
CLASS II AIR QUALITY PERMIT

DRAFT PERMIT No. 92038

PERMITTEE: Henrietta Mine, LLC
FACILITY: Henrietta Mine
PLACE ID: 195853
DATE ISSUED: Date Pending
EXPIRY DATE: Date Pending

SUMMARY

This Class II synthetic minor permit is issued to Henrietta Mine, LLC, the Permittee, for crushing and screening operations. The facility is located at 5850 Henrietta Mine Road, Mayer, AZ 86333 in Yavapai County. The facility operates a crushing and screening plant. In addition, the facility uses three diesel generators to support their operations. This permit supersedes Registration No. 79926.

Without the controls or operating limits specified in this permit, the facility has the potential to emit criteria pollutant emissions in excess of major source thresholds. The facility has taken limits on the crushing and screening plant and the internal combustion engines (ICEs). Therefore, the facility qualifies for a Class II synthetic minor permit as allowed under Arizona Administrative Code (A.A.C.) R18-2-306.01.A.

This permit is issued in accordance with Arizona Revised Statutes (ARS) 49-426. It contains requirements from Title 18, Chapter 2 of the A.A.C. and Title 40 of the Code of Federal Regulations (CFR). All definitions, terms, and conditions used in this permit conform to those in A.A.C. R18-2-101 et. seq. (A.A.C.) and Title 40 of the CFR, except as otherwise defined in this permit.

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ATTACHMENT "A": GENERAL PROVISIONS

I. PERMIT EXPIRATION AND RENEWAL

- A.** This permit is valid for a period of five (5) years from the date of issuance.
[ARS § 49-426.F, A.A.C. R18-2-306.A.1]
- B.** The Permittee shall submit an application for renewal of this permit at least six (6) months, but not more than eighteen (18) months, prior to the date of permit expiration.
[A.A.C. R18-2-304.D.2]

II. COMPLIANCE WITH PERMIT CONDITIONS

- A.** The Permittee shall comply with all conditions of this permit including all applicable requirements of the Arizona Revised Statutes (A.R.S.) Title 49, Chapter 3, and the air quality rules under Title 18, Chapter 2 of the Arizona Administrative Code. Any permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application. In addition, noncompliance with any federally enforceable requirement constitutes a violation of the Clean Air Act.
[A.A.C. R18-2-306.A.8.a]
- B.** It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
[A.A.C. R18-2-306.A.8.b]

III. PERMIT REVISION, REOPENING, REVOCATION AND REISSUANCE, OR TERMINATION FOR CAUSE

- A.** The permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit revision, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[A.A.C. R18-2-306.A.8.c]
- B.** The permit shall be reopened and revised under any of the following circumstances:
1. The Director or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; and
[A.A.C. R18-2-321.A.1.c]
 2. The Director or the Administrator determines that the permit needs to be revised or revoked to assure compliance with the applicable requirements.
[A.A.C. R18-2-321.A.1.d]
- C.** Proceedings to reopen and issue a permit, including appeal of any final action relating to a permit reopening, 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

IV. POSTING OF PERMIT

shall be made as expeditiously as practicable. Permit reopenings shall not result in a resetting of the five-year permit term.

[A.A.C. R18-2-321.A.2]

IV. POSTING OF PERMIT

A. The Permittee shall post this permit or a certificate of permit issuance on location where the equipment is installed in such a manner as to be clearly visible and accessible. All equipment covered by this permit shall be clearly marked with one of the following:

[A.A.C. R18-2-315.A]

1. Current permit number; or
2. Serial number or other equipment ID number that is also listed in the permit to identify that piece of equipment.

B. A copy of the complete permit shall be kept on-site.

[A.A.C. R18-2-315.B]

V. FEE PAYMENT

The Permittee shall pay fees to the Director pursuant to ARS § 49-426(E) and A.A.C. R18-2-326.

[A.A.C. R18-2-306.A.9 and -326]

VI. EMISSIONS INVENTORY QUESTIONNAIRE

A. The Permittee shall complete and submit to the Director an emissions inventory questionnaire no later than June 1st every three (3) years beginning June 1, 2021. At the Director's request, the Permittee may be required to complete and submit emissions inventory questionnaires in addition to the triennial emissions inventory questionnaire. The Director shall notify the Permittee in writing of the decision to require additional emissions inventory questionnaires.

[A.A.C. R18-2-327.A.1.b]

B. The emissions inventory questionnaire shall be on an electronic or paper form provided by the Director and shall include the information required by A.A.C. R18-2-327.A.3 for the previous calendar year.

[A.A.C. R18-2-327.A.3]

VII. COMPLIANCE CERTIFICATION

A. The Permittee shall submit a compliance certification to the Director semiannually which describes the compliance status of the source with respect to each permit condition. The compliance certifications shall be submitted no later than May 15th and November 15th. The May 15th compliance certification shall report the compliance status of the source during the period between October 1st of the previous year and March 31st of the current year. The November 15th compliance certification shall report the compliance status of the source during the period between April 1st and September 30th of the current year.

[A.A.C. R18-2-309.2.a]

B. The compliance certifications shall include the following:

1. Identification of each term or condition of the permit that is the basis of the certification;
[A.A.C. R18-2-309.2.c.i]
 2. Identification of the methods or other means used by the Permittee for determining the compliance status with each term and condition during the certification period;
[A.A.C. R18-2-309.2.c.ii]
 3. Status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certifications shall identify each deviation (including any deviations reported pursuant to Condition XII.B of this Attachment) during the period covered by the certification and take it into account for consideration in the compliance certification
[A.A.C. R18-2-309.2.c.iii]
 4. Other facts the Director may require in determining the compliance status of the source.
[A.A.C. R18-2-309.2.c.iv]
- C. A progress report on all outstanding compliance schedules shall be submitted every six months beginning six months after permit issuance.
[A.A.C. R18-2-309.5.d]

VIII. CERTIFICATION OF TRUTH, ACCURACY AND COMPLETENESS

Any document required to be submitted by this permit, including reports, shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[A.A.C. R18-2-309.3]

IX. INSPECTION AND ENTRY

Upon presentation of proper credentials, the Permittee shall allow the Director or the authorized representative of the Director to:

- A. Enter upon the Permittee's premises where a source is located, emissions-related activity is conducted, or where records are required to be kept under the conditions of the permit;
[A.A.C. R18-2-309.4.a]
- B. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
[A.A.C. R18-2-309.4.b]
- C. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
[A.A.C. R18-2-309.4.c]

D. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
[A.A.C. R18-2-309.4.d]

E. Record any inspection by use of written, electronic, magnetic and photographic media.
[A.A.C. R18-2-309.4.e]

X. PERMIT REVISION PURSUANT TO FEDERAL HAZARDOUS AIR POLLUTANT STANDARD

If this source becomes subject to a standard promulgated by the Administrator pursuant to Section 112(d) of the Act, then the Permittee shall, within twelve months of the date on which the standard is promulgated, submit an application for a permit revision demonstrating how the source will comply with the standard.

[A.A.C. R18-2-304.D.3]

XI. ACCIDENTAL RELEASE PROGRAM

If this source becomes subject to the provisions of 40 CFR Part 68, then the Permittee shall comply with these provisions according to the time line specified in 40 CFR Part 68.

[40 CFR Part 68]

XII. EXCESS EMISSIONS, PERMIT DEVIATIONS, AND EMERGENCY REPORTING

A. Excess Emissions Reporting

[A.A.C. R18-2-310.01.A, B, and C]

1. Excess emissions shall be reported as follows:

a. The Permittee shall report to the Director any emissions in excess of the limits established by this permit. Such report shall be in two parts as specified below:

[A.A.C. R18-2-310.01.A]

(1) Notification by telephone or facsimile within 24 hours of the time when the Permittee first learned of the occurrence of excess emissions including all available information from Condition XII.A.1.b below.

