

CLASS II AIR QUALITY PERMIT

DRAFT PERMIT No. 100924

PERMITTEE:	Minerals Research, Inc.
FACILITY:	MRI Cottonwood Plant
PLACE ID:	137664
DATE ISSUED:	Date Pending
EXPIRY DATE:	Date Pending

SUMMARY

This Class II air quality permit is issued to Minerals Research, Inc. (MRI), the Permittee, for the operation of the MRI Cottonwood Plant. The facility is located at 705 E Birch St, Cottonwood, AZ 86326. The crushing and screening operation processes a pre-existing copper slag pile for various industrial mineral applications.

This permit is required in accordance with Arizona Administrative Code R18-2-510(D) and is issued in accordance with Arizona Revised Statutes (A.R.S.) 49-426. It contains requirements from Title 18, Chapter 2 of the Arizona Administrative Code (A.A.C.) and Title 40 of the Code of Federal Regulations. All definitions, terms, and conditions used in this permit conform to those in A.A.C. R18-2-101 et seq. and Title 40 of the Code of Federal Regulations (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.
[A.R.S. § 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 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 Arizona Department of Environmental Quality (ADEQ) Director or the Environmental Protection Agency (EPA) 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; or
[A.A.C. R18-2-321(A)(1)(c)]
 2. The ADEQ Director or the EPA 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 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 ADEQ Director pursuant to A.R.S. § 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 ADEQ Director an emissions inventory questionnaire no later than June 1 every three (3) years beginning June 1, 2021. At the ADEQ Director's request, the Permittee may be required to complete and submit emissions inventory questionnaires in addition to the triennial emissions inventory questionnaire. The ADEQ 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 the form provided by the ADEQ 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)]

- C. The Permittee shall submit to the ADEQ Director an amendment to an emissions inventory questionnaire, containing the documentation required by A.A.C. R18-2-327(A)(3), whenever the Permittee discovers or receives notice, within two (2) years of the original submittal, that incorrect or insufficient information was submitted to the ADEQ Director by a previous emissions inventory questionnaire. The amendment shall be submitted to the ADEQ Director within 30 days of discovery or receipt of notice. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the ADEQ Director shall require that additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment shall not subject the Permittee to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.

[A.A.C. R18-2-327(A)(4)]

VII. COMPLIANCE CERTIFICATION

- A. The Permittee shall submit a compliance certification to the ADEQ Director semiannually, which describes the compliance status of the source with respect to each permit condition. The first certification shall be submitted no later than May 15th, and 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 second certification shall be submitted no later than November 15th, and 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; and

[A.A.C. R18-2-309(2)(c)(iii)]

4. Other facts the ADEQ Director may require in determining the compliance status of the source.

[A.A.C. R18-2-309(2)(c)(iv)]

- C. If any outstanding compliance schedule exists, a progress report shall be submitted every six (6) months beginning six (6) months after permit issuance. The progress reports shall contain the information required by A.A.C. R18-2-309(5)(d).**

[A.A.C. R18-2-309(5)(d)]

VIII. CERTIFICATION OF TRUTH, ACCURACY, AND COMPLETENESS

Any document required to be submitted by the Permittee, 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 ADEQ Director or the authorized representative of the ADEQ 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 EPA Administrator pursuant to Section 112(d) of the Act, then the Permittee shall, within twelve (12) 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

1. Excess emissions shall be reported as follows:

a. The Permittee shall report to the ADEQ 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, facsimile, or electronic means 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.

[A.A.C. R18-2-310.01(A)(1)]

(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.

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

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:

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

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.1 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 certifications 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 ADEQ 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)]

A. 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.A.3.b 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.A.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.A.2 above.

