



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502  
www.deq.idaho.gov

Governor Brad Little  
Director John H. Tippets

July 2, 2019

Brett Grayson  
Bannock County Public Works Director  
Fort Hall Mine Road Landfill  
1500 N. Fort Hall Mine Road  
Pocatello, ID 83204

RE: Facility ID No. 005-00062, Fort Hall Mine Road Landfill, Pocatello  
Final Tier I Operating Permit Letter, DEQ Initiated Permit Reissuance

Dear Mr. Grayson:

The Department of Environmental Quality (DEQ) is reissuing Tier I Operating Permit No. T1- 2018.0007 to Fort Hall Mine Road Landfill which contained a typographical error. The typographical error was in Table 7.3 and has been corrected.

The enclosed permit is effective immediately, summarizes the applicable requirements for your facility, and requires an annual compliance certification for all emissions units. This permit replaces Tier I Operating Permit No. T1-2010.0155, issued August 22, 2016. The enclosed operating permit is based on the information contained in your permit application received on January 17, 2018. Modifications to and/or renewal of this operating permit shall be requested in a timely manner in accordance with the Rules.

In order to fully understand the compliance requirements of this permit, DEQ highly recommends that you schedule a meeting with Melissa Gibbs, Regional Air Quality Manager, at (208) 236-6160 to review and discuss the terms and conditions of this permit. Should you choose to schedule this meeting, DEQ recommends the following representatives attend the meeting: your facility's plant manager, responsible official, environmental contact, and any other staff responsible for day-to-day compliance with permit conditions.

Pursuant to IDAPA 58.01.23, you, as well as any other entity, may have the right to appeal this final agency action within 35 days of the date of this decision. However, prior to filing a petition for a contested case, I encourage you to call Shawnee Chen at (208) 373-0502 or [Shawnee.chen@deq.idaho.gov](mailto:Shawnee.chen@deq.idaho.gov) to address any questions or concerns you may have with the enclosed permit.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Simon".

Mike Simon  
Stationary Source Program Manager  
Air Quality Division

MS\sc

Permit No. T1-2018.0007 PROJ 61994

Enclosure

## Air Quality

### TIER I OPERATING PERMIT

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**Permittee** Fort Hall Mine Road Landfill  
**Permit Number** T1-2018.0007  
**Project ID** 61994  
**Facility ID** 005-00062  
**Facility Location** 1500 N. Fort Hall Mine Rd.  
Pocatello, ID 83204

### Permit Authority

This permit (a) is issued according to the “Rules for the Control of Air Pollution in Idaho” (Rules) (IDAPA 58.01.01.300–386) (b) incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210 and the permittee elects not to incorporate those terms and conditions into this operating permit.

The permittee shall comply with the terms and conditions of this permit. The effective date of this permit is the date of signature by DEQ on this cover page.

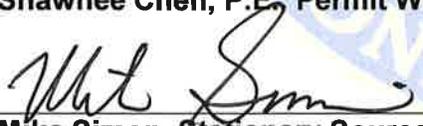
**Date Issued** July 2, 2019

**Date Expires** June 19, 2024



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**Shawnee Chen, P.E., Permit Writer**



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**Mike Simon, Stationary Source Manager**

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# 1 Acronyms, Units, and Chemical Nomenclature

acfm	actual cubic feet per minute
AFR	air-to-fuel ratio
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
BMP	best management practices
Btu	British thermal unit
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	continuous emission monitoring systems
cfm	cubic feet per minute
CFR	Code of Federal Regulations
CI	compression ignition
CMS	continuous monitoring systems
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	CO <sub>2</sub> equivalent emissions
COMS	continuous opacity monitoring systems
DEQ	Idaho Department of Environmental Quality
dscf	dry standard cubic feet
EPA	United States Environmental Protection Agency
FHMRL	Fort Hall Mine Road Landfill
GHG	greenhouse gases
gph	gallons per hour
gpm	gallons per minute
gr	grains (1 lb = 7,000 grains)
HAP	hazardous air pollutants
HHV	higher heating value
hp	horsepower
hr/yr	hours per consecutive 12-calendar-month period
IC	internal combustion
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
iwg	inches of water gauge
lb/hr	pounds per hour
LFG	landfill gas
MACT	Maximum Achievable Control Technology
mg/dscm	milligrams per dry standard cubic meter
Mg	megagrams
Mg/yr	megagrams per year
MMBtu	million British thermal units
MMscf	million standard cubic feet
MRRR	Monitoring, Recordkeeping and Reporting Requirements
NESHAP	National Emission Standards for Hazardous Air Pollutants
NMOC	nonmethane organic compound
NO <sub>2</sub>	nitrogen dioxide
NO <sub>x</sub>	nitrogen oxides

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

## 2 Permit Scope

### Purpose

- 2.1 This Tier I operating permit establishes facility-wide requirements in accordance with the Idaho State Implementation Plan control strategy and the Rules.
- 2.2 This Tier I operating permit incorporates the following permit:
- Permit to Construct No. P-2009.0146, project 61941, issued October 22, 2018
- 2.3 This Tier I operating permit replaces the following permit:
- Tier I Operating Permit No. T1-2010.0155 project 61655, issued August 22, 2016

### Regulated Sources

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

**Table 2.1 Regulated Sources**

Permit Section	Source	Control Equipment
3	General operational conditions for the facility including but not limited to: roads paved and unpaved, dozing and grading activities, and applying daily cover	Reasonable controls prescribed in Facility-Wide conditions
4	Landfill – Applicable Requirements with NMOC Emission Rate Less Than 50 Mg/yr	No control equipment required until NMOC emissions $\geq$ 50 Mg/yr
5	Landfill – Applicable Requirements when NMOC Emission Rate is Greater Than or Equal to 50 Mg/yr	Landfill Gas (LFG) Collection System w/ the gas routed to an IC Engine(s) and/or a Flare
6	<u>Flare:</u> Maximum Rating: 15.92 MMBtu/hr Fuel: Landfill gas	N/A
7	<u>IC Engine #1:</u> Manufacturer: Caterpillar Model: 3520C Manufacture Date: 2013 Maximum Power Rating: 2,242 bhp Fuel: Landfill gas	N/A
	<u>IC Engine #2:</u> Manufacturer: Caterpillar Model: 3520C Manufacture Date: 08/2018 or later Maximum Power Rating: 2,242 bhp Fuel: Landfill gas	

[PTC No. P-2009.0146, 10/22/2018]

### 3 Facility-Wide Conditions

Table 3.1 contains a summary of requirements that apply generally to emissions units at the facility.

**Table 3.1 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Monitoring, Recordkeeping, and Reporting Requirements
3.1	Fugitive Dust	Reasonable control	IDAPA 58.01.01.650–651	3.2–3.4, 3.20, 3.25
3.5	Odors	Reasonable control	IDAPA 58.01.01.775–776	3.6, 3.20, 3.25
3.7	Visible Emissions	20% opacity for no more than 3 minutes in any 60-minute period	IDAPA 58.01.01.625	3.8, 3.9, 3.20, 3.25
3.10	Excess Emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130–136	3.10-3.14, 3.20, 3.25
3.15	Open Burning	Compliance with IDAPA 58.01.01.600-623	IDAPA 58.01.01.600–623	3.20, 3.25
3.16	Asbestos	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	3.20, 3.25
3.17	Recycling and Emissions Reductions	Compliance with 40 CFR 82, Subpart F	40 CFR 82, Subpart F	3.20, 3.25
3.18, 3.19	NSPS/NESHAP General Provisions	Compliance with 40 CFR 60, Subpart A	IDAPA 58.01.01.107.03	3.20, 3.25
3.20	Monitoring and Recordkeeping	Maintenance of required records	IDAPA 58.01.01.322.06	3.20, 3.25
3.21	Testing	Compliance testing	IDAPA 58.01.01.157	3.21–3.24, 3.25
3.25	Reports and Certifications	Submittal of required reports, notifications, and certifications	IDAPA 58.01.01.322.08	3.25
3.26	Incorporation of Federal Requirements by Reference	Compliance with applicable federal requirements referenced	IDAPA 58.01.01.107	3.26
3.27	Greenhouse Gas Emissions	GHG Mandatory Reporting Rule	40 CFR 98, Subpart HH	3.27
3.28	O&M manual	Follow O & M Manual	PTC No. P-2009.0146	3.28

#### Fugitive Dust

- 3.1** All reasonable precautions shall be taken to prevent particulate matter (PM) from becoming airborne in accordance with IDAPA 58.01.01.650–651.  
[IDAPA 58.01.01.650–651, 4/11/15]
- 3.2** The permittee shall monitor and maintain records of the frequency and the method(s) used (e.g., water, chemical dust suppressants) to reasonably control fugitive emissions.  
[IDAPA 58.01.01.322.06, 07, 5/1/94]
- 3.3** The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receiving of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee’s assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.  
[IDAPA 58.01.01.322.06, 07, 5/1/94]

- 3.4 The permittee shall conduct a monthly facility wide inspection of potential sources of fugitive emissions during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive emissions, and the date the corrective action was taken.

