, the permittee may choose to minimize the surface area of the gypsum pond associated with the active gypsum dewatering stack by using a rim ditch (cell) building technique or other building technique.

(v) For at least one gypsum dewatering stack that is considered part of the permittee's gypsum dewatering stack system, the permittee may choose to apply slaked lime to the active gypsum dewatering stack surfaces. If the permittee choose this control measure, then the permittee must include in the plan the method used to determine the specific locations slaked lime is applied. The plan must also include the methods used to determine the quantity of, and when to apply, slaked lime (e.g., slaked lime may be applied to achieve a state ambient air standard for fluorides, measured as hydrogen fluoride).

(vi) For at least one gypsum dewatering stack that is considered part of the permittee's gypsum dewatering stack system, the permittee may choose to apply soil caps and vegetation, or a synthetic cover, to a portion of side slopes of the active gypsum dewatering stack. If the permittee choose this control measure, then the permittee must include in the plan the method used to determine the specific locations of soil caps and vegetation, or synthetic cover; and specify the acreage and locations where soil caps and vegetation, or synthetic cover, is applied. The plan must also include a schedule describing when soil caps and vegetation, or synthetic cover, is to be applied.

(vii) For all gypsum dewatering stacks that are considered part of the permittee's gypsum dewatering stack system, the permittee may choose to establish closure requirements that at a minimum, contain requirements for the specified items in paragraphs (e)(3)(vii)(A) and (B) of this section.

(A) A specific trigger mechanism for when the permittee must begin the closure process on the gypsum dewatering stack; and

(B) A requirement to install a final cover. For purposes of this paragraph, final cover means the materials used to cover the top and sides of a gypsum dewatering stack upon closure.

[40 CFR 63.602(e)]

**10.13** In accordance with 40 CFR 63.602(f) beginning on August 19, 2015, during periods of startup and shutdown (as defined in §63.601), the permittee must comply with the work practice specified in this paragraph in lieu of the emission limits specified in paragraph (a) of this section. During periods of startup and shutdown, the permittee must operate any control device(s) being used at the affected source, monitor the operating parameters specified in Table 3 of this subpart, and comply with the operating limits specified in Table 4 of this subpart.

[40 CFR 63.602(f)]

**Table 3 to Subpart AA of Part 63—Monitoring Equipment Operating Parameters**

You must . . .	If . . .	And you must monitor . . . <sup>(a)</sup>	And . . . <sup>(a)</sup>
<b>Absorbers (Wet Scrubbers)</b>			
Install a continuous parameter monitoring system (CPMS) for liquid flow at the inlet of the absorber	Your absorber is designed and operated with pressure drops of 5 inches of water column or more; and you choose to monitor only the influent liquid flow, rather than the liquid-to-gas ratio	Influent liquid flow	
Install CPMS for liquid and gas flow at the inlet of the absorber <sup>(b)</sup>	Your absorber is designed and operated with pressure drops of 5 inches of water column or less; or Your absorber is designed and operated with pressure drops of 5 inches of water column or more, and you choose to monitor the liquid-to-gas ratio, rather than only the influent liquid flow, and you want the ability to lower liquid flow with changes in gas flow	Liquid-to-gas ratio as determined by dividing the influent liquid flow rate by the gas flow rate through the absorber. The units of measure must be consistent with those used to calculate this ratio during the performance test	You must determine the gas flow rate through the absorber by: Measuring the gas flow rate at the absorber inlet or outlet; Using the blower design capacity, with appropriate adjustments for pressure drop; <sup>(c)</sup> or Using a regression model. <sup>(d)</sup>
Install CPMS for pressure at the gas stream inlet and outlet of the absorber	Your absorber is designed and operated with pressure drops of 5 inches of water column or more	Pressure drop through the absorber	You may measure the pressure of the inlet gas using amperage on the blower if a correlation between pressure and amperage is established

- a) To monitor an operating parameter that is not specified in this table (including process-specific techniques not specified in this table to determine gas flow rate through an absorber), you must request, on a site-specific basis, an alternative monitoring method under the provisions of 40 CFR 63.8(f).
- b) For new sources that commence construction or reconstruction after August 19, 2015, the compliance date is immediately upon startup. For existing sources, and new sources that commence construction or reconstruction after December 27, 1996, and on or before August 19, 2015, if your absorber is designed and operated with pressure drops of 5 inches of water column or less, then the compliance date is August 19, 2018. In the interim, for existing sources, and new sources that commence construction or reconstruction after December 27, 1996, and on or before August 19, 2015, with an absorber designed and operated with pressure drops of 5 inches of water column or less, you must comply with one of the following: (i) The monitoring requirements in this Table 3 for absorbers designed and operated with pressure drops of 5 inches of water column or less; (ii) the applicable monitoring provisions included in a permit issued under 40 CFR part 70 to assure compliance with subpart AA; (iii) the applicable monitoring provisions of an Alternative Monitoring Plan approved pursuant to §63.8(f); or (iv) install CPMS for pressure at the gas stream inlet and outlet of the absorber, and monitor pressure drop through the absorber.
- c) If you select this option, then you must comply with §63.608(e). The option to use blower design capacity is intended to establish the maximum possible gas flow through the absorber; and is available regardless of the location of the blower (influent or effluent), as long as the gas flow rate through the absorber can be established. Establish the minimum liquid-to-gas ratio operating limit by dividing the minimum liquid flow rate to the absorber (determined during a performance test) by the maximum possible gas flow rate through the absorber (determined using blower design capacity).
- d) If you select this option, then you must comply with §63.608(f). The regression model must be developed using direct measurements of gas flow rate, and design fan curves that correlate gas flow rate to static pressure (*i.e.*, fan suction pressure) and brake horsepower of the blower. You must conduct an annual regression model verification using direct measurements of gas flow rate to ensure the correlation remains accurate. Direct measurements of gas flow rate used to develop or verify regression models may be collected during, or separately from, the annual performance testing that is required in §63.606(b).

**Table 4 to Subpart AA of Part 63—Operating Parameters, Operating Limits and Data Monitoring, Recordkeeping and Compliance Frequencies**

For the operating parameter applicable to you, as specified in Table 3 . . .	You must establish the following operating limit . . .	And you must monitor, record, and demonstrate continuous compliance using these minimum frequencies . . .		
		Data measurement	Data recording	Data averaging period for compliance
<b>Absorbers (Wet Scrubbers)</b>				
Influent liquid flow	Minimum inlet liquid flow	Continuous	Every 15 minutes	Daily.
Pressure drop	Pressure drop range	Continuous	Every 15 minutes	Daily.