(2) Detailed written notification by submission of an excess emissions report within 72 hours of the notification pursuant to Condition XII.A.1.a(1) above.

b. The report shall contain the following information:

(1) Identity of each stack or other emission point where the excess emissions occurred;

[A.A.C. R18-2-310.01.B.1]

(2) Magnitude of the excess emissions expressed in the units of the applicable emission limitation and the operating data and

calculations used in determining the magnitude of the excess emissions;

[A.A.C. R18-2-310.01.B.2]

(3) Time and duration, or expected duration, of the excess emissions;

[A.A.C. R18-2-310.01.B.3]

(4) Identity of the equipment from which the excess emissions emanated;

[A.A.C. R18-2-310.01.B.4]

(5) Nature and cause of the emissions;

[A.A.C. R18-2-310.01.B.5]

(6) If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunctions;

[A.A.C. R18-2-310.01.B.6]

(7) Steps that were or are being taken to limit the excess emissions; and

[A.A.C. R18-2-310.01.B.7]

(8) If the excess emissions resulted from start-up or malfunction, the report shall contain a list of the steps taken to comply with the permit procedures governing source operation during periods of startup or malfunction.

[A.A.C. R18-2-310.01.B.8]

2. In the case of continuous or recurring excess emissions, the notification requirements shall be satisfied if the source provides the required notification after excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period, or changes in the nature of the emissions as originally reported, shall require additional notification pursuant to Condition XII.A.1 above.

[A.A.C. R18-2-310.01.C]

B. Permit Deviations Reporting

The Permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the applicable requirement contains a definition of prompt or otherwise specifies a timeframe for reporting deviations, that definition or timeframe shall govern. Where the applicable requirement does not address the timeframe for reporting deviations, the Permittee shall submit reports of deviations according to the following schedule:

1. Notice that complies with Condition XII.A above is prompt for deviations that constitute excess emissions;

[A.A.C. R18-2-306.A.5.b.i]

2. Notice that is submitted within two (2) working days of discovery of the deviation is prompt for deviations of permit conditions identified by Condition I.D of Attachment “B”;
[A.A.C. R18-2-306.A.5.b.ii]
3. Except as provided in Conditions XII.B.1 and 2, prompt notification of all other types of deviations shall be semiannually, concurrent with the semiannual compliance certification required in Section VII, and can be submitted via myDEQ, the Arizona Department of Environmental Quality’s online portal.
[A.A.C. R18-2-306.A.5.b.ii]

C. Emergency Provision

1. An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, that require immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
[A.A.C. R18-2-306.E.1]
2. An emergency constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if Condition XII.C.3 below is met.
[A.A.C. R18-2-306.E.2]
3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
[A.A.C. R18-2-306.E.3]
 - a. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
[A.A.C. R18-2-306.E.3.a]
 - b. The permitted facility was being properly operated at the time of the emergency;
[A.A.C. R18-2-306.E.3.b]
 - c. During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
[A.A.C. R18-2-306.E.3.c]
 - d. The Permittee submitted notice of the emergency to the Director by certified mail, facsimile, or hand delivery within two working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.
[A.A.C. R18-2-306.E.3.d]

4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

[A.A.C. R18-2-306.E.4]

5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

[A.A.C. R18-2-306.E.5]

D. Affirmative Defenses for Excess Emissions Due to Malfunctions, Startup, and Shutdown

1. Applicability

A.A.C. R18-2-310 establishes affirmative defenses for certain emissions in excess of an emission standard or limitation and applies to all emission standards or limitations except for standards or limitations:

- a. Promulgated pursuant to Sections 111 or 112 of the Act;
[A.A.C. R18-2-310.A.1]
- b. Promulgated pursuant to Titles IV or VI of the Clean Air Act;
[A.A.C. R18-2-310.A.2]
- c. Contained in any Prevention of Significant Deterioration (PSD) or New Source Review (NSR) permit issued by the U.S. EPA;
[A.A.C. R18-2-310.A.3]
- d. Contained in A.A.C. R18-2-715.F; or
[A.A.C. R18-2-310.A.4]
- e. Included in a permit to meet the requirements of A.A.C. R18-2-406.A.5.
[A.A.C. R18-2-310.A.5]

2. Affirmative Defense for Malfunctions

Emissions in excess of an applicable emission limitation due to malfunction shall constitute a violation. When emissions in excess of an applicable emission limitation are due to a malfunction, the Permittee has an affirmative defense to a civil or administrative enforcement proceeding based on that violation, other than a judicial action seeking injunctive relief, if the Permittee has complied with the reporting requirements of A.A.C. R18-2-310.01 and has demonstrated all of the following:

[A.A.C. R18-2-310.B]

- a. The excess emissions resulted from a sudden and unavoidable breakdown of process equipment or air pollution control equipment beyond the reasonable control of the Permittee;
[A.A.C. R18-2-310.B.1]
- b. The air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;

[A.A.C. R18-2-310.B.2]

- c. If repairs were required, the repairs were made in an expeditious fashion when the applicable emission limitations were being exceeded. Off-shift labor and overtime were utilized where practicable to ensure that the repairs were made as expeditiously as possible. If off-shift labor and overtime were not utilized, the Permittee satisfactorily demonstrated that the measures were impracticable;
[A.A.C. R18-2-310.B.3]
- d. The amount and duration of the excess emissions (including any bypass operation) were minimized to the maximum extent practicable during periods of such emissions;
[A.A.C. R18-2-310.B.4]
- e. All reasonable steps were taken to minimize the impact of the excess emissions on ambient air quality;
[A.A.C. R18-2-310.B.5]
- f. The excess emissions were not part of a recurring pattern indicative of inadequate design, operation, or maintenance;
[A.A.C. R18-2-310.B.6]
- g. During the period of excess emissions there were no exceedances of the relevant ambient air quality standards established in Title 18, Chapter 2, Article 2 of the Arizona Administrative Code that could be attributed to the emitting source;
[A.A.C. R18-2-310.B.7]
- h. The excess emissions did not stem from any activity or event that could have been foreseen and avoided, or planned, and could not have been avoided by better operations and maintenance practices;
[A.A.C. R18-2-310.B.8]
- i. All emissions monitoring systems were kept in operation if at all practicable; and
[A.A.C. R18-2-310.B.9]
- j. The Permittee's actions in response to the excess emissions were documented by contemporaneous records.
[A.A.C. R18-2-310.B.10]

3. Affirmative Defense for Startup and Shutdown

- a. Except as provided in Condition XII.D.3 below, and unless otherwise provided for in the applicable requirement, emissions in excess of an applicable emission limitation due to startup and shutdown shall constitute a violation. When emissions in excess of an applicable emission limitation are due to startup and shutdown, the Permittee has an affirmative defense to a civil or administrative enforcement proceeding based on that violation, other than a judicial action seeking injunctive relief, if the Permittee has complied with the reporting requirements of A.A.C. R18-2-310.01 and has demonstrated all of the following:

[A.A.C. R18-2-310.C.1]

- (1) The excess emissions could not have been prevented through careful and prudent planning and design;

[A.A.C. R18-2-310.C.1.a]

- (2) If the excess emissions were the result of a bypass of control equipment, the bypass was unavoidable to prevent loss of life, personal injury, or severe damage to air pollution control equipment, production equipment, or other property;

[A.A.C. R18-2-310.C.1.b]

- (3) The air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;

[A.A.C. R18-2-310.C.1.c]

- (4) The amount and duration of the excess emissions (including any bypass operation) were minimized to the maximum extent practicable during periods of such emissions;

[A.A.C. R18-2-310.C.1.d]

- (5) All reasonable steps were taken to minimize the impact of the excess emissions on ambient air quality;

[A.A.C. R18-2-310.C.1.e]

- (6) During the period of excess emissions there were no exceedances of the relevant ambient air quality standards established in Title 18, Chapter 2, Article 2 of the Arizona Administrative Code that could be attributed to the emitting source;

[A.A.C. R18-2-310.C.1.f]

- (7) All emissions monitoring systems were kept in operation if at all practicable; and

[A.A.C. R18-2-310.C.1.g]

- (8) Contemporaneous records documented the Permittee's actions in response to the excess emissions.

