STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

C.L. "Butch" Otter, Governor
Curt Fransen, Director

March 23, 2012

Dale Koger
Power Production Manager
Idaho Power Company
Bennett Mountain Power Project
1221 W. Idaho St.
Boise, ID 83702

RE: Facility ID No. 039-00025, Idaho Power Company, Bennett Mountain Power Project, Mountain Home
Final Tier I Operating Permit Letter

Dear Mr. Koger:

The Department of Environmental Quality (DEQ) is issuing Tier I Operating Permit No. TI-2011.0129 to Idaho Power Company at Mountain Home 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. 2008.0164, issued April 23, 2007, and amended on November 20, 2008. The enclosed operating permit is based on the information contained in your permit application received on October 13, 2011. 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 J. R. Fuentes, Area Source Specialist, at 208-373-0550 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 Carole Zundel at 208 373-0502 or carole.zundel@deq.idaho.gov to address any questions or concerns you may have with the enclosed permit.

Sincerely,

Mike Simon
Stationary Source Program Manager
Air Quality Division

MS/CZ Permit No. T1-2011.0129 PROJ 60940

Enclosure

Printed on Recycled Paper

Air Quality
TIER I OPERATING PERMIT

State of Idaho
Department of Environmental Quality

PERMIT No.: T1-2011.0129
FACILITY ID No.: 039-00025
AQCR: 63 **CLASS: A** **UTM ZONE: 11**
SIC: 4911 **NAICS: 221112**
UTM COORDINATE (km): 608.4, 4777.7

1. **PERMITTEE**
Idaho Power Company

2. **PROJECT**
Project No. 60940 Tier I Operating Permit Renewal for Bennett Mountain Power Project

3. **MAILING ADDRESS**	**CITY**	**STATE**	**ZIP**
1221 W. Idaho Street	Boise	ID	83702

4. **FACILITY CONTACT**	**TITLE**	**TELEPHONE**
Trevor Mahlum	Mechanical Engineer	(208) 388-2426

5. **RESPONSIBLE OFFICIAL**	**TITLE**	**TELEPHONE**
Dale Koger	Power Production Manager	(208) 388-5820

6. **EXACT PLANT LOCATION**	**COUNTY**
2750 NE Industrial Way, Mountain Home	Elmore

7. **GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS**
Electric Power Generation

8. **PERMIT AUTHORITY**

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

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

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

CAROLE ZUNDEL, PERMIT WRITER
DEPARTMENT OF ENVIRONMENTAL QUALITY

MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER
DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED:	March 23, 2012
DATE MODIFIED/AMENDED:	
DATE EXPIRES:	March 23, 2017

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Acronyms, Units, and Chemical Nomenclature

acfm	actual cubic feet per minute
AFS	AIRS Facility Subsystem
AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Idaho Department of Environmental Quality
dscf	dry standard cubic feet
EPA	U.S. Environmental Protection Agency
gr	grain (1 lb = 7,000 grains)
HAPs	hazardous air pollutants
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
lb/hr	pounds per hour
MACT	Maximum Achievable Control Technology
MMBtu	million British thermal units
NAICS	North American Industry Classification System
NESHAP	Nation Emission Standards for Hazardous Air Pollutants
NO_x	nitrogen oxides
NSPS	New Source Performance Standards
PM	particulate matter
PM_{10}	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppmv	parts per million by volume
PSD	Prevention of Significant Deterioration
PTC	permit to construct
permittee	Idaho Power Co.
RATA	relative accuracy test audit
scf	standard cubic feet
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SM	synthetic minor
SO_2	sulfur dioxide
T/yr	tons per year
TAPs	toxic air pollutants
U.S.C.	United States Code
UTM	Universal Transverse Mercator
VOC	volatile organic compound

1. TIER I OPERATING PERMIT SCOPE

Purpose

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

The purpose of this permitting action is to renew the current operating permit.