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

5. Demonstration of Reasonable and Practicable Measures

For an affirmative defense under Condition XII.A.2 or XII.A.3, the Permittee shall demonstrate, through submission of the data and information required by this Condition XII.A and Condition XII.A.1, 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:

[A.A.C. R18-2-306(A)(4)(a)]

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 ADEQ Director, within a reasonable time, any information that the ADEQ 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 ADEQ 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 EPA 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]

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 Condition XVI.B or XVI.C, 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.H below:
1. Implementing an alternative operating scenario, including raw materials changes;

[A.A.C. R18-2-317.02(B)(1)]

2. Changing process equipment, operating procedures, or making any other physical change if the permit requires the change to be logged;

[A.A.C. R18-2-317.02(B)(2)]

3. Engaging in any new insignificant activity listed in A.A.C. R18-2-101(69) but not listed in the permit;

[A.A.C. R18-2-317.02(B)(3)]

4. Replacing an item of air pollution control equipment listed in the permit with an identical (same model, different serial number) item. The ADEQ Director may require verification of efficiency of the new equipment by performance tests; and

[A.A.C. R18-2-317.02(B)(4)]

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.

[A.A.C. R18-2-317.02(B)(5)]

- C. The following changes may be made if the source provides written notice to the Department in advance of the change as provided below:

1. Replacing an item of air pollution control equipment listed in the permit with one that is not identical but that is substantially similar and has the same or better pollutant removal efficiency: seven days. The ADEQ Director may require verification of efficiency of the new equipment by performance tests;

[A.A.C. R18-2-317.02(C)(1)]

2. A physical change or change in the method of operation that increases actual emissions more than 10% of the major source threshold for any conventional pollutant but does not require a permit revision: seven days;

[A.A.C. R18-2-317.02(C)(2)]

3. Replacing an item of air pollution control equipment listed in the permit with one that is not substantially similar but that has the same or better efficiency: 30 days. The ADEQ Director may require verification of efficiency of the new equipment by performance tests;

[A.A.C. R18-2-317.02(C)(3)]

4. A change that would trigger an applicable requirement that already exists in the permit: 30 days unless otherwise required by the applicable requirement;

[A.A.C. R18-2-317.02(C)(4)]

5. A change that amounts to reconstruction of the source or an affected facility: seven days. For purposes of this Subsection, reconstruction of a source or an affected facility shall be presumed if the fixed capital cost of the new components exceeds 50% of the fixed capital cost of a comparable entirely new source or affected facility and the changes to the components have occurred over the 12 consecutive months beginning with commencement of construction; and

[A.A.C. R18-2-317.02(C)(5)]

6. A change that will result in the emissions of a new regulated air pollutant above an applicable regulatory threshold but that does not trigger a new applicable requirement for that source category: 30 days. For purposes of this requirement, an applicable regulatory threshold for a conventional air pollutant shall be 10% of the applicable major source threshold for that pollutant.

[A.A.C. R18-2-317.02(C)(5)]

- D. For each change under Condition XVI.C, the written notice shall be by certified mail or hand delivery and shall be received by the ADEQ Director the minimum amount of time in advance of the change. Notifications of changes associated with emergency conditions, such as malfunctions necessitating the replacement of equipment, may be provided with less than required notice, but must be provided as far in advance of the change, or if advance notification is not practicable, as soon after the change as possible. The written notice shall include:

[A.A.C. R18-2-317.02(D)]

1. When the proposed change will occur,
2. A description of the change,
3. Any change in emissions of regulated air pollutants, and
4. Any permit term or condition that is no longer applicable as a result of the change.

[A.A.C. R18-2-317.02(D)(1)]

[A.A.C. R18-2-317.02(D)(2)]

[A.A.C. R18-2-317.02(D)(3)]

[A.A.C. R18-2-317.02(D)(4)]

- E. 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)]

- F. Notwithstanding any other part of this Section, the ADEQ 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)]

- G. A copy of all logs required under Condition XVI.B shall be filed with the ADEQ 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)]

H. 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 authorizes 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 numbered pages, or in any other form, including electronic format, approved by the ADEQ 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 ADEQ Director.