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

### **Odors**

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

[IDAPA 58.01.01.775-776 (state only), 5/1/94]

- 3.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07 (state only), 5/1/94]

### **Visible Emissions**

- 3.7 The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, NO<sub>x</sub>, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.

[IDAPA 58.01.01.625, 4/5/00]

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

- a) Take appropriate corrective action as expeditiously as practicable to eliminate the visible emissions. Within 24 hours of the initial see/no see evaluation and after the corrective action, the permittee shall conduct a see/no see evaluation of the emissions point in question. If the visible emissions are not eliminated, the permittee shall comply with b).

or

- b) Perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20%, as measured using Method 9, for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective actions and report the period or periods as an excess emission in the annual compliance certification and in accordance with IDAPA 58.01.01.130-136.

[IDAPA 58.01.01.322.06, 5/1/94]

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

[IDAPA 58.01.01.322.07, 5/1/94]

## **Excess Emissions**

### ***Excess Emissions-General***

- 3.10** The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130–136 for excess emissions. The provisions of IDAPA 58.01.01.130–136 shall govern in the event of conflicts between the excess emissions facility wide conditions (Permit Conditions 3.10 through 3.14) and the regulations of IDAPA 58.01.01.130–136.

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

[IDAPA 58.01.01.132, 4/5/00]

### ***Excess Emissions-Startup, Shutdown, and Scheduled Maintenance***

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

- Prohibiting any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory or a Wood Stove Curtailment Advisory has been declared by DEQ.
- Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to, the start of the event, unless the permittee demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.
- Reporting and recording the information required pursuant to the excess emissions reporting and recordkeeping requirements (Permit Conditions 3.13 and 3.14) and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133, 4/11/06]

### ***Excess Emissions-Upset, Breakdown, or Safety Measures***

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

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

- Notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the permittee demonstrates to DEQ's satisfaction that the longer reporting period was necessary.
- Report and record the information required pursuant to the excess emissions reporting and recordkeeping facility wide conditions (Permit Conditions 3.13 and 3.14) and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.
- During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the permittee to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the permittee.

[IDAPA 58.01.01.134, 4/11/06]

### ***Excess Emissions-Reporting and Recordkeeping***

- 3.13** The permittee shall submit a written report to DEQ for each excess emissions event, no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135, 4/11/06]

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

- An excess emissions log book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and
- Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the permittee in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136, 4/5/00]

### **Open Burning**

- 3.15** The permittee shall comply with the "Rules for Control of Open Burning" (IDAPA 58.01.01.600–623).

[IDAPA 58.01.01.600–623, 5/08/09]

### **Asbestos**

- 3.16** NESHAP 40 CFR 61, Subpart M—National Emission Standard for Asbestos  
The permittee shall comply with all applicable requirements of 40 CFR 61, Subpart M—  
"National Emission Standard for Asbestos."

[40 CFR 61, Subpart M]

## **Recycling and Emissions Reductions**

### **3.17 40 CFR Part 82—Protection of Stratospheric Ozone**

The permittee shall comply with applicable standards for recycling and emissions reduction of refrigerants and their substitutes pursuant to 40 CFR 82, Subpart F, “Recycling and Emissions Reduction.”

**[40 CFR 82, Subpart F]**

## NSPS/NESHAP General Provisions

### 3.18 NSPS 40 CFR 60, Subpart A-General Provisions

The permittee shall comply with the applicable requirements of 40 CFR 60, Subpart A-“General Provisions”-in accordance with 40 CFR 60.1. A summary of requirements for affected facilities is provided in Table 3.2.

**Table 3.2 NSPS 40 CFR 60, Subpart A - Summary of General Provisions**

Section	Subject	Summary of Section Requirements
60.4	Address	<ul style="list-style-type: none"> <li>All requests, reports, applications, submittals, and other communications associated with 40 CFR 60, Subpart(s) shall be submitted to: Pocatello Regional Office 444 Hospital Way, #300 Pocatello, ID 83201</li> </ul>
60.8	Performance Tests	<ul style="list-style-type: none"> <li>At least 30 days prior notice of any performance test shall be provided to afford the opportunity to have an observer to be present.</li> <li>Within 60 days of achieving the maximum production rate, but not later 180 days after initial startup, performance test(s) shall be conducted and a written report of the results of such test(s) furnished.</li> <li>Performance testing facilities shall be provided as follows: <ul style="list-style-type: none"> <li>Sampling ports adequate for test methods applicable to such facility.</li> <li>Safe sampling platform(s).</li> <li>Safe access to sampling platform(s).</li> <li>Utilities for sampling and testing equipment.</li> </ul> </li> <li>Performance tests shall be conducted and data reduced in accordance with 40 CFR 60.8(b), (c), and (f)</li> </ul>
60.11(a), (d), (f), and (g)	Compliance with Standards and Maintenance Requirements	<ul style="list-style-type: none"> <li>When performance tests are required, compliance with standards is determined by methods and procedures established by 40 CFR 60.8.</li> <li>At all times, including periods of startup, shutdown, and malfunction, the owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.</li> <li>For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.</li> </ul>
60.11(b), (c), and (e)	Compliance with Standards and Maintenance Requirements (Opacity)	<ul style="list-style-type: none"> <li>Compliance with opacity standards shall be determined by Method 9 in Appendix A of 40 CFR 60. The permittee may elect to use COM measurements in lieu of Method 9, provided notification is made at least 30 days before the performance test.</li> <li>The opacity standards shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided.</li> <li>Opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR 60.8 in accordance with the requirements and exceptions in 40 CFR 60.11(e).</li> </ul>
60.12	Circumvention	<ul style="list-style-type: none"> <li>No permittee shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard.</li> </ul>
60.14	Modification	<ul style="list-style-type: none"> <li>A physical or operational change which results in an increase in the emission rate to the atmosphere or any pollutant to which a standard applies shall be considered a modification, and upon modification an existing facility shall become an affected facility in accordance with the requirements and exemptions in 40 CFR 60.14.</li> <li>Within 180 days of the completion of any physical or operational change, compliance with all applicable standards must be achieved.</li> </ul>
60.15	Reconstruction	<ul style="list-style-type: none"> <li>An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate in accordance with the requirements of 40 CFR 60.15.</li> </ul>

[40 CFR 60, Subpart A]

### 3.19 NESHAP 40 CFR 63, Subpart A—General Provision

The permittee shall comply with the requirements of 40 CFR 63, Subpart A—“General Provisions.” A summary of applicable requirements for affected sources is provided in Table 3.3.

**Table 3.3 NSPS 40 CFR 63, Subpart A – Summary of General Provisions for Affected Sources**

Section	Subject	Summary of Section Requirements		
63.13	Address	<ul style="list-style-type: none"> <li>All requests, reports, applications, submittals, and other communications associated with 40 CFR 63, Subpart(s) shall be submitted to:               <table style="margin-left: 40px; border: none;"> <tr> <td style="padding-right: 20px;">Director Air and Waste US EPA 1200 Sixth Ave. Seattle, WA 98101</td> <td>Pocatello Regional Office 444 Hospital Way, #300 Pocatello, ID 83201</td> </tr> </table> </li> </ul>	Director Air and Waste US EPA 1200 Sixth Ave. Seattle, WA 98101	Pocatello Regional Office 444 Hospital Way, #300 Pocatello, ID 83201
Director Air and Waste US EPA 1200 Sixth Ave. Seattle, WA 98101	Pocatello Regional Office 444 Hospital Way, #300 Pocatello, ID 83201			
63.4(a)	Prohibited Activities	<ul style="list-style-type: none"> <li>No permittee must operate any affected source in violation of the requirements of 40 CFR 63 in accordance with 40 CFR 63.4(a). No permittee subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part.</li> </ul>		
63.4(b)	Circumvention/ Fragmentation	<ul style="list-style-type: none"> <li>No permittee shall build, erect, install or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard.</li> <li>Fragmentation which divides ownership of an operation, within the same facility among various owners where there is no real change in control, will not affect applicability in accordance with 40 CFR 63.4(c).</li> </ul>		
63.6(b) and (c)	Compliance Dates	<ul style="list-style-type: none"> <li>The permittee of any new or reconstructed source must comply with the relevant standard as specified in 40 CFR 63.6(b).               <ul style="list-style-type: none"> <li>The permittee of a source that has an initial startup before the effective date of a relevant standard must comply not later than the standard's effective date in accordance with 40 CFR 63.6(b)(1).</li> <li>The permittee of a source that has an initial startup after the effective date of a relevant standard must comply upon startup of the source in accordance with 40 CFR 63.6(b)(2).</li> </ul> </li> <li>The permittee of any existing sources must comply with the relevant standard by the compliance date established in the applicable subpart or as specified in 40 CFR 63.6(c).               <ul style="list-style-type: none"> <li>The permittee of an area source that increases its emissions of hazardous air pollutants such that the source becomes a major source shall be subject to relevant standards for existing sources in accordance with 40 CFR 63.6(c)(5).</li> </ul> </li> </ul>		
63.6(e) and (f)	Compliance with Standards and Maintenance Requirements (Non-Opacity)	<ul style="list-style-type: none"> <li>At all times, including periods of startup, shutdown, and malfunction, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions in accordance with 40 CFR 63.6(e).</li> <li>The permittee of an affected source must develop a written startup, shutdown, and malfunction plan and a program of corrective action for malfunctioning process, air pollution control, and monitoring equipment used to comply with the relevant standard in accordance with 40 CFR 63.6(e). The permittee must maintain the current plan at the affected source and must make the plan available upon request. If the plan fails to address or inadequately addresses a malfunction, the permittee must revise the plan within 45 days after the event.</li> <li>The permittee must record and report actions taken during a startup, shutdown, or malfunction in accordance with the requirements in 40 CFR 63.6(e). The permittee shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the plan in the semiannual startup, shutdown, and malfunction report.</li> <li>Non-opacity emission standards shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified, in accordance with 40 CFR 63.6(f).</li> </ul>		

