

# Air Quality

## TIER I OPERATING PERMIT

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**Permittee** Avista Corporation  
**Permit Number** T1-2021.0018  
**Project ID** 62622  
**Facility ID** 055-00040  
**Facility Location** 5999 W. Boekel Road  
Rathdrum, ID 83858

### 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** DRAFT XX, 2021

**Date Expires** DRAFT XX, 2026

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**Christina Boulay, Permit Writer**

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# 1 Acronyms, Units, and Chemical Nomenclature

ASTM	American Society for Testing and Materials
Btu	British thermal unit
CAA	Clean Air Act
CEMS	continuous emission monitoring systems
CFR	Code of Federal Regulations
cft	cubic feet
CGA	cylinder gas audits
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
EPA	United States Environmental Protection Agency
GHG	greenhouse gases
gr/dscf	grains (1 lb = 7,000 grains) per dry standard cubic foot
HAP	hazardous air pollutants
HHV	higher heating value
hr/yr	hours per consecutive 12-calendar-month period
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
kW	kilowatts
lb/hr	pounds per hour
MACT	Maximum Achievable Control Technology
MMBtu	million British thermal units
MMscf	million standard cubic feet
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO <sub>x</sub>	nitrogen oxides
NSPS	New Source Performance Standards
O <sub>2</sub>	oxygen
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
ppmv	parts per million by volume
ppmw	parts per million by weight
PTC	permit to construct
RATA	relative accuracy test audit
Rules	Rules for the Control of Air Pollution in Idaho
scf	standard cubic feet
SO <sub>2</sub>	sulfur dioxide
T/yr	tons per consecutive 12 calendar-month period
T1	Tier I operating permit
U.S.C.	United States Code
VOC	volatile organic compound
vp	vapor pressure

## 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(s):
- Permit to Construct No. P-055-00040, issued September 7, 2001
  - Permit to Construct No. P-055-00040, issued August 4, 1999
- 2.3 This Tier I operating permit replaces the following permit(s):
- Tier I Operating Permit No. T1-2016.0023, issued March 8, 2017

### 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, 4	Unit 1 – Combustion Turbine Manufacturer: General Electric Model: PG711EA Installed: 1994 Rated Capacity: 83.5 MW Fuel: Natural gas Maximum hourly fuel usage: 942,670 scf/hr Fuel usage: 31,764 MMscf/yr	Dry Low NO <sub>x</sub> Combustor
3, 4	Unit 2 – Combustion Turbine Manufacturer: General Electric Model: PG711EA Installed: 1994 Rated Capacity: 83.5 MW Fuel: Natural gas Maximum hourly fuel usage: 942,670 scf/hr Fuel usage: 31,764 MMscf/yr	Dry Low NO <sub>x</sub> Combustor