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

- B.** Operational Conditions during Performance Testing

Performance tests shall be conducted under such conditions as the ADEQ Director shall specify to the plant operator based on representative performance of the source. The Permittee shall make available to the ADEQ 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 ADEQ 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 ADEQ 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) and (D)]

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;

[A.A.C. R18-2-312(E)(1)]



2. Safe sampling platform(s); [A.A.C. R18-2-312(E)(2)]
3. Safe access to sampling platform(s); and [A.A.C. R18-2-312(E)(3)]
4. Utilities for sampling and testing equipment. [A.A.C. R18-2-312(E)(4)]

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 ADEQ Director's approval, be determined using the arithmetic mean of the results of the other two runs. If the ADEQ Director or the ADEQ Director's designee is present, tests may only be stopped with the ADEQ Director's or such designee's approval. If the ADEQ Director or the ADEQ 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. R18-2-312(F)]

G. Report of Final Test Results

A written report of the results of performance tests conducted pursuant to 40 CFR 60 or 63, shall be submitted to the ADEQ 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 ADEQ 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 ADEQ 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 ADEQ Director. The ADEQ 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 ADEQ 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 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 Regulations.

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

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ATTACHMENT "B": SPECIFIC CONDITIONS

I. FACILITY-WIDE REQUIREMENTS

A. Applicability

This Section is applicable to all facility-wide operations.

B. Hours of Operations

1. The Permittee shall only operate the primary crushing and screening plant, the secondary crushing and screening plant, and associated mobile equipment between the hours of 06:00 (6:00 AM) and 22:00 (10:00 PM) Local Time.
2. To demonstrate compliance with Condition I.B.1, the Permittee shall maintain a daily operational logbook containing the following:
 - a. Primary Crushing and Screening Plant (Contractor): Daily start time and shutdown time of contractor equipment;
 - b. Secondary Crushing and Screening Plant: Daily start time and shutdown time for the equipment identified in the equipment list in Attachment "C";
 - c. Mobile Equipment: Daily start time and shutdown time for trucks, loaders and forklifts.

[A.A.C. R18-2-306.03]

C. Opacity

1. Instantaneous Surveys and Six-Minute Observations

a. Instantaneous Surveys

Any instantaneous survey required by this permit shall be determined by an 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 EPA Reference Method 9.

- c. The Permittee shall have on site or on call a person certified in EPA Reference Method 9.

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

2. Monitoring, Recordkeeping, and Reporting Requirements

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

- a. At the frequency specified in the following sections of this permit, the Permittee shall conduct an instantaneous survey of visible emissions from both process stack sources, when in operation and if practicable, and fugitive dust sources.
- b. 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.

- c. 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.
 - (1) 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.
 - (2) If the six-minute observation of the visible emissions is greater than the applicable opacity standard, then the Permittee shall do the following:
 - (a) Adjust or repair the controls or equipment to reduce opacity to less than or equal to the opacity standard;
 - (b) 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;
 - (c) Report the event as an excess emission for opacity in accordance with Condition XII.A of Attachment "A"; and
 - (d) Conduct another six-minute observation to document the effectiveness of the adjustments or repairs completed.

D. Recordkeeping and Reporting Requirements

1. Deviations from the following Attachment "B" permit conditions shall be promptly reported in accordance with Condition XII.B.2 of Attachment "A":
[A.A.C. R18-2-306(A)(5)(b)]
Condition II.B, II.D, III.B, III.D, IV.B.1.b, IV.B.1.c, IV.B.1.d and IV.B.1.e
2. The Permittee shall maintain, on-site, records of the manufacturer supplied operations and maintenance instructions or Operation and Maintenance Plan for minimizing emissions for all equipment identified in Attachment "C".
[A.A.C. R18-2-306(A)(3)(c)]
3. The Permittee shall submit reports of all monitoring activities required in Attachment "B" along with the semiannual compliance certification required by Section VII of Attachment "A".
[A.A.C. R18-2-306(A)(5)(a)]

II. PRIMARY CRUSHING AND SCREENING PLANT REQUIREMENTS

A. Applicability

Section II applies to equipment identified in the equipment list in Attachment "C" as part of the Primary Crushing and Screening Plant. If a contractor is used, the Permittee shall ensure compliance with these conditions.