1.2 This Tier I operating permit incorporates the following permit:

- Permit to Construct No. P-050002, issued June 21, 2005.

1.3 This Tier I operating permit supersedes the following permit:

- Tier I Operating Permit No. T1-2008.0164, issued April 23, 2007 and amended November 20, 2008.

Regulated Sources

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

Table 1.1 REGULATED SOURCES

Permit Section	Source Description	Emissions Control
2	Facility-wide	n/a
3	One Siemens Westinghouse 501F natural gas-fired simple cycle combustion turbine	Dry Low NO_x combustors
4	One natural gas fuel heater	None
5	Emergency diesel generator	None

2. FACILITY-WIDE CONDITIONS

Table 2.1 contains a summary of requirements that apply generally to emissions units at the facility.

Table 2.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Condition	Parameter	Permit Limit/ Standard Summary	Applicable Requirement References	Monitoring and Recordkeeping Requirements
2.1	Fugitive emissions	Reasonable control	IDAPA 58.01.01.651; PTC No. P-050002	2.2, 2.3, 2.4, 2.11
2.5	Odors	Reasonable control	IDAPA 58.01.01.776.01; PTC No. P-050002	2.11
2.7	Visible emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625; PTC No. P-050002	2.8, 2.11
2.9	Excess emissions	Compliance with IDAPA 58.01.01.120-126	IDAPA 58.01.01.120-126; PTC No. P-050002	2.9-2.9.5, 2.11
2.10	Criteria air pollutants, opacity	Compliance testing	IDAPA 58.01.01.157	2.11
2.13	PM	0.015 gr/dscf at 3% O_2	IDAPA 58.01.01.677	2.11
2.14	Open burning	Compliance with IDAPA 58.01.01.600-616	IDAPA 58.01.01.600.616	2.11
2.15	Renovation or demolition	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	2.11
2.16	Risk management	Compliance with IDAPA 58.01.01.322 and 40 CFR 68	IDAPA 58.01.01.322; 40 CFR 68	2.11
2.17	Air Stagnation Advisory	Compliance with IDAPA 58.01.01.550-562	IDAPA 58.01.01.550-562; PTC No. P-050002	2.11

Fugitive Dust

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

[IDAPA 58.01.01.650-651, 3/30/07; PTC No. P-050002, 6/21/2005]

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

[IDAPA 58.01.01.322.06, 07, 5/1/94; PTC No. P-050002, 6/21/2005]

2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94; PTC No. P-050002, 6/21/2005]

2.4 The permittee shall conduct a quarterly facility-wide inspection of potential sources of fugitive dust emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive dust emissions are effective. If fugitive dust emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive dust emissions inspection. The records

shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive dust emissions, and the date the corrective action was taken.

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

Odors

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

[IDAPA 58.01.01.775-776 (state only), 5/1/94; PTC No. P-050002, 6/21/2005]

2.6 Reserved

Visible Emissions

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

[IDAPA 58.01.01.625, 4/5/00; PTC No. P-050002, 6/21/2005]

2.8 The permittee shall conduct a quarterly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. Sources that are monitored using a continuous opacity monitoring system (COMS) are not required to comply with this permit condition. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either

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 readings shall be recorded when conducting the opacity test. If opacity is greater than 20%, as measured using Method 9, for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136.

The permittee shall maintain records of the results of each visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

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

Excess Emissions

Excess Emissions - General

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

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

[IDAPA 58.01.01.132, 4/5/00]

Excess Emissions – Startup, Shutdown, Scheduled Maintenance

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

[IDAPA 58.01.01.133, 4/5/00]

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

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

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

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

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

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

Excess Emissions – Upset, Breakdown, or Safety Measures

2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

[IDAPA 58.01.01.134, 4/11/06]

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

[IDAPA 58.01.01.134.02, 4/5/00]

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

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

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

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

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

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

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

[IDAPA 58.01.01.134.03 4/5/00]