### 3 Facility-Wide Conditions

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

**Table 3.1 Applicable Requirements Summary**

Permit Conditions	Parameter	Limit/Standard Summary	Applicable Requirements Reference	Monitoring, Recordkeeping, and Reporting Requirements
3.1-3.4	Fugitive Dust	Reasonable control	IDAPA 58.01.01.650–651	3.2-3.4, 3.22, 3.27
3.5, 3.6	Odors	Reasonable control	IDAPA 58.01.01.775–776	3.6, 3.22, 3.27
3.7-3.9	Visible Emissions	20% opacity for no more than 3 minutes in any 60-minute period	IDAPA 58.01.01.625	3.8-3.9, 3.22, 3.27
3.10-3.14	Excess Emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130–136	3.10-3.14, 3.22, 3.27
3.15- 3.16	Sulfur Content	ASTM grade No. 1 fuel oil ≤ 0.3% by weight ASTM grade No. 2 fuel oil ≤ 0.5% by weight	IDAPA 58.01.01.725	3.16, 3.22, 3.27
3.17	Open Burning	Compliance with IDAPA 58.01.01.600-623	IDAPA 58.01.01.600–623	3.17, 3.22, 3.27
3.18	Asbestos	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	3.18, 3.22, 3.27
3.19	Accidental Release Prevention	Compliance with 40 CFR 68	40 CFR 68	3.19, 3.22, 3.27
3.20	Recycling and Emissions Reductions	Compliance with 40 CFR 82, Subpart F	40 CFR 82, Subpart F	3.20, 3.22, 3.27
3.21	NSPS General Provisions	Compliance with 40 CFR 60, Subpart A	IDAPA 58.01.01.107.03	3.21, 3.22, 3.27
3.22	Monitoring and Recordkeeping	Maintenance of required records	IDAPA 58.01.01.322.06	3.22, 3.27
3.23-3.26	Testing	Compliance testing	IDAPA 58.01.01.157	3.23-3.26, 3.22, 3.27
3.27	Reports and Certifications	Submittal of required reports, notifications, and certifications	IDAPA 58.01.01.322.08	3.27
3.28	Incorporation of Federal Requirements by Reference	Compliance with applicable federal requirements referenced	IDAPA 58.01.01.107	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, 4/11/2015]
- 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, 5/1/1994]
- 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, 5/1/1994]
- 3.4** The permittee shall conduct a quarterly 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, 5/1/1994]

## **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), 5/1/1994]
- 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), 5/1/1994]

## **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, 4/5/2000]

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

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

or

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

[IDAPA 58.01.01.322.06, 5/1/1994]

**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, 5/1/1994]

## **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, 4/5/2000]

### ***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, 4/11/2006]

### ***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, 4/11/2006]

### ***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, 4/11/2006]

**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, 4/5/2000]

### **Sulfur Content**

**3.15** The permittee shall not sell, distribute, use, or make available for use any of the following:

- Distillate fuel oil containing more than the following percentages of sulfur:
  - ASTM Grade 1 fuel oil, 0.3% by weight
  - ASTM Grade 2 fuel oil, 0.5% by weight
- DEQ may approve an exemption from these fuel sulfur content requirements (IDAPA 58.01.01.725.01 725.04) if the permittee demonstrates that, through control measures or other means, SO<sub>2</sub> emissions are equal to or less than those resulting from the combustion of fuels complying with these limitations.

[IDAPA 58.01.01.725, 4/11/2015]

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

[IDAPA 58.01.01.322.07, 5/1/1994]

### **Open Burning**

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

[IDAPA 58.01.01.600–623, 3/29/2012]

### **Asbestos**

**3.18** **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]

## Accidental Release Prevention

**3.19** A permittee of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the “Chemical Accident Prevention Provisions” at 40 CFR 68 no later than the latest of the following dates:

- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130.
- The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR 68.10(a)]

## Recycling and Emissions Reductions

### 3.20 40 CFR Part 82—Protection of Stratospheric Ozone

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

[40 CFR 82, Subpart F]

## NSPS/NESHAP General Provisions

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

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

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

Section	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: Coeur d’Alene Regional Office Department of Environmental Quality 2110 Ironwood Pkwy Coeur d’Alene, ID 83814</li> </ul>
60.7(a), (b), and (f)	Notification and Recordkeeping	<ul style="list-style-type: none"> <li>• Notification shall be furnished of commencement of construction postmarked no later than 30 days of such date.</li> <li>• Notification shall be furnished of initial startup postmarked within 15 days of such date.</li> <li>• Notification shall be furnished of any physical or operational change that may increase emissions postmarked 60 days before the change is made.</li> <li>• Records shall be maintained of the occurrence and duration of any startup, shutdown or malfunction; any malfunction of the air pollution control equipment; or any periods during which a CMS or monitoring device is inoperative.</li> <li>• Records shall be maintained, in a permanent form suitable for inspection, of all measurements, performance testing measurements, calibration checks, adjustments and maintenance performed, and other required information. Records shall be maintained for a period of two years following the date of such measurements, maintenance, reports, and records.</li> </ul>

