



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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www.deq.idaho.gov

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

June 25, 2015

Dave Logan
Director, Ada County Solid Waste Management
Ada County Landfill
200 W Front Street
Boise, ID 83702

RE: Facility ID No. 001-00195, Ada County Landfill, Boise
Final Tier I Operating Permit Letter

Dear Mr. Logan:

The Department of Environmental Quality (DEQ) is issuing Tier I Operating Permit No. T1-2011.0128 to Ada County Landfill at Boise 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. T1-2011.0128, issued October 19, 2012. The enclosed operating permit is requested by you in your underlying Permit to Construct application received on April 29, 2014. 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, Title V Source Inspector, 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 Kelli Wetzel at 208 373-0502 or kelli.wetzel@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/KW Permit No. T1-2011.0128 PROJ 61500

Enclosure

AIR QUALITY

TIER I OPERATING PERMIT

Permittee Ada County Landfill (Landfill Operations)
Permit Number T1-2011.0128
Project ID 61500
Facility ID 001-00195
Facility Location 10300 North Seamans Gulch Road
Boise, ID 83714

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 June 25, 2015

Date Expires October 19, 2017


Kelli Wetzel, Permit Writer


Mike Simon, Stationary Source Manager

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1. Acronyms, Units, and Chemical Nomenclature

| | |
|-------------------|--|
| acfm | actual cubic feet per minute |
| ASTM | American Society for Testing and Materials |
| Btu | British thermal unit |
| CAA | Clean Air Act |
| CAM | Compliance Assurance Monitoring |
| CEMS | continuous emission monitoring systems |
| cfm | cubic feet per minute |
| CFR | Code of Federal Regulations |
| CI | compression ignition |
| CMS | continuous monitoring systems |
| CO | carbon monoxide |
| CO ₂ | carbon dioxide |
| CO ₂ e | CO ₂ equivalent emissions |
| COMS | continuous opacity monitoring systems |
| DEQ | Idaho Department of Environmental Quality |
| dscf | dry standard cubic feet |
| EPA | United States Environmental Protection Agency |
| GHG | greenhouse gases |
| gph | gallons per hour |
| gpm | gallons per minute |
| gr | grains (1 lb = 7,000 grains) |
| HAP | hazardous air pollutants |
| hp | horsepower |
| hr/yr | hours per consecutive 12-calendar-month period |
| ICE | internal combustion engines |
| IDAPA | a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act |
| iwg | inches of water gauge |
| lb/hr | pounds per hour |
| MACT | Maximum Achievable Control Technology |
| mg/dscm | milligrams per dry standard cubic meter |
| MMBtu | million British thermal units |
| MMscf | million standard cubic feet |
| MRRR | Monitoring, Recordkeeping and Reporting Requirements |
| NESHAP | National Emission Standards for Hazardous Air Pollutants |
| NO ₂ | nitrogen dioxide |
| NO _x | nitrogen oxides |

| | |
|-------------------|---|
| NSPS | New Source Performance Standards |
| O&M | operation and maintenance |
| O ₂ | oxygen |
| PC | permit condition |
| PM | particulate matter |
| PM _{2.5} | particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers |
| PM ₁₀ | particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers |
| ppm | parts per million |
| ppmw | parts per million by weight |
| PSD | Prevention of Significant Deterioration |
| psig | pounds per square inch gauge |
| PTC | permit to construct |
| PTE | potential to emit |
| PW | process weight rate |
| RICE | reciprocating internal combustion engines |
| <i>Rules</i> | <i>Rules for the Control of Air Pollution in Idaho</i> |
| scf | standard cubic feet |
| SIP | State Implementation Plan |
| SO ₂ | sulfur dioxide |
| SO _x | sulfur oxides |
| T/day | tons per calendar day |
| T/hr | tons per hour |
| T/yr | tons per consecutive 12-calendar-month period |
| T1 | Tier I operating permit |
| T2 | Tier II operating permit |
| ULSD | ultra-low sulfur diesel |
| U.S.C. | United States Code |
| 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.

The purpose of this permit action is to administratively amend the permit to incorporate PTC P-2009.0001 issued April 15, 2015 in accordance with IDAPA 58.01.01.209.05.c.

Ada County Landfill's landfill operations and Hidden Hollow operations are considered one single Tier I major facility. The Ada County Landfill's Tier I permit is issued in two sections, one section is for the landfill operations and the other section is for the Hidden Hollow operations. This document is the landfill operations section of the Tier I permit.

- 2.2 This Tier I operating permit incorporates the following permit:
Permit to Construct No. P-2009.0001, issued April 15, 2015.
- 2.3 This Tier I operating permit replaces the following permit(s):
- Tier I Operating Permit No. T1-2011.0128, issued October 19, 2012.

Regulated Sources

Table 2.1 lists all sources of regulated emissions in this permit.

Table 2.1. Regulated sources.

| Permit Section | Source | Control Equipment |
|----------------|---|--|
| 3 | Fugitive dust emissions created from a number of sources: paved and unpaved roads, landfill equipment/landfill operations that include dozing and grading activities for compressing municipal solid waste and applying daily cover, and storage piles. | Reasonable control |
| 4 | Hidden Hollow Cell (HHC) and North Ravine Cell (NRC) | Flare 1, Flare 2, and H ₂ S scrubber treatment system |
| 5 | Emergency Engines #1 and #2 | 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 |
|-------------------|--|--|-----------------------------------|---|
| 3.1–3.4 | Fugitive Dust | Reasonable control | IDAPA 58.01.01.650–651 | 3.2–3.4, 3.23, 3.28 |
| 3.5–3.6 | Odors | Reasonable control | IDAPA 58.01.01.775–776 | 3.6, 3.23 |
| 3.7–3.9 | Visible Emissions | 20% opacity for no more than 3 minutes in any 60-minute period | IDAPA 58.01.01.625 | 3.8–3.9, 3.23, 3.28 |
| 3.10–3.14 | Excess Emissions | Compliance with IDAPA 58.01.01.130-136 | IDAPA 58.01.01.130–136 | 3.10–3.14, 3.23, 3.28 |
| 3.15–3.16 | 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 | 3.16, 3.23, 3.28 |
| 3.17 | Open Burning | Compliance with IDAPA 58.01.01.600-623 | IDAPA 58.01.01.600–623 | 3.17, 3.23, 3.28 |
| 3.18 | Asbestos | Compliance with 40 CFR 61, Subpart M | 40 CFR 61, Subpart M | 3.18, 3.23, 3.28 |
| 3.19 | Accidental Release Prevention | Compliance with 40 CFR 68 | 40 CFR 68 | 3.19, 3.23, 3.28 |
| 3.20 | Recycling and Emissions Reductions | Compliance with 40 CFR 82, Subpart F | 40 CFR 82, Subpart F | 3.20, 3.23, 3.28 |
| 3.21–3.22 | NSPS/NESHAP General Provisions | Compliance with 40 CFR 60, Subpart A | IDAPA 58.01.01.107.03 | 3.21–3.22, 3.23, 3.28 |
| 3.23 | Monitoring and Recordkeeping | Maintenance of required records | IDAPA 58.01.01.322.06 | 3.23, 3.28 |
| 3.24–3.27 | Testing | Compliance testing | IDAPA 58.01.01.157 | 3.24–3.27, 3.23, 3.28 |
| 3.28 | Reports and Certifications | Submittal of required reports, notifications, and certifications | IDAPA 58.01.01.322.08 | 3.28 |
| 3.29 | Incorporation of Federal Requirements by Reference | Compliance with applicable federal requirements referenced | IDAPA 58.01.01.107 | 3.29, 3.23, 3.28 |

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, 3/30/07]

3.2 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 emissions.