Excess Emissions – Reporting and Recordkeeping

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

[IDAPA 58.01.01.135.01 and 02, 4/11/06]

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

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

- An excess emissions 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

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

- Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the owner or operator in

accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

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

Performance Testing

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

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

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

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

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

Air Quality Permit Compliance
Department of Environmental Quality
Boise Regional Office
1445 North Orchard
Boise, ID 83706-2239
Phone: (208) 373-0550 / Fax: (208) 373-0287

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

Monitoring and Recordkeeping

2.11 The permittee shall maintain sufficient records to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all

original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.322.07, 5/1/94]

Reports and Certifications

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

Air Quality Permit Compliance
Department of Environmental Quality
Boise Regional Office
1445 North Orchard
Boise, ID 83706-2239
Phone: (208) 373-0550 / Fax: (208) 373-0287

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

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

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

Fuel-Burning Equipment

2.13 The permittee shall not discharge PM to the atmosphere from any fuel-burning equipment in excess of 0.015 gr/dscf of effluent gas corrected to 3% oxygen by volume for gaseous fuel.

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

Open Burning

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

[IDAPA 58.01.01.600-623, 05/08/09]

Asbestos

2.15 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M – Asbestos.

[40 CFR 61, Subpart M]

Regulated Substances for Accidental Release Prevention

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

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

- The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR 68.10 (a)]

Air Stagnation Advisory Days

2.17 For all affected units, the permittee shall comply with the requirements of IDAPA 58.01.01.561 during any air pollution emergency episode.

[PTC No. P-050002, 6/21/2005]

Recycling and Emissions Reductions

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

[40 CFR 82, Subpart F]

NSPS General Provisions

2.19 **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 2.2.

Table 2.2 NSPS 40 CFR 60, SUBPART A – SUMMARY OF GENERAL PROVISIONS

Section	Subject	Summary of Section Requirements
60.4	Address	• All requests, reports, applications, submittals, and other communications associated with 40 CFR 60, Subparts shall be submitted to: Department of Environmental Quality Boise Regional Office 1445 N. Orchard Boise, ID 83706
60.7(a),(b), and (f)	Notification and Recordkeeping	• Notification shall be furnished of commencement of construction postmarked no later than 30 days of such date. • Notification shall be furnished of initial startup postmarked within 15 days of such date. • Notification shall be furnished of any physical or operational change that may increase emissions postmarked 60 days before the change is made. • 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. • 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.
60.7(a),(c), (d), (e), and (f)	Notification and Recordkeeping (CMS)	• Notification shall be furnished of the date upon which demonstration of the CMS performance commences. • Excess emissions and monitoring systems performance report shall be submitted semiannually, postmarked by January 30th and July 30th. Reports shall contain the information and be in the format specified in 40 CFR 60.7(c) and (d). • Records of CEMS subhourly measurements shall be maintained in accordance with the requirements of 40 CFR 60.7(f).

60.8	Performance Tests	• At least 30 days prior notice of any performance test shall be provided to afford the opportunity to have an observer to be present. • Within 60 days of achieving the maximum production rate, but not later 180 days after initial startup, performance test(s) shall be conducted and a written report of the results of such test(s) furnished. • Performance testing facilities shall be provided as follows: Sampling ports adequate for test methods applicable to such facility. Safe sampling platform(s). Safe access to sampling platform(s). Utilities for sampling and testing equipment. • Performance tests shall be conducted and data reduced in accordance with 40 CFR 60.8(b), (c), and (f).
60.11(a), (d), (f), and (g)	Compliance with Standards and Maintenance Requirements	• When performance tests are required, compliance with standards is determined by methods and procedures established by 40 CFR 60.8. • 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. • 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.
60.12	Circumvention	• 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.
60.13	Monitoring Requirements (CMS)	• All CMS and monitoring devices shall be installed and operational prior to conducting performance tests required by 40 CFR 60.8. • 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. • 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). • The zero and upscale (span) calibration drifts of a COMS must be automatically, intrinsic to the opacity monitor, checked at least once daily. • 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). • 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). • Data shall be reduced and computed in accordance with the procedures in 40 CFR 60.13(h), (i), and (j).
60.14	Modification	• 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. • Within 180 days of the completion of any physical or operational change, compliance with all applicable standards must be achieved.
60.15	Reconstruction	• 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.