**Table 3.3 NSPS 40 CFR 63, Subpart A – Summary of General Provisions for Affected Sources (continued)**

Section	Subject	Summary of Section Requirements
63.7	Performance Testing Requirements	<ul style="list-style-type: none"> <li>• If required to do performance testing, the permittee must perform such tests within 180 days of the compliance date in accordance with 40 CFR 63.7(a).</li> <li>• The permittee must notify in writing of the intention to conduct a performance test at least 60 calendar days before the performance test is initially scheduled to begin to allow review of the site-specific test plan and to have an observer present during the test in accordance with 40 CFR 63.7(b).</li> <li>• Before conducting a required performance test, the permittee shall develop and, if requested, shall submit a site-specific test plan for approval in accordance with 40 CFR 63.7(c). The test plan shall include a test program summary, the test schedule, data quality objectives, and both an internal and external quality assurance (QA) program.</li> <li>• If required to do performance testing, the permittee shall provide performance testing facilities in accordance with 40 CFR 63.7(d):               <ul style="list-style-type: none"> <li>○ Sampling ports adequate for test methods applicable to such source.</li> <li>○ Safe sampling platform(s);</li> <li>○ Safe access to sampling platform(s);</li> <li>○ Utilities for sampling and testing equipment; and</li> <li>○ Any other facilities deemed necessary for safe and adequate testing of a source.</li> </ul> </li> <li>• Performance tests shall be conducted and data reduced in accordance with 40 CFR 63.7(e) and (f).</li> <li>• The permittee shall report the results of the performance test before the close of business on the 60th day following the completion of the test, unless specified or approved otherwise in accordance with 40 CFR 63.7(g).</li> </ul>
63.9	Notification Requirements	<ul style="list-style-type: none"> <li>• The permittee of an affected source that has an initial startup before the effective date of a relevant standard shall notify in writing that the source is subject to the relevant standard, in accordance with 40 CFR 63.9(b)(2). The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:               <ul style="list-style-type: none"> <li>○ The name and address of the permittee;</li> <li>○ The address (i.e., physical location) of the affected source;</li> <li>○ An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;</li> <li>○ A brief description of the nature, size, design, and method of operation of the source and an identification of the types of emission points within the affected source subject to the relevant standard and types of hazardous air pollutants emitted; and</li> <li>○ A statement of whether the affected source is a major source or an area source.</li> </ul> </li> <li>• The permittee of a new or reconstructed major affected source for which an application for approval of construction or reconstruction is required must provide the following information in writing in accordance with 40 CFR 63.9(b)(4):               <ul style="list-style-type: none"> <li>○ A notification of intention to construct a new major-emitting affected source, reconstruct a major-emitting affected source, or reconstruct a major source such that the source becomes a major-emitting affected source;</li> <li>○ A notification of the actual date of startup of the source delivered or postmarked within 15 calendar days after that date.</li> </ul> </li> <li>• The permittee of a new or reconstructed affected source for which an application for approval of construction or reconstruction is not required must provide the following information in writing in accordance with 40 CFR 63.9(b)(5):               <ul style="list-style-type: none"> <li>○ A notification of intention to construct a new affected source, reconstruct an affected source, or reconstruct a source such that the source becomes an affected source, and</li> <li>○ A notification of the actual date of startup of the source delivered or postmarked within 15 calendar days after that date.</li> <li>○ Unless the permittee has requested and received prior permission, the notification must include the information required in the application for approval of construction or reconstruction as specified in 40 CFR 63.5(d)(1).</li> </ul> </li> </ul>

**Table 3.3 NSPS 40 CFR 63, Subpart A – Summary of General Provisions for Affected Sources (continued)**

Section	Subject	Summary of Section Requirements
63.9	Notification Requirements (continued)	<ul style="list-style-type: none"> <li>• The permittee shall notify in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the opportunity to review and approve the site-specific test plan required by 40 CFR 63.7(c), and to have an observer present during the test.</li> <li>• The permittee of an affected source shall notify in writing of the anticipated date for conducting the opacity or visible emission observations in accordance with 40 CFR 63.9(f), if such observations are required.</li> <li>• Each time a notification of compliance status is required under this part, the permittee of such source shall submit a notification of compliance status in accordance with 40 CFR 63.9(h)(2)(i). The notification shall list:               <ul style="list-style-type: none"> <li>○ The methods that were used to determine compliance;</li> <li>○ The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;</li> <li>○ The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;</li> <li>○ The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;</li> <li>○ If the relevant standard applies to both major and area sources, an analysis demonstrating whether the affected source is a major source (using the emissions data generated for this notification);</li> <li>○ A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and</li> <li>○ A statement by the permittee of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.</li> </ul> </li> <li>• The notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard unless otherwise specified in accordance with 40 CFR 63.9(h)(2)(ii). If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with a standard, the notification shall be sent before close of business on the 30th day following the completion of the observations.</li> <li>• Each time a notification of compliance status is required under this part, the permittee of such source shall submit the notification of compliance status following completion of the relevant compliance demonstration activity specified.</li> <li>• If a permittee submits estimates or preliminary information in an application in place of the actual emissions data or control efficiencies, the permittee shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section in accordance with 40 CFR 63.9(h)(5).</li> <li>• Any change in the information already provided under this section shall be provided in writing within 15 calendar days after the change in accordance with 40 CFR 63.9(j).</li> </ul>

**Table 3.3 NSPS 40 CFR 63, Subpart A – Summary of General Provisions for Affected Sources (continued)**

Section	Subject	Summary of Section Requirements
63.10	Recordkeeping and Reporting Requirements	<ul style="list-style-type: none"> <li>• The permittee shall maintain files of all required information recorded in a form suitable and readily available for expeditious inspection and review in accordance with 40 CFR 63.10(b)(1). The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site.</li> <li>• The permittee shall maintain relevant records of the following in accordance with 40 CFR 63.10(b)(2); <ul style="list-style-type: none"> <li>○ The occurrence and duration of each startup or shutdown when the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards;</li> <li>○ The occurrence and duration of each malfunction of operation or the required air pollution control and monitoring equipment;</li> <li>○ All required maintenance performed on the air pollution control and monitoring equipment;</li> <li>○ Actions taken during periods of startup or shutdown when the source exceeded applicable emission limitations in a relevant standard and when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan; or</li> <li>○ Actions taken during periods of malfunction when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan;</li> <li>○ All information necessary, including actions taken, to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see 40 CFR 63.6(e)(3)) when all actions taken during periods of startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "checklist," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);</li> <li>○ Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);</li> <li>○ All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);</li> <li>○ All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;</li> <li>○ All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;</li> <li>○ All CMS calibration checks;</li> <li>○ All adjustments and maintenance performed on CMS;</li> <li>○ All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under 40 CFR 63.8(f)(6); and</li> <li>○ All documentation supporting initial notifications and notifications of compliance status under 40 CFR 63.9.</li> </ul> </li> <li>• If an permittee determines that his or her stationary source that emits one or more HAP, and that stationary source is in the source category regulated by the relevant standard, but that source is not subject to a relevant standard because of limitations on the source's potential to emit or an exclusion, the permittee must keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source, whichever comes first in accordance with 40 CFR 63.10(b).</li> </ul>

[40 CFR 63, Subpart A]

## Monitoring and Recordkeeping

- 3.20** The permittee shall maintain sufficient records to ensure compliance with all of the terms and conditions of this operating permit. Monitoring records shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

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

## Performance Testing

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

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

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

[IDAPA 58.01.01.157, 4/11/15; IDAPA 58.01.01.322.06, 08.a, 09, 4/5/00]

- 3.23** Within 60 days following the date in which a performance test required by this permit is concluded, the permittee shall submit to DEQ a performance test report. The report shall include a description of the process, identification of the test method(s) used, equipment used, all process operating data collected during the test period, and test results, as well as raw test data and associated documentation, including any approved test protocol.