[A.A.C. R18-2-310.C.1.h]

- b. If excess emissions occur due to a malfunction during routine startup and shutdown, then those instances shall be treated as other malfunctions subject to Condition XII.D.2 above.

[A.A.C. R18-2-310.C.2]

4. Affirmative Defense for Malfunctions During Scheduled Maintenance

If excess emissions occur due to a malfunction during scheduled maintenance, then those instances will be treated as other malfunctions subject to Condition XII.D.2 above.

[A.A.C. R18-2-310.D]

5. Demonstration of Reasonable and Practicable Measures

For an affirmative defense under Condition XII.D.2 or XII.D.3, the Permittee shall demonstrate, through submission of the data and information required by this Condition XII.D and Condition XII.A.1 above, that all reasonable and practicable measures within the Permittee's control were implemented to prevent the occurrence of the excess emissions.

[A.A.C. R18-2-310.E]

XIII. RECORDKEEPING REQUIREMENTS

A. The Permittee shall keep records of all required monitoring information including, but not limited to, the following:

1. The date, place as defined in the permit, and time of sampling or measurements;
[A.A.C. R18-2-306.A.4.a.i]
2. The date(s) any analyses were performed;
[A.A.C. R18-2-306.A.4.a.ii]
3. The name of the company or entity that performed the analyses;
[A.A.C. R18-2-306.A.4.a.iii]
4. A description of the analytical techniques or methods used;
[A.A.C. R18-2-306.A.4.a.iv]
5. The results of analyses; and
[A.A.C. R18-2-306.A.4.a.v]
6. The operating conditions as existing at the time of sampling or measurement.
[A.A.C. R18-2-306.A.4.a.vi]

B. The Permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings or other data recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

[A.A.C. R18-2-306.A.4.b]

XIV. DUTY TO PROVIDE INFORMATION

A. The Permittee shall furnish to the Director, within a reasonable time, any information that the Director may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Director copies of records required to be kept by the permit. For information claimed to be confidential, the Permittee shall furnish an additional copy of such records directly to the Administrator along with a claim of confidentiality.

[A.A.C. R18-2-304.G and -306.A.8.e]

- B.** If the Permittee has failed to submit any relevant facts or has submitted incorrect information in the permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.

[A.A.C. R18-2-304.H]

XV. PERMIT AMENDMENT OR REVISION

The Permittee shall apply for a permit amendment or revision for changes to the facility which does not qualify for a facility change without revision under Section XVII below, as follows:

- A.** Facility Changes that Require a Permit Revision; [A.A.C. R18-2-317.01]
- B.** Administrative Permit Amendment; [A.A.C. R18-2-318]
- C.** Minor Permit Revision; and [A.A.C. R18-2-319]
- D.** Significant Permit Revision. [A.A.C. R18-2-320]
- E.** The applicability and requirements for such action are defined in the above referenced regulations.

XVI. FACILITY CHANGE WITHOUT A PERMIT REVISION

- A.** Except for a physical change or change in the method of operation at a Class II source requiring a permit revision under A.A.C. R18-2-317.01, or a change subject to logging or notice requirements in Conditions XVI.B, a change at a Class II source shall not be subject to revision, notice, or logging requirements under this Section. [A.A.C. R18-2-317.02.A]
- B.** The following changes may be made if the source keeps on-site records of the changes according to Condition XVI.F below: [A.A.C. R18-2-317.02.B]
1. Implementing an alternative operating scenario, including raw materials changes;
 2. Changing process equipment, operating procedures, or making any other physical change if the permit requires the change to be logged;
 3. Engaging in any new insignificant activity listed in A.A.C. R18-2-101.68 but not listed in the permit;
 4. Replacing an item of air pollution control equipment listed in the permit with an identical (same model, different serial number) item. The Director may require verification of efficiency of the new equipment by performance tests; and

5. A change that results in a decrease in actual emissions if the source wants to claim credit for the decrease in determining whether the source has a net emissions increase for any purpose. The logged information shall include a description of the change that will produce the decrease in actual emissions. A decrease that has not been logged is creditable only if the decrease is quantifiable, enforceable, and otherwise qualifies as a creditable decrease.

- C. The permit shield described in A.A.C. R18-2-325 shall not apply to any change made under this Section, other than implementation of an alternate operating scenario under Condition XVI.B.1.

[A.A.C. R18-2-317.02.F]

- D. Notwithstanding any other part of this Section, the Director may require a permit to be revised for any change that, when considered together with any other changes submitted by the Permittee under this Section over the term of the permit, constitutes a change under subsection A.A.C. R18-2-317.01.A.

[A.A.C. R18-2-317.02.G]

- E. A copy of all logs required under Condition XVI.B shall be filed with the Director within 30 days after each anniversary of the permit issuance date. If no changes were made at the source requiring logging, a statement to that effect shall be filed instead.

[A.A.C. R18-2-317.02.I]

- F. Logging Requirements

[Arizona Administrative Code, Appendix 3]

 1. Each log entry required by a change under Condition XVI.B shall include at least the following information:
 - a. A description of the change, including:
 - (1) A description of any process change;
 - (2) A description of any equipment change, including both old and new equipment descriptions, model numbers, and serial numbers, or any other unique equipment ID number; and
 - (3) A description of any process material change.
 - b. The date and time that the change occurred.
 - c. The provisions of Condition XVI.B that authorize the change to be made with logging.
 - d. The date the entry was made and the first and last name of the person making the entry.
 2. Logs shall be kept for five (5) years from the date created. Logging shall be performed in indelible ink in a bound log book with sequentially number pages, or in any other form, including electronic format, approved by the Director.

XVII. TESTING REQUIREMENTS

- A.** The Permittee shall conduct performance tests as specified in the permit and at such other times as may be required by the Director.

[A.A.C. R18-2-312.A]

- B.** Operational Conditions during Performance Testing

Performance tests shall be conducted under such conditions as the Director shall specify to the plant operator based on representative performance of the source. The Permittee shall make available to the Director such records as may be necessary to determine the conditions of the performance tests. Operations during periods of start-up, shutdown, and malfunction (as defined in A.A.C. R18-2-101) shall not constitute representative conditions of performance tests unless otherwise specified in the applicable standard.

[A.A.C. R18-2-312.C]

- C.** Performance Tests shall be conducted and data reduced in accordance with the test methods and procedures contained in the Arizona Testing Manual unless modified by the Director pursuant to A.A.C. R18-2-312.B.

[A.A.C. R18-2-312.B]

- D.** Test Plan

At least 14 working days prior to performing a test, the Permittee shall submit a test plan to the Director, which must include the following, in addition to all other applicable requirements, as identified in the Arizona Testing Manual:

[A.A.C. R18-2-312.B]

1. Test duration;
2. Test location(s);
3. Test method(s); and
4. Source operation and other parameters that may affect test results.