[40 CFR 60, Subpart A]

Incorporation of Federal Requirements by Reference

2.20 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.

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.

3. EMISSIONS UNIT NO. 1 –COMBUSTION TURBINE

Summary Description

Table 3.1 describes the devices used to control emissions from the combustion turbine.

Table 3.1 EMISSIONS UNITS AND EMISSIONS CONTROL DEVICES

Emissions Unit(s) / Process(es)	Emissions Control Device
170 MW Siemens Westinghouse 501F Combustion Turbine	Dry Low NO_x combustors

Table 3.2 contains only a summary of the requirements that apply to the combustion turbine. Specific permit requirements are listed below Table 3.2.

Table 3.2 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
3.1	NO_x	NSPS NO_x emissions limit	40 CFR 60.330	3.5, 3.11, 3.12, 3.13, 3.17, and 3.18
3.2	NO_x, CO	248.16 T/yr and 248.29 T/yr, respectively	PTC No. P-050002	3.5, 3.6
3.3	PM	0.015 gr/dscf at 3% O_2	PTC No. P-050002	3.4
3.4	Fuel restrictions	Natural gas with sulfur content not to exceed 0.02 gr/dscf	PTC No. P-050002	3.8, 3.11
3.5	NO_x	Operation and upkeep of NO_x CEMS	40 CFR 75; PTC No. P-050002	3.7, 3.9, 3.12
3.6	CO	Operation and upkeep of CO CEMS	PTC No. P-050002	3.7, 3.10, 3.12
3.7	Turbine exhaust flowrate	Quantification methodology	PTC No. P-050002	3.12

Permit Limits / Standard Summary

3.1 On and after the date that performance test required by 40 CFR 60.8 is completed; the permittee shall not discharge into the atmosphere from the combustion turbine, any gases that contain NO_x in excess of:

$$STD = 0.0075 \frac{(14.4)}{Y} + F$$

where: STD = allowable NO_x emissions (percent by volume at 15% oxygen and on a dry basis)

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual, measured heat rate based on lower heating value of fuel as measured as actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.

F = NO_x emissions allowance for fuel-bound nitrogen as defined in 40 CFR 60.332(a)(3).

[PTC No. P-050002, 6/21/2005]

3.2 Emissions of NO_X and CO from the combustion turbine stack shall not exceed any corresponding emissions rate limits listed in Table 3.3.

Table 3.3 COMBUSTION TURBINE EMISSIONS LIMITS[a]

Source Description	NO_X	CO
	T/yr	T/yr
Combustion Turbine	248.16	248.29

[a]The permittee shall not exceed the T/yr listed based on any consecutive 12-month period.

[PTC No. P-050002, 6/21/2005]

3.3 Emissions of PM from the combustion turbine shall comply with Permit Condition 2.13.

[PTC No. P-050002, 6/21/2005]

Operating Requirements

3.4 The combustion turbine shall be fired exclusively by natural gas. The natural gas burned in the combustion turbine shall not contain sulfur in excess of 0.02 gr/dscf of natural gas.

[PTC No. P-050002, 6/21/2005]

3.5 The permittee shall install, certify, operate, and maintain in accordance with the requirements of 40 CFR 75, a NO_x CEMS, consisting of a NO_x pollutant concentration monitor and an oxygen or carbon dioxide diluent gas monitor, with automated data acquisition and handling system for measuring and recording the NO_x concentration, in ppmv, and NO_x emission rate, in pounds per hour, discharged to the atmosphere from the combustion turbine stack. The permittee shall fully comply with all requirements set forth in 40 CFR 75, Subpart F and 40 CFR 60, Appendices B and F.