- 3.24** The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the DEQ address specified in the "Reports and Certifications" facility wide condition (Permit Condition 3.25).

[IDAPA 58.01.01.157, 4/11/15; IDAPA 58.01.01.322.06, 08.a, 09, 4/5/00]

## Reports and Certifications

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

Air Quality Permit Compliance  
Department of Environmental Quality  
Pocatello Regional Office  
444 Hospital Way, #300  
Pocatello, ID 83201  
Phone: (208) 236-6160  
Fax: (208) 236-6168

The periodic compliance certification required in the general provisions (Periodic Compliance Certification General Provision) shall also be submitted within 30 days of the end of the specified reporting period to:

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

[IDAPA 58.01.01.322.08, 11, 4/5/00]

## Incorporation of Federal Requirements by Reference

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

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

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

[IDAPA 58.01.01.107, 3/29/17]

## **Municipal Solid Waste Landfills – Mandatory Greenhouse Gas Reporting Requirement**

- 3.27** In accordance with 40 CFR 98.342, owners and operators of municipal solid waste landfills that accepted waste on or after January 1, 1980 and that meet the requirements of 40 CFR 98.2(a)(1) must report methane gas generation and emissions from landfills, methane destruction resulting from landfill gas collection and combustion systems, and emissions of carbon dioxide, methane, and nitrous oxide from stationary combustion units following the requirements of 40 CFR 98, Subpart C (40 CFR 98.340-342).

Any notifications or reporting required by 40 CFR 98, Subpart HH shall be submitted to the following address:

EPA Region 10  
Director, Office of Air Quality, OAQ-107  
1200 Sixth Ave.  
Seattle, WA 98101

via the e-GGRT website (last visited at <https://ghgreporting.epa.gov/ghg/login.do>)

**[40 CFR 98 subpart HH and subpart C]**

## **Operations and Maintenance Manual**

- 3.28** The permittee shall have developed and submitted to DEQ an Operations and Maintenance (O&M) manual for the flare, engines, and dewatering system which describes the procedures that will be followed to comply with General Provisions of the PTC issued October 22, 2018 and the manufacturer specifications. The operation and monitoring requirements specified in the O&M manual are incorporated by reference to this permit and are enforceable permit conditions. The O&M manual may be updated as needed. This manual shall remain on site at all times and shall be made available to DEQ representatives upon request.

**[PTC No. P-2009.0146, 8/22/2018, IDAPA 58.01.01.321.01, 3/19/99]**

## 4 Landfill – Applicable Requirements with NMOC Emission Rate Less Than 50 Mg/yr

### Summary Description

The landfill currently consists of two active cells, Cell 2 “Site A” and Cell 4. The original cell (Closed Cell 1, with a calculated capacity of 1,505,097 Mg, 1943 – 1993), was succeeded by Cell 2 “Site A” (with a calculated capacity of 1,160,000 Mg, 1994 – 2022 or later (estimated)). A third cell, Cell 4, began operations in 2016 and has increased the total landfill design capacity to 8,057,896 US tons (7,310,000 Mg). The gas generated by the landfill is collected in a landfill gas (LFG) collection system and routed to two IC engines and a flare. Under primary operation, all landfill gas is combusted by the IC Engines with the flare serving as a backup combustion source when the IC Engines are offline. The flare is capable of combusting all generated landfill gas on its own.

Fort Hall Mine Road Landfill (FHMRL) has chosen to voluntarily install a system to capture, collect and treat NMOC emissions. As demonstrated by the FHMRL’s most recent annual NMOC report that is required under provisions of the Clean Air Act’s New Source Performance Standards (61 FR 9905 et seq.) and 40 CFR 60.757, the 2017 NMOC generation estimate for the entire landfill facility is 3.15 Mg/yr. The regulatory trigger to install the capture and collection system, pursuant to 40 CFR 60, Subpart WWW, is when the landfill’s uncontrolled NMOC emissions are equal to or greater than 50 Mg/yr.

Until the regulatory requirement to install the capture, collection and treatment system is triggered, the only applicable regulatory requirements are to monitor the NMOC emissions and submit a totalized NMOC report to DEQ either annually or once every five years.

Table 4.1 describes the devices used to control emissions from the Landfill – Applicable Requirements with NMOC Emission Rate Less Than 50 Mg/yr.

**Table 4.1 Landfill – Applicable Requirements with NMOC Emission Rate Less Than 50 Mg/yr Description**

Emissions Units / Processes	Control Devices
Closed Cell 1 Active 1943-1993 1,505,097 Mg	Not required
Cell 2 “Site A” Active 1994-2022 or later (estimated) 1,160,000 Mg	
Cell 4 Active 2011-2031 (estimated) Total permitted design capacity for all cells: 7,310,000 Mg	

[PTC No. P-2009.0146, 10/22/2018]

Table 4.2 contains only a summary of the requirements that apply to the Landfill – Applicable Requirements with NMOC emission rate less than 50 Mg/yr. Specific permit requirements are listed below.

**Table 4.2 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
4.1	Landfill	NMOC emission rate calculation	40 CFR 60.752(b)	4.2, 4.4, 4.5, 4.8, 4.9
4.2	Landfill	Annual NMOC emission report	40 CFR 60.752(b)(1)(i)	4.8, 4.9, 4.10
4.3	Landfill	Recalculation of NMOC emissions annually	40 CFR 60.752 (b)(1)(ii)	4.8, 4.9
4.4	Landfill	Equation to calculate NMOC emission rate for passive landfill	40 CFR 60.754 (a)(1)(i)	4.8, 4.9
4.5	Landfill	NMOC emission rate with active collection system	40 CFR 60.754(a)(3)	4.8, 4.9
4.6	Landfill	Comparison to 50 megagrams per year standard	40 CFR 60.754(a)(2)	4.8, 4.9
4.7	Landfill	Site specific methane generation rate determination procedure	40 CFR 60.754(a)(2)	4.9
4.11	Landfill	Collection system installation 30 months after reaching 50 megagrams per year standard	IDAPA 58.01.01.860, 4/5/00	4.8, 4.9

## Operating Requirements

### 4.1 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – NMOC Emission Rate Calculation

In accordance with 40 CFR 60.752(b), when the landfill design capacity becomes equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, the permittee shall either comply with 40 CFR 60.752(b)(2) or calculate an NMOC emission rate for the landfill using the procedures specified in 40 CFR 60.754.

[40 CFR 60.752(b)]

### 4.2 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – Annual NMOC Emission Report

In accordance with 40 CFR 60.752(b)(1)(i), the permittee shall submit an annual emission report to DEQ, except as provided for in 40 CFR 60.757(b)(1)(ii).

[40 CFR 60.752(b)(1)(i)]

### 4.3 NSPS 40 CFR 60, Subpart WWW – Standards of Performance for Municipal Solid Waste Landfills – Recalculation of NMOC Emissions Annually

In accordance with 40 CFR 60.752(b)(1)(ii), the NMOC emission rate shall be recalculated annually using the procedures specified in 40 CFR 60.754(a)(1) or (3) until such time as the calculated NMOC emission rate is equal to or greater than 50 Mg/yr, or the landfill is closed.

[40 CFR 60.752(b)(1)(ii)]

## **NSPS 40 CFR 60.754 - Test methods and Procedures**

### **4.4 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – Equation to Calculate NMOC Emission Rate for Passive Landfill**

In accordance with 40 CFR 60.754(a)(1)(i), the permittee shall calculate the NMOC emission rate using the equation for the actual year to year solid waste if acceptance is known.

[40 CFR 60.754(a)(1)(i)]

### **4.5 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – NMOC Emissions Rate with Active Collection System**

In accordance with 40 CFR 60.754(a)(3), after installation of the collection system the permittee shall determine the NMOC concentration by the Tier 2 procedures.

[40 CFR 60.754(a)(3)]

### **4.6 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – Comparison to 50 megagrams Per Year Standard**

In accordance with 40 CFR 60.754(a)(2), the permittee shall compare the calculated NMOC emission rate to the standard of 50 megagrams per year.