B. Throughput Limitations

1. The Permittee shall not process greater than 2,200 tons of material per day by the Primary Crushing Plant.

[A.A.C. R18-2-306.03]

2. The Permittee shall not process greater than 150,000 tons of material by the Primary Crushing Plant over a rolling 12-month period.

[A.A.C. R18-2-306.03]

C. Emissions Limitations and Standards

1. The Permittee shall not cause or permit the emission of pollutants at rates greater than the following:

[A.A.C. R18-2-730(A)]

- a. For particulate matter discharged into the atmosphere in any one hour from any unclassified process source in total quantities in excess of the amounts calculated by one of the following equations:

[A.A.C. R18-2-730(A)(1)]

- (1) For process sources having a process weight rate of 60,000 pounds per hour (30 tons per hour) or less, the maximum allowable emissions shall be determined by the following equation:

[A.A.C. R18-2-730(A)(1)(a)]

$$E = 4.10P^{0.67}$$

where:

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

P = the process weight rate in tons-mass per hour.

- (2) For process weight rate greater than 60,000 pounds per hour (30 tons per hour), the maximum allowable emissions shall be determined by the following equation:

[A.A.C. R18-2-730(A)(1)(b)]

$$E = 55.0P^{0.11-40}$$

where "E" and "P" are defined as indicated in Condition II.C.1.a(1).

- b. For purposes of this Section, the total process weight from all similar units employing a similar type process shall be used in determining the maximum allowable emission of particulate matter.

[A.A.C. R18-2-730(B)]

- c. Actual values shall be calculated from the applicable equations and rounded off to two decimal places.

[A.A.C. R18-2-730(C)]

2. The Permittee shall not discharge into the atmosphere any plume or effluent with opacity greater than 20% from the primary crushing plant.

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

D. Air Pollution Control Requirements

The Permittee shall operate water sprays to control emissions of particulate matter from the primary crushing and screening plant.

[A.A.C. R18-2-306.03]

E. Monitoring Requirements

1. Each day that the Primary Crushing and Screening Plant is in operation, the Permittee shall conduct a survey of visible emissions emanating from the crusher,

screen, and each material transfer point in accordance with the requirements of Condition I.C of Attachment "B".

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

2. The Permittee shall perform weekly inspections while the primary crushing and Screening Plant is present and operating to check that water is properly flowing to discharge spray nozzles in the wet suppression system. The Permittee shall initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if the Permittee finds that water is not flowing properly during an inspection of the water spray nozzles. The Permittee shall record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, and make the record of these inspections available to the Director upon request.
3. The Permittee shall calibrate, maintain, and operate monitoring devices, or other approved methods, which can be used to determine the daily process weight of material processed. The weighing devices shall have an accuracy of plus or minus 5 percent over their operating range.

[A.A.C. R18-2-306(A)(4) and R18-2-331(A)(3)(c)]

[Material permit conditions are indicated by underline and italics]

F. Recordkeeping Requirements

1. Each day that the Primary Crushing Plant is in operation, the Permittee shall record the total weight of the material processed by the Primary Crushing Plant.
2. Each month, the Permittee shall record the sum of the total weight of material processed each day that the Primary Crushing Plant was in operation. The Permittee shall maintain a log of the rolling 12-month basis throughput for the Primary Crushing Plant.

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

G. Permit Shield

Compliance with the requirements of this Section shall be deemed compliance with A.A.C. R18-2-730(A), (B), and (C).

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

III. SECONDARY CRUSHING AND SCREENING PLANT REQUIREMENTS

A. Applicability

Section III applies to equipment identified in the equipment list in Attachment "C" as part of the Secondary Crushing and Screening Plant.

B. Operating Restrictions

1. The Permittee shall not process greater than 330 tons of material per day through the Secondary Crushing and Screening Plant.
2. The Permittee shall not process greater than 87,600 tons of material through the Secondary Crushing Plant over a rolling 12-month period.

