



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 N Hilton Street, Boise, ID 83706
(208) 373-0502

Brad Little, Governor
Jess Byrne, Director

December 9, 2021

Jose Hernandez, Production HSSE Coordinator
Equilon Enterprises, LLC – dba Shell Oil Products US
150 N. Dairy Ashford Rd
Houston, TX 77079

RE: Facility ID No. 047-00044, Equilon Enterprises, LLC – dba Shell Oil Products US, Wendell
Final Permit Letter

Dear Jose Hernandez:

The Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) No. P-2021.0019 Project 62623 to Equilon Enterprises, LLC – dba Shell Oil Products US for the dairy digester operation producing pipeline-quality natural gas located at Wendell. This PTC is issued in accordance with IDAPA 58.01.01.200 through 228 (Rules for the Control of Air Pollution in Idaho) and is based on the certified information provided in your PTC application received May 13, 2021, and supplemental information provided on June 29, 2021, and August 30, 2021.

This permit is effective immediately. This permit does not release Equilon Enterprises, LLC – dba Shell Oil Products US from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

Pursuant to the Construction and Operation Notification General Provision of your permit, it is required that construction and operation notification be provided. Please provide this information as listed to DEQ's Twin Falls Regional Office, 650 Addison Ave West, Suite 110, Fax (208) 736-2194.

In order to fully understand the compliance requirements of this permit, as requested, Bobby Dye, Regional Air Quality and Remediation Manager, at (208) 736-2190, will schedule a permit handoff meeting to review and discuss the terms and conditions of this permit. Please note that this meeting should be scheduled once the permitted emissions units are operating, and some representative records required by the permit have been generated by the facility. DEQ recommends that 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 contact Zach Pierce at (208) 373-0502 or zach.pierce@deq.idaho.gov to address any questions or concerns you may have with the enclosed permit.

Jose Hernandez
December 9, 2021
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Sincerely,

A handwritten signature in cursive script that reads "Mike Simon".

Mike Simon
Stationary Source Bureau Chief
Air Quality Division

MS\zp

Permit No. P-2021.0019 PROJ 62623

Enclosures

Air Quality

PERMIT TO CONSTRUCT

Permittee Equilon Enterprises, LLC dba Shell Oil Products US
Permit Number P-2021.0019
Project ID 62623
Facility ID 047-00044
Facility Location 2828 S. 2300 E.
Wendell, ID 83355

Permit Authority

This permit (a) is issued according to the “Rules for the Control of Air Pollution in Idaho” (Rules), IDAPA 58.01.01.200–228; (b) pertains only to emissions of air contaminants regulated by the State of Idaho and to the sources specifically allowed to be constructed or modified by this permit; (c) has been granted on the basis of design information presented with the application; (d) does not affect the title of the premises upon which the equipment is to be located; (e) does not release the permittee from any liability for any loss due to damage to person or property caused by, resulting from, or arising out of the design, installation, maintenance, or operation of the proposed equipment; (f) does not release the permittee from compliance with other applicable federal, state, tribal, or local laws, regulations, or ordinances; and (g) in no manner implies or suggests that the Idaho Department of Environmental Quality (DEQ) or its officers, agents, or employees assume any liability, directly or indirectly, for any loss due to damage to person or property caused by, resulting from, or arising out of design, installation, maintenance, or operation of the proposed equipment. Changes in design, equipment, or operations may be considered a modification subject to DEQ review in accordance with IDAPA 58.01.01.200–228.

Date Issued December 9, 2021



Zach Pierce, Permit Writer



Mike Simon, Stationary Source Bureau Chief

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1 Permit Scope

Purpose

1.1 This is an initial permit to construct (PTC) for a dairy digester operation producing pipeline-quality natural gas.

Regulated Sources

Table 1.1 lists all sources of regulated emissions in this permit.

Table 1.1 Regulated Sources

Permit Section	Source	Control Equipment
2	<u>Anaerobic Digesters (2)</u> Combined Biogas produced: 1,561 scfm, 820.5 MMscf/yr	H ₂ S Scrubber and Combustion (Flare)
	<u>Flare:</u> Manufacturer: John Zink Hamworthy Combustion Model: ZTOF Heat input rating: 107 MMBtu/hr Max. Capacity: 1,561 scfm Fuel: Biogas	None
	<u>Biogas Processing System</u> Maximum Capacity: 1,479 scfm	None
3	<u>Water Heaters (2):</u> Manufacturer: Cleaver Brooks Model: CFLC Heat input rating: 12 MMBtu/hr Fuel: Natural Gas	None
4	<u>IC Engine:</u> Manufacturer: Generac Model: QT100 Rated Power: 134 bhp Ignition Type: Spark Generating Capacity: 100 kW Fuel: Natural Gas	None

2 Anaerobic Digester, H₂S Scrubber, Flare, and Biogas Processing System

2.1 Process Description

An anaerobic digester is used to produce biogas from dairy cattle manure. The resulting biogas is passed through a H₂S scrubber to decrease the concentration of H₂S in the gas stream. The biogas is then routed to a biogas processing unit. A biogas processing system converts digester-produced biogas to pipeline-quality natural gas for input into a nearby pipeline. Some biogas will need to be flared in the process. The flare is designed to burn the following three separate biogas streams:

- Flare Stream 1 – Raw biogas from digester, assuming failure of H₂S scrubbing
- Flare Stream 2 – Biogas from downstream of the H₂S scrubber, before CO₂ removal
- Flare Stream 3 – Off-spec biogas downstream of the CO₂ removal membrane

2.2 Control Device Descriptions

Table 2.1 Digesters and Flare Description

Emissions Units / Processes	Control Devices
Anaerobic Digesters (2) Biogas produced: 1,561 scfm, 820.5 MMscf/yr	H ₂ S scrubber and Combustion (Flare)
Biogas Flare	None
Biogas Processing System	None

Emission Limits

2.3 Emission Limits

The emissions from the Flare stacks shall not exceed any corresponding emissions rate limits listed in Table 2.2.