[PTC No. P-050002, 6/21/2005]

3.6 The permittee shall install, certify, operate, and maintain a CEMS consisting of a CO pollutant concentration monitor and an oxygen diluent gas monitor. The CEMS shall be equipped with an automated data acquisition and handling system for measuring and recording the CO concentration, in ppmv, and CO emissions rate, in pounds per hour, discharged to the atmosphere from the combustion turbine stack. The permittee shall fully comply with all requirements set forth in 40 CFR 60, Appendices B and F.

[PTC No. P-050002, 6/21/2005]

3.7 The permittee shall use the methodologies prescribed by Method 19 in 40 CFR 60, Appendix A, to quantify the turbine exhaust flowrate.

[PTC No. P-050002, 6/21/2005]

Monitoring and Recordkeeping Requirements

3.8 The permittee shall monitor and record the amount of natural gas combusted in the turbine on an hourly basis. The amount shall be recorded as cubic feet per hour. All records shall be kept onsite for a minimum of five years and shall be made available to DEQ representatives upon request.

[PTC No. P-050002, 6/21/2005]

3.9 For the NO_x CEMS, the permittee shall fully comply with all monitoring requirements established by 40 CFR 72.9(b). The permittee shall fully comply with all monitoring and recordkeeping requirements set forth in 40 CFR 75, Subpart F and 40 CFR 60, Appendix F. All records shall be kept onsite for a minimum of five years and shall be made available to DEQ representatives upon request.

[PTC No. P-050002, 6/21/2005]

3.10 The permittee shall perform RATAs on the CO CEMS, in accordance with 40 CFR 60, Appendix F. All records shall be kept onsite for a minimum of five years and shall be made available to DEQ representatives upon request.

[PTC No. P-050002, 6/21/2005]

3.11 The permittee shall comply with the fuel sulfur and nitrogen monitoring provisions of 40 CFR Part 60.334(h) and 40 CFR Part 75, Appendix D. All data shall be kept onsite for a minimum of five years and shall be made available to DEQ representatives upon request.

The permittee may, upon EPA approval and DEQ notification, use a single sampling location to monitor fuel for both the Evander Andrews Power Complex, as well as the Bennett Mountain Power Plant.

[PTC No. P-050002, 6/21/2005]

3.12 The permittee shall monitor and record the information listed below for the combustion turbine. The listed information shall be compiled in accordance with the emissions calculation protocol, submitted to DEQ on April 19, 2004. All data shall be kept onsite for a minimum of five years and shall be made available to DEQ representatives upon request.

- The total NO_x emissions rate in tons per each calendar month after turbine startup.
- The total, cumulative NO_x emissions rate in tons per each consecutive 12-month period.
- The total CO emissions rate in tons per each calendar month after turbine startup.
- The total, cumulative CO emissions rate in tons per each consecutive 12-month period.

[PTC No. P-050002, 6/21/2005]

Reporting Requirements

3.13 The permittee shall submit a test protocol to DEQ for each certification and recertification of the NO_x and CO CEMS required by Permit Conditions 3.9 and 3.10. Each test protocol shall be submitted to DEQ for approval at least 30 days prior to the respective test date. Alternately, the permittee may waive this reporting requirement by providing a certified statement that each recertification test will be performed in the same manner as the previously approved test protocols.

[PTC No. P-050002, 6/21/2005]

3.14 All CEMS data submitted to EPA or DEQ shall meet the quality assurance procedures in 40 CFR 60, Appendix F.

[PTC No. P-050002, 6/21/2005]

3.15 The results of any RATAs conducted for compliance shall be submitted to DEQ within 60 days of the completion of the test.