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

3.3 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]

- 3.4 The permittee shall conduct a monthly facility-wide inspection 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]

Odors

- 3.5 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]

- 3.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date 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

- 3.7 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, NO_x, 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]

- 3.8 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 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]

- 3.9 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

- 3.10 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 (Permit Conditions 3.10 through 3.14) 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

- 3.11 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 3.13 and 3.14) 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

3.12 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 (Permit Conditions 3.13 and 3.14) 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

3.13 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]

3.14 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]

Sulfur Content

3.15 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

- Coal containing greater than 1.0% sulfur by weight
- DEQ may approve an exemption from these fuel sulfur content requirements (IDAPA 58.01.01.725.01-725.04) if the permittee demonstrates that, through control measures or other means, SO₂ emissions are equal to or less than those resulting from the combustion of fuels complying with these limitations.

[IDAPA 58.01.01.725, 3/29/10]

- 3.16 The permittee shall maintain documentation of supplier verification of distillate fuel oil sulfur content on an as-received basis.

[IDAPA 58.01.01.322.07, 5/1/94]

Open Burning

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

[IDAPA 58.01.01.600–623, 5/08/09]

Asbestos

- 3.18 NESHAP 40 CFR 61, Subpart M—National Emission Standard for Asbestos

The permittee shall comply with all applicable emissions standards pursuant to 40 CFR 61, Subpart M—“National Emission Standard for Asbestos.”

[40 CFR 61, Subpart M]

Accidental Release Prevention

- 3.19 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

- 3.20 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

- 3.21 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.

Table 3.2. NSPS 40 CFR 60, Subpart A—summary of general provisions.

| Section | Section Title | Summary of Section Requirements |
|------------------------------|--|--|
| 60.4 | Address | <p><u>All requests, reports, applications, submittals, and other communications associated with 40 CFR 60, Subparts A, WWW, and IIII shall be submitted to:</u></p> <p>Department of Environmental Quality Boise Regional Office 1445 N. Orchard Boise, ID 83706</p> |
| 60.7(a),(b),(c), (d) and (f) | Notification and Record Keeping | <p>Notification of commencement of construction postmarked no later than 30 days after such date.</p> <p>Notification of startup postmarked within 15 days of such date.</p> <p>Notification of physical or operational change that may increase emissions postmarked 60 days before the change is made.</p> <p>Maintain records of the occurrence and duration of any: startup, shutdown or malfunction of the affected source; malfunction of air pollution control device; and any period when a monitoring device is inoperative.</p> <p>Maintain in a permanent form records suitable for inspection of all Monitoring and Recordkeeping permit condition requirements, performance testing measurements, operation and maintenance manual, adjustments/maintenance performed and other required information. Records shall be maintained for a period of five years, with the exception of the O & M manual, which shall be updated as needed for the life of the equipment. Records are to be made available to DEQ representatives upon request and within four hours.</p> |
| 60.8 | Performance Tests | <p>The owner or operator shall provide notice at least 30 days prior to any performance test to afford an opportunity for an observer to be present during testing.</p> <p>Within 60 days of achieving maximum production, but not later than 180 days after startup the permittee shall conduct performance test(s) and furnish a written report of the results of the test(s).</p> |
| 60.11(b), (c), and (e) | Compliance with Standards and Maintenance Requirements (Opacity) | <p>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.</p> <p>The opacity standards shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided.</p> <p>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).</p> |
| 60.12 | Circumvention | <p>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.</p> |
| 60.14 | Modification | <p>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.</p> <p>Within 180 days of the completion of any physical or operational change, compliance with all applicable standards must be achieved.</p> |
| 60.15 | Reconstruction | <p>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.</p> |

[40 CFR 60, Subpart A]

3.22 NESHP 40 CFR 63, Subpart A—General Provisions

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.

Table 3.3. NESHAP 40 CFR 63, Subpart A—summary of general provisions.

| Citation | Subject | Explanation |
|-----------------------------|--|---|
| 40 CFR 63.1(a)(1)-(12) | General Applicability | |
| 40 CFR 63.1(b)(1)-(3) | Initial Applicability Determination | Applicability of subpart ZZZZ is also specified in 40 CFR 63.6585 |
| 40 CFR 63.1(c)(1) | Applicability After Standard Established | |
| 40 CFR 63.1(c)(2) | Applicability of Permit Program for Area Sources | |
| 40 CFR 63.1(c)(5) | Notifications | |
| 40 CFR 63.2 | Definitions | Additional definitions are specified in 40 CFR 63.6675. |
| 40 CFR 63.3(a)-(c) | Units and Abbreviations | |
| 40 CFR 63.4(a)(1)-(5) | Prohibited Activities | |
| 40 CFR 63.4(b)-(c) | Circumvention/Fragmentation | |
| 40 CFR 63.6(a) | Compliance With Standards and Maintenance Requirements—Applicability | |
| 40 CFR 63.6(b)(1)-(7) | Compliance Dates for New and Reconstructed Sources | 40 CFR 63.6595 specifies the compliance dates. |
| 40 CFR 63.6(c)(1)-(5) | Compliance Dates for Existing Sources | 40 CFR 63.6595 specifies the compliance dates. |
| 40 CFR 63.6(f)(2)-(3) | Methods for Determining Compliance | |
| 40 CFR 63.6(g)(1)-(3) | Use of an Alternative Standard | |
| 40 CFR 63.6(i)(1)-(16) | Extension of Compliance | |
| 40 CFR 63.6(j) | Presidential Compliance Exemption | |
| 40 CFR 63.7(a)(1)-(2) | Performance Test Dates | 40 CFR 63.6610-6612 specify the performance test dates |
| 40 CFR 63.7(b)(1)-(2) | Notification of Performance Test and Rescheduling | 40 CFR 63.6645 specifies the notification |
| 40 CFR 63.7(e)(2) | Conduct Performance Test and reduction of data | 40 CFR 63.6620 specifies appropriate test methods |
| 40 CFR 63.7(g) | Performance Test data analysis and recordkeeping and reporting | |
| 40 CFR 63.8 | Monitoring Requirements | 40 CFR 63.6625 specifies appropriate monitoring requirements |
| 40 CFR 63.9(a)-(e), (g)-(j) | Notification Requirements | 40 CFR 63.645 specifies notification requirements. |
| 40 CFR 63.10(a) | Recordkeeping/Reporting—Applicability and General Information | |
| 40 CFR 63.10(b)(1) | General Recordkeeping Requirements | Additional requirements are specified in 40 CFR 63.6655 |
| 40 CFR 63.10(b)(2)(xii) | Waiver of recordkeeping requirements | |
| 40 CFR 63.10(b)(2)(xiv) | Records supporting notifications | |
| 40 CFR 63.10(b)(3) | Recordkeeping Requirements for Applicability Determinations | |
| 40 CFR 63.10(d)(1) | General Reporting Requirements | Additional requirements are specified in 40 CFR 63.6650 |

| | | |
|--------------------|--|--|
| 40 CFR 63.10(d)(4) | Progress Reports for Sources With Compliance Extensions | |
| 40 CFR 63.10(f) | Recordkeeping/Reporting Waiver | |
| 40 CFR 63.12 | State Authority and Delegations | |
| 40 CFR 63.13 | Addresses of State Air Pollution Control Agencies and EPA Regional Offices | |
| 40 CFR 63.14 | Incorporation by Reference | |
| 40 CFR 63.15 | Availability of Information/Confidentiality | |

[40 CFR 63, Subpart A]

Monitoring and Recordkeeping

3.23 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

3.24 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.

3.25 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

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

- 3.26 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.
- 3.27 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 (Permit Condition 3.28).