[A.A.C. R18-2-306.03]

[A.A.C. R18-2-306.03]

C. Emissions Limitations and Standards

1. The Permittee shall not allow emissions of PM₁₀ discharged into the atmosphere from BH-600 in excess of 0.013 pounds per ton of material processed in the secondary crushing and screening plant.
[A.A.C. R18-2-306.03]
2. The Permittee shall not allow emissions of PM₁₀ discharged into the atmosphere from BH-601 in excess of 0.033 pounds per ton of material processed in the secondary crushing and screening plant.
[A.A.C. R18-2-306.03]
3. The Permittee shall not cause or permit the emission of pollutants at rates greater than the following:
[A.A.C. R18-2-730(A)]
 - a. For particulate matter discharged into the atmosphere in any one hour from any unclassified process source in total quantities in excess of the amounts calculated by one of the following equations:
[A.A.C. R18-2-730(A)(1)]
 - (1) For process sources having a process weight rate of 60,000 pounds per hour (30 tons per hour) or less, the maximum allowable emissions shall be determined by the following equation:
[A.A.C. R18-2-730(A)(1)(a)]

$$E = 4.10P^{0.67}$$
 where:
 E = the maximum allowable particulate emissions rate in pounds-mass per hour.
 P = the process weight rate in tons-mass per hour.
 - (2) For process weight rate greater than 60,000 pounds per hour (30 tons per hour), the maximum allowable emissions shall be determined by the following equation:
[A.A.C. R18-2-730(A)(1)(b)]

$$E = 55.0P^{0.11-40}$$
 where "E" and "P" are defined as indicated in Condition III.C.1.a(1).
 - b. For purposes of this Section, the total process weight from all similar units employing a similar type process shall be used in determining the maximum allowable emission of particulate matter.
[A.A.C. R18-2-730(B)]
 - c. Actual values shall be calculated from the applicable equations and rounded off to two decimal places.
[A.A.C. R18-2-730(C)]
4. The Permittee shall not discharge into the atmosphere any plume or effluent with opacity greater than 20%.
[A.A.C. R18-2-702(B)(3)]

D. Air Pollution Control Requirements

1. The Permittee shall install, operate, and maintain water sprays to control emissions of particulate matter from the vertical shaft impact crusher at all times during operations.

[A.A.C. R18-2-306.03 and A.A.C R18-2-331]

[Material permit conditions identified by underline and italics]

2. The Permittee shall install, operate, and maintain Baghouse-600 according to vendor specifications to control emissions of particulate matter from the tertiary screens and rotary air wash.

[A.A.C. R18-2-306.03 and A.A.C. R18-2-331]

[Material permit conditions identified by underline and italics]

3. The Permittee shall install, operate, and maintain Baghouse-601 according to vendor specifications to control emissions of particulate matter from the fluidized bed dryer and transfer of product to Silos 1, 2, 3, 4, 7, 8, 9, 12, 13, 14, and 15.

[A.A.C. R18-2-306.03 and A.A.C. R18-2-331]

[Material permit conditions identified by underline and italics]

4. The Permittee shall install, operate, and maintain bin vents according to vendor specifications to control emissions of particulate matter from Silos 5 and 6.

[A.A.C. R18-2-306.03 and A.A.C. R18-2-331]

[Material permit conditions identified by underline and italics]

5. The Permittee shall implement best management practices to minimize emissions of fugitive dust resulting from material collecting on and around process equipment. On a weekly basis, the Permittee shall ensure that any material collected on the ground is suitably handled to minimize any potential for wind-blown erosion.

[A.A.C. R18-2-306.03 and A.A.C. R18-2-331]

[Material permit conditions identified by underline and italics]

6. The Permittee shall ensure that all transfer points to and from the belts and other process equipment are equipped with chutes, hoods or skirts to control emissions of particulate matter.

[A.A.C. R18-2-306.03]

E. Monitoring Requirements

1. When the secondary plant is in operation, the Permittee shall conduct daily observations of visible emissions emanating from the VSI crusher, tertiary screen, material transfer points, baghouses, and bin vent in accordance with Condition I.C of Attachment "B".