Section	Subject	Summary of Section Requirements
60.7(a), (c), (d), (e) and (f)	Notification and Recordkeeping (CMS)	<ul style="list-style-type: none"> <li>• Notification shall be furnished of date upon which demonstration of CMS performance commences.</li> <li>• Excess emissions and monitoring systems performance report shall be submitted semiannually, postmarked by January 30th and July 30<sup>th</sup>. Reports shall contain the information and be in the format specified in 40 CFR 60.7 (c) and (d).</li> <li>• Records of CMS sub-hourly measurements shall be maintained in accordance with the requirements of 40 CFR 60.7 (f).</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>
60.13	Monitoring Requirements (CMS)	<ul style="list-style-type: none"> <li>• All CMS and monitoring devices shall be installed and operational prior to conducting performance tests required by 40 CFR 60.8.</li> <li>• A performance evaluation of the COMS or CEMS shall be conducted before or during any performance test and a written report of the results of the performance evaluation furnished. Reporting requirements include submitting performance evaluations reports within 60 days of the evaluations required by this section, and submitting results of the performance evaluations for the COM within 10 days before a performance test, if using a COM to determine compliance with opacity during a performance test instead of Method 9.</li> <li>• The zero and span calibration drifts must be checked at least once daily and adjusted in accordance with the requirements in 40 CFR 60.13(d).</li> <li>• The zero and upscale (span) calibration drifts of a COMS must be automatically, intrinsic to the opacity monitor, checked at least once daily.</li> <li>• Except for system breakdowns, repairs, calibration checks, and zero and span adjustments,</li> </ul>

Section	Subject	Summary of Section Requirements
60.7(a), (c), (d), (e) and (f)	Notification and Recordkeeping (CMS)	<ul style="list-style-type: none"> <li>• Notification shall be furnished of date upon which demonstration of CMS performance commences.</li> <li>• Excess emissions and monitoring systems performance report shall be submitted semiannually, postmarked by January 30th and July 30<sup>th</sup>. Reports shall contain the information and be in the format specified in 40 CFR 60.7 (c) and (d).</li> <li>• Records of CMS sub-hourly measurements shall be maintained in accordance with the requirements of 40 CFR 60.7 (f).</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>
		<p>all CMS shall be in continuous operation and shall meet minimum frequency of operation requirements as specified in 40 CFR 60.13(e).</p> <ul style="list-style-type: none"> <li>• All CMS or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. CMS shall be located and installed in accordance with the requirements in 40 CFR 60.13(f) and (g).</li> <li>• Data shall be reduced and computed in accordance with the procedures in 40 CFR 60.13(h), (i), and (j).</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]

## Monitoring and Recordkeeping

**3.22** 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, 5/1/1994]

## Performance Testing

**3.23** 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.

**3.24** 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, 4/5/2000]

**3.25** 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.

**3.26** 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 3.27).

[IDAPA 58.01.01.157, 4/11/15; IDAPA 58.01.01.322.06, 08.a, 09, 4/5/2000]

## Reports and Certifications

**3.27** 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  
Coeur d'Alene Regional Office  
2110 Ironwood Parkway  
Coeur d'Alene, ID 83814  
Phone: (208) 769-1422  
Fax: (208) 769-1404

The periodic compliance certification required in the general provisions (General Provision 7.22) shall also be submitted within 30 days of the end of the specified reporting period to:

Part 70 Operating Permit Program  
U.S. EPA Region 10, Mail Stop: OAW-150  
1200 Sixth Ave., Suite 155  
Seattle, WA 98101

[IDAPA 58.01.01.322.08, 11, 4/5/2000]

### **Incorporation of Federal Requirements by Reference**

**3.28** 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

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, 3/29/2017]

## 4 General Electric Combustion Turbines No. 1 and No. 2

### Summary Description

Table 4.1 describes the devices used to control emissions from General Electric Combustion Turbines No. 1 and No. 2.