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

Reports and Certifications

- 3.28 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 N. Orchard
Boise, ID 83706
Phone: (208) 208-373-0550
Fax: (208) 208-373-0287

The periodic compliance certification required in the general provisions (General Provision 15.22) 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, 4/5/00]

Incorporation of Federal Requirements by Reference

- 3.29 Unless expressly provided otherwise, any reference in this permit to any document identified in IDAPA 58.01.01.107.03 shall constitute the full incorporation into this permit of that document for the purposes of the reference, including any notes and appendices therein. Documents include, but are not limited to:

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

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

[IDAPA 58.01.01.107, 4/7/11]

4. Hidden Hollow Cell (HHC) and North Ravine Cell (NRC)

Summary Description

The Ada County Landfill (ACLF) covers approximately 2,700 acres of land located about 6.5 miles northwest of Boise in an attainment area for all criteria pollutants. The ACLF is comprised of the Hidden Hollow Cell (HHC) and North Ravine Cell (NRC). The HHC encompasses an area of approximately 110 acres with a design capacity of 16 million cubic yards and is anticipated to be closed at the earliest 2020. The NRC encompasses an area of approximately 260 acres, has a design capacity of 70 million cubic yards and an active life of approximately 90 years. The NRC began accepting municipal solid waste in 2007.

The ACLF operates four stationary emissions units: two enclosed flares and two emergency diesel engines. Hidden Hollow Energy, LLC operates two existing landfill gas (LFG) engines. Two additional LFG engines are anticipated to be constructed within two years. A hydrogen sulfide (H₂S) scrubber treatment system scrubs the landfill gas prior to combustion activities in the LFG engines and flares. The flares are used as emission control devices to destroy nonmethane organic compounds (NMOCs) at temperatures between 1,400 to 1,800 degrees Fahrenheit. Landfill gas is drawn through a gas collection system under vacuum to the flare control system. Thermocouple sensors in the flare stacks continuously monitor operations. In the event the flame goes out, the integrated control system will shut down the flares.

ACLF operates two emergency backup engines for the Scale House and the Household Hazardous Waste facility.

Table 4.1 describes the devices used to control emissions from Hidden Hollow Cell and North Ravine Cell.

Table 4.1. Hidden Hollow Cell and North Ravine Cell description.

| Emissions Units / Processes | Control Devices |
|--|--|
| Hidden Hollow Cell and North Ravine Cell | H ₂ S Scrubber Treatment System Flares 1 and 2 |

Table 4.2 contains only a summary of the requirements that apply to the Hidden Hollow Cell and North Ravine Cell. Specific permit requirements are listed below.

Table 4.2. Applicable requirements summary.

| Permit Conditions | Parameter | Limit / Standard Summary | Applicable Requirements Reference | Operating, Monitoring, and Recordkeeping Requirements |
|-------------------|------------------------|---|-----------------------------------|---|
| 4.1 | Hydrogen Sulfide Limit | 600 ppm | P-2009.0001 | 4.11 |
| 4.2 | Opacity Limit | 20% | IDAPA 58.01.01.625 | 4.9 |
| 4.3 | Particulate Matter | 0.2 pounds per 100 pounds of gas combusted | IDAPA 58.01.01.786 P-050056 | 4.12 |
| 4.7 | LFG Throughput Limits | Flare 1 – 2320 scfm Flare 2 – 2379 scfm Combined Flares – 4699 scfm | P-2009.0001 | 4.12, 4.16, 4.21, 4.25, 4.26 |
| 4.7 | Temperature Range | 1400-1800 °F | P-2009.0001 | 4.25, 4.26 |

Emission Limits

- 4.1 The H₂S concentration of the landfill gas being combusted in the flares shall not exceed 600 ppm.
[PTC No. P-2009.0001, 4/15/15]
- 4.2 For visible emissions, the permittee shall comply with facility-wide Permit Condition 3.7.
- 4.3 Particulate matter emissions from each of the flares shall not exceed 0.2 pounds per 100 pounds of landfill gas combusted, in accordance with IDAPA 58.01.01.786.
[PTC No. P-050056, 5/18/06]
- 4.4 For odors from the flares, the permittee shall comply with facility-wide Permit Condition 3.5.
- 4.5 The permittee shall comply with IDAPA 58.01.01.550-562, Air Pollution Emergency Rule.
[PTC No. P-050056, 5/18/06]

Operating Requirements

- 4.6 The permittee shall maintain and follow the O&M manual for the landfill gas flares, H₂S scrubber treatment system, and landfill gas flow-rate monitor which describes the procedures that will be followed to comply with the second General Provision and the manufacturer specifications. This manual shall remain on site at all times and shall be made available to DEQ representatives upon request.
[PTC No. P-2009.0001, 4/15/15]
- 4.7 The landfill gas to the flares shall not exceed the following limits.
- 2,320 scfm to Flare 1
 - 2,379 scfm to Flare 2
 - 4,699 scfm to Combined Flares
- The Flares shall be operated within the parameter ranges established by the manufacturer:
- Gas temperature at outlet = 1400-1800 °F
- [PTC No. P-2009.0001, 4/15/15]
- 4.8 The landfill gas H₂S scrubber treatment system shall be installed and commence operation no later than 120 days after permit issuance. The H₂S scrubber treatment system shall meet the following requirements:
- As part of the H₂S scrubber treatment system, a H₂S analyzer shall be installed in accordance with manufacturer specifications downstream of the H₂S scrubber and upstream of the flares and LFG engines.
 - The H₂S concentration of the landfill gas exiting the H₂S scrubber treatment system, prior to being combusted in the engines or flares, shall not exceed the landfill gas stream hydrogen sulfide limit.
 - The system shall be capable of treating a minimum of 4,699 scfm of landfill gas.
 - The system shall be operated by the permittee at all times that landfill gas is combusted in the landfill gas control devices (i.e., flare and internal combustion engines), except for periods of startup, shutdown, scheduled maintenance, safety measures, upset, and breakdown afforded by and determined to comply with the requirements appearing under IDAPA 58.01.01.130-136.
[PTC No. P-2009.0001, 4/15/15]

Monitoring and Recordkeeping Requirements

- 4.9 For opacity monitoring, the permittee shall comply with facility-wide Permit Condition 3.8.

4.10 For odor complaints, the permittee shall comply with facility-wide Permit Condition 3.6.

4.11 The hydrogen sulfide (H₂S) concentration monitoring and recordkeeping schedule shall be as follows.

- The H₂S analyzer shall be validated and recorded in accordance with the O&M manual no less than quarterly.
- The measured H₂S concentrations from the H₂S analyzer shall be monitored continuously and the highest daily value (over a 24-hour period) will be recorded in units of ppm.
- Monitoring and recordkeeping shall occur during each calendar day of operations. If the measured H₂S concentration does not demonstrate compliance, monitoring frequency shall revert to each operating hour until 5 consecutive days of monitoring shows compliance with the H₂S limit.
- Records shall be maintained on site and in accordance with the Recordkeeping General Provision.

[PTC No. P-2009.0001, 4/15/15]

4.12 The Landfill Gas flow rate shall be monitored and recorded at the same schedule used for H₂S monitoring and recordkeeping to demonstrate compliance with the LFG Control System permit condition.

[PTC No. P-2009.0001, 4/15/15]

Federal Requirements

40 CFR 60 Subpart WWW Requirements

4.13 The permittee shall be in compliance with 40 CFR 60, Subpart WWW in accordance with IDAPA 58.01.01.859.03. The following permit conditions apply to Ada County Landfill based on the information in the application. Should, in the future, changes made to Ada County Landfill trigger other requirements in 40 CFR 60, Subpart WWW, requirements in 40 CFR 60, Subpart WWW shall govern.