[PTC No. P-050002, 6/21/2005]

3.16 The permittee shall fully comply with the reporting requirements set forth in 40 CFR 75, Subpart G. In accordance with 40 CFR 75.60(b)(2), copies of all certification or recertification notifications,

certification or recertification applications, and monitoring plans shall be submitted to DEQ. The copies shall be submitted to DEQ no later than the respective date specified in 40 CFR 75, Subpart G, for submission to the EPA Administrator.

In addition, the permittee shall submit a written report (including all raw field data, etc.) to DEQ for each certification or recertification test required in accordance with Permit Condition 3.12. Each report shall be submitted to DEQ within 60 days of the date on which the respective test was completed.

[PTC No. P-050002, 6/21/2005]

3.17 For the purpose of reports required under 40 CFR 60.7(c), periods of excess emissions of NO_x that shall be reported are defined as any period during which the fuel-bound nitrogen of the fuel is greater than the maximum nitrogen content allowed by the fuel-bound nitrogen allowance used during the performance test required in 40 CFR 60.8. Each report shall include the average fuel consumption, ambient conditions, gas turbine load, nitrogen content of the fuel during the period of excess emissions, and the graphs or figures developed under 40 CFR 60.335(a).

[PTC No. P-050002, 6/21/2005]

3.18 The permittee shall submit a report of all excess emissions of SO_2 to DEQ in accordance with 40 CFR 60.7(b) through (d). For this report, excess SO_2 emissions are defined in 40 CFR 60.334(c)(2) as any daily period during which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8% by weight.

[PTC No. P-050002, 6/21/2005]

4. EMISSIONS UNIT NO. 2 –FUEL HEATER

Summary Description

Table 4.1 describes the devices used to control emissions from the fuel heater.

Table 4.1 EMISSIONS UNITS AND EMISSIONS CONTROL DEVICES

Emissions Unit(s) / Process(es)	Emissions Control Device
Fuel heater	None

Table 4.2 contains only a summary of the requirements that apply to the fuel heater. Specific permit requirements are listed below Table 4.2.

Table 4.2 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
4.1	NO_x, CO	0.84 T/yr and 0.71 T/yr, respectively	PTC No. P-050002	4.4
4.2	PM	0.015 gr/dscf at 3% O_2	PTC No. P-050002	4.3
4.3	Fuel restrictions	Natural gas with sulfur content not to exceed 0.02 gr/dscf	PTC No. P-050002	4.3
4.4	Combustion rate	Not to exceed 16,878,613 cubic feet in any consecutive 12-month period	PTC No. P-050002	4.5

Permit Limits / Standard Summary

4.1 The NO_x and CO emissions from the fuel heater stack shall not exceed any corresponding emissions rate limits listed in Table 4.3.

Table 4.3 FUEL HEATER EMISSIONS LIMITS[a]

Source Description	NO_x	CO
	T/yr	T/yr
Fuel Heater	0.84	0.71

[a]The permittee shall not exceed the T/yr listed based on any consecutive 12-month period.

[PTC No. P-050002, 6/21/2005]

4.2 Emissions of PM from the fuel heater shall comply with Permit Condition 2.13.

[PTC No. P-050002, 6/21/2005]

Operating Requirements

4.3 The fuel heater shall be fired exclusively by natural gas. The natural gas burned in the fuel heater shall not contain sulfur in excess of 0.02 gr/dscf of natural gas.

[PTC No. P-050002, 6/21/2005]

4.4 The volume of natural gas combusted in the fuel heater shall not exceed 16,878,613 cubic feet in any consecutive 12-month period.

[PTC No. P-050002, 6/21/2005]

Monitoring and Recordkeeping Requirements

4.5 A compilation of the most recent five years of records shall be kept onsite and shall be made available to DEQ representatives upon request. The permittee shall monitor and record the following information:

- The total volume of natural gas combusted in the fuel heater in standard cubic feet per calendar month.
- The total volume of natural gas combusted in the fuel heater in standard cubic feet per any consecutive 12-month period.