**40 CFR 63.605 – Operating and monitoring requirements**

**10.14** In accordance with 40 CFR 63.605(a) for each wet-process phosphoric acid process line or superphosphoric acid process line subject to the provisions of this subpart, the permittee must comply with the monitoring requirements specified in paragraphs (a)(1) and (2) of this section.

(1) Install, calibrate, maintain, and operate a continuous monitoring system (CMS) according to the permittee’s site-specific monitoring plan specified in §63.608(c). The CMS must have an accuracy of ±5 percent over its operating range and must determine and permanently record the mass flow of phosphorus-bearing material fed to the process.

(2) Maintain a daily record of equivalent P<sub>2</sub>O<sub>5</sub> feed. Calculate the equivalent P<sub>2</sub>O<sub>5</sub> feed by determining the total mass rate, in metric ton/hour of phosphorus bearing feed, using the monitoring system specified in paragraph (a)(1) of this section and the procedures specified in §63.606(f)(3).

[40 CFR 63.605(a)]

**10.15** In accordance with 40 CFR 63.605(c) for each purified phosphoric acid process line, the permittee must comply with the monitoring requirements specified in paragraphs (c)(1) and (2) of this section.

(1) Install, calibrate, maintain, and operate a CMS according to the permittee’s site-specific monitoring plan specified in §63.608(c). The CMS must continuously measure and permanently record the stack gas exit temperature for each chiller stack.

(2) Measure and record the concentration of methyl isobutyl ketone in each product acid stream and each raffinate stream once each day.

[40 CFR 63.605(c)]

**10.16** In accordance with 40 CFR 63.605(d) If the permittee use a control device(s) to comply with the emission limits specified in Table 2 of this subpart, the permittee must install a continuous parameter monitoring system (CPMS) and comply with the requirements specified in paragraphs (d)(1) through (5) of this section.

(1) The permittee must monitor the operating parameter(s) applicable to the control device that the permittee uses as specified in Table 3 to this subpart and establish the applicable limit or range for the operating parameter limit as specified in paragraphs (d)(1)(i) and (ii) of this section, as applicable.

(i) Except as specified in paragraph (d)(1)(ii) of this section, determine the value(s) as the arithmetic average of operating parameter measurements recorded during the three test runs conducted for the most recent performance test.

(ii) If the permittee uses an absorber or a wet electrostatic precipitator to comply with the emission limits in Table 2 to this subpart and the permittee monitors pressure drop across the absorber or secondary voltage for a wet electrostatic precipitator, the permittee must establish allowable ranges using the methodology specified in paragraphs (d)(1)(ii)(A) and (B) of this section.

(A) The allowable range for the daily averages of the pressure drop across an absorber and of the flow rate of the absorber liquid to each absorber in the process absorbing system, or secondary voltage for a wet electrostatic precipitator, is  $\pm 20$  percent of the baseline average value determined in paragraph (d)(1)(i) of this section. The Administrator retains the right to reduce the  $\pm 20$  percent 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. However, the adjustment must not be reduced to less than  $\pm 10$  percent under any instance.

(B) As an alternative to paragraph (d)(1)(ii)(A) of this section, the permittee may establish allowable ranges for the daily averages of the pressure drop across an absorber, or secondary voltage for an electrostatic precipitator, for the purpose of assuring compliance with this subpart using the procedures described in this paragraph. The permittee must establish the allowable ranges based on the baseline average values recorded during previous performance tests, or the results of performance tests conducted specifically for the purposes of this paragraph. The permittee must conduct all performance tests using the methods specified in §63.606. The permittee must certify that the control devices and processes have not been modified since the date of the performance test from which the permittee obtained the data used to establish the allowable ranges. When a source using the methodology of this paragraph is retested, the permittee must determine new allowable ranges of baseline average values unless the retest indicates no change in the operating parameters outside the previously established ranges.

(2) The permittee must monitor, record, and demonstrate continuous compliance using the minimum frequencies specified in Table 4 to this subpart.

(3) The permittee must comply with the calibration and quality control requirements that are applicable to the operating parameter(s) the permittee monitors as specified in Table 5 to this subpart.

**Table 5 to Subpart AA of Part 63—Calibration and Quality Control Requirements for Continuous Parameter Monitoring System (CPMS)**

If you monitor this parameter . . .	Your accuracy requirements are . . .	And your calibration requirements are . . .
Flow Rate	$\pm 5$ percent over the normal range of flow measured or 1.9 liters per minute (0.5 gallons per minute), whichever is greater, for liquid flow rate $\pm 5$ percent over the normal range of flow measured or 280 liters per minute (10 cubic feet per minute), whichever is greater, for gas flow rate $\pm 5$ percent over the normal range measured for mass flow rate	Performance evaluation annually and following any period of more than 24 hours throughout which the flow rate exceeded the maximum rated flow rate of the sensor, or the data recorder was off scale. Checks of all mechanical connections for leakage monthly. Visual inspections and checks of CPMS operation every 3 months, unless the CPMS has a redundant flow sensor. Selection of a representative measurement location where swirling flow or abnormal velocity distributions due to upstream and downstream disturbances at the point of measurement are minimized.