- (i) If the NMOC emission rate calculated under 40 CFR 60.754(a)(1) is less than 50 megagrams per year, then the permittee shall submit an emission rate report as provided in 40 CFR 60.757(b)(1), and shall recalculate the NMOC emission rate annually as required under 40 CFR 60.752(b)(1).
- (ii) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, then the permittee shall either comply with 40 CFR 60.752(b)(2), or determine a site specific NMOC concentration and recalculate the NMOC emission rate using the procedure provided in 40 CFR 60.754(a)(3).

[40 CFR 60.754(a)(2),(2)(i) and (2)(ii)]

### **4.7 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – Site-Specific Methane Generation Rate Determination Procedure**

In accordance with 40 CFR 60.754(a)(4), the site-specific methane generation rate constant shall be determined using the procedures provided in Method 2E of appendix A of this part. The permittee shall estimate the NMOC mass emission rate using equations in 40 CFR 60.754(a)(1)(i) or (a)(1)(ii) and using a site-specific methane generation rate constant  $k$ , and the site-specific NMOC concentration as determined in 40 CFR 60.754(a)(3) instead of the default values provided in 40 CFR 60.754(a)(1). The landfill owner or operator shall compare the resulting NMOC mass emission rate to the standard of 50 megagrams per year.

- (i) If the NMOC mass emission rate as calculated using the site-specific methane generation rate and concentration of NMOC is equal to or greater than 50 megagrams per year, the owner or operator shall comply with §60.752(b)(2).
- (ii) If the NMOC mass emission rate is less than 50 megagrams per year, then the permittee shall submit a periodic emission rate report as provided in §60.757(b)(1) and shall recalculate the NMOC mass emission rate annually, as provided in §60.757(b)(1) using the equations in 40 CFR 60.754(a)(1) and using the site-specific methane generation rate constant and NMOC concentration obtained in 40 CFR 60.754(a)(3). The calculation of the methane generation rate constant is performed only once, and the value obtained from this test shall be used in all subsequent annual NMOC emission rate calculations.

[40 CFR 60.754(a)(4),(4)(i) and (4)(ii)]

## Recordkeeping Requirements

### 4.8 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – Design Capacity Report

In accordance with 40 CFR 60.758(a), except as provided in 40 CFR 60.752(b)(2)(i)(B), each owner or operator of an MSW landfill subject to the provisions of 40 CFR 60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report which triggered 40 CFR 60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

[40 CFR 60.758(a)]

### 4.9 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – Plot Plan

In accordance with 40 CFR 60.758(d), except as provided in §60.752(b)(2)(i)(B), each owner or operator subject to the provisions of this subpart shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

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

[40 CFR 60.758(d)]

## Reporting Requirements

### 4.10 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – NMOC Emission Rate Reports

In accordance with 40 CFR 60.757(b), each owner or operator subject to the requirements of this subpart shall submit an NMOC emission rate report to the DEQ initially and annually thereafter, except as provided for in paragraphs (b)(1)(ii) or (b)(3) of this permit condition. DEQ may request such additional information as may be necessary to verify the reported NMOC emission rate.

- (1) The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR 60.754(a) or (b), as applicable.
  - (i) The initial NMOC emission rate report may be combined with the initial design capacity report required in this permit and shall be submitted no later than indicated in paragraphs (1)(i)(A) and (B) of this permit condition. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in 40 CFR 60.757(b)(1)(ii) and (b)(3).
    - (A) June 10, 1996, for landfills that commenced construction, modification, or reconstruction on or after May 30, 1991, but before March 12, 1996,  
or

(B) Ninety days after the date of commenced construction, modification, or reconstruction for landfills that commenced construction, modification, or reconstruction on or after March 12, 1996.

- (ii) If the estimated NMOC emission rate as reported in the annual report to the DEQ is less than 50 Mg/yr in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the DEQ. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the DEQ. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.
- (2) The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.
- (3) Each owner or operator subject to the requirements of Subpart WWW is exempted from the requirements of paragraphs (1) and (2) of this permit condition, after the installation of a collection and control system in compliance with 40 CFR 60.752(b)(2), during such time as the collection and control system is in operation and in compliance with 40 CFR 60.753 and 60.755.

[40 CFR 60.757(b)]

**4.11 IDAPA 58.01.01.860 – Emissions Guidelines for Municipal Solid Waste Landfills that Commenced Construction, Reconstruction or Modification before May 30, 1991 – Compliance Schedules and Increments of Progress**

In accordance with IDAPA 58.01.01.860.07, all owners or operators of landfills subject to Section 860 that have non-methane organic compound emission rates less than fifty (50) Mg/yr on or after November 19, 1999 shall install collection and control systems within thirty (30) months after the date the first annual non-methane organic compound emission rate equals or exceeds fifty (50) Mg/yr as specified in 40 CFR Section 60.36c(b).

[IDAPA 58.01.01.860, 4/5/00]

## 5 Landfill – Applicable Requirements when NMOC Emission Rate is Greater Than or Equal to 50 Mg/yr

### Summary Description

Section 5 requirements apply to the landfill if and when the landfill's uncontrolled NMOC emissions rate equals or exceeds 50 Mg/yr.

As demonstrated by the FHMRL's most recent annual NMOC report that is required under provisions of the Clean Air Act's New Source Performance Standards (61 FR 9905 et seq.) and 40 CFR 60.757, the 2017 NMOC generation estimate for the entire landfill facility is 3.15 Mg/yr.

Table 5.1 describes the devices used to control emissions from the Landfill – Applicable Requirements with NMOC Emission Rate Greater Than or Equal to 50 Mg/yr.

**Table 5.1 Landfill – Applicable Requirements when NMOC Emission Rate is Greater Than or Equal to 50 Mg/yr**

Emissions Units / Processes	Control Devices
Closed Cell 1 Active 1943-1993 1,505,097 Mg	IC Engine(s) and/or Flare
Cell 2 "Site A" Active 1994-2022 or later (estimated) 1,160,000 Mg	
Cell 4 Active 2011-2031 (estimated) Total permitted design capacity for all cells: 7,310,000 Mg	

[PTC No. P-2009.0146, 10/22/2018]

Table 5.2 contains only a summary of the requirements that apply to the Landfill – Applicable Requirements when NMOC Emission Rate is Greater Than or Equal to 50 Mg/yr. Specific permit requirements are listed below.

**Table 5.2 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
5.1	Landfill	Standards of Performance for Municipal Solid Waste Landfills	40 CFR 60.752(b)	4.2, 4.3
5.2	Landfill	Obligation to Apply for Permit to Construct Modification	IDAPA 58.01.01.380-399	N/A

### Operating Requirements

#### 5.1 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills

In accordance with 40 CFR 60.752(b)(1) and 40 CFR 60.754(a), if at any point the Permittee calculates the NMOC emission rate to be equal to or greater than 50 Mg/yr, the Permittee shall comply with 40 CFR 60.752(b)(2) and any and all requirements within 40 CFR 60 subpart WWW applicable to facility's with an NMOC emission rate equal to or greater than 50 Mg/yr.

[40 CFR 60.752(b)]

## **5.2 Obligation to Apply for Permit to Construct Modification**

As established under permit condition 5.2, if at any point the Permittee calculates the NMOC emission rate to be equal to or greater than 50 Mg/yr, the Permittee shall submit to DEQ an application to modify this permit in accordance with IDAPA 58.01.01.380-399 within 1 year from the date in which calculation of the NMOC emission rate is equal to or greater than 50 Mg/yr.

**[IDAPA 58.01.01.380-399]**

## 6 Flare

### Summary Description

Collected LFG will be piped to the 2 lean-burn IC engines powering an electrical generator that is connected to the commercial power grid. When the IC engines are offline or when there is excess LFG, the gas is routed to the flare.

Until the Permittee seeks to comply with 40 CFR 60.752(b)(2)(iii) using an open flare as a control device for the landfill, the opacity requirement stated in Facility-wide Condition 3.7, the emissions limits stated in Flare Permit Condition 6.1, and operating requirements stated in Flare Permit Condition 6.2 are the only operating, monitoring, and recordkeeping requirements for the flare.

If and when the Permittee seeks to comply with 40 CFR 60.752(b)(2)(iii) using an open flare as a control device for the landfill after the NMOC emissions rate is equal to or exceeds the 50 Mg/yr limit, the Permittee shall operate the flare in accordance with these Section 6 permit conditions.

The Permittee may at any time voluntary operate the flare in accordance with these Section 6 permit conditions.

Table 6.1 describes the devices used to control emissions from the flare.

