CLASS II AIR QUALITY PERMIT

DRAFT PERMIT No. 106248 (As Revised by Significant Permit Revision No. 116125)

PERMITTEE:	**Top Quality Products, LLC**
FACILITY:	**Yuma Bioprocessing Facility**
PLACE ID:	**245471**
DATE ISSUED:	**July 17, 2025 (As Revised on Date Pending)**
EXPIRY DATE:	**July 16, 2030**

SUMMARY

This Class II air quality permit is issued to Top Quality Products, LLC, the Permittee, for the operation of a bioprocessing facility. The facility will process agricultural crop to produce dry pulp bales. The facility is located at 2992 S. Rebecca Avenue, Yuma, AZ 85365 in Yuma County.

The facility has the potential to emit (PTE) particulate matter less than 10 micrometers (PM_{10}) greater than its major source threshold under Arizona Administrative Code (A.A.C.) R18-2-101.75. The facility has accepted to install a wet scrubber to reduce these emissions below its major source threshold. Therefore, the facility qualifies for a synthetic minor permit as allowed under A.A.C. R18-2-306.01.A.

This permit is issued in accordance with Arizona Revised Statutes (A.R.S.) § 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 the A.A.C. R18-2-101 et. seq. and Title 40 of the CFR, except as otherwise defined in this permit.

<u>Significant Permit Revision (SPR) No. 116125</u>

SPR No. 116125 authorizes Top Quality Products, LLC, the Permittee, to increase the voluntary emission limitation for particulate matter (PM) on the wet scrubber (SCRUB-1) controlling emissions from the evaporative dryer (DRY-1) including updating the units from grains per dry standard cubic foot to pound per hour. In addition, the monitoring parameter is being updated from pressure drop to flowrate to ensure proper operation of the wet scrubber (SCRUB-1) including changing performance test requirements from Method 201A to Method 5 to account for water in the exhaust stack.

These trigger minor New Source Review (NSR) under A.A.C. R18-2-334.A.3 as the facility's PTE of PM_{10} and $PM_{2.5}$ will be greater than the permitting exemption thresholds (PET) established under A.A.C. R18-2-101.102. In order to satisfy the requirements of Minor NSR, the Permittee developed an ambient air impact analysis to demonstrate that the emissions resulting from this increase would not interfere with attainment of the National Ambient Air Quality Standards in accordance with A.A.C. R18-2-334.C.2.

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ADEQ
Arizona Department
of Environmental Quality

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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 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 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; and

[A.A.C. R18-2-321.A.1.c]

2. The 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 sections 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

[A.A.C. R18-2-315.A.1]

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

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

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 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 Director an emissions inventory questionnaire no later than June 1 every three 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]

C. The Permittee shall submit to the 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 Director by a previous emissions inventory questionnaire. The amendment shall be submitted to the Director within 30 days of discovery or receipt of notice. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the 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 Director annually which describes the compliance status of the source with respect to each permit condition. The certification shall be submitted no later than September 15th, and shall report the compliance status of the source during the period between August 1st of the previous year and July 31st 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. R18-2-309.2c.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]

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 EPA 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.

[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:

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.B.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 made annually, concurrent with the annual 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]
[State Enforceable Only]

C. Emergency Provisions

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 XI.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.E.3.bbelow, 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.E.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.E.2 above.

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

5. Demonstration of Reasonable and Practicable Measures

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

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

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. R18-2-101.68 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 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:

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

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 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 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.

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 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,

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

2. A description of the change,

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

3. Any change in emissions of regulated air pollutants, and

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

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.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 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 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 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. R18-2-312.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 Director within 60 days after the test is performed. A written report of the results of all other performance tests shall be submitted within four (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 applies to facility-wide requirements.

B. Operational Limitations

1. *The Permittee shall not process more than 30 bone dry metric tons of pulp per day*.

[A.A.C. R18-2-306.01 and –331.A.3.a]
[Material Permit Conditions are indicated by underlines and italics]

2. *The Permittee shall not process pulp that is produced from wood as described in 40 CFR 60.281(a)*.

[A.A.C. R18-2-306.01 and –331.A.3.a]
[Material Permit Conditions are indicated by underlines and italics]

C. Opacity

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)

(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 2 hours.

(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 2 hours.

(2) EPA Reference Method 9 Certified Observer.

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]

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 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; and

(c) Report the event as an excess emission for opacity in accordance with Condition XII.A of Attachment "A".

(d) 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 keep records of the bone dry metric tons of pulp processed per day.

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

2. 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]

a. Condition I.B.2;

b. Condition II.D.2;

c. Condition IV.B.2.b; and

d. Condition IV.B.3.a.