[PTC No. P-050002, 6/21/2005]

5. EMISSIONS UNIT NO. 3 – EMERGENCY DIESEL GENERATOR

Summary Description

Table 5.1 describes the devices used to control emissions from the emergency diesel generator. The generator was issued an exemption from the requirement to obtain a permit to construct, No. X-2008.0196, on December 29, 2008, based on the following information:

- Emergency standby IC engine
- Operated on No. 2 diesel
- Operating hours not to exceed 500 hours per year
- Manufacturer: Cummins
- Engine model: QSX15-G9 Nonroad 2
- Genset model: 350DFEG
- Maximum HP rating: 755 bhp
- Maximum kW rating: 350 kW
- Manufacture date: 2007
- Fuel: diesel

Table 5.1 EMISSIONS UNITS AND EMISSIONS CONTROL DEVICES

Emissions Unit(s) / Process(es)	Emissions Control Device
Emergency diesel generator	None

Table 5.2 contains only a summary of the requirements that apply to the emergency diesel generator. Specific permit requirements are listed below Table 5.2.

Table 5.2 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
5.1	Fuel specifications	Nonroad diesel only	40 CFR 60.4207 and 40 CFR 80.510(b)	2.11
5.2	Operation and maintenance	Maintain equipment	40 CFR 60.2011(a)	2.11
5.3	Operating hours	50 hours non-emergency, 100 hours total, per year	40 CFR 60.4211(f)	2.11

Operating Requirements

5.1 In accordance with 40 CFR 60.4207, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must purchase diesel fuel that meets the requirements of 40 CFR 80.510(b) for non-road diesel fuel.

5.2 In accordance with 40 CFR 60.4211(a), the permittee must do all of the following, except as permitted under 40 CFR 60.4211 (g):

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.

5.3 In accordance with 40 CFR 60.4211(f), the emergency stationary ICE may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no time limit on the use of emergency stationary ICE in emergency situations. 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 ICE beyond 100 hours per year. Emergency stationary ICE may operate up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply non-emergency power as part of a financial arrangement with another entity. For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in 40 CFR 60 Subpart IIII, is prohibited.

6. INSIGNIFICANT ACTIVITIES

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

Table 6.1 INSIGNIFICANT ACTIVITIES

Description	Insignificant Activities IDAPA 58.01.01.317.01.b.i Citation
Operation, loading and unloading of volatile organic compound storage tanks, ten thousand (10,000) gallons capacity or less, with lids or other appropriate closure, vp not greater than eighty (80) mm Hg at twenty-one (21) degrees C.	IDAPA 58.01.01.317.01.b.i(3)
Operation, loading and unloading of gasoline storage tanks, ten thousand (10,000) gallons capacity or less, with lids or other appropriate closure.	IDAPA 58.01.01.317.01.b.i(3)
Welding using not more than one (1) ton per day of welding rod.	IDAPA 58.01.01.317.01.b.i(9)
Surface coating, using less than two (2) gallons per day.	IDAPA 58.01.01.317.01.b.i(17)
Cleaning and stripping activities and equipment, using solutions having less than one percent (1%) volatile organic compounds by weight.	IDAPA 58.01.01.317.01.b.i(26)

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

7. TITLE IV ACID RAIN PERMIT

Statement of Basis

6.1 In accordance with IDAPA 58.01.01 (Rules for the Control of Air Pollution in Idaho) and Titles IV and V of the Clean Air Act, DEQ issues this permit pursuant to IDAPA 58.01.01.300.