**Table 6.1 Flare Description**

Emissions Units / Processes	Control Devices
Flare	N/A

Table 6.2 contains only a summary of the requirements that apply to the flare. Specific permit requirements are listed below.

**Table 6.2 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
6.1	Emission limits	PM <sub>10</sub> , SO <sub>2</sub> , NO <sub>x</sub> , CO, VOC	PTC P-2009.0146, 10/22/18	6.1
6.2	Flare visible emissions	Opacity	IDAPA 58.01.01.625, 40 CFR 60.752(b)(2)(iii)(A)	6.2, 6.3, 6.4

## Emission Limits

### 6.1 Emissions Limits

The emissions from the flare stack (or in combination with IC Engines #1 and #2 stacks in the case of SO<sub>2</sub> emissions) shall not exceed any corresponding emissions rate limits listed in Table 6.3.

**Table 6.3 Flare Emission Limits<sup>(a)</sup>**

Source Description	PM <sub>10</sub> <sup>(b)</sup>		SO <sub>2</sub> <sup>(e)</sup>		NO <sub>x</sub>		CO		VOC		
	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	
Flare	0.19	0.81	1.35	5.93	0.58	2.52	0.67	2.95	0.19	0.82	
IC Engine #1											
IC Engine #2											

- In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- Particulate matter with an aerodynamic diameter less than or equal to a nominal two point five (2.5) and ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- Tons per any consecutive 12-calendar month period.
- SO<sub>2</sub> emissions limits are for the Flare and IC engine combined.

[PTC No. P-2009.0146, 10/22/2018]

## Operating Requirements

### 6.2 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – Flare Design and Operation

In accordance with 40 CFR 60.752(b)(2)(iii)(A), when the landfill is operating at a NMOC emission rate equal to or exceeding the 50 Mg/yr limit as determined by 40 CFR 60.754, an open flare shall be designed and operated in accordance with 40 CFR 60.18 except as noted in 40 CFR 60.754(e).

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

## Monitoring and Recordkeeping Requirements

### 6.3 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – Open Flare Operation

In accordance with 40 CFR 60.756(c) each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(iii) using an open flare shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:

- A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame.
- A device that records flow to or bypass of the flare. The owner or operator shall either:
  - Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or
  - Secure the bypass valve in the closed position with a car seal or a lock and key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

[40 CFR 60.756(c)]

**6.4 NSPS 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills – Continuous Records of Equipment Operating Parameters**

In accordance with 40 CFR 60.758(c), except as provided in 40 CFR 60.752(b)(2)(i)(B), each owner or operator of a controlled landfill subject to the provisions of 40 CFR 60, Subpart WWW shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 40 CFR 60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. FHMRL shall do the performance test required to determine the molecular weight once during the time limit of this permit.

- In accordance with 40 CFR 60.758(c)(2), Each owner or operator subject to the provisions of 40 CFR 60, Subpart WWW shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR 60.756.
- In accordance with 40 CFR 60.758(c)(4), each owner or operator seeking to comply with the provisions of 40 CFR 60, Subpart WWW by use of an open flare shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under 40 CFR 60.756(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.

**[40 CFR 60.758(c)]**

## 7 IC Engines

### Summary Description

Collected LFG will be piped to the 2 lean-burn IC engines, each powering an electrical generator that is connected to the commercial power grid. When the IC engines are offline or when there is excess LFG, the gas is routed to the flare.

Until the Permittee seeks to comply with 40 CFR 60.752(b)(2)(iii) using the IC Engines as a control device for the landfill after the NMOC emissions rate is equal to or exceeds the 50 Mg/yr per year limit, the IC Engines are installed at the Permittee's convenience but still must comply with permit conditions 7.1 through 7.10 below.

**Table 7.1 IC Engine Description**

Emissions Units / Processes	Control Devices
IC Engine #1 and IC Engine #2	N/A

Table 7.2 contains only a summary of the requirements that apply to the IC engine. Specific permit requirements are listed below.

**Table 7.2 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Operating, Monitoring, and Recordkeeping Requirements
7.1	Emission limits	PM <sub>10</sub> , SO <sub>2</sub> , NO <sub>x</sub> , CO, VOC	PTC P-2009.0146, 10/22/18	7.1
7.2	NSPS Emission limits	NO <sub>x</sub> , CO, VOC	40 CFR 60.4233(e)	7.5, 7.6, 7.7, 7.8, 7.10
7.3	Engine Visible emissions	Opacity	IDAPA 58.01.01.625, 40 CFR 60.752(b)(2)(iii)(A)	3.8, 3.9, 7.3
7.4	Compliance Demonstration	Methods	40 CFR 60.4253(b)	7.4
7.5	Catalyst Maintenance	AFR controller	40 CFR 60.4242(g)	7.5
7.6	Performance Testing	Must be conducted within 10% of 100% peak	40 CFR 60.4244	7.6, 7.7, 7.8, 7.9, 7.10

## Emission Limits

### 7.1 Emissions Limits

The emissions from the IC engine #1 and #2 stacks (or in combination with the Flare stack in the case of SO<sub>2</sub> emissions) shall not exceed any corresponding emissions rate limits listed in Table 7.3.

**Table 7.3 IC Engine Emission Limits<sup>(a)</sup>**

Source Description	PM <sub>10</sub> <sup>(b)</sup>		SO <sub>2</sub> <sup>(e)</sup>		NO <sub>x</sub>		CO		VOC	
	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>
IC Engine #1	0.24	1.07	1.35	5.93	4.83	21.16	10.68	46.75	2.62	11.48
IC Engine #2	0.24	1.07			4.83	21.16	10.68	46.75	2.62	11.48
Flare										

- In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- Particulate matter with an aerodynamic diameter less than or equal to a nominal two point five (2.5) and ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- Tons per any consecutive 12-calendar month period.
- SO<sub>2</sub> emission limits are for the Flare and IC engine combined.

[PTC No. P-2009.0146, 10/22/2018]

### 7.2 NSPS 40 CFR 60, Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines – Emissions Limits

In accordance with 40 CFR 60.4233(e) and Table 1 of 40 CFR 60, Subpart JJJJ, the permittee shall comply with the following emission standards for IC engines firing on landfill/digester gas (except lean burn 500 ≤ BHP ≤ 1,350):

**Table 7.4 40 CFR 60, Subpart JJJJ, Table 1 Summary**

Engine Type and Fuel	Maximum Engine Horsepower (bhp)	Manufacture Date	Emission Standards <sup>(a)</sup>					
			g/bhp-hr			ppmvd at 15% O <sub>2</sub>		
			NO <sub>x</sub>	CO	VOC <sup>(b)</sup>	NO <sub>x</sub>	CO	VOC <sup>(b)</sup>
Landfill/Digester Gas Fired (except lean burn 500 ≤ BHP ≤ 1,350)	BHP ≥ 500	7/1/2010	2.0	5.0	1.0	150	610	80

- Owners and operators of stationary non-certified spark ignited IC engines may choose to comply with the emissions standards in units of either g/bhp-hr or ppmvd at 15% O<sub>2</sub>.
- For the purposes of Subpart JJJJ, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

[PTC No. P-2009.0146, 10/22/2018; 40 CFR 60.4233(e)]

### 7.3 Opacity Limit

Emissions from the IC engine stacks, or any other stack, vent, or functionally equivalent opening associated with the IC engine, shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity shall be determined by the procedures contained in IDAPA 58.01.01.625.

[IDAPA 58.01.01.625]

## Operating Requirements

### 7.4 NSPS 40 CFR 60 Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - Compliance Demonstration

In accordance with 40 CFR 60.4243(b), the permittee must demonstrate compliance according to one of the methods specified in (a) or (b) as follows:

- (a) Purchasing an engine certified according to procedures specified in Subpart JJJJ, for the same model year and demonstrating compliance according to one of the methods specified in (i) or (ii):
  - (i) If the owner or operator operates and maintains the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, the owner or operator must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if the permittee is an owner or operator.
  - (ii) If the owner or operator does not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, the engine will be considered a non-certified engine, and the owner or operator must demonstrate compliance as follows:
    - If permittee is an owner or operator of a stationary SI internal combustion engine greater than 500 HP, the permittee must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test within 1 year of engine startup and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.
- (b) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in the engine emission limits section of this permit and according to the requirements specified in the engine testing requirements section of this permit, as applicable, and must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

[40 CFR 60.4243(b)]

### 7.5 NSPS 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - Catalyst Maintenance

In accordance with 40 CFR 60.4243(g), it is expected that air-to-fuel ratio (AFR) controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

[40 CFR 60.4243(g)]

**7.6 NSPS 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - Performance Testing**

In accordance with 40 CFR 60.4244, owners and operators of stationary SI ICE who conduct performance tests must follow the procedures specified in this permit condition.