3. The Permittee shall submit reports of all monitoring activities required in Attachment "B" along with the annual compliance certification required by Section VII of Attachment "A."

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

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

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

a. The provisions of Section 303 of the Clean Air Act, including the authority of the EPA Administrator under that Section;

b. The liability of the facility for any violation of applicable requirements prior to or at the time of permit issuance;

c. The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act;

d. The ability of the EPA Administrator or the Director to obtain information from the facility pursuant to Section 114 of the Clean Air Act, or any provision of state law; and

e. The authority of the Director to require compliance with new applicable requirements adopted after the permit is issued.

II. EMERGENCY COMPRESSION IGNITION INTERNAL COMBUSTION ENGINE REQUIREMENTS

A. Applicability

This Section is applicable to the emergency compression ignition (CI) internal combustion engine (ICE) that is subject to New Source Performance Standards (NSPS) Part 60 Subpart IIII for Stationary Compression Ignition Internal Combustion Engines identified in Attachment “C”.

Emergency CI ICE includes Equipment ID EG-1.

B. Emission Standards

For 2007 model year and later emergency CI ICE with a displacement of less than 30 liters per cylinder, the Permittee must comply with the emission standards in 40 CFR 60.4202.

[40 CFR 60.4205(b)]

C. Fuel Requirements

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

[40 CFR 60.4207(b)]

a. Maximum sulfur content of 15 ppm; and

[40 CFR 1090.305(b)]

b. Minimum cetane index of 40; or

[40 CFR 1090.305(c)(1)]

c. Maximum aromatic content of 35 volume percent.

[40 CFR 1090.305(c)(2)]

D. Operation and Maintenance Requirements

1. The Permittee shall operate and maintain the emergency CI ICE to achieve the emission standards as required in 40 CFR 60.4205 over the entire life of the emergency CI ICE.

   [40 CFR 60.4206]

2. *The Permittee must install a non-resettable hour meter prior to startup of the engine, if one is not already installed*.

   [40 CFR 60.4209(a) and A.A.C. R18-2-331.A.3.c]
   [Material Permit Conditions are indicated by underlines and italics]

3. The Permittee shall do all of the following, except as permitted under Condition II.D.6:

   [40 CFR 60.4211(a)]

   a. Operate and maintain the emergency CI ICE and control devices according to the manufacturer's emission-related written instructions;

      [40 CFR 60.4211(a)(1)]

   b. Change only those emission-related settings that are permitted by the manufacturer; and

      [40 CFR 60.4211(a)(2)]

   c. Meet the requirements of 40 CFR part 1068, as they apply.

      [40 CFR 60.4211(a)(3)]

4. The Permittee shall comply by purchasing an emergency CI ICE certified to the emission standards in 40 CFR 60.4205(b) for the same model year and maximum engine power. It must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in Condition II.D.6.

   [40 CFR 60.4211(c)]

5. The Permittee shall operate the emergency CI ICE according to the requirements in Condition II.D.5.a through c. To be considered an emergency CI ICE, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in Condition II.D.5.a through c below, is prohibited. If the emergency CI ICE is not operated according to the requirements in Condition II.D.5.a through c, it will not be considered an emergency CI ICE and must meet all requirements for non-emergency CI ICEs.

   [40 CFR 60.4211(f)]

   a. There is no time limit on the use of emergency CI ICE in emergency situations.

      [40 CFR 60.4211(f)(1)]

b. The Permittee may operate the emergency CI ICE for the purpose specified in below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed below counts as part of the 100 hours per calendar year allowed by this Condition:

[40 CFR 60.4211(f)(2)]

The Permittee may operate the emergency CI ICE for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the emergency CI ICE. The Permittee may petition the EPA Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the Permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency CI ICE beyond 100 hours per calendar year.

[40 CFR 60.4211(f)(2)(i)]

c. The Permittee may operate the emergency CI ICE for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in Condition II.D.5.b. Except as provided in Condition II.D.5.c(1), the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[40 CFR 60.4211(f)(3)]

(1) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

[40 CFR 60.4211(f)(3)(i)]

(a) The emergency CI ICE is dispatched by the local balancing authority or local transmission and distribution system operator.

[40 CFR 60.4211(f)(3)(i)(A)]

(b) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

[40 CFR 60.4211(f)(3)(i)(B)]

(c) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

[[40 CFR 60.4211(f)(3)(i)(C)]

(d) The power is provided only to the facility itself or to support the local transmission and distribution system.