**Table 4.1 General Electric Combustion Turbines No. 1 and No. 2**

Emissions Units / Processes	Control Devices
Unit 1 – General Electric Model PG711EA Frame 7 combustion gas turbine	Dry Low Nitrogen Oxide Combustor
Unit 2 – General Electric Model PG711EA Frame 7 combustion gas turbine	Dry Low Nitrogen Oxide Combustor

Table 4.2 contains only a summary of the requirements that apply to the General Electric Combustion Turbines No. 1 and No. 2. 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
<b>Error! Reference source not found.</b>	Opacity	20% for 3 minutes in any 60 minute period	IDAPA 58.01.01.625 PTC No. 055-000040	<b>Error! Reference source not found.</b>
4.2	Particulate Matter & PM <sub>10</sub>	14 pounds per hour; 59 tons per year	PTC No. 055-000040	4.9–4.11, 4.18
4.3	Nitrogen oxides	104 pounds per hour; 235.5 tons per year	PTC No. 055-000040	4.12, 4.17
4.4	Volatile organic compounds	3.6 pounds per hour; 15.2 tons per year	PTC No. 055-000040	4.9–4.11, 4.18
4.5	Sulfur dioxide	6.0 pounds per hour; 19.8 tons per year	PTC No. 055-000040	4.9–4.11, 4.18
4.6	Carbon monoxide	106 pounds per hour; 240 tons per year	PTC No. 055-000040	4.15– 4.17
4.7	Nitrogen Oxide Concentration	Per equation	40 CFR 60.332(a)(1) PTC No. 055-000040	4.12, 4.14, 4.17
4.8	Sulfur Dioxide Concentration	0.015% by volume at 15% oxygen or fuel sulfur not in excess of 0.8% by weight	40 CFR 60.333 PTC No. 055-000040	4.13
4.9	Fuel	Natural gas exclusively	PTC No. 055-000040	N/A

### Emission Limits

#### 4.1 Opacity Limit

Emissions from the General Electric Combustion Turbines No. 1 and No. 2 stack, or any other stack, vent, or functionally equivalent opening associated with the General Electric Combustion Turbines No. 1 and No. 2, 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.

**4.2 PM Limit**

Emissions of PM and particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers (PM<sub>10</sub>) from the facility’s two turbines shall not exceed 14 pounds per hour; 59 tons per any consecutive 12 months.

[PTC No. P-055-, 9/07/01]

**4.3 NO<sub>x</sub> Limit**

Emissions of NO<sub>x</sub> from the facility’s two turbines shall not exceed 104 pounds per hour; 235.5 tons per any consecutive 12 months.

[PTC No. P-055-, 9/07/01]

**4.4 VOC Limit**

Emissions of volatile organic compounds (VOC) from the facility’s two turbines shall not exceed 3.6 pounds per hour; 15.2 tons per any consecutive 12 months.

[PTC No. P-055-, 9/07/01]

**4.5 SO<sub>2</sub> Limit**

Emissions of sulfur dioxide (SO<sub>2</sub>) from the facility’s two turbines shall not exceed 6 pounds per hour; 19.8 tons per any consecutive 12 months.

[PTC No. P-055-, 9/07/01]

**4.6 CO Limit**

Emissions of carbon monoxide (CO) from the facility’s two turbines shall not exceed 106 pounds per hour; 240 tons per any consecutive 12 months.

[PTC No. P-055-, 9/07/01]

**4.7 NSPS 40 CFR 60, Subpart GG – Standard for NO<sub>x</sub>**

As required by 40 CFR 60.332(a)(1), the permittee shall not cause to be discharged to the atmosphere from any gas turbine, any gases which contain NO<sub>x</sub> in excess of:

$$\text{STD} = 0.0075 * \frac{(14.4)}{Y} + F$$

Where:

STD = allowable ISO corrected (if required as given in 60.335(b)(1)) NO<sub>x</sub> emission concentration (percent by volume at 15 percent oxygen and on a dry basis),

Y = Manufacturer’s rated heat rate at manufacturer’s rated load (kilojoules per watt-hour), or the actual measured heat rate based on the lower heating value of fuel as measured at the actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt-hour.