[40 CFR 72.64]

Sulfur Dioxide Allowance Allocations and Nitrogen Oxides Requirements

6.2 The permittee is required to obtain SO_2 allowances, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of SO_2 for the previous calendar year from the unit, in accordance with 40 CFR 72.9(c). The source is not subject to NO_x emission limitations under 40 CFR Part 76. In addition, the following requirements apply:

- Emissions from the facility shall not exceed any allowances that the source lawfully holds.
- No limit is placed on the number of allowances held by the source and no permit revisions shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, provided such increases do not require a permit revision under any other applicable requirement.
- The source may not, however, use allowances as a defense for noncompliance with any other applicable requirement.
- Any such allowance shall be accounted for according to the procedures established in 40 CFR Part 72 and 40 CFR Part 73.

[40 CFR 72.9(c), 72.40(a), 72.50(a)(2), 72.50(a)(3), 76.1; IDAPA 58.01.01.322.12, 3/23/98].

Comments, Notes, and Justifications

6.3 The Phase II Acid Rain Permit incorporates by reference the definitions and terms of 40 CFR 72.2.

[40 CFR 72.50(b)]

Compliance with Permit Application

6.4 The permittee shall comply with the standard requirements and special provisions set forth in the EPA Phase II Acid Rain Permit Application, signed and dated April 5, 2005.

[40 CFR 72.9, 72.31(d), 72.50(a)(1)]

Permit Application

6.5 A copy of the Phase II Acid Rain Permit application is contained in the appendix of this Tier I operating permit.

[IDAPA 58.01.01.322.12, 5/1/94; 40 CFR 72.9]

8. TIER I OPERATING PERMIT GENERAL PROVISIONS

General Compliance

8.1 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)]

8.2 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)]

8.3 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

8.4 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)]

8.5 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

8.6 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

8.7 The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.

[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]

8.8 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 §39-342A 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

8.9 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

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

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

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

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

Federal and State Enforceability

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

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

8.13 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

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

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

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

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

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

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

New Requirements During Permit Term

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

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

Fees

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

[IDAPA 58.01.01.387; 40 CFR 70.6(a)(7)]

Certification

8.17 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

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

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

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

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

Permit Shield

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

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

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

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

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

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

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

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

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

**[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/00;
IDAPA 58.01.01.322.15.m, 325, 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

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

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

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

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

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

Periodic Compliance Certification

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

a. The permittee's reporting period for annual compliance certifications for all emissions units shall be from January 1 to December 31 of each year. The compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA within 30 days of the end of the specified reporting period.

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

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

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

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

iii. The status of compliance with the terms and conditions of the Tier I operating permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in Subsection 21.c.ii. above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred; and

iv. Such other facts as DEQ may require to determine the compliance status of the source.

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

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

False Statements

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

[IDAPA 58.01.01.125, 3/23/98]

No Tampering

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

[IDAPA 58.01.01.126, 3/23/98]

Semiannual Monitoring Reports

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

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

Reporting Deviations and Excess Emissions

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

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

Permit Revision Not Required

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

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

Emergency

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

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

Appendix

Acid Rain Permit Application

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258

Acid Rain Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is: ☐ New S Revised

STEP 1

Identify the source by plant name, State, and ORIS code.

Bennett Mountain Power Project	55733

STEP 2

Enter the unit ID# for every affected unit at the affected source in column "a." For new units, enter the requested information in columns "c" and "d."

a	b	c	d
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	New Units Commence Operation Date	New Units Monitor Certification Deadline
CT01	Yes	2/21/2005	5/22/2005
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		

EPA Form 7610-16 (rev 12-03)

STEP 3

Read the standard requirements

Permit Requirements

(1) The designated representative of each affected source and each affected unit at the source shall:
(i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
(ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
(2) The owners and operators of each affected source and each affected unit at the source shall:
(i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
(ii) Have an Acid Rain Permit.

Monitoring Requirements

(1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
(2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
(3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

(1) The owners and operators of each source and each affected unit at the source shall:
(i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another affected unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
(ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
(2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
(3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
(i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
(ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
(4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
(5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
(6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
(7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

STEP 3, Cont'd.

Excess Emissions Requirements

(1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
(2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
(i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
(ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

(1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
(i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
(ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
(iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
(2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
(4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.