Pressure	±5 percent over the normal range measured or 0.12 kilopascals (0.5 inches of water column), whichever is greater	<p>Checks for obstructions (e.g., pressure tap pluggage) at least once each process operating day.</p> <p>Performance evaluation annually and following any period of more than 24 hours throughout which the pressure exceeded the maximum rated pressure of the sensor, or the data recorder was off scale.</p> <p>Checks of all mechanical connections for leakage monthly.</p> <p>Visual inspection of all components for integrity, oxidation and galvanic corrosion every 3 months, unless the CPMS has a redundant pressure sensor.</p> <p>Selection of a representative measurement location that minimizes or eliminates pulsating pressure, vibration, and internal and external corrosion.</p>
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[40 CFR 63.605(d)]

#### 40 CFR 63.606 Performance tests and compliance provisions

- 10.17** In accordance with 40 CFR 63.606(a) the permittee must conduct an initial performance test to demonstrate compliance with the applicable emission limits specified in Tables 2 to this subpart, within 180 days of the applicable compliance date specified in §63.602. [40 CFR 63.606(a)]
- 10.18** In accordance with 40 CFR 63.606(b) the permittee must conduct a performance test once per calendar year. [40 CFR 63.606(b)]
- 10.19** In accordance with 40 CFR 63.606(c) for affected sources (as defined in §63.600) that have not operated since the previous annual performance test was conducted and more than 1 year has passed since the previous performance test, the permittee must conduct a performance test no later than 180 days after the re-start of the affected source according to the applicable provisions in §63.7(a)(2). [40 CFR 63.606(c)]
- 10.20** In accordance with 40 CFR 63.606(d) the permittee must conduct the performance tests specified in this section at representative (normal) conditions for the process. Representative (normal) conditions means those conditions that:
- (i) Represent the range of combined process and control measure conditions under which the facility expects to operate (regardless of the frequency of the conditions); and
  - (ii) Are likely to most challenge the emissions control measures of the facility with regard to meeting the applicable emission standards, but without creating an unsafe condition. Operations during startup, shutdown, and malfunction do not constitute representative (normal) operating conditions for purposes of conducting a performance test.
- (2) The permittee must record the process information that is necessary to document the operating conditions during the test and include in such record an explanation to support that such conditions represent representative (normal) conditions. Upon request, the permittee must make available to the Administrator such records as may be necessary to determine the conditions of performance tests. [40 CFR 63.606(d)]

**10.21** In accordance with 40 CFR 63.606(e) in conducting all performance tests, the permittee must use as reference methods and procedures the test methods in 40 CFR part 60, appendix A, or other methods and procedures as specified in this section, except as provided in §63.7(f).

[40 CFR 63.606(e)]

**10.22** In accordance with 40 CFR 63.606(f) the permittee must determine compliance with the applicable total fluorides standards specified in Tables 2 to this subpart as specified in paragraphs (f)(1) through (3) of this section.

(1) Compute the emission rate (E) of total fluorides for each run using Equation AA-1:

$$E = \left( \sum_{i=1}^N C_i Q_i \right) / (PK) \quad (\text{Eq. AA-1})$$

Where:

E = Emission rate of total fluorides, gram/metric ton (pound/ton) of equivalent P<sub>2</sub>O<sub>5</sub> feed.

C<sub>i</sub> = Concentration of total fluorides from emission point "i," milligram/dry standard cubic meter (milligram/dry standard cubic feet).

Q<sub>i</sub> = Volumetric flow rate of effluent gas from emission point "i," dry standard cubic meter/hour (dry standard cubic feet/hour).

N = Number of emission points associated with the affected facility.

P = Equivalent P<sub>2</sub>O<sub>5</sub> feed rate, metric ton/hour (ton/hour).

K = Conversion factor, 1000 milligram/gram (453,600 milligram/pound).

(2) You must use Method 13A or 13B (40 CFR part 60, appendix A) to determine the total fluorides concentration (C<sub>i</sub>) and the volumetric flow rate (Q<sub>i</sub>) of the effluent gas at each emission point. The sampling time for each run at each emission point must be at least 60 minutes. The sampling volume for each run at each emission point must be at least 0.85 dscm (30 dscf). If Method 13B is used, the fusion of the filtered material described in Section 7.3.1.2 and the distillation of suitable aliquots of containers 1 and 2, described in section 7.3.3 and 7.3.4 in Method 13 A, may be omitted.

(3) Compute the equivalent P<sub>2</sub>O<sub>5</sub> feed rate (P) using Equation AA-2:

$$P = M_p R_p \quad (\text{Eq. AA-2})$$

Where:

P = P<sub>2</sub>O<sub>5</sub> feed rate, metric ton/hr (ton/hour).

M<sub>p</sub> = Total mass flow rate of phosphorus-bearing feed, metric ton/hour (ton/hour).

R<sub>p</sub> = P<sub>2</sub>O<sub>5</sub> content, decimal fraction.

(i) Determine the mass flow rate (M<sub>p</sub>) of the phosphorus-bearing feed using the measurement system described in §63.605(a).

(ii) Determine the P<sub>2</sub>O<sub>5</sub> content (R<sub>p</sub>) of the feed using, as appropriate, the following methods specified in Methods Used and Adopted By The Association of Florida Phosphate Chemists (incorporated by reference, see §63.14) where applicable:

(A) Section IX, Methods of Analysis for Phosphate Rock, No. 1 Preparation of Sample.

(B) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-P<sub>2</sub>O<sub>5</sub> or Ca<sub>3</sub>(PO<sub>4</sub>)<sub>2</sub>, Method A—Volumetric Method.

(C) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-P<sub>2</sub>O<sub>5</sub> or Ca<sub>3</sub>(PO<sub>4</sub>)<sub>2</sub>,

Method B—Gravimetric Quimociac Method.

(D) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-P<sub>2</sub>O<sub>5</sub> or Ca<sub>3</sub>(PO<sub>4</sub>)<sub>2</sub>, Method C—Spectrophotometric Method.

(E) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P<sub>2</sub>O<sub>5</sub>, Method A—Volumetric Method.

(F) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P<sub>2</sub>O<sub>5</sub>, Method B—Gravimetric Quimociac Method.

(G) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P<sub>2</sub>O<sub>5</sub>, Method C—Spectrophotometric Method.

[40 CFR 63.606(f)]

- 10.23** In accordance with 40 CFR 63.606(m) if the permittee uses a CMS, the permittee must conduct a performance evaluation, as specified in §63.8(e), in accordance with the permittee's site-specific monitoring plan in §63.608(c).

[40 CFR 63.606(m)]

#### **40 CFR 63.607 Notification, recordkeeping, and reporting requirements**

- 10.24** In accordance with 40 CFR 63.607(a) the permittee must comply with the notification requirements specified in §63.9. During the most recent performance test, if the permittee demonstrates compliance with the emission limit while operating the permittee's control device outside the previously established operating limit, the permittee must establish a new operating limit based on that most recent performance test and notify the Administrator that the operating limit changed based on data collected during the most recent performance test. When a source is retested and the performance test results are submitted to the Administrator pursuant to paragraph (b)(1) of this section, §63.7(g)(1), or §63.10(d)(2), the permittee must indicate whether the operating limit is based on the new performance test or the previously established limit. Upon establishment of a new operating limit, the permittee must thereafter operate under the new operating limit. If the Administrator determines that the permittee did not conduct the compliance test in accordance with the applicable requirements or that the operating limit established during the performance test does not correspond to representative (normal) conditions, the permittee must conduct a new performance test and establish a new operating limit.