[40 CFR 60.4211(f)(3)(i)(D)]

(e) The Permittee identifies and records the entity that dispatches the emergency CI ICE and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the Permittee.

[40 CFR 60.4211(f)(3)(i)(E)]

6. If the Permittee does not install, configure, operate, and maintain the emergency CI ICE and control device according to the manufacturer's emission-related written instructions, or the Permittee changes emission-related settings in a way that is not permitted by the manufacturer, the Permittee must demonstrate compliance by keeping a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the 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 startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after the Permittee changes emission-related settings in a way that is not permitted by the manufacturer.

[40 CFR 60.4211(g)(2)]

7. If the Permittee demonstrates compliance according to Condition II.D.6, the Permittee shall conduct a performance test that follows the procedures in 40 CFR 60.4212.

[40 CFR 60.4212]

E. Monitoring, Recordkeeping and Reporting Requirements

1. The Permittee must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-

resettable hour meter. The Permittee must record the time of operation of the engine and the reason the engine was in operation during that time.

[40 CFR 60.4214(b)]

2. If the emergency CI ICE operates for the purpose specified in Condition II.D.5.c(1), the Permittee must submit an annual report containing the following information:

[40 CFR 60.4214(d)]

a. Company name and address where the emergency CI ICE is located.

[40 CFR 60.4214(d)(1)(i)]

b. Date of the report and beginning and ending dates of the reporting period.

[40 CFR 60.4214(d)(1)(ii)]

c. Emergency CI ICE site rating and model year.

[40 CFR 60.4214(d)(1)(iii)]

d. Latitude and longitude of the emergency CI ICE in decimal degrees reported to the fifth decimal place.

[40 CFR 60.4214(d)(1)(iv)]

e. Hours spent for operation for the purposes specified in Condition II.D.5.c(1), including the date, start time, and end time for engine operation for the purposes specified in Condition II.D.5.c(1). The report must also identify the entity that dispatched the emergency CI ICE and the situation that necessitated the dispatch of the emergency CI ICE.

[40 CFR 60.4214(d)(1)(vii)]

3. Annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

[40 CFR 60.4214(d)(2)]

4. The annual report must be submitted electronically using the reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (https://cdx.epa.gov/). However, if the reporting form is not available in CEDRI at the time that the report is due, the written report must be submitted to the EPA Administrator at the appropriate address listed in 40 CFR 60.4. Beginning on February 26, 2025, submit annual report electronically according to Condition II.E.6.

[40 CFR 60.4214(d)(3)]

5. Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by Condition II.D.7, the Permittee must submit the results of the performance test required under

this Subsection following the procedures specified in Conditions II.E.5.a and b.

[40 CFR 60.4214(f)]

a. ***Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (***https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert***) at the time of the test.*** Submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). The data must be submitted in a file format generated using the EPA's ERT. Alternatively, the Permittee may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website.

[40 CFR 60.4214(f)(1)]

b. ***Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test.*** The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI according to Condition II.E.6.

[40 CFR 60.4214(f)(2)]

6. If the Permittee is required to submit notifications or reports following the procedure specified in this Section, the Permittee must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (https://cdx.epa.gov/). The EPA will make all the information submitted through CEDRI available to the public without further notice to the Permittee. Do not use CEDRI to submit information claimed to be confidential business information (CBI). Although EPA does not expect facilities to assert a claim of CBI, if the Permittee wishes to assert a CBI claim for some of the information in the report or notification, the Permittee must submit a complete file in the format specified, including information claimed to be CBI, to the EPA following the procedures in Conditions II.E.6.a and b. Clearly mark the part or all of the information that is claimed to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR Part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under Clean Air Act Section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. The Permittee must submit the same file submitted to

the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this Condition.

[40 CFR 60.4214(g)]

a. The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov*, and as described in Condition II.E.6, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if the Permittee does not have their own file sharing service, please email *oaqpscbi@epa.gov* to request a file transfer link.

[40 CFR 60.4214(g)(1)]

b. If the Permittee cannot transmit the file electronically, the Permittee may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

[40 CFR 60.4214(g)(2)]

7. If the Permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the Permittee may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, the Permittee must meet the requirements outlined in 40 CFR 60.4214(h)(1) through 40 CFR 60.4214(h)(7).

[40 CFR 60.4214(h)]

8. If the Permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the Permittee may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in 40 CFR 60.4214(i)(1) through 40 CFR 60.4214(i)(5).