F = NO<sub>x</sub> emission allowance for fuel-bound nitrogen as defined in paragraph (a)(3) of 40 CFR 60.332.

[40 CFR 60.332; PTC No. P-055-, 9/07/01]

**4.8 NSPS 40 CFR 60, Subpart GG – Standard for SO<sub>2</sub>**

Emissions of SO<sub>2</sub> from each of the turbines shall not exceed 0.015 percent by volume of exhaust gas at 15 percent oxygen and on a dry basis, or the permittee shall not burn fuel which contains sulfur in excess of 0.8 percent by weight in accordance with 40 CFR 60.333(b).

[40 CFR 60.333; PTC No. P-055-, 9/07/01]

## Operating Requirements

### 4.9 Fuel Restrictions

Each of the turbines shall be exclusively fired by natural gas only.

[PTC No. P-055-, 9/07/01]

### 4.10 Hours of Operation Limits

The maximum annual hours of operation of the facility's two turbines shall not exceed 16,848 hours in a calendar year.

[PTC No. P-055-, 9/07/01]

## Monitoring and Recordkeeping Requirements

### 4.11 Hourly Natural Gas Usage Monitoring

- The permittee shall monitor and record the hours of operation and hourly usage of natural gas from each of the turbines.
- The permittee shall record the hours of operation for each turbine in a monthly report to be kept onsite for a five-year minimum period and made available to DEQ representatives upon request.

[PTC No. P-055-, 9/07/01]

### 4.12 NO<sub>x</sub> CEMS

The permittee shall install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS) for monitoring and recording stack gas concentrations and the pound-per-hour emission rate of NO<sub>x</sub> from each turbine. The CEMS shall conform to the NO<sub>x</sub> CEM requirements of 40 CFR 75 including measuring the concentration of oxygen.

[PTC No. P-055-, 9/07/01]

### 4.13 Fuel Monitoring

The permittee shall use one of the following information sources to demonstrate compliance with the NSPS 40 CFR 60, Subpart GG – Standard for SO<sub>2</sub>. The gas quality characteristics for fuel combusted in either combustion turbine shall be specified in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel. The characteristics shall specify the maximum total sulfur content of the fuel is 20.0 grains per 100 standard cubic foot or less. The permittee shall make available the current, valid purchase contract, tariff sheet or transportation contract in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.07, 5/1/1994; 40 CFR 60, Subpart GG]

### 4.14 NSPS 40 CFR 60, Subpart GG – NO<sub>x</sub> Test Methods and Procedures

The permittee shall monitor the nitrogen content of the fuel combusted in the turbine, if the permittee claims an allowance for fuel bound nitrogen to establish a NO<sub>x</sub> emissions limit per the equation in the NSPS 40 CFR 60, Subpart GG – Standard for NO<sub>x</sub> condition. The nitrogen content of the fuel shall be determined using methods described in 60.335(b)(9) or an approved alternative. The permittee is not required to monitor fuel bound nitrogen; however, the permittee cannot claim an allowance for fuel bound nitrogen without monitoring data collected in accordance 60.335(b)(9) or an approved alternative.

[IDAPA 58.01.01.07, 5/1/1994; 40 CFR 60.335]

#### **4.15 CO CEMS**

The permittee shall install, calibrate, maintain, and operate a CEMS for the monitoring and recording of stack gas concentrations and hourly emission rates of CO from each turbine. The CO CEMS shall meet all specifications and requirements of the most recent Quality Assurance Plan which covers the CO CEMS. The permittee shall make available the most recent Quality Assurance Plan in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.322.06, 5/1/1994]

#### **4.16 CO CEMS RATA and CGA**

In addition to the specifications and requirements of the current Quality Assurance Plan, the permittee shall use the following audit procedures to evaluate the effectiveness of quality control and quality assurance procedures and the quality of data produced by the CO CEMS.