[40 CFR 63.607(a)]

- 10.25** In accordance with 40 CFR 63.607(b) the permittee must comply with the reporting and recordkeeping requirements in §63.10 as specified in paragraphs (b)(1) through (5) of this section.

(1) The permittee must comply with the general recordkeeping requirements in §63.10(b)(1).

(2) As required by §63.10(d), the permittee must report the results of the initial and subsequent performance tests as part of the notification of compliance status required in §63.9(h). The permittee must verify in the performance test reports that the operating limits for each process have not changed or provide documentation of revised operating limits established according to §63.605, as applicable. In the notification of compliance status, the permittee must also:

(i) Certify to the Administrator annually that the permittee has complied with the evaporative cooling tower requirements specified in §63.602(c).

(iii) Submit the gypsum dewatering stack and cooling pond management plan specified in

§63.602(e).

(iv) If the permittee elects to demonstrate compliance by following the procedures in §63.605(d)(1)(ii)(B), certify to the Administrator annually that the control devices and processes have not been modified since the date of the performance test from which the permittee obtained the data used to establish the allowable ranges.

(v) Each time a gypsum dewatering stack is closed, certify to the Administrator within 90 days of closure, that the final cover of the closed gypsum dewatering stack is a drought resistant vegetative cover that includes a barrier soil layer that will sustain vegetation.

(3) As required by §63.10(e)(3), the permittee must submit an excess emissions report for any exceedance of an emission limit, work practice standard, or operating parameter limit if the total duration of the exceedances for the reporting period is 1 percent of the total operating time for the reporting period or greater. The report must contain the information specified in §63.10 and paragraph (b)(4) of this section. When exceedances of an emission limit or operating parameter have not occurred, the permittee must include such information in the report. The permittee must submit the report semiannually and the report must be delivered or postmarked by the 30th day following the end of the calendar half. If the permittee reports exceedances, the permittee must submit the excess emissions report quarterly until a request to reduce reporting frequency is approved as described in §63.10(e)(3)(ii).

(4) In the event that an affected unit fails to meet an applicable standard, record and report the following information for each failure:

(i) The date, time and duration of the failure.

(ii) A list of the affected sources or equipment for which a failure occurred.

(iii) An estimate of the volume of each regulated pollutant emitted over any emission limit.

(iv) A description of the method used to estimate the emissions.

(v) A record of actions taken to minimize emissions in accordance with §63.608(b), and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(5) The permittee must submit a summary report containing the information specified in §63.10(e)(3)(vi). The permittee must submit the summary report semiannually and the report must be delivered or postmarked by the 30th day following the end of the calendar half.

[40 CFR 63.607(b)]

**10.26** In accordance with 40 CFR 63.607(c) the permittee's records must be in a form suitable and readily available for expeditious review. The permittee must keep each record for 5 years following the date of each recorded action. The permittee must keep each record on site, or accessible from a central location by computer or other means that instantly provides access at the site, for at least 2 years after the date of each recorded action. The permittee may keep the records off site for the remaining 3 years.

[40 CFR 63.607(c)]

**10.27** In accordance with 40 CFR 63.607(d) in computing averages to determine compliance with this subpart, the permittee must exclude the monitoring data specified in paragraphs (d)(1) and (2) of this section.

(1) Periods of non-operation of the process unit;

(2) Periods of no flow to a control device; and any monitoring data recorded during CEMS or continuous parameter monitoring system (CPMS) breakdowns, out-of-control periods, repairs, maintenance periods, instrument adjustments or checks to maintain precision and accuracy, calibration checks, and zero (low-level), mid-level (if applicable), and high-level adjustments.

[40 CFR 63.607(d)]

**10.28** In accordance with 40 CFR 63.607(e) within 60 days after the date of completing each performance test (as defined in §63.2) required by this subpart, the permittee must submit the results of the performance tests, including any associated fuel analyses, following the procedure specified in either paragraph (e)(1) or (2) of this section.

(1) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<http://www.epa.gov/ttn/chief/ert/index.html>), the permittee must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). CEDRI can be accessed through the EPA's Central Data Exchange (CDX) ([http://cdx.epa.gov/epa\\_home.asp](http://cdx.epa.gov/epa_home.asp)). Performance test data must be submitted in a file format generated through the use of the EPA's ERT. Alternatively, the permittee may submit performance test data in an electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site once the XML schema is available. If the permittee claims that some of the performance test information being submitted is confidential business information (CBI), the permittee must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph.

(2) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site, the permittee must submit the results of the performance test to the Administrator at the appropriate address listed in §63.13.

[40 CFR 63.607(e)]

#### **40 CFR 63.608 General requirements and applicability of general provisions of this part**

**10.29** In accordance with 40 CFR 63.608(a) the permittee must comply with the general provisions in subpart A of this part as specified in appendix A to this subpart.

[40 CFR 63.608(a)]

**10.30** In accordance with 40 CFR 63.608(b) at all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination by the Administrator of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and

maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.608(b)]

**10.31** In accordance with 40 CFR 63.608(c) For each CMS (including CEMS or CPMS) used to demonstrate compliance with any applicable emission limit or work practice, the permittee must develop, and submit to the Administrator for approval upon request, a site-specific monitoring plan according to the requirements specified in paragraphs (c)(1) through (3) of this section. The permittee must submit the site-specific monitoring plan, if requested by the Administrator, at least 60 days before the initial performance evaluation of the CMS. The requirements of this paragraph also apply if a petition is made to the Administrator for alternative monitoring parameters under §63.8(f).

(1) The permittee must include the information specified in paragraphs (c)(1)(i) through (vi) of this section in the site-specific monitoring plan.

(i) Location of the CMS sampling probe or other interface. The permittee must include a justification demonstrating that the sampling probe or other interface is at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (*e.g.*, on or downstream of the last control device).

(ii) Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction systems.

(iii) Performance evaluation procedures and acceptance criteria (*e.g.*, calibrations).