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

2. The Permittee shall perform weekly inspections to check that water is properly flowing to discharge spray nozzles in the wet suppression system. The Permittee shall initiate and complete corrective action as expeditiously as practical if the Permittee finds that water is not flowing properly during an inspection of the water spray nozzles.

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

3. During each production shift, the Permittee shall record the pressure differential for each baghouse. If the pressure differential is observed to be outside of the vendor-specified operating range, the Permittee shall initiate and complete corrective actions as expeditiously as practicable.

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

4. During each production shift, the Permittee shall inspect ducting to the baghouses to ensure proper capture and control of the associated processes. If leaks in

IV. Fugitive Dust Requirements

ducting are observed, the Permittee shall initiate and complete corrective actions as expeditiously as practicable.

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

5. The Permittee shall conduct black light inspections on the baghouses at least semiannually to detect leaks.

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

6. The Permittee shall calibrate, maintain, and operate monitoring devices, or other approved methods, which can be used to determine the daily process weight of material processed. The weighing devices shall have an accuracy of plus or minus 5 percent over their operating range.

[A.A.C. R18-2-306(A)(4) and R18-2-331(A)(3)(c)]

[Material permit conditions are indicated by underline and italics]

F. Recordkeeping Requirements

1. The Permittee shall maintain records of the daily throughput in tons for the secondary crushing and screening plant.

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

2. The Permittee shall maintain records of the daily hours of operation.

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

3. The Permittee shall maintain a log of each inspection of the water spray nozzles, baghouse pressure differential, and baghouse ducting required by Conditions III.E.2 through 4 above, including the date of each inspection and any corrective actions taken. These records shall be made available to the Director upon request.

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

G. Performance Testing Requirement

1. Within 180 days of issuance of the permit, the Permittee shall conduct performance tests in accordance with EPA Reference Method 5 to demonstrate compliance with the emissions standards in Conditions III.C.1 and III.C.2 above. All particulate matter shall be assumed to be PM₁₀. Alternatively, the Permittee may conduct performance tests in accordance with EPA Reference Method 201A.
2. The Permittee shall conduct subsequent annual performance tests between 11 and 13 months of the previous test.

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

H. Permit Shield

Compliance with the requirements of this Section shall be deemed compliance with A.A.C. R18-2-730(A), (B), and (C).

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

IV. FUGITIVE DUST REQUIREMENTS

A. Applicability

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

B. Particulate Matter and Opacity

Open Areas, Blasting, Roadways and 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 wetting, 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)]

- (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 ADEQ Director. All methods in the approved dust control plan are considered approved by the ADEQ Director.

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

- c. The Permittee shall comply with the requirements of the dust control plan in Attachment "D" at all times. The Permittee may implement changes to the dust control plan upon approval by the Director. This condition does not prohibit the Permittee from implementing additional controls.
[A.A.C. R18-2-306.03]
- d. The unpaved roads as designated by the dust control plan in Attachment D shall be treated and maintained with a chemical dust suppressant product in accordance with the dust control plan in Attachment "D" to limit emissions of particulate matter.
[A.A.C. R18-2-306.03]
- e. The Permittee shall comply with the following requirements for blasting operations:
- (1) The Permittee shall be limited to no more than 1 blast event a day and 11 blasting events in any rolling 12-month period.
[A.A.C. R18-2-306.03]
 - (2) The amount of ammonium nitrate-fuel oil (ANFO) used in a blast event shall not exceed 1.741 tons.
[A.A.C. R18-2-306.03]
 - (3) The horizontal area of each blast event shall not exceed 6412 square feet.
[A.A.C. R18-2-306.03]
 - (4) The Permittee shall work with the blasting contractor to optimize hole design and layout to ensure that the blast event is producing the maximum amount of fractured crushable rock and a minimum amount of fly rock.
[A.A.C. R18-2-306.03]
 - (5) The Permittee shall use water sprinkling in the blast area to ensure that dust emanating from the blast event is minimized.
[A.A.C. R18-2-306.03]
 - (6) The Permittee shall not conduct blasting activities during high wind events. For the purpose of this condition, a high wind event is defined as any period where sustained wind speeds equal or exceed twenty-five (25) miles per hour (mph).
 - (a) No more than thirty (30) minutes prior to any scheduled blasting event, the Permittee shall verify local meteorological conditions to confirm compliance with Condition IV.B.1.e.(6).
 - (b) The Permittee shall determine wind speed using real-time National Weather Service (NWS) data from Cottonwood Airport.
[A.A.C. R18-2-306.03]
 - (7) The Permittee shall only conduct blasting activities between the hours of 09:00 (9:00 AM) and 16:00 (4:00 PM) Local Time.
[A.A.C. R18-2-306.03]