4.14 The permittee shall operate the collection and control device installed to comply with this subpart in accordance with the provisions of 40 CFR 60.753, 60.755 and 60.756.

[40 CFR 60.752(b)(2)(iv)]

- The collection and control system may be capped or removed provided that all the conditions of 40 CFR 60.752(b)(2)(v) (A), (B), and (C) are met:

[40 CFR 60.752(b)(2)(v)]

- The landfill shall be a closed landfill as defined in 40 CFR 60.751. A closure report shall be submitted to DEQ as provided in 40 CFR 60.757(d);

[40 CFR 60.752(b)(2)(v)(A)]

- The collection and control system shall have been in operation a minimum of 15 years; and

[40 CFR 60.752(b)(2)(v)(B)]

- Following the procedures specified in 40 CFR 60.754(b), the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart.

[40 CFR 60.752(b)(2)(v)(C)]

- When a MSW landfill subject to this subpart is closed, the owner or operator is no longer subject to the requirement to maintain an operating permit under 40 CFR 70 for the landfill if the landfill is not otherwise subject to the requirements of 40 CFR 70 and if the owner or operator meets the conditions for control system removal specified in 40 CFR 60.752 (b)(2)(v).

[40 CFR 60.752(d)]

4.15 Each owner or operator of an MSW landfill with a gas collection and control system used to comply with the provisions of 40 CFR 60.752(b)(2)(ii) shall:

- Operate the collection system such that gas is collected from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for:
 - 5 years or more if active or
 - 2 years or more if closed or at final grade.

[40 CFR 60.753(a)]

- Operate the collection system with negative pressure at each wellhead except under the following conditions:
 - A fire or increased well temperature. The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 40 CFR 60.757(f)(1);
 - Use of a geomembrane or synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan;
 - A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by DEQ.

[40 CFR 60.753(b)]

- Operate each interior wellhead in the collection system with a landfill gas temperature less than 55°C and with either a nitrogen level less than 20% or an oxygen level less than 5%. The owner or operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.
- The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by 40 CFR 60.752(b)(2)(i).
- Unless an alternative test method is established as allowed by 40 CFR 60.752(b)(2)(i), the oxygen shall be determined by an oxygen meter using Method 3A or 3C except that:
 - The span shall be set so that the regulatory limit is between 20 and 50% of the span;
 - A data recorder is not required;
 - Only two calibration gases are required, a zero and span, and ambient air may be used as the span;
 - A calibration error check is not required;
 - The allowable sample bias, zero drift, and calibration drift are ±10%.

[40 CFR 60.753(c)]

- Operate the collection system so that the methane concentration is less than 500 ppm above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection

area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

[40 CFR 60.753(d)]

- Operate the system such that all collected gases are vented to a control system designed and operated in compliance with 40 CFR 60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour; and

[40 CFR 60.753(e)]

- Operate the control or treatment system at all times when the collected gas is routed to the system.

[40 CFR 60.753(f)]

- If monitoring demonstrates that the operational requirements in 40 CFR 60.753(b), (c), or (d) are not met, corrective action shall be taken as specified in 40 CFR 60.755(a)(3) through (5) or 40 CFR 60.755(c). If corrective actions are taken as specified in 40 CFR 60.755, the monitored exceedance is not a violation of the operational requirements in this section.

[40 CFR 60.753(g)]

- 4.16 After the installation of a collection and control system in compliance with 40 CFR 60.755, the owner or operator shall calculate the NMOC emission rate for purposes of determining when the system can be removed as provided in 40 CFR 60.752(b)(2)(v), using the following equation:

$$M_{\text{NMOC}} = 1.89 \times 10^{-3} Q_{\text{LFG}} C_{\text{NMOC}}$$

Where,

M_{NMOC} = mass emission rate of NMOC, megagrams per year

Q_{LFG} = flow rate of landfill gas, cubic meters per minute

C_{NMOC} = NMOC concentration, parts per million by volume as hexane

The flow rate of landfill gas, Q_{LFG} , shall be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device calibrated according to the provisions of section 4 of Method 2E of appendix A of 40 CFR 60.

The average NMOC concentration, C_{NMOC} , shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of Appendix A of 40 CFR 60. If using Method 18 of Appendix A of 40 CFR 60, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The sample location on the common header pipe shall be before any condensate removal or other gas refining units. The landfill owner or operator shall divide the NMOC concentration from Method 25C of Appendix A of 40 CFR 60 by six to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.

The owner or operator may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by DEQ.

For the NMOC control system performance test required in 40 CFR 60.752(b)(2)(iii)(B), Method 25, 25C, or Method 18 of Appendix A of 40 CFR 60 must be used to determine compliance with the 98 weight-percent efficiency or the 20 ppmv outlet concentration level, unless another method to demonstrate compliance has been approved by the Administrator as provided by 40 CFR 60.752(b)(2)(i)(B). Method 3 or 3A shall be used to determine oxygen for correcting the NMOC concentration as hexane to 3 percent. In cases where the outlet concentration is less than 50 ppm NMOC as carbon (8 ppm NMOC as hexane), Method 25A should be used in place of Method 25. If using Method 18 of appendix A of this part, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The following equation shall be used to calculate efficiency:

$$\text{Control Efficiency} = (\text{NMOC}_{\text{in}} - \text{NMOC}_{\text{out}}) / (\text{NMOC}_{\text{in}})$$

Where,

NMOC_{in} = mass of NMOC entering control device

NMOC_{out} = mass of NMOC exiting control device

[40 CFR 60.754(b)]

- 4.17 For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with 40 CFR 60.752(b)(2)(ii)(A)(3), the owner or operator shall measure gauge pressure in the gas collection header at each individual well, monthly. If a positive pressure exists, action shall be initiated to correct the exceedance within five calendar days, except for the three conditions allowed under 40 CFR 60.753(b). If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to DEQ for approval.
- Owners or operators are not required to expand the system as required in 40 CFR 60.755(a)(3) during the first 180 days after gas collection system startup.
 - For the purpose of identifying whether excess air infiltration into the landfill is occurring, the owner or operator shall monitor each well monthly for temperature and nitrogen or oxygen as provided in 40 CFR 60.753(c). If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within five calendar days. If correction of the exceedance cannot be achieved within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to DEQ for approval.
 - An owner or operator seeking to demonstrate compliance with 40 CFR 60.752(b)(2)(ii)(A)(4) through the use of a collection system not conforming to the specifications provided in 40 CFR 60.759 shall provide information satisfactory to DEQ as specified in 40 CFR 60.752(b)(2)(i)(C) demonstrating that off-site migration is being controlled.

[40 CFR 60.755(a)]

- 4.18 For purposes of compliance with 40 CFR 60.753(a), each owner or operator of a controlled landfill shall place each well or design component as specified in the approved design plan as provided in 40 CFR 60.752(b)(2)(i). Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of:

- 5 years or more if active; or
- 2 years or more if closed or at final grade.

[40 CFR 60.755(b)]

4.19 The following procedures shall be used for compliance with the surface methane operational standard as provided in 40 CFR 60.753(d).