- The CO CEMS must be audited via a Relative Accuracy Test Audit (RATA) or cylinder gas audit (CGA) at least once each operating quarter. Successive quarterly audits shall occur no closer than two months apart. An operating quarter is defined as a calendar quarter in which there are at least 168 unit operating hours (i.e., a clock hour during which a unit combusts any fuel, either for part of the hour or for the entire hour).
- The permittee must conduct a RATA in accordance with Section 5.1.1 of Appendix F of 40 CFR 60 and Performance Specification 4, 4A, or 4B of Appendix B of 40 CFR 60 at least once every four operating quarters.
- The permittee may audit the CEMS via a cylinder gas audit conducted in accordance with Section 5.1.2 of Appendix F of 40 CFR 60 in three of four operating quarters, but in no more than three operating quarters in succession.

[IDAPA 58.01.01.322.06, 5/1/1994]

### **Reporting Requirements**

#### **4.17 CEMS Report**

The permittee shall report the CEM data acquired by the monitoring required by the Fuel Monitoring and NSPS 40 CFR 60, Subpart GG – NO<sub>x</sub> Test Methods and Procedures conditions to DEQ and the EPA in a calendar quarterly report to be received no later than 30 days after each calendar quarter.

[PTC No. P-055-, 9/07/01]

#### **4.18 Hours of Operation and Fuel Usage Report**

The permittee shall report the hourly turbine operation and fuel usage data acquired by the monitoring required by the Hourly Natural Gas Usage Monitoring condition to DEQ and the EPA in a calendar quarterly report to be received no later than 30 days after each calendar quarter.

[IDAPA 58.01.01.322.08(a), 5/1/1994]

## 5 Insignificant Activities

- 5.1** Table 5.1 lists the units or activities that are insignificant on the basis of size or production rate as provided by the permittee. The regulatory citation for units and activities that are insignificant on the basis of size or production rate is IDAPA 58.01.01.317.01.b. There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the Facility-Wide Conditions.

**Table 5.1 Insignificant Activities**

Description	Insignificant Activities IDAPA 58.01.01.317.01.b.i Citation
Operation, loading and unloading of storage tanks and storage vessels, with lids or other appropriate closure and less than two hundred sixty (260) gallon capacity (35 cft), heated only to the minimum extent to avoid solidification if necessary.	IDAPA 58.01.01.317.01.b.i(1)
Operation, loading and unloading of storage tanks, not greater than one thousand one hundred (1,100) gallon capacity, with lids or other appropriate closure, not for use with HAP, maximum (max.) vp five-hundred fifty (550) mm Hg.	IDAPA 58.01.01.317.01.b.i(2)
Operation, loading and unloading of VOC storage tanks, ten thousand (10,000) gallons capacity or less, with lids or other appropriate closure, vp not greater than eighty (80) mm Hg at 21 °C.	IDAPA 58.01.01.317.01.b.i(3)
Operation, loading and unloading storage of butane, propane, or liquefied petroleum gas (LPG), storage tanks, vessel capacity under forty thousand (40,000) gallons.	IDAPA 58.01.01.317.01.b.i(4)
Combustion source, less than five million (5,000,000) Btu/hr, exclusively using natural gas, butane, propane, and/or LPG.	IDAPA 58.01.01.317.01.b.i(5)
Combustion source, less than five hundred thousand (500,000) Btu/hr, using any commercial fuel containing less than four-tenths percent (.4%) by weight sulfur for coal or less than one percent (1%) by weight sulfur for other fuels.	IDAPA 58.01.01.317.01.b.i(6)
Combustion source, of less than one million (1,000,000) Btu/hr, if using kerosene, No. 1 or No. 2 fuel oil.	IDAPA 58.01.01.317.01.b.i(7)
Welding using not more than one (1) ton per day of welding rod.	IDAPA 58.01.01.317.01.b.i(9)
Water cooling towers and ponds, not using chromium-based corrosion inhibitors, not used with barometric jets or condensers, not greater than ten thousand (10,000) gpm, not in direct contact with gaseous or liquid process streams containing regulated air pollutants.	IDAPA 58.01.01.317.01.b.i(13)
Surface coating, using less than two (2) gallons per day.	IDAPA 58.01.01.317.01.b.i(17)
Space heaters and hot water heaters using natural gas, propane or kerosene and generating less than five million (5,000,000) Btu/hr.	IDAPA 58.01.01.317.01.b.i(18)
Surface coating, aqueous solution or suspension containing less than one percent (1%) volatile organic compounds.	IDAPA 58.01.01.317.01.b.i(25)
Cleaning and stripping activities and equipment, using solutions having less than one percent (1%) volatile organic compounds by weight. On metallic substrates, acid solutions are not considered for listing as insignificant.	IDAPA 58.01.01.317.01.b.i(26)
An emission unit or activity with potential emissions less than or equal to the significant emission rate as defined in Section 006 and actual emissions less than or equal to ten percent (10%) of the levels contained in Section 006 of the definition of significant and no more than one (1) ton per year of any hazardous air pollutant.	IDAPA 58.01.01.317.01.b.i(30)