(iv) Ongoing operation and maintenance procedures in accordance with the general requirements of §63.8(c)(1)(ii), (c)(3), (c)(4)(ii), and Table 4 to this subpart.

(v) Ongoing data quality assurance procedures in accordance with the general requirements of §63.8(d)(1) and (2) and Table 5 to this subpart.

(vi) Ongoing recordkeeping and reporting procedures in accordance with the general requirements of §63.10(c), (e)(1), and (e)(2)(i).

(2) The permittee must include a schedule for conducting initial and subsequent performance evaluations in the site-specific monitoring plan.

(3) The permittee must keep the site-specific monitoring plan on site for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the permittee revises the site-specific monitoring plan, the permittee must keep previous (*i.e.*, superseded) versions of the plan on site to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. The permittee must include the program of corrective action required under §63.8(d)(2) in the plan.

[40 CFR 63.608(c)]

#### **40 CFR 63.610 Exemption from new source performance standards**

**10.32** In accordance with 40 CFR 63.610 any affected source subject to the provisions of this subpart is exempted from any otherwise applicable new source performance standard contained in 40 CFR part 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 Clean Air Act and the source must be in compliance with all requirements of this subpart. For each affected source, this exemption is upon the date that you demonstrate to the Administrator that the requirements of §§63.605 and 63.606 have been met.

[40 CFR 63.610]

# 11 Gyp Stack System

## Summary Description

Phosphogypsum, a by-product of the phosphoric acid production process, is slurried to impoundments referred to as phosphogypsum stacks or “gyp stacks.” At the gyp stacks, solids in the slurry are allowed to settle and the process water is decanted through decant ditches to evaporative cooling ponds. The process water is then returned to the processing plant.

The settled phosphogypsum is allowed to dry by directing the slurry to a rotation of cells (also referred to as “settling ponds”) on the gyp stack system. When a cell has dried appropriately, the cell is excavated 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. Dried gyp may be used in accordance with 40 CFR 61 Subpart R. DEQ is not delegated 40 CFR 61 Subpart R.

Table 11.1 describes the devices used to control emissions from Gyp Stack System.

**Table 11.1 Gyp Stack System Description**

Emissions Units / Processes	Control Devices
F-GYP-0 - 125-acre Gyp Stack (Includes Cells 1, 2/3, and # 3 Tailings Pond (TP3))	Reasonable control of fugitive emissions
F-GYP-1 - 125-acre Gyp Stack	Reasonable control of fugitive emissions
F-GYP-2 - 125-acre Gyp Stack2	Reasonable control of fugitive emissions
151 Acre GYP-3 and 14.5 acre Decant Ditch 3	Reasonable control of fugitive emissions

Table 11.2 contains only a summary of the requirements that apply to the Gyp Stack System. Specific permit requirements are listed below.

**Table 11.2 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
11.1	Fluoride	200 pounds per day 14.6 tons per year	PTC No. P-2009.0002, 1/12/18	11.2-11.12
11.12	radon-222 emissions limits	1.9pCi/(ft2-sec)	40 CFR 61 Subpart R	11.13-11.14

## **Emission Limits**

- 11.1** 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.

[PTC No. P-2009.0002, 1/12/18]

## **Operating Requirements**

- 11.2** The combined visible liquid lay surface area of the ponds with the three 125-acr gyp stacks (F-GYP-0, F-GYP-1, and F-GYP-2) shall not exceed 50 acres on a 12-month rolling average basis.

[PTC No. P-2009.0002, 1/12/18]

### **11.3 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. In determining what reasonable precautions are, considerations will be given to factors such as the proximity of dust-emitting operations to human habitations and/or activities and atmospheric conditions that might affect the movement of particulate matter. To establish reasonable precautions, the Permittee shall maintain a Fugitive Dust Control Plan which identifies potential sources of fugitive dust and which establishes good operating practices for limiting the formation and dispersion of dust from those sources. The Fugitive Dust Control Plan shall be part of the permit's terms and conditions and shall be enforceable.

The Fugitive Dust Control Plan (Plan) shall contain, at a minimum, the following information and requirements:

- 11.3.1** List all of the potential significant sources of fugitive dust from the facility.
- 11.3.2** Require application of water from trucks or spray systems for the control of dust in disturbed areas, haul roads, and active gyp stacks. The Plan must establish criteria to determine when water must be applied. Water does not need to be applied when the surface is wet (i.e. during/following rainy conditions) or when reduced ambient temperatures may cause the water to freeze. The applicant may choose to use surface improvements to existing roads in lieu of water application where appropriate to control fugitive dust.
- 11.3.3** Require application of suitable dust suppressant chemicals (e.g., magnesium chloride) to unpaved roads during the dry season or when otherwise necessary to control fugitive dust. The Plan must establish criteria to determine when dust suppressants must be applied. The applicant may choose to use surface improvements to existing roads in lieu of dust suppressant application where appropriate to control fugitive dust.
- 11.3.4** Develop a dust control strategy for fugitive emission sources. The Plan must establish criteria to determine when dust control is needed for fugitive emission sources. Suitable dust control strategies for fugitive emission sources may include water spray systems, dust suppressant chemicals, enclosures, mechanical control devices, or a DEQ approved alternative method.
- 11.3.5** Require monthly monitoring of engineering parameters that were relied upon in estimating emissions from fugitive emission sources, including vehicle miles traveled on haul roads and daily hours of operation.
- 11.3.6** Require monthly estimation of 12-month rolling actual emissions from Gyp-3 fugitive emission sources. For calculating estimated actual emissions, the material fluoride content, material moisture content, seasonal rainfall, and seasonal snowfall data shall rely upon actual data when available and use the calculation methodology provided in the application for this permit, unless otherwise approved by DEQ.

- 11.3.7 Training/orientation of affected employees about the Fugitive Dust Control Plan procedures.
- 11.3.8 The Fugitive Dust Control Plan shall be maintained in accordance with the General Provisions of this permit.
- 11.3.9 Establish weekly monitoring and recording of those criteria established by the plan which triggers an action to be taken to control fugitive dust.
- 11.3.10 A copy of the Fugitive Dust Control Plan shall remain onsite at all times and shall be submitted to the Pocatello DEQ Regional Office.