[40 CFR 60.4214(i)]

F. Permit Shield

Compliance with the Conditions of this Section shall be deemed compliance with 40 CFR 60.4205(b), 40 CFR 60.4207(b), 40 CFR 60.4206, 40 CFR 60.4209(a), 40 CFR 60.4211(a), 40 CFR 60.4211(c), 40 CFR 60.4211(f), 40 CFR 60.4211(g)(2), 40 CFR 60.4212, 40 CFR 60.4214(b), 40 CFR 60.4214(d), 40 CFR 60.4214(f), 40 CFR 60.4214(g), 40 CFR 60.4214(h), 40 CFR 60.4214(i), 40 CFR 1090.305(b), and 40 CFR 1090.305(c).

III. BOILER REQUIREMENTS

A. Applicability

This Section is applicable to the boiler that is subject to New Source Performance Standards (NSPS) Part 60 Subpart Dc for Small Industrial-Commercial-Institutional Steam Generating Units identified in Attachment "C".

The boiler includes Equipment ID BOL-1.

B. Monitoring, Recordkeeping and Reporting Requirements

1. The Permittee shall submit notification of the date of construction or reconstruction and actual startup of the boiler, as provided by 40 CFR 60.7. This notification shall include:

[40 CFR 60.48c(a)]

   a. The design heat input capacity of the boiler and identification of fuels to be combusted in the boiler.

   [40 CFR 60.48c(a)(1)]

   b. The annual capacity factor at which the Permittee anticipates operating the boiler based on all fuels fired and based on each individual fuel fired.

   [40 CFR 60.48c(a)(3)]

2. Except as provided under Condition III.B.3, the Permittee shall record and maintain records of the amount of each fuel combusted during each operating day.

[40 CFR 60.48c(g)(1)]

3. As an alternative to meeting the requirements of Condition III.B.2, the Permittee may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

[40 CFR 60.48c(g)(2)]

4. All records required under this Section shall be maintained by the Permittee for a period of two (2) years following the date of such record.

[40 CFR 60.48c(i)]

C. Permit Shield

Compliance with the Conditions of this Section shall be deemed compliance with 40 CFR 60.48c(a)(1), 40 CFR 60.48c(a)(3), 40 CFR 60.48c(g)(1), 40 CFR 60.48c(g)(2) and 40 CFR 60.48c(i).

IV. UNCLASSIFIED SOURCE REQUIREMENTS

A. Applicability

This Section applies to each piece of equipment identified as an unclassified source in Attachment "C" as subject to A.A.C. R18-2-730 for Unclassified Sources.

This includes Equipment IDs CT-1, CT-2, DRY-1 and SCRUB-1.

B. Particulate Matter

1. Emission Limitations and Standards

   a. *The Permittee shall not allow to be emitted into the atmosphere from the wet scrubber stack (SCRUB-1) any gases which contain particulate matter in excess of 3.2 pounds per hour.*

   [A.A.C. R18-2-306.01 and A.A.C. R18-2-331.A.3.a]
   [Material Permit Conditions are indicated by underlines and italics]

   b. The Permittee shall not cause, allow or permit the discharge of particulate matter into the atmosphere in any one hour from any unclassified sources in total quantities in excess of the amounts calculated by the following equation:

   $E = 4.10P^{0.67}$

   where:

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

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

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

   c. The Permittee shall use the total process weight from all similar units employing a similar type process to determine the maximum allowable emissions of particulate matter.

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

   d. The actual values shall be calculated from the applicable equations and rounded off to two decimal places.

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

2. Air Pollution Control Requirements

a. *<u>The Permittee shall install,</u>* maintain, *<u>and operate the wet scrubber (SCRUB-1) on the evaporative dryer (DRY-1) in accordance with manufacturer specifications in a manner consistent with good air pollution control practices for minimizing particulate matter emissions.</u>*

[A.A.C. R18-2-306.01 and A.A.C. R18-2-331.A.3.d and e]
[Material Permit Conditions are indicated by underlines and italics]

b. *<u>At all times when the evaporative dryer (DRY-1) is in operation, the Permittee shall ensure emissions are vented to the wet scrubber (SCRUB-1).</u>*

[A.A.C. R18-2-306.01 and A.A.C. R18-2-331.A.3.d]
[Material Permit Conditions are indicated by underlines and italics]

c. *<u>The Permittee shall maintain a minimum flowrate of 90 gallons per minute for the inlet header and a minimum flowrate of 337 gallons per minute for the central header of wet scrubber (SCRUB-1).</u>*

[A.A.C. R18-2-306.01 and A.A.C. R18-2-331.A.3.e]
[Material Permit Conditions are indicated by underlines and italics]

3. Performance Test Requirements

a. Within 60 days after the facility has achieved its maximum manufacturing rate but no later than 180 days after the initial startup, the Permittee shall conduct a performance test on the wet scrubber to demonstrate compliance with the emission limitation in Condition IV.B.1.a. After the initial performance test, the Permittee shall conduct a performance test on the wet scrubber once per permit term. Performance tests shall be conducted in accordance with Section XVII of Attachment “A”.