[IDAPA 58.01.01.317.01(b)(i), 5/3/2003]

## **6 Title IV Acid Rain Permit – General Electric Combustion Turbines No. 1 and No. 2**

### **Statement of Basis**

- 6.1** In accordance with IDAPA 58.01.01 (Rules for the Control of Air Pollution in Idaho) and Titles IV and V of the Clean Air Act, DEQ issues this permit pursuant to IDAPA 58.01.01.300.

### **SO<sub>2</sub> Allowance Allocations and NO<sub>x</sub> Requirements**

- 6.2** Avista Corporation is not required to obtain SO<sub>2</sub> allowances under 40 CFR 73, and the source is not subject to NO<sub>x</sub> limits of 40 CFR 76.

### **Comments, Notes, and Justifications**

- 6.3** None

### **Compliance with Permit Application**

- 6.4** The owners and operators of Avista Corporation shall comply with the standard requirements and special provisions set forth in the EPA Phase II standard application signed and dated December 12, 1997.

### **Permit Application**

- 6.5** Attached is a copy of the Phase II permit application.

## 7 General Provisions

### General Compliance

- 7.1 The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.  
[IDAPA 58.01.01.322.15.a, 5/1/1994; 40 CFR 70.6(a)(6)(i)]
- 7.2 It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.  
[IDAPA 58.01.01.322.15.b, 5/1/1994; 40 CFR 70.6(a)(6)(ii)]
- 7.3 Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.  
[IDAPA 58.01.01.315.01, 5/1/1994; 40 CFR 70.5(b)]

### Reopening

- 7.4 This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.  
[IDAPA 58.01.01.322.15.c, 5/1/1994; IDAPA 58.01.01.386, 3/19/1999; 40 CFR 70.7(f)(1), (2); 40 CFR 70.6(a)(6)(iii)]
- 7.5 The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
[IDAPA 58.01.01.322.15.d, 5/1/1994; 40 CFR 70.6(a)(6)(iii)]

### Property Rights

- 7.6 This permit does not convey any property rights of any sort or any exclusive privilege.  
[IDAPA 58.01.01.322.15.e, 5/1/1994; 40 CFR 70.6(a)(6)(iv)]

### Information Requests

- 7.7 The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.  
[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/2000; IDAPA 58.01.01.322.15.f, 4/5/2000; 40 CFR 70.6(a)(6)(v)]
- 7.8 Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.  
[IDAPA 58.01.01.322.15.g, 5/1/1994; IDAPA 58.01.01.128, 4/5/2000; 40 CFR 70.6(a)(6)(v)]

## Severability

- 7.9 The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.  
[IDAPA 58.01.01.322.15.h, 5/1/1994; 40 CFR 70.6(a)(5)]

## Changes Requiring Permit Revision or Notice

- 7.10 The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.  
[IDAPA 58.01.01.200–223, 3/25/2016; IDAPA 58.01.01.322.15.i, 3/19/1999; IDAPA 58.01.01.380–386, 7/1/2002; 40 CFR 70.4(b)(12), (14), (15); 40 CFR 70.7(d), (e)]
- 7.11 Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the Clean Air Act (CAA), 42 United States Code (U.S.C.) Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.  
[IDAPA 58.01.01.381–385, 4/5/2000; IDAPA 58.01.01.209.05, 4/11/2006; 40 CFR 70.4(b)(14), (15)]