- E.** Stack Sampling Facilities

The Permittee shall provide, or cause to be provided, performance testing facilities as follows:

[A.A.C. R18-2-312.E]

1. Sampling ports adequate for test methods applicable to the facility;
2. Safe sampling platform(s);
3. Safe access to sampling platform(s); and
4. Utilities for sampling and testing equipment.

- F.** Interpretation of Final Results

Each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic mean of the results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs is required to be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the Permittee's control, compliance may, upon the Director's approval, be determined using the arithmetic mean of the results of the other two runs. If the Director or the Director's designee is present, tests may only be stopped with the Director's or such designee's approval. If the Director or the Director's designee is not present, tests may only be stopped for good cause. Good cause includes: forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the Permittee's control. Termination of any test without good cause after the first run is commenced shall constitute a failure of the test. Supporting documentation, which demonstrates good cause, must be submitted.

[A.A.C. R18-2-306.A.3.c and A.A.C. R18-2-312.F]

G. Report of Final Test Results

A written report of the results of performance tests conducted pursuant to 40 CFR 63, shall be submitted to the Director within 60 days after the test is performed. A written report of the results of all other performance tests shall be submitted within 4 weeks after the test is performed, or as otherwise provided in the Arizona Testing Manual. All performance testing reports shall be submitted in accordance with the Arizona Testing Manual and A.A.C. R18-2-312.A.

[A.A.C. R18-2-312.A and B]

H. Extension of Performance Test Deadline

For performance testing required under Condition XVII.A above, the Permittee may request an extension to a performance test deadline due to a force majeure event as follows:

[A.A.C. R18-2-312.J]

1. If a force majeure event is about to occur, occurs, or has occurred for which the Permittee intends to assert a claim of force majeure, the Permittee shall notify the Director in writing as soon as practicable following the date the Permittee first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline. The notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall be given as soon as practicable.

[A.A.C. R18-2-312.J.1]

2. The Permittee shall provide to the Director a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the Permittee proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure event occurs.

[A.A.C. R18-2-312.J.2]

3. The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Director. The Director shall notify the Permittee in writing of approval or disapproval of the request for an extension as soon as practicable.

[A.A.C. R18-2-312.J.3]

4. Until an extension of the performance test deadline has been approved by the Director under Conditions XVII.H.1, 2, and 3 above, the Permittee remains subject to the requirements of Section XVII.

[A.A.C. R18-2-312.J.4]

5. For purposes of this Section XVII, a “force majeure event” means an event that will be or has been caused by circumstances beyond the control of the Permittee, its contractors, or any entity controlled by the Permittee that prevents it from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the Permittee's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the Permittee.

[A.A.C. R18-2-312.J.5]

XVIII. PROPERTY RIGHTS

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

[A.A.C. R18-2-306.A.8.d]

XIX. SEVERABILITY CLAUSE

The provisions of this permit are severable. In the event of a challenge to any portion of this permit, or if any portion of this permit is held invalid, the remaining permit conditions remain valid and in force.

[A.A.C. R18-2-306.A.7]

XX. PERMIT SHIELD

Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements identified in the portions of this permit subtitled “Permit Shield”. The permit shield shall not apply to minor revisions pursuant to Condition XV.C of this Attachment and any facility changes without a permit revision pursuant to Section XVI of this Attachment.

[A.A.C. R18-2-317.F, - 320, and -325]

XXI. PROTECTION OF STRATOSPHERIC OZONE

If this source becomes subject to the provisions of 40 CFR Part 82, then the Permittee shall comply with these provisions accordingly.

[40 CFR Part 82]

XXII. APPLICABILITY OF NSPS/NESHAP GENERAL PROVISIONS

For all equipment subject to a New Source Performance Standard or a National Emission Standard for Hazardous Air Pollutants, the Permittee shall comply with all applicable requirements contained in Subpart A of Title 40, Chapter 60 and Chapter 63 of the Code of Federal Regulation.

[40 CFR Part 60 Subpart A and Part 63 Subpart A]

ATTACHMENT "B": SPECIFIC CONDITIONS

I. FACILITY-WIDE REQUIREMENTS

A. Applicability

This Section is applicable to all facility-wide operations.

B. Operation Limitation

1. The Permittee shall operate and maintain each piece of equipment in accordance with manufacturer operation and maintenance instructions. If manufacturer operation and maintenance instructions are not available, the Permittee shall prepare an Operation and Maintenance (O&M) Plan. The O&M Plan shall provide adequate information to properly operate and maintain each piece of equipment in good working order.

[A.A.C. R18-2-306.A.2]

2. Recordkeeping Requirements

- a. The Permittee shall maintain on-site records of the manufacturer operation and maintenance instructions or O&M Plan for each piece of equipment.

[A.A.C. R18-2-306.A.4]

- b. The Permittee shall keep records of all maintenance activities carried out on each piece of equipment. These records shall include the type of maintenance activity performed and its duration, including the date, starting time, and ending time of each maintenance activity.

[A.A.C. R18-2-306.A.4]

- c. The Permittee shall retain all required recordkeeping support information on-site. That is to demonstrate compliance with Condition I.B.2.a and Condition I.B.2.b. These records shall be readily available upon request for a period of at least five (5) years in a form that is suitable for expeditious inspection and review.

[A.A.C. R18-2-306.A.4]

C. Opacity Standards

1. Instantaneous Surveys and Six-Minute Observations

- a. Instantaneous Surveys

Any instantaneous survey required by this permit shall be determined by either option listed in Conditions I.C.1.a(1) and (2):

[A.A.C. R18-2-311.b]

- (1) Alternative Method ALT-082 (Digital Camera Operating Technique)

I. FACILITY-WIDE REQUIREMENTS

- (a) The Permittee, or Permittee representative, shall be certified in the use of Alternative Method ALT-082.
 - (b) The results of all instantaneous surveys and six-minute observations shall be obtained within 30 minutes.
 - (2) EPA Reference Method 9 Certified Observer.
[A.A.C. R18-2-306.A.3.c]
- b. Six-Minute Observations

Any six-minute observation required by this permit shall be determined by either option listed in Conditions I.C.1.b(1) and (2):
[A.A.C. R18-2-311.b]
 - (1) Alternative Method ALT-082 (Digital Camera Operating Technique)
 - (a) The Permittee, or Permittee representative, shall be certified in the use of Alternative Method ALT-082.
 - (b) The results of all instantaneous surveys and six-minute observations shall be obtained within 30 minutes.
 - (2) EPA Reference Method 9 Certified Observer.
[A.A.C. R18-2-306.A.3.c]
- c. The Permittee shall have on-site or on call a person certified in EPA Reference Method 9 unless all six-minute Method 9 observations required by this permit are conducted as a six-minute Alternative Method ALT-082 (Digital Camera Operating Technique) and all instantaneous visual surveys required by this permit are conducted as an instantaneous ALT-082 camera survey. Any six-minute Method 9 observation required by this permit can be conducted as a six-minute Alternative Method ALT-082 and any instantaneous visual survey required by this permit can be conducted as an instantaneous ALT-082 camera survey.
[A.A.C. R18-2-306.A.3.c]
- d. Monitoring, Recordkeeping, and Reporting Requirements
[A.A.C. R18-2-306.A.3.c]
 - (1) At the frequency specified in the following sections of this permit, the Permittee shall conduct an instantaneous survey of visible emissions from process stack sources, when in operation, and fugitive dust sources.
 - (2) If the visible emissions on an instantaneous basis appears less than or equal to the applicable opacity standard, then the Permittee shall keep a record of the name of the observer, the date on which the instantaneous survey was made, and the results of the instantaneous survey.