- After installation of the collection system, the owner or operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR 60.755(d).
- The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.
- Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of Appendix A of 40 CFR 60, except that the probe inlet shall be placed within five to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.
- Any reading of 500 ppm or more above background at any location shall be recorded as a monitored exceedance and the actions specified in the following 40 CFR 60.755(c)(4)(i) through (v) shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of 40 CFR 60.753(d).
- The location of each monitored exceedance shall be marked and the location recorded.
- Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance.
- If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in 40 CFR 60.755(c)(4)(v) shall be taken, and no further monitoring of that location is required until the action specified in 40 CFR 60.755(c)(4)(v) has been taken.
- Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day re-monitoring specified in 40 CFR 60.755(c)(4)(ii) or (iii) shall be re-monitored one month from the initial exceedance. If the one-month monitoring shows a concentration less than 500 ppm above background, no further monitoring of that location is required until the next quarterly monitoring period. If the one-month monitoring shows an exceedance, the actions specified in 40 CFR 60.755(c)(4) (iii) or (v) shall be taken.
- The owner or operator shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

[40 CFR 60.755(c)]

4.20 Each owner or operator seeking to comply with the provisions in 40 CFR 60.755(c) shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

- The portable analyzer shall meet the instrument specifications provided in Section 3 of Method 21 of Appendix A of 40 CFR 60, except that “methane” shall replace all references to VOC.
- The calibration gas shall be methane, diluted to a nominal concentration of 500 ppm in air.
- To meet the performance evaluation requirements in section 3.1.3 of Method 21 of Appendix A of 40 CFR 60, the instrument evaluation procedures of section 4.4 of Method 21 of Appendix A of 40 CFR 60 shall be used.
- The calibration procedures provided in Section 4.2 of Method 21 of Appendix A of 40 CFR 60 shall be followed immediately before commencing a surface monitoring survey.

The provisions apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five days for collection systems and shall not exceed one hour for treatment or control devices.

[40 CFR 60.755(d-e)]

- 4.21 Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(ii)(A) for an active gas collection system shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and:
- Measure the gauge pressure in the gas collection header on a monthly basis as provided in 40 CFR 60.755(a)(3); and
 - Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in 40 CFR 60.755(a)(5); and
 - Monitor temperature of the landfill gas on a monthly basis as provided in 40 CFR 60.755(a)(5).

[40 CFR 60.756(a)]

- 4.22 Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(iii) using an enclosed combustor shall calibrate, maintain, and operate according to the manufacturer's specifications, the following equipment.
- A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ± 1 percent of the temperature being measured expressed in degrees Celsius or ± 0.5 degrees Celsius, whichever is greater.
 - A device that records flow to or bypass of the control device. The owner or operator shall either:
 - Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or
 - Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

[40 CFR 60.756(b)]

4.23 Each owner or operator seeking to demonstrate compliance with 40 CFR 60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in 40 CFR 60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

[40 CFR 60.756(f)]

4.24 An amended design capacity report shall be submitted to DEQ providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill to or above 2.5 million megagrams and 2.5 million cubic meters. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density as documented in the annual recalculation required in 40 CFR 60.758(f).

[40 CFR 60.757(a)(3)]

Each owner or operator subject to the requirements shall submit an NMOC emission rate report to DEQ initially and annually thereafter, except as provided for in 40 CFR 60.757(b)(3). DEQ may request such additional information as may be necessary to verify the reported NMOC emission rate.

- The NMOC emission rate report shall contain an annual or five-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR 60.754(a) or (b), as applicable.
- The initial NMOC emission rate report may be combined with the initial design capacity report required in 40 CFR 60.757(a) and shall be submitted no later than indicated in 40 CFR 60.757(b)(1)(i)(A) and (B). Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in 40 CFR 60.757(b)(3).
- The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or five-year emissions.
- Each owner or operator subject to the requirements is exempted from the requirements of 40 CFR 60.757(b)(1) and 40 CFR 60.757(b)(2), after the installation of a collection and control system in compliance with 40 CFR 60.752(b)(2), during such time as the collection and control system is in operation and in compliance with 40 CFR 60.753 and 40 CFR 60.755.

[40 CFR 60.757(b)]

Each owner or operator subject to the provisions of 40 CFR 60.752(b)(2)(i) shall submit a collection and control system design plan to DEQ within one year of the first report required under 40 CFR 60.757(b) in which the emission rate equals or exceeds 50 megagrams per year.

[40 CFR 60.757(c)]

Each owner or operator of a controlled landfill shall submit a closure report to DEQ within 30 days of waste acceptance cessation. DEQ may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to DEQ, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR 60.7(a)(4).

[40 CFR 60.757(d)]

Each owner or operator of a controlled landfill shall submit an equipment removal report to DEQ 30 days prior to removal or cessation of operation of the control equipment.

- The equipment removal report shall contain all of the following items:
 - A copy of the closure report submitted in accordance with 40 CFR 60.757(d),

- A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and
- Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.
- DEQ may request such additional information as may be necessary to verify that all of the conditions for removal in 40 CFR 60.752(b)(2)(v) have been met.

[40 CFR 60.757(e)]

Each owner or operator of a landfill seeking to comply with 40 CFR 60.752(b)(2) using an active collection system designed in accordance with 40 CFR 60.752(b)(2)(ii) shall submit to DEQ annual reports of the recorded information in 40 CFR 60.757 (f)(1) through 40 CFR 60.757(f)(6). The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR 60.8. For enclosed combustion devices and flares, reportable exceedances are defined under 40 CFR 60.758(c).

- Value and length of time for exceedance of applicable parameters monitored under 40 CFR 60.756(a), (b), (c), and (d).
- Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under 40 CFR 60.756.
- Description and duration of all periods when the control device was not operating for a period exceeding one hour and length of time the control device was not operating.
- All periods when the collection system was not operating in excess of five days.
- The location of each exceedance of the 500 ppm methane concentration as provided in 40 CFR 60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.
- The date of installation and the location of each well or collection system expansion added pursuant to 40 CFR 60.755(a)(3), (b), and (c)(4).

[40 CFR 60.757(f)]

4.25 Each owner or operator of an MSW landfill subject to the provisions of 40 CFR 60.752(b) shall keep for at least five years up-to-date, readily accessible, on-site records of the design capacity report which triggered 40 CFR 60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within four hours. Either paper copy or electronic formats are acceptable.

[40 CFR 60.758(a)]

Each owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in 40 CFR 60.758(b)(1) through 40 CFR 60.758(b)(4) as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of five years. Records of the control device vendor specifications shall be maintained until removal.

- Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR 60.752(b)(2)(ii):
 - The maximum expected gas generation flow rate as calculated in 40 CFR 60.755(a)(1). The owner or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by DEQ.

- The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR 60.759(a)(1).
- Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR 60.752(b)(2)(iii) through use of an enclosed combustion device other than a boiler or process heater with a design heat input capacity equal to or greater than 44 megawatts.
- The average combustion temperature measured at least every 15 minutes and averaged over the same time period of the performance test.
- The percent reduction of NMOC determined as specified in 40 CFR 60.752(b)(2)(iii)(B) achieved by the control device.

[40 CFR 60.758(b)]

The permittee shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 40 CFR 60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

- All 3-hour periods of operation during which the average combustion temperature was more than 28 °C below the average combustion temperature during the most recent performance test at which compliance with 40 CFR 60.752(b)(2)(iii) was determined constitute exceedances that shall be recorded and reported under 40 CFR 60.757(f).
- The permittee shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR 60.756.

The permittee shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 40 CFR 60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

Except as provided in 40 CFR 60.752(b)(2)(i)(B), the permittee shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 40 CFR 60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

- The following constitute exceedances that shall be recorded and reported under 40 CFR 60.757(f):
 - For enclosed combustors except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million British thermal unit per hour) or greater, all three-hour periods of operation during which the average combustion temperature was more than 28°C below the average combustion temperature during the most recent performance test at which compliance with 40 CFR 60.752(b)(2)(iii) was determined.
 - Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR 60.756.

[40 CFR 60.758(c)]

Each owner or operator subject to the provisions of this subpart shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

- Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under 40 CFR 60.755(b).
- Each owner or operator subject to the provisions of this subpart shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in 40 CFR 60.759(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in 40 CFR 60.759(a)(3)(ii).