- (a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in 40 CFR 60.8 and under the specific conditions that are specified by Table 7.5 in this permit.

**Table 7.5 Requirements for Performance Tests**

<b>For each</b>	<b>Complying with the requirement to</b>	<b>You must</b>	<b>Using</b>	<b>According to the following requirements</b>
1. Stationary SI internal combustion engine demonstrating compliance according to §60.4244.	a. limit the concentration of NO <sub>x</sub> in the stationary SI internal combustion engine exhaust.	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005) <sup>a</sup> .	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O <sub>2</sub> concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B <sup>b</sup> of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005) <sup>a</sup> .	(b) Measurements to determine O <sub>2</sub> concentration must be made at the same time as the measurements for NO <sub>x</sub> concentration.
		iii. Determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60.	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 (incorporated by reference, see §60.17).	(c) Measurements to determine moisture must be made at the same time as the measurement for NO <sub>x</sub> concentration.
		v. Measure NO <sub>x</sub> at the exhaust of the stationary internal combustion engine.	(5) Method 7E of 40 CFR part 60, appendix A, Method D6522–00(2005) a Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 (incorporated by reference, see §60.17).	(d) Results of this test consist of the average of the three 1-hour or longer runs.
	b. limit the concentration of CO in the stationary SI internal combustion engine exhaust.	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A.	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O <sub>2</sub> concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B <sup>b</sup> of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005) <sup>a</sup> .	(b) Measurements to determine O <sub>2</sub> concentration must be made at the same time as the measurements for CO concentration.

**Table 7.5 Requirements for Performance Tests (continued)**

For each	Complying with the requirement to	You must	Using	According to the following requirements
		iii. Determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60.	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 (incorporated by reference, see §60.17).	(c) Measurements to determine moisture must be made at the same time as the measurement for CO concentration.
		v. Measure CO at the exhaust of the stationary internal combustion engine.	(5) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522-00(2005)a, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17).	(d) Results of this test consist of the average of the three 1-hour or longer runs.
	c. limit the concentration of VOC in the stationary SI internal combustion engine exhaust.	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A.	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O <sub>2</sub> concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B <sup>b</sup> of 40 CFR part 60, appendix A or ASTM Method D6522-00(2005) <sup>a</sup> .	(b) Measurements to determine O <sub>2</sub> concentration must be made at the same time as the measurements for VOC concentration.
		iii. Determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60.	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 (incorporated by reference, see §60.17).	(c) Measurements to determine moisture must be made at the same time as the measurement for VOC concentration.
		v. Measure VOC at the exhaust of the stationary internal combustion engine.	(5) Methods 25A and 18 of 40 CFR part 60, appendix A, Method 25A with the use of a methane cutter as described in 40 CFR 1065.265, Method 18 or 40 CFR part 60, appendix A <sup>cd</sup> , Method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 (incorporated by reference, see §60.17).	(d) Results of this test consist of the average of the three 1-hour or longer runs.

- a) ASTM D6522-00 is incorporated by reference; see 40 CFR 60.17. Also, the permittee may petition the Administrator for approval to use alternative methods for portable analyzer.
- b) The permittee may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O<sub>2</sub> content of the exhaust gas as an alternative to EPA Method 3B.
- c) The permittee may use EPA Method 18 of 40 CFR part 60, appendix A, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's Web site (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).
- d) The permittee may use ASTM D6420-99 (2004), Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography/Mass Spectrometry as an alternative to EPA Method 18 for measuring total non-methane organic.

- (b) The owner or operator may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in 40 CFR 60.8(c). If your stationary SI internal combustion engine is non-operational, the owner or operator does not need to start up the engine solely to conduct a performance test; however, the owner or operator must conduct the performance test within 180 days upon startup of the engine.
- (c) The owner or operator must conduct three separate test runs for each performance test required in this section, as specified in §60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.
- (d) To determine compliance with the NO<sub>x</sub> mass per unit output emission limitation, convert the concentration of NO<sub>x</sub> in the engine exhaust using Equation 1 of this permit condition:

$$ER = (C_d \times 1.912 \times 10^{-3} \times Q \times T) \div \text{HP-hr} \quad (\text{Eq. 1})$$

Where:

ER = Emission rate of NO<sub>x</sub> in g/HP-hr

C<sub>d</sub> = Measured NO<sub>x</sub> concentration in parts per million by volume (ppmv)

1.912 × 10<sup>-3</sup> = Conversion constant for ppm NO<sub>x</sub> to grams per standard cubic meter at 20 degrees Celsius

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis

T = Time of test run, in hours

HP-hr = Brake work of the engine, horsepower-hour (HP-hr)

- (e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this permit condition:

$$ER = (C_d \times 1.164 \times 10^{-3} \times Q \times T) \div \text{HP-hr} \quad (\text{Eq. 2})$$

Where:

ER = Emission rate of CO in g/HP-hr

C<sub>d</sub> = Measured CO concentration in ppmv

1.164 × 10<sup>-3</sup> = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis

T = Time of test run, in hours

HP-hr = Brake work of the engine, in HP-hr

- (f) For purposes of Subpart JJJJ, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this permit condition:

$$ER = (C_d \times 1.833 \times 10^{-3} \times Q \times T) \div \text{HP-hr} \quad (\text{Eq. 3})$$

Where:

ER = Emission rate of VOC in g/HP-hr

C<sub>d</sub> = VOC concentration measured as propane in ppmv

$1.833 \times 10^{-3}$  = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis

T = Time of test run, in hours

HP-hr = Brake work of the engine, in HP-hr

- (g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then the owner or operator has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this permit condition. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this permit condition.

$$RF_i = C_{Mi} \div C_{Ai} \text{ (Eq. 4)}$$

Where:

$RF_i$  = Response factor of compound i when measured with EPA Method 25A

$C_{Mi}$  = Measured concentration of compound i in ppmv as carbon

$C_{Ai}$  = True concentration of compound i in ppmv as carbon

$$C_{icorr} = RF_i \times C_{imeas} \text{ (Eq. 5)}$$

Where:

$C_{icorr}$  = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon

$RF_i$  = Response factor of compound i when measured with EPA Method 25A

$C_{imeas}$  = Concentration of compound i measured by EPA Method 320, ppmv as carbon

$$C_{Peq} = 0.6098 \times C_{icorr} \text{ (Eq. 6)}$$

Where:

$C_{Peq}$  = Concentration of compound i in mg of propane equivalent per DSCM.

$C_{icorr}$  = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

[40 CFR 60.4244]

## **Monitoring and Recordkeeping Requirements**

### **7.7 NSPS 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - Recordkeeping and Reporting**

In accordance with 40 CFR 60.4245(a), owners and operators of all stationary SI ICE must keep records of the information in paragraphs (1) through (4) of this permit condition.

- (1) All notifications submitted to comply with Subpart JJJJ and all documentation supporting any notification.
- (2) Maintenance conducted on the engine.
- (3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.
- (4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

[40 CFR 60.4245(a)]

### **7.8 NSPS 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - Recordkeeping and Reporting for Non-Certified Engines**

In accordance with 40 CFR 60.4245(c), owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in 40 CFR 60.4231 must submit an initial notification as required in 40 CFR 60.7(a)(1). The notification must include the information in paragraphs (1) through (5) of this permit condition.

- (1) Name and address of the owner or operator;
- (2) The address of the affected source;
- (3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;
- (4) Emission control equipment; and
- (5) Fuel used.

[40 CFR 60.4245(c)]

## **Reporting Requirements**

### **7.9 NSPS 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - Performance Testing Reporting**

In accordance with 40 CFR 60.4245(d), owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in the performance testing requirement section of this permit within 60 days after the test has been completed.

[40 CFR 60.4245(d)]

**7.10 Notification and Reporting Addresses**

Any notifications or reporting required by 40 CFR 60, Subparts JJJJ, WWW, and 40 CFR 63, Subpart AAAA shall be submitted to both of the following addresses:

EPA Region 10  
Director, Office of Air Quality  
1200 Sixth Avenue  
(OAQ-107)  
Seattle, WA 98101

And,

All information:  
Air Quality Permit Compliance  
Department of Environmental Quality  
Pocatello Regional Office  
444 Hospital Way No. 300  
Pocatello, ID 83201  
(208) 236-6160

Performance test related information only:  
Air Quality Source Test Review  
Department of Environmental Quality  
State Office  
1410 N. Hilton St.  
Boise, ID 83706  
(208) 373-0502

[40 CFR 60 Subpart JJJJ, Subpart WWW, and 40 CFR 63 Subpart AAAA]

## 8 Permit Shield

The facility has requested a permit shield for the following regulations because they are not applicable requirements under Title V of the Clean Air Act. DEQ has determined that the following requirements are not applicable and that all of the criteria set forth in IDAPA 58.01.01.325.01(b) for the Permit Shield, with respect to these requirements, have been met.