I. FACILITY-WIDE REQUIREMENTS

- (3) If the visible emissions on an instantaneous basis appears greater than the applicable opacity standard, then the Permittee shall immediately conduct a six-minute observation of the visible emissions.
 - (a) If the six-minute observation of the visible emissions is less than or equal to the applicable opacity standard, then the Permittee shall record the name of the observer, the date on which the six-minute observation was made, and the results of the six-minute observation.
 - (b) If the six-minute observation of the visible emissions is greater than the applicable opacity standard, then the Permittee shall do the following:
 - (i) Adjust or repair the controls or equipment to reduce opacity to less than or equal to the opacity standard;
 - (ii) Record the name of the observer, the date on which the six-minute observation was made, the results of the six-minute observation, and all corrective action taken;
 - (iii) Report the event as an excess emission for opacity in accordance with Condition XII.A of Attachment "A"; and
 - (iv) Conduct another six-minute observation to document the effectiveness of the adjustments or repairs completed.

D. Monitoring, Recordkeeping and Reporting Requirements

1. The Permittee shall submit reports of all monitoring, recordkeeping and maintenance required in Attachment "B" with the annual compliance certification required by Section VII of Attachment "A".

[A.A.C. R18-2-306.A.5.a]
2. Deviations from the following condition in Attachment "B" shall be promptly reported in accordance with Condition XII.B.2 of Attachment "A":

[A.A.C. R18-2-306.A.5.b]

 - a. Condition II.B.3;
 - b. Condition III.A.2.a; and
 - c. Condition III.C.4.b.
3. The Permittee shall retain all required monitoring, recordkeeping and reporting support information on-site. These records shall be readily available upon request for a period of at least five (5) years in a form that is suitable for expeditious inspection and review.

[A.A.C. R18-2-306.A.4]

II. CRUSHING AND SCREENING PLANT REQUIREMENTS

A. General Requirements

1. Applicability

This Section is applicable to the crushing and screening plant equipment in Attachment “C”. Crushing and screening plant equipment includes EU03 to EU06 and EU08 to EU10.

2. Processing Rate Limits

- a. *The Permittee shall not process more than 1,000 tons per day of waste rock and other materials.*

[A.A.C. R18-2-306.A.2, -306.01 and -331.A.3.a]
[Material permit conditions are indicated by underlines and italics]

- b. *The Permittee shall limit the operation of waste rock and other materials to 210,000 tons based on a 12-month rolling total.*

[A.A.C. R18-2-306.A.2, -306.01 and -331.A.3.a]
[Material permit conditions are indicated by underlines and italics]

- c. *The Permittee shall not operate the high pressure grinder roller and beneficiation equipment.*

[A.A.C. R18-2-306.A.2, -306.01 and -331.A.3.a]
[Material permit conditions are indicated by underlines and italics]

3. Monitoring and Recordkeeping Requirement

The Permittee shall maintain daily processing rates and 12-month rolling totals of waste rock and other materials processed in tons by the crushing and screening plant equipment.

[A.A.C. R18-2-306.A.3.c and A.4]

B. Crushing and Screening Plant Equipment Subject to NSPS Requirements

1. Applicability

This Section is applicable to the crushing and screening plant equipment that is subject to New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart LL for Metallic Mineral Processing Plants as identified in Attachment “C”. Crushing and screening plant equipment includes EU03 to EU06 and EU08 to EU10.

2. Particulate Matter and Opacity

Emission Limitation and Standard

On and after the sixtieth day after achieving the maximum production rate at which the crushing and screening plant equipment will be operated, but not later than 180 days after initial startup, the Permittee shall not cause to be discharged into the

atmosphere any process fugitive emissions that exhibit greater than 10 percent opacity.

[40 CFR 60.382(b)]

3. Air Pollution Control Requirement

The Permittee shall, to the extent practicable, operate and maintain water sprays to minimize particulate matter emissions from the crushing and screening plant equipment.

[A.A.C. R18-2-306.A.2, -306.01 and -331.A.3.a]

[Material permit conditions are indicated by underlines and italics]

4. Monitoring and Recordkeeping Requirement

A certified EPA Reference Method 9 observer shall conduct a weekly survey of visible emissions emanating from the crushing and screening plant equipment when in operation and in accordance with Condition I.B.

[A.A.C. R18-2-306.A.3.c]

5. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with 40 CFR 60.382(b).

[A.A.C. R18-2-325]

III. NON-EMERGENCY CI ICE REQUIREMENTS

A. General Requirements

1. Applicability

This Section is applicable to each non-emergency compression ignition (CI) ICE in Attachment "C". Non-emergency CI ICEs include GEN01, GEN04 and GEN05.

2. Fuel Limitations and Standards

a. *The Permittee shall only fire diesel in all non-emergency CI ICEs.*

[A.A.C. R18-2-306.A.2, -306.01 and -331.A.3.a]

[Material permit conditions are indicated by underlines and italics]

b. Diesel fuel must meet the requirements of 40 CFR 1090.305 below for non-emergency CI ICEs:

[40 CFR 1090.305]

(1) Maximum sulfur content of 15 ppm;

[40 CFR 1090.305(b)]

(2) Cetane index or aromatic content;

[40 CFR 1090.305(c)]

(a) Minimum cetane index of 40.

[40 CFR 1090.305(c)(1)]

- (b) Maximum aromatic content of 35 volume percent.
[40 CFR 1090.305(c)(2)]

c. Recordkeeping Requirement

The Permittee shall keep records of fuel supplier certifications or other documentation to demonstrate compliance with Condition III.A.2.b. These records shall be made available to ADEQ upon request.

[A.A.C. R18-2-306.A.3.c]

d. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with 40 CFR 1090.305.

[A.A.C. R18-2-325]

3. Hours of Operation Limits

- a. *The Permittee shall limit the operation of non-emergency CI ICE, GEN01, to 1,500 hours based on a 12-month rolling total.*

[A.A.C. R18-2-306.A.2, -306.01 and -331.A.3.a]

[Material permit conditions are indicated by underlines and italics]

- b. *The Permittee shall limit the operation of the non-emergency ICE, GEN05, to 2,500 hours based on a 12-month rolling total.*

[A.A.C. R18-2-306.A.2, -306.01 and -331.A.3.a]

[Material permit conditions are indicated by underlines and italics]

- c. *The Permittee shall not operate GEN02 or GEN03.*

[A.A.C. R18-2-306.A.2, -306.01 and -331.A.3.a]

[Material permit conditions are indicated by underlines and italics]

d. Monitoring and Recordkeeping Requirements

- (1) The Permittee shall record the date, the starting time (in hours and minutes), and the stopping time (in hours and minutes) of periods of non-emergency CI ICE use.

[A.A.C. R18-2-306.A.3.c and A.4]

- (2) The Permittee shall maintain a monthly record of hours and 12-month rolling totals.

[A.A.C. R18-2-306.A.3.c and A.4]

- (3) The Permittee may use the hour meters associated with the equipment to maintain records of the operating hours in lieu of Condition III.A.3.d(1) above.

[A.A.C. R18-2-306.A.3.c and A.4]

B. Non-Emergency CI ICEs Subject to State Requirements

1. Applicability

This Section is applicable to the non-emergency CI ICEs that are subject to A.A.C. R18-2-719 for Standards of Performance for Existing Stationary Rotating Machinery as identified in Attachment "C". Non-emergency CI ICEs include GEN01 and GEN05.