[40 CFR 60.758(d)]

Each owner or operator subject to the provisions of this subpart shall keep for at least five years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 40 CFR 60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

[40 CFR 60.758(e)]

Landfill owners or operators who convert design capacity from volume to mass or mass to volume to demonstrate that landfill design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, as provided in the definition of “design capacity”, shall keep readily accessible, on-site records of the annual recalculation of site-specific density, design capacity, and the supporting documentation. Off-site records may be maintained if they are retrievable within four hours. Either paper copy or electronic formats are acceptable.

[40 CFR 60.758(f)]

4.26 Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(i) shall site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the following procedures unless alternative procedures have been approved by DEQ as provided in 40 CFR 60.752(b)(2)(i)(C) and (D):

- The collection devices within the interior and along the perimeter areas shall be certified to achieve comprehensive control of surface gas emissions by a professional engineer. The following issues shall be addressed in the design: depths of refuse, refuse gas generation rates and flow characteristics, cover properties, gas system expandibility, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, and resistance to the refuse decomposition heat.
- The sufficient density of gas collection devices determined in 40 CFR 60.759(a)(1) shall address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior.
- The placement of gas collection devices determined in 40 CFR 60.759 (a)(1) shall control all gas producing areas, except as provided by 40 CFR 60.759(a)(3)(i) and 40 CFR 60.759(a)(3)(ii).
 - Any segregated area of asbestos or nondegradable material may be excluded from collection if documented as provided under 40CFR 60.758(d). The documentation shall provide the nature, date of deposition, location and amount of asbestos or nondegradable material deposited in the area, and shall be provided to DEQ upon request.

- Any nonproductive area of the landfill may be excluded from control, provided that the total of all excluded areas can be shown to contribute less than one percent of the total amount of NMOC emissions from the landfill. The amount, location, and age of the material shall be documented and provided to DEQ upon request. A separate NMOC emissions estimate shall be made for each section proposed for exclusion, and the sum of all such sections shall be compared to the NMOC emissions estimate for the entire landfill. Emissions from each section shall be computed using the following equation:

$$Q_i = 2 k L_o M_i (e^{-kt} i) (C_{NMOC}) (3.6 \times 10^{-9})$$

Where,

Q_i = NMOC emission rate from the i^{th} section, megagrams per year

k = methane generation rate constant, year⁻¹

L_o = methane generation potential, cubic meters per megagram solid waste

M_i = mass of the degradable solid waste in the i^{th} section, megagram

t_i = age of the solid waste in the i^{th} section, years

C_{NMOC} = concentration of nonmethane organic compounds, parts per million by volume

3.6×10^{-9} = conversion factor

- The values for k and C_{NMOC} determined in field testing shall be used if field testing has been performed in determining the NMOC emission rate or the radii of influence (this distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for k , L_o and C_{NMOC} provided in 40 CFR 60.754(a)(1) or the alternative values from 40 CFR 60.754(a)(5) shall be used. The mass of nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in 40 CFR 60.759(a)(3)(i).

[40 CFR 60.759(a)]

Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(i)(A) shall construct the gas collection devices using the following equipment or procedures:

- The landfill gas extraction components shall be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. The collection system shall extend as necessary to comply with emission and migration standards. Collection devices such as wells and horizontal collectors shall be perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations shall be situated with regard to the need to prevent excessive air infiltration.
- Vertical wells shall be placed so as not to endanger underlying liners and shall address the occurrence of water within the landfill. Holes and trenches constructed for piped wells and horizontal collectors shall be of sufficient cross-section so as to allow for their proper construction and completion including, for example, centering of pipes and placement of gravel backfill. Collection devices shall be designed so as not to allow

indirect short circuiting of air into the cover or refuse into the collection system or gas into the air. Any gravel used around pipe perforations should be of a dimension so as not to penetrate or block perforations.

- Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly shall include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices shall be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness.

[40 CFR 60.759(b)]

Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(i)(A) shall convey the landfill gas to a control system in compliance with 40 CFR 60.752(b)(2)(iii) through the collection header pipe(s). The gas mover equipment shall be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment using the following procedures:

- For existing collection systems, the flow data shall be used to project the maximum flow rate. If no flow data exists, the procedures in 40 CFR 60.759(c)(2) shall be used.
- For new collection systems, the maximum flow rate shall be in accordance with 40 CFR 60.755(a)(1).

[40 CFR 60.759(c)]

40 CFR 63 Subpart AAAA Requirements

4.27 The permittee shall comply with 40 CFR 63, Subpart AAAA. The following permit conditions apply to Ada County Landfill based on the information in the application. Should, in the future, changes made to Ada County Landfill trigger other requirements in 40 CFR 63, Subpart AAAA, requirements in 40 CFR 63, Subpart AAAA shall govern.

4.28 The Ada County Landfill is an existing affected source and is a major source meeting the criteria in 40 CFR 63.1935(a)(1), the permittee must comply with the requirements in 40 CFR 63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2), which is April 28, 2007.

[40 CFR 63.1945(f)]

4.29 The Ada County Landfill is no longer required to comply with the requirements of this subpart when you are no longer required to apply controls as specified in 40 CFR 60.752(b)(2)(v).

[40 CFR 63.1950]

4.30 Compliance is determined in the same way it is determined for 40 CFR part 60, subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence. In addition, continuous parameter monitoring data, collected under 40 CFR 60.756(b)(1), (c)(1), and (d) of subpart WWW, are used to demonstrate compliance with the operating conditions for control systems. If a deviation occurs, you have failed to meet the control device operating conditions described in this subpart and have deviated from the requirements of this subpart. Finally, you must develop a written SSM plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site. Failure to write or maintain a copy of the SSM plan is a deviation from the requirements of this subpart.

[40 CFR 63.1960]

A deviation is defined in 40 CFR 63.1990. For the purposes of the landfill monitoring and SSM plan requirements, deviations include the items in 40 CFR 63.1965(a) through (c).

- A deviation occurs when the control device operating parameter boundaries described in 40 CFR 60.758(c)(1) are exceeded.
- A deviation occurs when one hour or more of the hours during the three-hour block averaging period does not constitute a valid hour of data. A valid hour of data must have measured values for at least three 15-minute monitoring periods within the hour.
- A deviation occurs when a SSM plan is not developed, implemented, or maintained on site.

[40 CFR 63.1965]

4.31 Averages are calculated in the same way as they are calculated in 40 CFR 60, Subpart WWW, except that the data collected during the events listed in 40 CFR 63.1975(a), (b), (c), and (d) are not to be included in any average computed under this subpart:

- Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments.
- Startups.
- Shutdowns.
- Malfunctions.

[40 CFR 63.1975]

4.32 The permittee must meet the following operation and maintenance requirements for the landfill gas treatment system:

- At all times, including periods of startup, shutdown, and malfunction, the owner or operator 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. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires that the owner or operator reduce emissions from the affected source to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable 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 (including the startup, shutdown, and malfunction plan required in 40 CFR 63.6(e)(3)), review of operation and maintenance records, and inspection of the source.
- Malfunctions must be corrected as soon as practicable after their occurrence. To the extent that an unexpected event arises during a startup, shutdown, or malfunction, an owner or operator must comply by minimizing emissions during such a startup, shutdown, and malfunction event consistent with safety and good air pollution control practices.
- Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

[40 CFR 63.6(e)(1)]

4.33 Records and reports must be kept as specified in 40 CFR 60, Subpart WWW. An annual report must also be submitted as described in 40 CFR 60.757(f) every six months.