2. Air Pollution Control Requirements

Unpaved Roads

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

[A.A.C. R18-2-306.01 and -331(A)(3)(d)]

[Material Permit Conditions are indicated by underlines and italics]

3. Monitoring and Recordkeeping Requirements

a. The Permittee shall maintain daily records of the quantity of water applied by water trucks to control fugitive dust from dust producing operations.

b. The Permittee shall provide at least a 72-hour prior notification to the Department of any upcoming blasting event or series of events.

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

c. The Permittee shall maintain records to show compliance with the blasting requirements identified in Condition IV.B.1.e.

(1) Date and time of blasting.

(2) The amount of ANFO used.

(3) The horizontal blasting area.

(4) The exact timestamp of the pre-blast meteorological verification (conducted within 30 minutes prior to loading).

(5) The measured sustained wind speed (mph) at the time of verification.

(6) The printed name and signature of the Certified-in-Charge confirming that sustained wind speeds are below the 25 mph threshold prior to firing.

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

d. Opacity Monitoring Requirements

Each day, the Permittee shall monitor visible emissions from fugitive sources in accordance with Condition I.C of Attachment "B". The Permittee shall ensure a Method 9 observation is taken during any blast event.

[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. R18-2-604, -605, -606, -607, 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 ADEQ 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) Type of control measures employed.

b. Each time an abrasive blasting project is conducted, the Permittee shall monitor visible emissions from the project in accordance with Condition I.C of Attachment "B".

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

B. Use of Paints

1. Volatile Organic Compounds

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 either:

[A.A.C. R18-2-727(B)]

(a) Employ, apply, evaporate, or dry any architectural coating containing photochemically reactive solvents for industrial or commercial purposes; or

[A.A.C. R18-2-727(B)(1)]

(b) Thin or dilute any architectural coating with a photochemically reactive solvent.

[A.A.C. R18-2-727(B)(2)]

(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 Condition V.B.1.a(3), 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.
[A.A.C. R18-2-727(C)(1)]
 - (b) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.
[A.A.C. R18-2-727(C)(2)]
 - (c) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichlorethylene or toluene: 20 percent.
[A.A.C. R18-2-727(C)(3)]
 - (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 Condition V.B.1.a(3), 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. Monitoring and Recordkeeping Requirements
 - (1) Each time a spray painting project is conducted, the Permittee shall make a record of the following:
[A.A.C. R18-2-306(A)(3)(c)]
 - (a) The date the project was conducted;
 - (b) The duration of the project;
 - (c) Type of control measures employed;
 - (d) Safety Data Sheets (SDS) for all paints and solvents used in the project; and
 - (e) The amount of paint consumed during the project.
 - (2) Each time a spray painting project is conducted, the Permittee shall monitor visible emissions in accordance with Condition I.C of Attachment "B".
[A.A.C. R18-2-306(A)(3)(c)]
 - (3) Architectural coating and spot painting projects shall be exempt from the recordkeeping requirements of Condition V.B.1.b(1).
[A.A.C. R18-2-306(A)(3)(c)]
2. Opacity
- a. Emission Limitation and Standard

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)]
 - b. Monitoring, Recordkeeping, and Reporting Requirements

Each time a spray painting project is conducted, the Permittee shall monitor visible emissions in accordance with Condition I.B of Attachment "B".
[A.A.C. R18-2-306(A)(3)(c)]