2. Particulate Matter and Opacity

a. Emission Limitation and Standard

- (1) The Permittee shall not cause, allow or permit the emission of particulate matter into the atmosphere in any one hour in excess of the amounts calculated by the following equation:

$$E = 1.02Q^{0.769}$$

where:

E = the maximum allowable particulate emissions rate in pounds-mass per hour.

Q = the heat input in million Btu per hour.

[A.A.C. R18-2-719.C.1]

- (2) For the purposes of Condition III.B.2(1) above, the heat input shall be the aggregate heat content of all fuels whose products of combustion pass through a stack or other outlet. The total heat input of all operating fuel-burning units at a plant or premises shall be used for determining the maximum allowable amount of particulate matter which may be emitted.

[A.A.C. R18-2-719.B]

b. Opacity

The Permittee shall not cause, allow or permit to be emitted into the atmosphere, smoke for any period greater than 10 consecutive seconds which exceeds 40% opacity. Visible emissions when starting cold equipment shall be exempt from this requirement for the first 10 minutes.

[A.A.C. R18-2-719.E]

c. Monitoring and Recordkeeping Requirement

A certified EPA Reference Method 9 observer shall conduct a weekly survey of visible emissions emanating from each non-emergency CI ICE when in operation and in accordance with Condition I.B.

[A.A.C. R18-2-306.A.3.c]

3. Sulfur Dioxide

a. Emission Limitation and Standard

III. NON-EMERGENCY CI ICE REQUIREMENTS

- (1) The Permittee shall not emit or cause to emit more than 1.0 pound of sulfur dioxide per million Btu heat input.
[A.A.C. R18-2-719.F]
- (2) The Permittee shall not burn high sulfur diesel oil (greater than or equal to 0.9% sulfur by weight) in the non-emergency ICEs.
[A.A.C. R18-2-719.H]

b. Recordkeeping and Reporting Requirements

- (1) The Permittee shall keep daily records of the sulfur content and lower heating value of the fuel being fired in the non-emergency CI ICEs. To demonstrate compliance with Condition III.B.3.a(2) above, fuel supplier certifications or other documentation shall include:
[A.A.C. R18-2-719.I and -306.A.3.c]
 - (a) The name of the fuel supplier;
[A.A.C. R18-2-306.A.3.c]
 - (b) The sulfur content of the fuel; and
[A.A.C. R18-2-306.A.3.c]
 - (c) The method used to determine the sulfur content of the fuel.
[A.A.C. R18-2-306.A.3.c]

These records shall be made available to ADEQ upon request.

- (2) The Permittee shall report to the Director any daily period during which the sulfur content of the fuel being fired exceeds 0.8%.
[A.A.C. R18-2-719.J]

4. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with A.A.C. R18-2-719.B, -719.C.1, -719.E, -719.F, -719.H, -719.I and -719.J.
[A.A.C. R18-2-325]

C. Non-Emergency CI ICEs Subject to NESHAP Requirements

1. Applicability

This Section is applicable to the non-emergency CI ICEs that are subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 CFR Part 63 Subpart ZZZZ for Stationary Reciprocating Internal Combustion Engines as identified in Attachment "C". Non-emergency CI ICEs include GEN01 and GEN05.

2. Emission Limitations and Standards

- a. The Permittee shall comply with the requirements in Tables 2b and 2d of 40 CFR Part 63 Subpart ZZZZ that apply to the non-emergency CI ICEs.
[40 CFR 63.6603(a)]
 - b. The Permittee shall operate and maintain the non-emergency CI ICEs, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.
[40 CFR 63.6605(b)]
3. Performance Test Requirements
- a. The Permittee shall conduct an initial performance test according to Tables 4 and 5 of 40 CFR Part 63 Subpart ZZZZ within 180 days after the issuance of this permit.
[40 CFR 63.6612(a)]
 - b. The Permittee must conduct subsequent performance tests as specified in Table 3 of 40 CFR Part 63 Subpart ZZZZ.
[40 CFR 63.6615]
4. Operation and Maintenance Requirements
- a. The Permittee shall operate and maintain the non-emergency CI ICEs 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 non-emergency CI ICEs in a manner consistent with good air pollution control practice for minimizing emissions.
[40 CFR 63.6625(e)]
 - b. *The Permittee shall install a non-resettable hour meter prior to startup of each non-emergency CI ICEs if one is not already installed.*
[A.A.C. R18-2-331.A.3.a and 40 CFR 63.6625(f)]
[Material permit conditions are indicated by underlines and italics]
 - c. The Permittee shall minimize the non-emergency CI ICEs time spent at idle during startup and minimize the non-emergency CI ICEs startup time to a period needed for appropriate and safe loading of the non-emergency CI ICEs, not to exceed 30 minutes, after which time non-startup emission limitations apply.
[40 CFR 63.6625(h)]
 - d. The Permittee shall change the oil and filter every 500 hours operation or annually, whichever comes first. If the Permittee prefers to extend the oil change requirement, an oil analysis program shall be performed. The analysis program must at a minimum analyze the following three (3) parameters – Total Acid Number, Viscosity and Water Content. The condemning limits for these parameters are as follows:

III. NON-EMERGENCY CI ICE REQUIREMENTS

- (1) Total Base Number is less than 30 percent of the Total Base Number of the oil when new;
 [40 CFR 63.6625(i)]
- (2) Viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; and
 [40 CFR 63.6625(i)]
- (3) Percent water content (by volume) is greater than 0.5.
 [40 CFR 63.6625(i)]

If all of the above limits are not exceeded, then the Permittee is not required to change the oil. If any of the above limits are exceeded, then the Permittee shall change the oil within two (2) days of receiving the results of the analysis or before commencing operation, whichever is later. The oil analysis program shall be part of the maintenance plan for the operation of the non-emergency CI ICEs.

[40 CFR 63.6625(i)]

- e. The Permittee shall inspect the air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.
 [Table 2d of 40 CFR Part 63 Subpart ZZZZ]
- f. The Permittee shall inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
 [Table 2d of 40 CFR Part 63 Subpart ZZZZ]

5. Monitoring, Recordkeeping and Reporting Requirements

- a. The Permittee shall keep records of the parameters analyzed in Condition III.C.4.d as part of the oil analysis program, the results of the oil analysis (if any) and the oil changes for the non-emergency CI ICEs.
 [40 CFR 63.6625(i)]
- b. The Permittee must submit a notification to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in 40 CFR 63.7(b)(1).
 [40 CFR 63.6645(g)]
- c. The Permittee must submit each report in Table 7 of 40 CFR Part 63 Subpart ZZZZ that applies.
 [40 CFR 63.6650(a)]
- d. The Permittee shall keep a copy of each notification and report submitted to comply with 40 CFR Part 63 Subpart ZZZZ.
 [40 CFR 63.6655(a)(1)]
- e. The Permittee shall keep records of the occurrence and duration of each malfunction of the non-emergency CI ICEs.
 [40 CFR 63.6655(a)(2)]

- f. The Permittee shall keep records of the initial and subsequent performance tests including evaluations.
[40 CFR 63.6655(a)(3)]
- g. The Permittee shall keep records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore malfunctioning process to its normal or usual manner of operation.
[40 CFR 63.6655(a)(5)]
- h. The Permittee shall keep records of the maintenance conducted on the non-emergency CI ICEs in order to demonstrate that the non-emergency CI ICEs and after-treatment control device (if any) were operated and maintained in accordance with either the manufacturer's emission-related written instructions or the maintenance plan developed.
[40 CFR 63.6655(e)]
- i. The Permittee shall keep records of the hours of operation of the non-emergency CI ICEs that are recorded through the non-resettable hour meters.
[40 CFR 63.6655(f)]

6. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with 40 CFR 63.6603(a), 63.6605(b), 63.6612(a), 63.6615, 63.6625(e), (f), (h) and (i), 63.6645(g), 63.6650(a), 63.6655(a), (e) and (f), and Table 2d of 40 CFR Part 63 Subpart ZZZZ.