[PTC No. P-2017.0050, 1/12/18]

#### **11.4 PSD 40 CFR 52.21 – Best Available Control Technology for Gyp-3**

The permittee shall control fluoride emissions (both gaseous and particulate) as specified in 40 CFR 52.21 using Best Available Control Technology (BACT).

- 11.4.1 The permittee shall implement the work practice requirements of 40 CFR 63.602(e)(3) as specified in Permit Condition 11.6.
- 11.4.2 The permittee shall use water wetting on erodible areas of the gypsum dewatering stack for dust control, including road surfaces used by truck and excavator traffic.

[PTC No. P- 2017.0050, 1/12/18]

#### **11.5 Gyp Stack 3 Area Limits**

- 11.5.1 The area footprint of Gyp Stack 3 shall not exceed 151 acres.
- 11.5.2 The visible liquid layer surface area of Decant Ditch 3 shall not exceed 14.5 acres on a 12-month rolling average basis.
- 11.5.3 Once construction of Gyp-3 is complete, the permittee shall limit the visible liquid surface area of Gyp Stack 3 to 100 wetted acres on a twelve-month rolling average basis.
- 11.5.4 Construction of Gyp-3 shall be considered complete when process water introduced during the construction process has been displaced by gyp slurry. In addition to the Construction and Operation Notifications required in the General Provisions, Notification of completion shall be sent to DEQ within five working days after construction of Gyp-3 is complete.

[PTC No. P-2017.0050, 1/12/18]

#### **11.6 NESHAP 40 CFR 63, Subpart AA – Work Practice Requirements for Gyp-3**

The permittee shall prepare and operate in accordance with a Gypsum Dewatering Stack and Cooling Pond Management Plan that contains the information specified in 40 CFR 63.602(e). The Gypsum Dewatering Stack and Cooling Pond Management Plan shall include the control measures used to minimize fugitive hydrogen fluoride emissions from the gypsum dewatering stack system. For Gyp-3, the permittee shall use, and include in the Management Plan, at a minimum two of the control measures listed in 40 CFR 63.602(e)(3)(i) through (vii) for the gypsum dewatering stack system. Specific to Gyp-3, the Permittee shall implement the following work practices:

- 11.6.1. The permittee shall minimize the surface area of the gypsum pond associated with Gyp Stack 3 by using a rim ditch (cell) building technique or other building technique and shall limit the visible liquid surface area to no more than 100 wetted acres on a twelve-month rolling average basis.
- 11.6.2. The permittee shall establish timely closure requirements that at a minimum, contain requirements for the items specified in 40 CFR 63.602(e)(3)(vii)(A) and (B).

i. A specific trigger mechanism for when you must begin the closure process on the gypsum dewatering stack; and

ii. A requirement to install a final cover. For purposes of this requirement, final cover means the materials used to cover the top and sides of a gypsum dewatering stack upon closure.

[PTC No. P-2017.0050, 1/12/18; 40 CFR 63.602(e)]

#### **11.7 NESHAP 40 CFR 63, Subpart AA – Gypsum Dewatering Stack and Cooling Pond Management Plan Information**

The Gypsum Dewatering Stack and Cooling Pond Management Plan must include the information specified in 40 CFR 63.602(e)(1) through (3). The permittee shall submit the Gypsum Dewatering Stack and Cooling Pond Management Plan for approval as specified in 40 CFR 63.602(e)(4).

11.7.1 Location (including latitude and longitude of centroid in decimal degrees to four decimal places) of each gypsum dewatering stack and each cooling pond in the gypsum dewatering stack system.

11.7.2 Permitted maximum footprint acreage of each gypsum dewatering stack and each cooling pond in the gypsum dewatering stack system.

11.7.3 Control measures that you use to minimize fugitive hydrogen fluoride emissions from the gypsum dewatering stack system. For Gyp-3 the permittee must use, and include in the Management Plan, at least two of the control measures listed in 40 CFR 63.602(e)(3)(i) through (vii) for your gypsum dewatering stack system.

11.7.4 You must submit your plan for approval with the permit application for modification, construction, or reconstruction. The plan must include details on how you will implement and show compliance with the control technique(s) that you have selected to use. To change any of the information submitted in the plan, you must submit a revised plan 60 days before the planned change is to be implemented in order to allow time for review and approval by DEQ before the change is implemented.

[PTC No. P-2017.0050, 1/12/18]

### **Monitoring and Recordkeeping Requirements**

#### **11.8 Gyp Stack Area Monitoring (F-GYP-0, F-GYP-1, and 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" 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 shall be based on a rolling 12-month average of the twice-monthly observations.

Compliance with the daily emission limit 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 Facility-wide Permit Condition 3.25.

[PTC No. P-2009.0002, 1/12/18]

### **11.9 Gyp Stack 3 Area Monitoring**

- 11.9.1 At the completion of construction of Gyp-3, the permittee shall measure and record, in acres, the maximum area footprint for Gyp Stack 3 and Decant Ditch 3 to demonstrate initial compliance with the area limits contained in Condition 2.11.1 and 2.11.2. The permittee shall submit on an annual basis a statement certifying that the area footprint of Gyp Stack 3 and Decant Ditch 3 has not at any time exceeded its original design. As provided in 2.11.3, construction of Gyp-3 shall be considered complete when process water introduced during the construction process has been displaced by gyp slurry.
- 11.9.2 On a twice-monthly basis (the first and third full calendar week of each month), the permittee shall measure and record, in acres, the visible liquid layer surface area of Gyp Stack 3. 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 Gyp Stack Area Limits, 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.
- 11.9.3 Compliance with Gyp Stack Area Limits shall be based on a rolling 12 month average of the twice-monthly observations.
- 11.9.4 Within 60 days of issuance of the permit, the permittee shall submit a copy of the Water Management and Monitoring Plan (Plan) to the DEQ Pocatello Regional Office. If the Plan is changed, a copy of the revised Plan shall be sent to DEQ.

[PTC No. P-2017.0050, 1/12/18]

### **11.10 NSR Projected Emissions Records for the Gypsum Stack Project (F-GYP-2); 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)]:

- 11.10.1 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.
- 11.10.2 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 accordance with 40 CFR 52.21(r)(6)(i); and calculate and maintain a record of the 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.

11.10.3 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 exceed the baseline actual emissions (as documented and maintained pursuant to this permit, 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. 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).

11.10.4 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).