C. Demolition/Renovation - Hazardous Air Pollutants

1. Emission Limitation and Standard

The Permittee shall comply with all of the requirements of 40 CFR 61 Subpart M for National Emission Standards for Hazardous Air Pollutants - 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 TYPE	MAX. CAPACITY	MAKE	MODEL	SERIAL NUMBER	INSTALLATION/ MFG. DATE	EQUIPMENT ID NUMBER	A.A.C. / NSPS / NESHAP
Feed Hopper	50 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	201T	A.A.C. R18-2-730
Conveyor	150 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	202T	A.A.C. R18-2-730
Conveyor	150 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	203T	A.A.C. R18-2-730
Screen	150 TPH	TCI Manufacturing	TCI6X18S	19022734	2019	204E	A.A.C. R18-2-730
Conveyor	150 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	207T	A.A.C. R18-2-730
Crusher	150 TPH	REMco	SandMax Series 1530	CD-01-0076	2013	208E	A.A.C. R18-2-730
Conveyor	150 TPH	REMco	SandMax Series 1530	CD-01-0076	2013	209T	A.A.C. R18-2-730
Conveyor	150 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	210T	A.A.C. R18-2-730
Conveyor	150 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	211T	A.A.C. R18-2-730
Conveyor	50 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	212T	A.A.C. R18-2-730
Dryer	50 TPH	Carrier Vibrating	Model QAD-6060S-25'-6"-10 HP	28213	2014	213E	A.A.C. R18-2-730
Conveyor	50 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	215T	A.A.C. R18-2-730
Screen	25 TPH	Midwestern	MEV 510-5 [1]	0614-5110	2014	216E	A.A.C. R18-2-730
Screen	25 TPH	Midwestern	MEV 510-5	0614-5110	2014	217E	A.A.C. R18-2-730
Rotary air-wash	10 TPH	Minerals Research	In-house	0----0	2023	226E	A.A.C. R18-2-730

EQUIPMENT TYPE	MAX. CAPACITY	MAKE	MODEL	SERIAL NUMBER	INSTALLATION/ MFG. DATE	EQUIPMENT ID NUMBER	A.A.C. / NSPS / NESHAP
Conveyor	25 TPH	NERAK	WB300A407	1406-2510-100	2014	228T	A.A.C. R18-2-730
Conveyor	25 TPH	Minerals Research	Belt Conveyor	0----0	2018	229T	A.A.C. R18-2-730
Conveyor	25 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	230T	A.A.C. R18-2-730
Conveyor	25 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	231T	A.A.C. R18-2-730
Conveyor	25 TPH	NERAK	WB300A407	1406-2512-100	2014	234T	A.A.C. R18-2-730
Conveyor	25 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	235T	A.A.C. R18-2-730
Conveyor	25 TPH	Dakota Manufacturing	Belt Conveyor	N/A	2014	236T	A.A.C. R18-2-730
Conveyor	25 TPH	NERAK	WB300A407	1406-2511-100	2014	239T	A.A.C. R18-2-730
Baghouse	40,000 CFM	Donaldson Torit	484RF10	FIG 516885A	1998	242E	A.A.C. R18-2-730
Baghouse	40,000 CFM	Donaldson Torit	356RFWH12	IG12716310L001	2018	243E	A.A.C. R18-2-730
Pneumatic conveyor	N/A	Cyclonaire	DPG-10B	14192-A	2014	246E	A.A.C. R18-2-730
Bin Vent	3,000 CFM	AEF	N/A	N/A	2014	248E	A.A.C. R18-2-730
Screen	N/A	Minerals Research, Inc.	In-house	0----0	2022	250E	A.A.C. R18-2-730
Conveyor	25 TPH	Dakota Manufacturing	Rail conveyor	N/A	2015	252T	A.A.C. R18-2-730
Conveyor	25 TPH	Dakota Manufacturing	Rail conveyor	N/A	2105	253T	A.A.C. R18-2-730

ATTACHMENT "D": DUST CONTROL PLAN

DRAFT