[A.A.C. R18-2-325]

D. Non-Emergency CI ICE Subject to NSPS Requirements

1. Applicability

This Section is applicable to the non-emergency CI ICE that is subject to New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart IIII for Stationary Compression Ignition Internal Combustion Engines as identified in Attachment "C". Non-emergency CI ICE includes GEN04.

2. Emission Standards and Limitations

The Permittee shall comply with the requirements in 40 CFR 60.4201 that apply to the non-emergency CI ICE.

[40 CFR 60.4204(b)]

3. Operation and Maintenance Requirements

- a. The Permittee shall operate and maintain the non-emergency CI ICE to achieve the emission standards and limitations required in Condition III.D.2 over the entire life of the non-emergency CI ICE.

[40 CFR 60.4206]

III. NON-EMERGENCY CI ICE REQUIREMENTS

- b. *If the non-emergency CI ICE is equipped with a diesel particulate filter to comply with the emission standards and limitations in Condition III.D.2, the Permittee shall install the diesel particulate filter with a backpressure monitor that notifies the facility when the high backpressure limit of the non-emergency CI ICE is approached.*

[40 CFR 60.4209(b), A.A.C. R18-2-306.A.2 and -331.A.3.c]

[Material permit conditions are indicated by underlines and italics]

- c. The Permittee shall do all of the following, except as permitted under Condition III.D.3.d(1) below:

[40 CFR 60.4211(a)]

- (1) Operate and maintain the non-emergency CI ICE and control device according to the manufacturer's emission-related written instructions;

[40 CFR 60.4211(a)(1)]

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

[40 CFR 60.4211(a)(2)]

- (3) Meet the requirements of 40 CFR Part 1068, as they apply.

[40 CFR 60.4211(a)(3)]

- d. The Permittee shall install and configure the non-emergency CI ICE according to the manufacturer's emission-related specifications, except as permitted under Condition III.D.3.d(1) below:

[40 CFR 60.4211(c)]

- (1) If the Permittee does not install, configure, operate, and maintain the non-emergency CI ICE according to the manufacturer's emission-related written instructions, or changes emission-related settings in a way that is not permitted by the manufacturer, the Permittee shall demonstrate compliance as indicated in Condition III.D.3.d(2) below.

[40 CFR 60.4211(g)]

- (2) The Permittee shall keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the non-emergency CI ICE in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the Permittee shall conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.

[40 CFR 60.4211(g)(1)]

- (3) If the Permittee demonstrates compliance according to Condition III.D.3.d(2) above, the Permittee shall conduct performance tests that follow the procedures in 40 CFR 60.4212.

[40 CFR 60.4212]

IV. FUGITIVE DUST REQUIREMENTS

e. Recordkeeping Requirement

If the non-emergency CI ICE is equipped with a diesel particulate filter, the Permittee shall keep records of any corrective action taken after the backpressure monitor has notified the facility that the high backpressure limit of the non-emergency CI ICE is approached.

[40 CFR 60.4214(c)]

f. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with 40 CFR 60.4204(b), 60.4206, 4209(b), 4211(a), (c), and (g), 4212 and 4214(c).

[A.A.C. R18-2-325]

IV. FUGITIVE DUST REQUIREMENTS

A. Applicability

This Section is applicable to any non-point source of fugitive dust in the facility.

B. Particulate Matter and Opacity

Open Areas, Roadways & Streets, Storage Piles and Material Handling

1. Emission Limitations and Standards

a. Opacity of emissions from any fugitive dust non-point source shall not be greater than 40%.

[A.A.C. R18-2-614]

b. The Permittee shall employ the following reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne:

(1) Keep dust and other types of air contaminants to a minimum in an open area where construction operations, repair operations, demolition activities, clearing operations, leveling operations, or any earth moving or excavating activities are taking place, by good modern practices such as using an approved dust suppressant or adhesive soil stabilizer, paving, covering, landscaping, continuous wetting, detouring, barring access, or other acceptable means;

[A.A.C. R18-2-604.A]

(2) Keep dust to a minimum from driveways, parking areas, and vacant lots where motor vehicular activity occurs by using an approved dust suppressant, or adhesive soil stabilizer, or by paving, or by barring access to the property, or by other acceptable means;

[A.A.C. R18-2-604.B]

IV. FUGITIVE DUST REQUIREMENTS

- (3) Keep dust and other particulates to a minimum by employing dust suppressants, temporary paving, detouring, wetting down or by other reasonable means when a roadway or alley is used, repaired, constructed, or reconstructed;
[A.A.C. R18-2-605.A]
- (4) Take reasonable precautions, such as wetting, applying dust suppressants, or covering the load when transporting material likely to give rise to airborne dust. Earth or other material that is deposited by trucking or earth moving equipment shall be removed from paved streets by the person responsible for such deposits;
[A.A.C. R18-2-605.B]
- (5) Take reasonable precautions, such as the use of spray bars, wetting agents, dust suppressants, covering the load, and hoods when crushing, screening, handling, transporting or conveying of materials or other operations likely to result in significant amounts of airborne dust;
[A.A.C. R18-2-606]
- (6) Take reasonable precautions such as chemical stabilization, wetting, or covering when organic or inorganic dust producing material is being stacked, piled, or otherwise stored;
[A.A.C. R18-2-607.A]
- (7) Operate stacking and reclaiming machinery utilized at storage piles at all times with a minimum fall of material, or with the use of spray bars and wetting agents;
[A.A.C. R18-2-607.B]
- (8) Any other method as proposed by the Permittee and approved by the Director.
[A.A.C. R18-2-306.A.3.c]

2. Air Pollution Control Requirement

Unpaved Roads and Storage Piles

Water, or an equivalent control, shall be used to control visible emissions from unpaved roads and storage piles.

[A.A.C. R18-2-306.A.2 and -331.A.3.d]

[Material permit conditions are indicated by underlines and italics]

3. Monitoring and Recordkeeping Requirements

- a. The Permittee shall maintain records of the dates on which any of the activities listed in Condition IV.B.1.b above were performed and the control measures that were adopted.

[A.A.C. R18-2-306.A.3.c]

V. OTHER PERIODIC ACTIVITIES

- b. A certified EPA Reference Method 9 observer shall conduct a weekly survey of visible emissions emanating from fugitive dust sources and in accordance with Condition I.B.

[A.A.C. R18-2-306.A.3.c]

C. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with A.A.C. R18-2-602, -604, -605, -606, -607, -608 and -614.

[A.A.C. R18-2-325]

V. OTHER PERIODIC ACTIVITIES

A. Abrasive Blasting

1. Particulate Matter and Opacity

a. Emission Limitations and Standards

The Permittee shall not cause or allow sandblasting or other abrasive blasting without minimizing dust emissions to the atmosphere through the use of good modern practices. Good modern practices include:

[A.A.C. R18-2-726]

- (1) Wet blasting;
- (2) Effective enclosures with necessary dust collecting equipment; or
- (3) Any other method approved by the Director.

b. Opacity

The Permittee shall not cause, allow or permit visible emissions from sandblasting or other abrasive blasting operations in excess of 20% opacity.