## Federal and State Enforceability

- 7.12 Unless specifically identified as a "state-only" provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source's potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.  
[IDAPA 58.01.01.322.15.j, 5/1/1994; 40 CFR 70.6(b)(1), (2)]
- 7.13 Provisions specifically identified as a "state-only" provision are enforceable only in accordance with state law. "State-only" provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.  
[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/1998]

## Inspection and Entry

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

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

[Idaho Code §39-108; IDAPA 58.01.01.322.15.l, 5/1/1994; 40 CFR 70.6(c)(2)]

## **New Applicable Requirements**

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

[IDAPA 58.01.01.322.10, 4/5/2000; IDAPA 58.01.01.314.10.a.ii, 5/1/1994; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]

## **Fees**

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

[IDAPA 58.01.01.387, 4/2/2003; 40 CFR 70.6(a)(7)]

## **Certification**

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

[IDAPA 58.01.01.322.15.o, 5/1/1994; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]

## **Renewal**

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

[IDAPA 58.01.01.313.03, 4/5/2000; 40 CFR 70.5(a)(1)(iii)]

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

[IDAPA 58.01.01.322.15.p, 5/1/1994; 40 CFR 70.7(b)]

## **Permit Shield**

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

- Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
- DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
- The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).
- Nothing in this permit shall alter or affect the following:

- Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
- The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;
- The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
- The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/2000; IDAPA 58.01.01.322.15.m, 5/1/1994; IDAPA 58.01.01.325, 3/19/1999; IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/1999; 40 CFR 70.6(f)]

## Compliance Schedule and Progress Reports

7.21 The permittee shall comply with the following:

- For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
- For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.
- For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.
- For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.

[IDAPA 58.01.01.322.10, 4/5/2000; IDAPA 58.01.01.314.9, 5/1/1994; IDAPA 58.01.01.314.10, 4/5/2000; 40 CFR 70.6(c)(3) and (4)]

## Periodic Compliance Certification

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

- The compliance certifications for all emissions units shall be submitted annually from January 1 to December 31 or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ.
- The initial compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit, including emissions limitations, standards, and work practices;
- The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
  - The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
  - The identification of the method(s) or other means used by the permittee for determining the compliance status with each term and condition during the certification period. Such methods and other means shall include, at a minimum, the methods and means required under Subsections 322.06, 322.07, and 322.08;
  - The status of compliance with the terms and conditions of the Tier I operating permit for the period covered by the certification, including whether compliance during the period

was continuous or intermittent. The certification shall be based on the method or means designated in Subsection 322.11.c.ii above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred; and

- Such information as DEQ may require to determine the compliance status of the emissions unit.

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

[IDAPA 58.01.01.322.11, 4/6/2005; 40 CFR 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946 (10/22/1997); 40 CFR 70.6(c)(5)(iv)]

### **False Statements**

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

[IDAPA 58.01.01.125, 3/23/1998]

### **No Tampering**

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

[IDAPA 58.01.01.126, 3/23/1998]

### **Semiannual Monitoring Reports**

**7.26** In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from January 1 to June 30 and July 1 to December 31. 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, 3/23/1998; IDAPA 58.01.01.322.08.c, 4/5/2000; 40 CFR 70.6(a)(3)(iii)]

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

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

[IDAPA 58.01.01.322.15.q, 3/23/1998; IDAPA 58.01.01.135, 4/11/2006; 40 CFR 70.6(a)(3)(iii)]

### **Permit Revision Not Required**

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

[IDAPA 58.01.01.322.05.b, 4/5/2000; 40 CFR 70.6(a)(8)]

## **Emergency**

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

**[IDAPA 58.01.01.332.01, 4/5/2000; 40 CFR 70.6(g)]**