Records and reports must be kept as shown in Table 1 of Subpart AAAA. Applicable records include SSM plans and the SSM plan reports.

[40 CFR 63.1980(a-b)]

4.34 The permittee shall comply with the following recordkeeping requirements for the landfill gas treatment system:

- When actions taken by the owner or operator during a startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator must keep records for that event which demonstrate that the procedures specified in the plan were followed.
 - These records may take the form of a “checklist,” or other effective form of recordkeeping that confirms conformance with the startup, shutdown, and malfunction plan and describes the actions taken for that event.
 - In addition, the permittee shall keep records of these events as specified in paragraph 63.10(b), including records of the occurrence and duration of each startup or shutdown (if the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction of operation and each malfunction of the air pollution control and monitoring equipment.
 - Furthermore, the permittee shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in 40 CFR 63.10(d)(5).
- If an action taken by the permittee during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, and the source exceeds any applicable emission limitation in the relevant emission standard, then the owner or operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event, in accordance with 40 CFR 63.10(d)(5) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator).

[40 CFR 63.6(e)(3)]

4.35 The permittee shall comply with the following recordkeeping requirements for the landfill gas treatment system:

- The permittee shall maintain at the affected source a current startup, shutdown, and malfunction plan and must make the plan available upon request for inspection and copying by the Administrator.
- In addition, if the startup, shutdown, and malfunction plan is subsequently revised as provided in 40 CFR 63.6(e)(3)(viii), the owner or operator must maintain at the affected source each previous (i.e., superseded) version of the startup, shutdown, and malfunction plan, and must make each such previous version available for inspection and copying by the Administrator for a period of 5 years after revision of the plan.

- If at any time after adoption of a startup, shutdown, and malfunction plan the affected source ceases operation or is otherwise no longer subject to the provisions of this part, the owner or operator must retain a copy of the most recent plan for 5 years from the date the source ceases operation or is no longer subject to this part and must make the plan available upon request for inspection and copying by the Administrator.
- The Administrator may at any time request in writing that the owner or operator submit a copy of any startup, shutdown, and malfunction plan (or a portion thereof) which is maintained at the affected source or in the possession of the owner or operator.
- Upon receipt of such a request, the owner or operator must promptly submit a copy of the requested plan (or a portion thereof) to the Administrator.
- The owner or operator may elect to submit the required copy of any startup, shutdown, and malfunction plan to the Administrator in an electronic format. If the owner or operator claims that any portion of such a startup, shutdown, and malfunction plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40 CFR 2.301, the material that is claimed as confidential must be clearly designated in the submission.

[40 CFR 63.6(e)(3)(v)]

4.36 The permittee shall comply with the following recordkeeping requirements for the landfill gas treatment system:

- Based on the results of a determination made under 40 CFR 63.6(e)(1)(i), the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator must require appropriate revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:
 - Does not address a startup, shutdown, or malfunction event that has occurred;
 - Fails to provide for the operation of the source (including associated air pollution control and monitoring equipment) during a startup, shutdown, or malfunction event in a manner consistent with the general duty to minimize emissions established by paragraph 40 CFR 63.6(e)(1)(i);
 - Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control and monitoring equipment as quickly as practicable; or
 - Includes an event that does not meet the definition of startup, shutdown, or malfunction listed in 40 CFR 63.2.

[40 CFR 63.6(e)(3)(vii)]

4.37 The permittee shall comply with the following recordkeeping requirements for the landfill gas treatment system:

- The permittee may periodically revise the startup, shutdown, and malfunction plan for the affected source as necessary to satisfy the requirements of this part or to reflect changes in equipment or procedures at the affected source.
- Unless the permitting authority provides otherwise, the owner or operator may make such revisions to the startup, shutdown, and malfunction plan without prior approval by the Administrator or the permitting authority.
- However, each such revision to a startup, shutdown, and malfunction plan must be reported in the semiannual report required by 40 CFR 63.10(d)(5).

- If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator must revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control and monitoring equipment.
- In the event that the permittee makes any revision to the startup, shutdown, and malfunction plan which alters the scope of the activities at the source which are deemed to be a startup, shutdown, or malfunction, or otherwise modifies the applicability of any emission limit, work practice requirement, or other requirement in a standard established under this part, the revised plan shall not take effect until after the owner or operator has provided a written notice describing the revision to the permitting authority.

[40 CFR 63.6(e)(3)(viii)]

4.38 The permittee shall comply with the General Provisions of 40 CFR 63 included in 40 CFR 63 Subpart AAAA Table 1 in Permit Condition 3.22 of this permit.

Table 4.3 Subpart AAAA Table 1

| Part 63 Citation | Description | Explanation |
|------------------|--|---|
| 63.1(a) | Applicability: general applicability of NESHAP in this part | Affected sources are already subject to the provisions of paragraphs (a)(10)–(12) through the same provisions under 40 CFR, part 60 subpart A. |
| 63.1(b) | Applicability determination for stationary sources | |
| 63.1(e) | Title V permitting | |
| 63.2 | Definitions | |
| 63.4 | Prohibited activities and circumvention | Affected sources are already subject to the provisions of paragraph (b) through the same provisions under 40 CFR, part 60 subpart A. |
| 63.5(b) | Requirements for existing, newly constructed, and reconstructed sources | |
| 63.6(e) | Operation and maintenance requirements, startup, shutdown and malfunction plan provisions | |
| 63.6(f) | Compliance with nonopacity emission standards | Affected sources are already subject to the provisions of paragraphs (f)(1) and (2)(i) through the same provisions under 40 CFR, part 60 subpart A. |
| 63.10(b) | General recordkeeping requirements | |
| 63.10(d)(5) | If actions taken during a startup, shutdown and malfunction plan are consistent with the procedures in the startup, shutdown and malfunction plan, this information shall be included in a semi-annual startup, shutdown and malfunction plan report. Any time an action taken during a startup, shutdown and malfunction plan is not consistent with the startup, shutdown and malfunction plan, the source shall report actions taken within 2 working days after commencing such actions, followed by a letter 7 days after the event | |

| Part 63 Citation | Description | Explanation |
|------------------|--|-------------|
| 63.12(a) | These provisions do not preclude the State from adopting and enforcing any standard, limitation, etc., requiring permits, or requiring emissions reductions in excess of those specified | |
| 63.15 | Availability of information and confidentiality | |

[PTC No. P-2009.0001, 4/15/15]

5. Emergency Engines

Summary Description

Two emergency backup engines are located at the facility. Emergency Engine #1 is located at the Household Hazardous Waste Facility (44-HP Detroit Diesel) and Emergency Engine #2 is located at the Scale House (80-HP John Deere). Both are used to provide backup power during power outages.

Emergency Engine #1 was installed in 1998 and is subject to 40 CFR 63, Subpart ZZZZ. Emergency Engine #2 was installed in August of 2011 and is subject to 40 CFR 60, Subpart IIII.

Table 5.1 describes the devices used to control emissions from Emergency Engines #1 and #2.

Table 5.1. Emergency Engines description.

| Emissions Units / Processes | Control Devices |
|--|-----------------|
| Emergency Engine #1 – Detroit, 44 hp diesel fired | None |
| Emergency Engine #2 – John Deere, 80 hp diesel fired | None |

Table 5.2 contains only a summary of the requirements that apply to the Emergency Engines. 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 | Opacity | 20% | IDAPA 58.01.01.625 | 5.5 |
| 5.2 | Maintenance and Testing | One hour daily | P-2009.0001 | 5.17 |
| 5.3 | Fugitive Emissions | Reasonable precautions | IDAPA 58.01.01.650 | 3.2-3.4 |
| 5.4 | Fuel Oil Sulfur Content | Less than 15 ppm sulfur | P-2009.0001 | 5.6 |

Emission Limits

5.1 For visible emissions, the permittee shall comply with facility-wide Permit Condition 3.7.

Operating Requirements

5.2 Maintenance and testing shall be limited to one hour daily for each emergency engine.

[PTC No. P-2009.0001, 4/15/15]

5.3 For reasonable control of fugitive emissions, the permittee shall comply with facility-wide Permit Conditions 3.1 through 3.4.