[A.A.C. R18-2-702.B.3]

2. Monitoring and Recordkeeping Requirements

- a. Each time an abrasive blasting project is conducted, the Permittee shall make a record of the following:

[A.A.C. R18-2-306.A.3.c]

- (1) The date the project was conducted;
- (2) The duration of the project; and
- (3) The type of control measures employed.

V. OTHER PERIODIC ACTIVITIES

- b. A certified EPA Reference Method 9 observer shall conduct a quarterly survey of visible emissions emanating from sandblasting or other abrasive blasting operations and in accordance with Condition I.B.
[A.A.C. R18-2-306.A.3.c]
- c. If there were no sandblasting or other abrasive blasting operations during a calendar quarter, then no quarterly survey of visible emissions is required. However, the Permittee shall record that no sandblasting or other abrasive blasting operations occurred during that calendar quarter.
[A.A.C. R18-2-306.A.3.c]

B. Use of Paints

1. Volatile Organic Compounds and Opacity

a. Emission Limitations and Standards

While performing spray painting operations, the Permittee shall comply with the following requirements:

- (1) The Permittee shall not conduct or cause to be conducted any spray painting operation without minimizing organic solvent emissions. Such operations, other than architectural coating and spot painting, shall be conducted in an enclosed area equipped with controls containing no less than 96 percent of the overspray.
[A.A.C. R18-2-727.A]
- (2) The Permittee or their designated contractor shall not neither:
 - (a) Employ, apply, evaporate, or dry any architectural coating containing photochemically reactive solvents for industrial or commercial purposes; or
 - (b) Thin or dilute any architectural coating with a photochemically reactive solvent.
[A.A.C.R18-2-727.B]
- (3) For the purposes of Condition V.B.1.a(2), a photochemically reactive solvent shall be any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified in Conditions V.B.1.a(3)(a) through V.B.1.a(3)(c), or which exceeds any of the following percentage composition limitations, referred to the total volume of solvent:
[A.A.C.R18-2-727.C]
 - (a) A combination of the following types of compounds having an olefinic or cyclo-olefinic type of unsaturation-hydrocarbons, alcohols, aldehydes, esters, ethers or ketones: 5 percent.

V. OTHER PERIODIC ACTIVITIES

- (b) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.
 - (c) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.
 - (4) Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the groups of organic compounds described in Conditions V.B.1.a(3)(a) through V.B.1.a(3)(c), it shall be considered to be a member of the group having the least allowable percent of the total volume of solvents.
[A.A.C.R18-2-727.D]
 - b. Opacity

The Permittee shall not cause, allow or permit visible emissions from spray painting operations in excess of 20% opacity.
[A.A.C. R18-2-702.B.3]
2. Monitoring and Recordkeeping Requirements
- a. Each time a spray painting operation is conducted, the Permittee shall record the following:
 - (1) The date the project was conducted;
 - (2) The duration of the project;
 - (3) The type of control measures employed;
 - (4) Safety Data Sheets for all paints and solvents used in the project; and
 - (5) The amount of paint consumed during the operation.
[A.A.C. R18-2-306.A.3.c]
 - b. Architectural coating and spot painting projects shall be exempt from Condition V.B.2.a.
[A.A.C. R18-2-306.A.3.c]
 - c. A certified EPA Reference Method 9 observer shall conduct a quarterly survey of visible emissions emanating from spray painting operations and in accordance with Condition I.B.
[A.A.C. R18-2-306.A.3.c]
 - d. If there were no spray painting operations during a calendar quarter, then no quarterly survey of visible emissions is required. However, the

Permittee shall record that no spray painting operations occurred during that calendar quarter.

[A.A.C. R18-2-306.A.3.c]

C. Demolition/Renovation - Hazardous Air Pollutants

1. Emission Limitations and Standards

The Permittee shall comply with all of the requirements in National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 CFR Part 61 Subpart M for Asbestos.

[A.A.C. R18-2-1101.A.12]

2. Monitoring and Recordkeeping Requirement

The Permittee shall keep all required records in a file. The required records shall include the "NESHAP Notification for Renovation and Demolition Activities" form and all supporting documents.

[A.A.C. R18-2-306.A.3.c]

D. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with A.A.C. R18-2-702.B.3, -726, -727 and -1101.A.12.

[A.A.C. R18-2-325]

ATTACHMENT "C": EQUIPMENT LIST

EQUIPMENT ID	EQUIP MET TYPE	MAXIMUM CAPACITY	MAKE	MODEL	SERIAL NUMBER	DATE OF MANUFACTURE	FUEL TYPE	A.A.C. / NSPS / NESHAP
Crushing and Screening Plant Equipment								
EU3	Jaw Crusher	150 tons/hr	Pioneer	30" x 42" Jaw Crusher	36U1904	1952	N/A	NSPS 40 CFR Part 60 Subpart LL
EU4	Conveyor 1A	500-700 tons/hr	Conveyor Sales	Lattice Frame Conveyor	9-30-16068AA	2019	N/A	NSPS 40 CFR Part 60 Subpart LL
	Conveyor 1B				9-30-16067AA			
EU5	Screener	200 tons/hr	KPI-JCI	8' X 20' 3-Deck Low Profile Vibrating Screen	415791	2016	N/A	NSPS 40 CFR Part 60 Subpart LL
EU6	Conveyor 2	500-700 tons/hr	Conveyor Sales	Lattice Frame Conveyor	9-30-8952AA	2014	N/A	NSPS 40 CFR Part 60 Subpart LL
EU8	Cone Crusher	200 tons/hr	Cedar Rapids	RC 54 Classic Cone w/ Chassis	41A0385 / 23K0284	1984	N/A	NSPS 40 CFR Part 60 Subpart LL
EU9	Conveyor 3	100 tons/hr	Conveyor Sales	Lattice Frame Conveyor	9-30-8094AA	2011	N/A	NSPS 40 CFR Part 60 Subpart LL
EU10	Conveyor 4A	500-700 tons/hr	Conveyor Sales	Lattice Frame Conveyor	9-30-8092AA	2011, 2002	N/A	NSPS 40 CFR Part 60 Subpart LL
	Conveyor 4B				9-30-8091AA			
	Conveyor 4C				9-30-8125AA			
EU13	High Pressure Grinder Roller	TBD	TBD	TBD	TBD	TBD	N/A	Operation Prohibited
EU14	Beneficiation	TBD	TBD	TBD	TBD	TBD	N/A	Operation Prohibited
Non-Emergency CI ICEs								
GEN01	Non-Emergency Generator 1	1,027 HP	Caterpillar	3508 STD	TBD	1989	D	A.A.C. R18-2-719; NESHAP 40 CFR Part 63 Subpart ZZZZ

EQUIPMENT ID	EQUIP MET TYPE	MAXIMUM CAPACITY	MAKE	MODEL	SERIAL NUMBER	DATE OF MANUFACTURE	FUEL TYPE	A.A.C. / NSPS / NESHAP
GEN02	Non-Emergency Generator 2	1,027 HP	Caterpillar	3508 STD	TBD	1989	D	Operation Prohibited
GEN03	Non-Emergency Generator 3	1,027 HP	Caterpillar	3508 STD	TBD	1989	D	Operation Prohibited
GEN04	Non-Emergency Generator 4	76.0 HP	Kubota	V3800CR-TIE4B	TBD	2014	D	NSPS 40 CFR Part 60 Subpart III
GEN05	Non-Emergency Generator 5	31.5 HP	Isuzu	AA-4LE2	TBD	2005	D	A.A.C. R18-2-719; NESHAP 40 CFR Part 63 Subpart ZZZZ

D ----- Diesel
 N/A ----- Not Available
 TBD ----- To Be Determined