11.10.5 Written procedures to demonstrate compliance with Permit Condition 11.10 shall be included in the Water Management and Monitoring Plan, including the required records maintenance activities.

[PTC No. P-2009.0002, 1/12/18; 40 CFR 52.21]

#### **11.11 Fugitive Emission Control Records**

The permittee shall conduct a weekly facility-wide inspection of significant 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 during times throughout the year in which fugitive dust is likely (i.e., not during the winter when material is frozen or snow-covered). 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.

[PTC No. P-2017.0050, 1/12/18]

#### **National Emission Standards for Radon Emissions From Phosphogypsum Stacks**

The permittee shall comply with all provisions of 40 CFR 61 Subpart R which includes the following requirements.

#### **11.12 NESHAP 40 CFR 61, Subpart R – 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 (1.9pCi/(ft<sup>2</sup>-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.

[PTC No. P-2009.0002, 1/12/18; 40 CFR 61.201 & 61.202]

**11.13 NESHAP 40 CFR 61, Subpart R – Radon Monitoring and Compliance**

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. *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.

[PTC No. P-2017.0050, 1/12/18; 40 CFR 61.203]

**11.14 NESHAP 40 CFR 61, Subpart R – 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, and indoor research and development activities, only in accordance with 40 CFR 61.204 and 61.205. Certification requirements shall also be complied with in accordance with 40 CFR 61.208.

[PTC No. 2017.0050, 1/12/18; 40 CFR 61.204, 61. 205, and 61.208]

Phosphogypsum may not be lawfully removed from a stack and distributed or used for any purpose not expressly specified in 40 CFR 61.204 or 40 CFR 61.205 without prior EPA approval in accordance with 40 CFR 61.206. Certification requirements shall also be complied with in accordance with 40 CFR 61.208.

[40 CFR 61.206 and 61.208]

Before removing phosphogypsum from a stack for distribution in commerce pursuant to 40 CFR 61.204 or 40 CFR 61.206, the owner or operator of a phosphogypsum stack shall comply with the sampling and measurement procedures in accordance with 40 CFR 61.207. Records shall be maintained in accordance with 40 CFR 61.209(b).

[40 CFR 61.207 and 61.209(b)]

**NESHAP 40 CFR 61 Subpart A – General Provisions**

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 11.2. 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 summaries and the NESHAP, the NESHAP shall govern. The permittee is encouraged to read all of 40 CFR 61 Subpart A. DEQ is not delegated this subpart.

**Table 11.2 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

<b>Section</b>	<b>Section Title</b>	<b>Summary of Section</b>
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.

[PTC No. P-2017.0050, 1/12/18;40 CFR 61 Subpart A]

# 12 Emergency IC Engines

## Summary Description

ITAFOS operates six IC engines subject to either 40 CFR 60 Subpart JJJJ or 40 CFR 63 Subpart ZZZZ. Table 11.1 lists the engines along with the Subpart they must comply with; the table also lists specific exemptions where applicable. The applicable provisions of these subparts are listed in this Section of the permit. DEQ is delegated these subparts.

**Table 11.1 Engine Description**

Emissions Units / Processes	Applicable Subparts
North Sulfuric Emergency Generator – diesel, Caterpillar model 3512 DITA 1,545 bhp emergency engine installed in 1995	Exempted from Subpart ZZZZ at 40 CFR 63.6590(b)(3)(iii)
South Firewater Pump Engine – diesel, John Deere 300 hp, emergency, installed in 2001	40 CFR 63 Subpart ZZZZ
#11 Well Pump Aux Engine – propane, Chevy 109 hp, emergency SI, installed in 2001	40 CFR 63 Subpart ZZZZ
#3 Potable Water Pump – natural gas, Caterpillar 95 hp, emergency SI, installed May 2003	40 CFR 63 Subpart ZZZZ
#11 Well Generator – propane, Caterpillar 33.5 hp, emergency, SI, installed May 2008	40 CFR 63 Subpart ZZZZ /40 CFR 60 Subpart JJJJ <sup>(a)</sup>
Rollover Generator – diesel, Caterpillar 118 hp, emergency, Installed before 1990	40 CFR 63 Subpart ZZZZ

a) Complies with 40 CFR 63 Subpart ZZZZ by complying with 40 CFR 60 Subpart JJJJ. However, for this engine there are no substantive requirements from 40 CFR 60 Subpart JJJJ.

## 40 CFR 63 Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

**40 CFR 63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?**

**12.1** In accordance with 40 CFR 63.6602 RICE with a site rating of equal to or less than 500 brake HP must comply with the requirements in Table 2c to this subpart.

**Table 2c to Subpart ZZZZ of Part 63**

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE	a. Change oil and filter every 500 hours of operation or annually, whichever comes first. <sup>(2)</sup> b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. <sup>(3)</sup>	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>(3)</sup>

6. Emergency stationary SI RICE. <sup>(1)</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>(2)</sup> b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. <sup>(3)</sup>	
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- 1) If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.
- 2) Sources have the option to utilize an oil analysis program as described in §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2c of this subpart.
- 3) Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[40 CFR 63.6602]

**40 CFR 63.6605 What are my general requirements for complying with this subpart?**

- 12.2** In accordance with 40 CFR 63.6605(a) the permittee must be in compliance with the requirements in this subpart that apply to the permittee at all times.

[40 CFR 63.6605(a)]

- 12.3** In accordance with 40 CFR 63.6605(b) at all times the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.6605(b)]

**40 CFR 63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?**

- 12.4** In accordance with 40 CFR 63.6625(e) the permittee must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR 63.6625(e)]

- 12.5** In accordance with 40 CFR 63.6625(f) the permittee must install a non-resettable hour meter if one is not already installed.

[40 CFR 63.6625(e)]

- 12.6** In accordance with 40 CFR 63.6625(h) the permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 2c to this subpart apply.

[40 CFR 63.6625(h)]

**12.7** In accordance with 40 CFR 63.6625(i) a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to this subpart, the permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[40 CFR 63.6625(i)]

**12.8** In accordance with 40 CFR 63.6625(j) a stationary SI engine that is subject to the work, operation or management practices in items 6 of Table 2c to this subpart, the permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[40 CFR 63.6625(j)]

**40 CFR 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?**

**12.9** In accordance with 40 CFR 63.6640(e) the permittee must report each instance in which it did not meet the requirements in Table 8 to this subpart that apply.