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

b. The Permittee shall conduct performance tests to demonstrate compliance with Condition IV.B.1.a in accordance with EPA Reference Method 5 and 202 (or any other method as proposed by the Permittee and approved by the Director).

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

4. Monitoring, Recordkeeping and Reporting Requirements

a. The Permittee shall keep records of all performance tests conducted on the wet scrubber.

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

b. The Permittee shall inspect, document and maintain daily records of the flowrate at the inlet header and at the central header of the wet scrubber.

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

C. Gaseous Matter

1. The Permittee shall not emit gaseous or odorous materials from equipment, operations or premises under the facility's control in such quantities or concentrations as to cause air pollution.

[A.A.C. R18-2-730.D]

2. Materials including solvents or other volatile compounds, paints, acids, alkalies, pesticides, fertilizers and manure shall be processed, stored, used and transported in such a manner and by such means that they will not evaporate, leak, escape or be otherwise discharged into the ambient air so as to cause or contribute to air pollution. Where means are available to reduce effectively the contribution to air pollution from evaporation, leakage or discharge, the installation and use of such control methods, devices, or equipment shall be mandatory.

[A.A.C. R18-2-730.F]

3. Where a stack, vent or other outlet is at such a level that fumes, gas mist, odor, smoke, vapor or any combination thereof constituting air pollution is discharged to adjoining property, the Director may require the installation of abatement equipment or the alteration of such stack, vent, or other outlet by the Permittee thereof to a degree that will adequately dilute, reduce or eliminate the discharge of air pollution to adjoining property.

[A.A.C. R18-2-730.G]

D. Permit Shield

Compliance with the Conditions of this Section shall be deemed compliance with A.A.C. R18-2-730.A.1.a, A.A.C. R18-2-730.B, A.A.C. R18-2-730.C, A.A.C. R18-2-730.D, A.A.C. R18-2-730.F, and A.A.C. R18-2-730.G.

V. 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, 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]

(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. Monitoring and Recordkeeping Requirements

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

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

b. Opacity

Each quarter, the Permittee shall monitor visible emissions from fugitive sources in accordance with Condition I.C of Attachment “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. R18-2-604, -605, -606, 607, and -614.

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

VI. 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) 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]

3. Permit Shield

Compliance with Condition VI.A.1.a shall be deemed compliance with A.A.C. R18-2-702.B.3 and -726.

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

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) 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 VI.B.1.a(1), 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 VI.B.1.a(2), 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, trichloroethylene 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 VI.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) Architectural coating and spot painting projects shall be exempt from the recordkeeping requirements of Condition VI.B.1.b(1).

c. Permit Shield

Compliance with Condition VI.B.1.a shall be deemed compliance with A.A.C. R18-2-727.

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

2. Opacity

a. Emission Limitation and Standard

The Permittee shall not cause, allow or permit visible emissions from 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.C of Attachment “B”.

c. Permit Shield

Compliance with Condition VI.B.2.a shall be deemed compliance with A.A.C. R18-2-702.B.3.

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

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]

3. Permit Shield

Compliance with the Condition VI.C.1 shall be deemed compliance with A.A.C. R18-2-1101.A.12.

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

ATTACHMENT “C”: EQUIPMENT LIST

EQUIPMENT TYPE	MAXIMUM RATED CAPACITY	MAKE	MODEL	SERIAL NUMBER	INSTALLATION/ MFG. DATE	EQUIPMENT ID NUMBER	A.A.C. / NSPS / NESHAP
Cooling Tower	250 gpm	TBD	TBD	TBD	TBD	CT-1	A.A.C R18-2-730
Cooling Tower	1,000 gpm	TBD	TBD	TBD	TBD	CT-2	A.A.C R18-2-730
Emergency Generator	268 hp	TBD	TBD	TBD	TBD	EG-1	NSPS 40 CFR Part 60 Subpart IIII
Natural Gas Fired Boiler	35 MMBtu/hr	TBD	TBD	TBD	TBD	BOL-1	NSPS 40 CFR Part 60 Subpart Dc
Evaporative Dryer	30 metric tons/day	TBD	TBD	TBD	TBD	DRY-1	A.A.C R18-2-730
Wet Scrubber	39,054 acfm	TBD	TBD	TBD	TBD	SCRUB-1	A.A.C R18-2-730