5.4 No diesel fuel oil containing sulfur in excess of 15 ppm (0.0015% by weight) shall be burned in the emergency diesel engines.

[PTC No. P-2009.0001, 4/15/15]

Monitoring and Recordkeeping Requirements

5.5 For opacity monitoring, the permittee shall comply with facility-wide Permit Condition 3.8.

5.6 The permittee shall maintain purchase records or equivalent from the manufacturer that show the sulfur content of the fuel oil delivered to the facility. Records of this information shall be kept on site for the most recent two year period and shall be made available to DEQ representatives upon request.

[PTC No. P-2009.0001, 4/15/15]

Federal Requirements

40 CFR 63 Subpart ZZZZ Requirements

5.7 Emergency Engine #1 must comply with the applicable emission and operating limitations of the National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63, Subpart ZZZZ by May 3, 2013.

[40 CFR 63.6595(a)(1)]

5.8 The permittee shall comply with the requirements in Table 2c to this subpart. The emission limits and operating restrictions that apply to Emergency Engine #1 are as follows:

- During periods of startup, the engine's time spent at idle and startup time needed for appropriate and safe loading of the engine must be minimized, not to exceed 30 minutes.
- Change oil and filter every 500 hours of operation or annually, whichever comes first.
- Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first.
- Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

[40 CFR 63.6602]

5.9 The permittee shall, at all times, operate and maintain Emergency Engine #1, 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]

5.10 The permittee must operate and maintain Emergency Engine #1 and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a 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)(1)]

5.11 The permittee shall install a non-resettable hour meter on Emergency Engine #1 if one is not already installed.

[40 CFR 63.6625(f)]

5.12 The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2c to this subpart for Emergency Engine #1. 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 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 days or before commencing operation, whichever is later. The permittee shall 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)]

- 5.13 The permittee shall demonstrate continuous compliance with each emission limitation and operating limitation in Table 2c to this subpart for Emergency Engine #1.

[40 CFR 63.6640(a)]

- 5.14 The permittee shall report each instance in which each emission limitation or operating limitation in Table 2c to this subpart were not met for Emergency Engine #1.

[40 CFR 63.6640(b)]

- 5.15 The permittee must operate Emergency Engine #1 according to the following requirements. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described below, is prohibited. If the permittee does not operate the engine according to the following requirements, the engine will not be considered an emergency engine under the subpart and will need to meet all requirements for non-emergency engines.

- There is no time limit on the use of emergency stationary RICE in emergency situations.
- The permittee may operate the emergency stationary RICE for any combination of the purposes specified below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed counts as part of the 100 hours per calendar year allowed.
 - 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 permittee 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.
 - 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.
 - 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.
- 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. 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)]

- 5.16 The permittee shall keep records of all required maintenance performed on the air pollution control and monitoring equipment.

[40 CFR 63.6655(a)]

- 5.17 The permittee shall keep the records required in Table 6 to this subpart to show compliance with each emission or operating limitation for Emergency Engine #1.

[40 CFR 63.6655(d)]

- 5.18 The permittee shall keep the records of the maintenance conducted on the stationary RICE, Emergency Engine #1, in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to the permittee's own maintenance plan.

[40 CFR 63.6655(e)]

- 5.19 An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines, the permittee must keep records of the hours of operation of the stationary emergency RICE that is recorded through the non-resettable hour meter. The permittee 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. If engines are used for demand response, the permittee must keep records of the notification of the emergency situation, and the time the stationary emergency RICE was operated as part of demand response.

[40 CFR 63.6655(f)]

- 5.20 The permittee shall keep the records in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1).

[40 CFR 63.6660(a)]

- 5.21 The permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

[40 CFR 63.6660(b)]

- 5.22 The permittee shall 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 40 CFR 63.10(b)(1).

[40 CFR 63.6660(c)]

40 CFR 60 Subpart IIII Requirements

- 5.23 Emergency Engine #2 is subject to the provisions of the subpart. It is applicable to owners or operators of stationary CI ICE that commence construction after July 11, 2005 and are manufactured after April 1, 2006 and are not fire pump engines.

[40 CFR 60.4200(a)(2)(i)]

- 5.24 The permittee must certify Emergency Engine #2 to the emission standards for new nonroad CI engines in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants.

[40 CFR 60.4202(a)(2)]

- 5.25 The permittee shall operate and maintain Emergency Engine #2 according to the manufacturer's written instructions or procedures developed by the permittee that are approved by the engine manufacturer, over the entire life of the engine.
[40 CFR 60.4206]
- 5.26 The permittee must use diesel fuel in Emergency Engine #1 that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel.
[40 CFR 60.4207]
- 5.27 The permittee shall install a non-resettable hour meter prior to startup of Emergency Engine #2.
[40 CFR 60.4209(a)]
- 5.28 The engine must be installed and configured according the manufacturer's specifications.
[40 CFR 60.4211(c)]
- 5.29 The permittee must operate the emergency stationary ICE according to the requirements below. In order for the engine to be considered an emergency stationary ICE 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, is prohibited. If the permittee does not operate the engine according to the requirements, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
- There is no time limit on the use of emergency stationary ICE in emergency situations.
 - The permittee may operate the emergency stationary ICE for any combination of the purposes specified below for a maximum of 100 hours per calendar year.
 - Emergency stationary ICE 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 permittee 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 calendar year.
 - Emergency stationary ICE 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 §60.17), 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.
 - Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

- Emergency stationary ICE 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. The 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[40 CFR 60.4211(f)]

5.30 If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the permittee is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the permittee must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The permittee must record the time of operation of the engine and the reason the engine was in operation during that time.

[40 CFR 60.4214(b)]

6. Insignificant Activities

- 6.1 Activities and emission units identified as insignificant under IDAPA 58.01.01.317.01(b) are listed in Table 6.1 to qualify for a permit shield. There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the facility-wide permit conditions (Section 3).

Table 6.1 Insignificant activities.

| Description | Insignificant Activities IDAPA 58.01.01.317.01(b)(i) Citation |
|---|---|
| Liquid fuel tanks \leq 10,000 gallons | 317.01.b.i.3 |
| Welding using less than 1 ton of rod per day | 317.01.b.i.9 |
| Combustion source, space and hot water heaters < 5 MMBtu/hr | 317.01.b.i.9 and 18 |

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

7. General Provisions

General Compliance

- 7.1 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)]

- 7.2 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)]

- 7.3 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

- 7.4 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)]

- 7.5 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

- 7.6 This permit does not convey any property rights of any sort or any exclusive privilege.

[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

Information Requests

- 7.7 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)]

- 7.8 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

- 7.9 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

- 7.10 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, 4/2/08; 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)]

- 7.11 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

- 7.12 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)]

- 7.13 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

- 7.14 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 58.01.01.322.15.1, 5/1/94; 40 CFR 70.6(c)(2)]

New Applicable Requirements

- 7.15 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

- 7.16 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

- 7.17 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

- 7.18 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)]

- 7.19 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

- 7.20 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

7.21 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

7.22 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 October 1 to September 30 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.
- 7.23 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

- 7.24 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

- 7.25 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

- 7.26 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 October 1 to March 31 and April 1 to September 30. 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

- 7.27 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

- 7.28 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

7.29 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)]