NEPA, CERCLA, SARA, EPCRA, FIFRA, TSCA, CWA, NPDES and RCRA Subtitle C are not applicable requirements under Title V of the CAA.

DEQ grants a permit shield for the following regulations:

- CAM does not apply because no source has post-control emissions greater than or equal to 100 T/yr.
- 40 CFR 68.130 – Chemical Accident Prevention Provisions. FHMRL has certified the Landfill does not contain quantities of Regulated Toxic and Flammable substances in quantities such that the requirements of 40 CFR 68.130 apply.

**Table 8.1 State and Federal Air Quality Requirements Currently Determined Non-Applicable to the Permittee**

Requirement	Reason Code
<b>IDAPA 58.01.01</b>	
Section 214 Preconstruction Requirements for Major HAP Sources	b
Section 215 Mercury Emission Standard for New or Modified Sources	a
Section 336 Tier I Permits for Portable Sources	b
Section 400-461 Tier II Operating Permits (Emissions Bubbles; Banked Emissions)	b
Section 500 Registration for Portable Equipment	b
Section 563-574 Transportation Conformity	b
Section 580 Classification of PSD Areas	i
Section 582 Conformity for Northern Ada County PM <sub>10</sub> Maintenance Area	d
Section 592-599 State 1 Vapor Collection	b/d
Section 610-624 Industrial fires, Residential solid waste disposal fires, Landfill disposal site fires, Orchard fires, Prescribed burning, Dangerous Material Fires, Infectious Waste Burning, Crop Residue	b
Section 626 Visible Emissions from Wigwam Burners	b
Section 675-725 Fuel Burning Equipment, Sulfur Content	b
Section 750-751 Control of Fluoride Emissions	a
Section 760-764 Dairy Farms	b
Section 776.02 Odors from Rendering Plants	b
Section 785-787 Incinerators	b/e
Section 790-858, 861-999 Rules for Specific Source Categories	b
<b>40 CFR</b>	
Part 49 Tribal Clean Air Authority	c
Part 51-53 State Implementation Plans, Ambient Air Monitoring	i
Part 55 Outer Continent Shelf Air Regulations	b
Part 56 Regional Consistency	i
Part 57 Nonferrous Smelter Rules	b
Part 58 Ambient Air Quality Surveillance	i
Part 59 VOC Standards for Consumer and Commercial Products	b
Part 60, except subparts A, WWW, JJJJ, and appendixes	b
Part 61, except subpart A, M, and appendixes	b
Part 62 Approval and Promulgation of State Plans for Designated Facilities and Pollutants	b/i
Part 63, including subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for reciprocating internal combustion engines (RICE), except subpart AAAA	b/j/k

**Table 8.1 State and Federal Air Quality Requirements Currently Determined Non-Applicable to the Permittee  
(continued)**

<b>Requirement</b>	<b>Reason Code</b>
<b>40 CFR (continued)</b>	
Part 64 Compliance Assurance Monitoring (CAM)	g
Part 65 Consolidated Federal Air Rule	b
Part 71-80	b
Part 81 Designation of Areas	i
Part 82, except subpart F	b
Parts 85-97	b
Part 98, except for subparts A, C, and HH	b

**Reason code definitions:**

- a) This pollutant is not emitted by the facility.
- b) The facility is not currently in this source category.
- c) The facility is not in a special control/nonattainment area.
- d) The facility is not in this county.
- e) The facility does not have this emissions unit.
- f) The facility does not use this fuel type.
- g) The facility does not have any emissions units which are subject to CAM requirements, as determined under 40 CFR 64.2.
- h) This method/procedure is not used by the facility.
- i) This rule applies only to DEQ and regional authorities.
- j) The engine is a new stationary RICE located at an area source subject to 40 CFR part 60 subpart JJJJ, therefore, 40 CFR Part 63, subpart ZZZZ is not applicable except to cross reference requirements in 40 CFR part 60 subpart JJJJ.
- k) The provisions of subpart AAAA are not applicable, so long as the NMOC emissions rate is less than 50 Mg/year.

## 9 Insignificant Activities

- 9.1 Activities and emission units identified as insignificant under IDAPA 58.01.01.317.01(b) are listed in Table 9.1 to qualify for a permit shield. There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the facility-wide permit conditions (see Section 3).

**Table 9.1 Insignificant Activities**

<b>Description</b>	<b>Insignificant Activities IDAPA 58.01.01.317.01(b)(i) Citation</b>
Propane tank (the propane tank supplies fuel to the flare's pilot light)	30

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

## 10 General Provisions

### General Compliance

- 10.1 The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.  
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]
- 10.2 It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.  
[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]
- 10.3 Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.  
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

### Reopening

- 10.4 This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.  
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1), (2); 40 CFR 70.6(a)(6)(iii)]
- 10.5 The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]

### Property Rights

- 10.6 This permit does not convey any property rights of any sort or any exclusive privilege.  
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

### Information Requests

- 10.7 The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.  
[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]
- 10.8 Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.  
[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

## Severability

- 10.9 The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

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

## Changes Requiring Permit Revision or Notice

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

[IDAPA 58.01.01.200–223, 4/2/08; IDAPA 58.01.01.322.15.i, 3/19/99; IDAPA 58.01.01.380–386,

7/1/02; 40 CFR 70.4(b)(12), (14), (15); 40 CFR 70.7(d), (e)]

- 10.11 Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the Clean Air Act (CAA), 42 United States Code (U.S.C.) Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.

[IDAPA 58.01.01.381–385, 4/5/00; IDAPA 58.01.01.209.05, 4/11/06; 40 CFR 70.4(b)(14), (15)]

## Federal and State Enforceability

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

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

- 10.13 Provisions specifically identified as a "state-only" provision are enforceable only in accordance with state law. "State-only" provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

## Inspection and Entry

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

- Enter upon the permittee's premises where a Tier I source is located, or emissions related activity is conducted, or where records are kept under conditions of this permit;
- Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and

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

[Idaho Code §39-108; IDAPA 58.01.01.322.15.l, 5/1/94; 40 CFR 70.6(c)(2)]

## **New Applicable Requirements**

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

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.10.a.ii, 5/1/94;  
40 CFR 70.6(c)(3) citing 70.5(c)(8)]

## **Fees**

- 10.16** The permittee shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.387 through IDAPA 58.01.01.397.

[IDAPA 58.01.01.387, 4/2/03; 40 CFR 70.6(a)(7)]

## **Certification**

- 10.17** All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

[IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]

## **Renewal**

- 10.18** The permittee shall submit an application to DEQ for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the permittee is encouraged to submit a renewal application nine months prior to the date of expiration.

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

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

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

## **Permit Shield**

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

- Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
- DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
- The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).

- Nothing in this permit shall alter or affect the following:
  - Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
  - The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;
  - The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
  - The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.  
[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.m, 5/1/94; IDAPA 58.01.01.325, 3/19/99; IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]

## Compliance Schedule and Progress Reports

10.21 The permittee shall comply with the following:

- For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
- For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.
- For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.
- For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.  
[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 5/1/94; IDAPA 58.01.01.314.10, 4/5/00; 40 CFR 70.6(c)(3) and (4)]

## Periodic Compliance Certification

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

- The compliance certifications for all emissions units shall be submitted annually from March 1<sup>st</sup> to February 28<sup>th</sup> or 29<sup>th</sup> or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ.
- The initial compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit, including emissions limitations, standards, and work practices;
- The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
  - The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
  - The identification of the method(s) or other means used by the permittee for determining the compliance status with each term and condition during the certification period. Such methods and other means shall include, at a minimum, the methods and means required under Subsections 322.06, 322.07, and 322.08;

- The status of compliance with the terms and conditions of the Tier I operating permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in Subsection 322.11.c.ii above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred; and
- Such information as DEQ may require to determine the compliance status of the emissions unit.

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

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

### **False Statements**

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

[IDAPA 58.01.01.125, 3/23/98]

### **No Tampering**

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

[IDAPA 58.01.01.126, 3/23/98]

### **Semiannual Monitoring Reports**

**10.26** In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from March 1<sup>st</sup> to August 31<sup>st</sup> and September 1<sup>st</sup> to February 28<sup>th</sup> or 29<sup>th</sup>. All instances of deviations from this operating permit's requirements must be clearly identified in the report. The semiannual reports shall be submitted to DEQ within 30 days of the end of the specified reporting period.

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

### **Reporting Deviations and Excess Emissions**

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

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/11/06; 40 CFR 70.6(a)(3)(iii)]

### **Permit Revision Not Required**

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

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

## **Emergency**

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

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