[40 CFR 63.6640(e)]

**12.10** In accordance with 40 CFR 63.6640(f) the permittee must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3) of this section, is prohibited. If the permittee does not operate the engine according to the requirements in paragraphs (f)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

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

[40 CFR 63.6640(f)]

#### **40 CFR 63.6655 What records must I keep?**

- 12.11** In accordance with 40 CFR 63.6655(e) the permittee must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan.
- 12.12** In accordance with 40 CFR 63.6655(f) if the permittee own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP that does not meet the standards applicable to non-emergency engines, the permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

[40 CFR 63.6655(e)]

[40 CFR 63.6655(f)]

**40 CFR 63.6660 In what form and how long must I keep my records?**

- 12.13** In accordance with 40 CFR 63.6660(a) records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).

[40 CFR 63.6660(a)]

- 12.14** In accordance with 40 CFR 63.6660(b) as specified in §63.10(b)(1), the permittee must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

[40 CFR 63.6660(b)]

- 12.15** In accordance with 40 CFR 63.6660(c) the permittee must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

[40 CFR 63.6660(c)]

**40 CFR 63.6665 What parts of the General Provisions apply to me?**

- 12.16** Table 8 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to the permittee.

[40 CFR 63.6665]

## 13 Non-applicable Requirements – Permit Shield

### Summary Description

The permittee has requested a Permit Shield for non-applicable requirements. In accordance with IDAPA 58.01.01.325.01.b.ii the permit must specifically list the non-applicable requirements. Following are the non-applicable requirements:

- 40 CFR 60 Subpart C and Cd: Emission Guidelines for Sulfuric Acid Production Units
- 40 CFR 60 Subpart K and Subpart Ka: Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978, and After May 18, 1978, and Prior to July 23, 1984, respectively.
- 40 CFR 60 Subpart V, W, and X: ITAFOS does not produce or store granular diammonium phosphate, triple superphosphate, or granular triple superphosphate at the CPO facility.
- 40 CFR 60 Subpart VV and VVa – Synthetic Organic Chemical Manufacturing: ITAFOS does not produce any of the chemicals listed in 40 CFR 60.489 as intermediates or final products.
- 40 CFR 60 Subpart IIII- Compression Ignition Internal Combustion Engines: ITAFOS has not installed compression ignition engines after July 11, 2005.
- 40 CFR 63 Subpart Q – Industrial Cooling Towers: ITAFOS does not use chromium-based water treatment chemicals
- 40 CFR 64 Compliance Assurance Monitoring

## 14 Insignificant Activities

Table 14.1 lists the units or activities that are insignificant on the basis of size or production rate as provided by the permittee. The regulatory citation for units and activities that are insignificant on the basis of size or production rate is IDAPA 58.01.01.317.01.b. There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities. No emission unit or activity subject to an applicable requirement shall qualify as an insignificant emission unit or activity.

**Table 14.1 Insignificant Activities**

<b>Description</b>	<b>Insignificant Activities IDAPA 58.01.01.317.01(b)(i) Citation</b>
One 2,000-gallon gasoline storage tank	(3)
One 250-gallon diesel fuel storage tank	(3)
Three 500-gallon portable diesel fuel storage tanks	(3)
One 1,000-gallon diesel fuel storage tank	(3)
One 2,000-gallon diesel fuel storage tank	(3)
One 1,200-gallon diesel fuel storage tank	(3)
One 500-gallon 10W oil storage tank	(3)
One 250-gallon 30W oil storage tank	(3)
One 500-gallon 30W oil storage tank	(3)
One 250-gallon antifreeze storage tank	(3)
One 1,900-gallon used oil storage tank	(3)
One 10,000-gallon dust suppressant storage tank	(3)
One 250-gallon propane storage tank	(4)
Two 500-gallon propane storage tanks	(4)
Direct heat transfer combustion equipment less than 5 MMBtu/hr, exclusively using natural gas, butane, propane, and/or LPG	(5)
Misc. welding operations	(9)
Industrial water chlorination system	(16)
Tanks and pumping equipment for storage and dispensing of acids not greater than 99% H <sub>2</sub> SO <sub>4</sub> and H <sub>3</sub> PO <sub>4</sub>	(19)
Therminol pumping and storage equipment	(20)
Metal rolling	(23)
Unregulated open top and partially covered tanks and sumps with emissions less than or equal to 10% of the significant emission rate	(30)
Ammonia Railcar Unloading	(30)
Direct heat transfer heaters with emissions less than or equal to 10% of significant rate	(30)
One 17,000-gallon dust suppressant storage tank	(30)

[IDAPA 58.01.01.317.01(b)(i), 5/3/03]

## 15 General Provisions

### General Compliance

- 15.1 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)]

- 15.2 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)]

- 15.3 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

- 15.4 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)]

- 15.5 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

- 15.6 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

- 15.7 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)]

- 15.8** 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**

- 15.9** 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**

- 15.10** 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, 3/25/16; 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); 40 CFR 70.7(d), (e)]

- 15.11** 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 Clean Air Act (CAA), 42 United States Code (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, 4/5/00; IDAPA 58.01.01.209.05, 4/11/06; 40 CFR 70.4(b)(14), (15)]

### **Federal and State Enforceability**

- 15.12** 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), (2)]

- 15.13** 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

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

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

[Idaho Code §39-108; IDAPA 58.01.01.322.15.l, 5/1/94; 40 CFR 70.6(c)(2)]

## New Applicable Requirements

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

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

## Fees

15.16 The permittee 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

15.17 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

15.18 The permittee shall submit an application to DEQ for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the permittee 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)]

15.19 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

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

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

[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.m, 5/1/94; IDAPA 58.01.01.325, 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

**15.21** The permittee shall comply with the following:

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

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

## Periodic Compliance Certification

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

- 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.
- 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;
- 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):
  - The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
  - The identification of the method(s) or other means used by the permittee 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;
  - 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
  - Such information as DEQ may require to determine the compliance status of the emissions unit.

**15.23** 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

**15.24** 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

**15.25** 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**

**15.26** 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 from 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**

**15.27** 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, 4/11/06; 40 CFR 70.6(a)(3)(iii)]

## **Permit Revision Not Required**

**15.28** 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**

**15.29** 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)]