Table 2.2 Flare Emission Limits^(a)

Source Description	PM _{2.5} /PM ₁₀ ^(b)		SO ₂		NO _x		CO		VOC	
	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)
Flare	0.82	0.82	68.24	42.10	16.44	17.52	21.93	21.90	0.13	0.13

- 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.

2.4 Opacity Limit

Emissions from the Digesters, Flare, and Biogas Processing System stacks, or any other stack, vent, or functionally equivalent opening associated with the Digesters, Flare, and Biogas Processing System, 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.

2.5 H₂S Concentration Limit

The concentration of H₂S of the biogas entering the flare from Stream 1 shall not exceed 4,300 ppmv. The 12-month rolling average concentration of H₂S of the biogas entering the flare from

Stream 1 shall not exceed 3,300 ppmv.

The concentration of H₂S of the biogas entering the flare from Stream 2 or Streams 3 shall not exceed 25 ppmv.

2.6 Particulate Matter Standard

The permittee shall not exceed 0.015 gr/dscf at 3% oxygen for the combustion of biogas in the flare as required by IDAPA 58.01.01.676.

2.7 Odors

The permittee shall not allow, suffer, cause, or permit the emission of odorous gasses, liquids, or solids to the atmosphere in such quantities as to cause air pollution in accordance with IDAPA 58.01.01.776.01.

Operating Requirements

2.8 Biogas Production Limit

Biogas production from the anaerobic digesters combined shall not exceed 93,660 scf per hour.

2.9 Flaring Streams Biogas Flow Rates

Biogas not introduced into the natural gas pipeline as renewable natural gas shall be flared.

Three separate biogas streams with unique parameters are approved to be flared. The biogas streams are limited with the following maximum flow rates:

- Flare Stream 1: 93,660 scf/hour and 150 MMscf/year
- Flare Stream 2: 88,730 scf/hour and 142 MMscf/year
- Flare Stream 3: 54,870 scf/hour and 44 MMscf/year

Flaring may occur for Stream 1 only, or Stream 1 combined with either Stream 2 or Stream 3. Stream 2 and Stream 3 shall not be flared concurrently.

2.10 Flare Ignition System

A flame shall be present at all times when combustible gases are vented through the flare. The outlet of the flare shall be equipped with an automatic ignition system, or, shall operate with a pilot flame present at all times when combustible gases are vented through the flare.

2.11 Flare Operating Temperature

The flare shall operate at a minimum temperature of 1,600°F at all operation loads.

2.12 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent particulate matter from becoming airborne in accordance with IDAPA 58.01.01.650-651. In determining what is reasonable, consideration will be given to factors such as the proximity of dust emitting operations to human habitations and/or activities and atmospheric conditions that might affect the movement of PM. Some of the reasonable precautions include, but are not limited to, the following:

- Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands.
- Application, where practical, of asphalt, water, or suitable chemicals to, or covering of, dirt roads, material stockpiles, and other surfaces which can create dust.

- Installation and use, where practical, of hoods, fans, and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations.
- Covering, when practical, of open bodied trucks transporting materials likely to give rise to airborne dusts.
- Paving of roadways and their maintenance in a clean condition, where practical.

Prompt removal of earth or other stored material from streets, where practical.

Monitoring and Recordkeeping Requirements

2.13 Pilot Flame Monitoring Requirement

The permittee shall install, maintain, and operate a thermocouple or similar device that detects the presence of a pilot flame in the biogas flare.

2.14 Biogas Flow Rate Monitoring Requirement

The permittee shall monitor and record the total biogas produced on an hourly basis in units of standard cubic feet per hour.

The permittee shall monitor and record the biogas combusted in the flare from Stream 1, 2, and 3 on an hourly basis in units of standard cubic feet per hour and calculate a rolling 12-month average of standard cubic feet (scf) per year for each stream.

Unless an alternative monitoring and recordkeeping method is approved by DEQ, the permittee shall comply with the following requirements to determine the quantity of biogas produced by the anaerobic digester:

- The permittee shall calibrate, maintain, and operate biogas flow meters that shall be placed in each stream before the flare and before the H₂S scrubber. The total biogas produced will be determined by totaling the flow through the meter before the H₂S scrubber and the Stream 1 meter. The biogas flow meters shall be installed, operated, and maintained in accordance with the O&M manual and the manufacturer specifications.
- Calibration of the biogas flow meters shall be performed and recorded in accordance with the O&M manual.

2.15 Biogas H₂S Concentration Monitoring

The permittee shall install, calibrate, maintain, and operate H₂S gas monitors that shall be placed downstream of the digesters, and upstream of the biogas flare in each stream to measure the H₂S concentrations in the biogas before it is flared. The monitors shall be installed in accordance with the manufacturer specifications. When conducting H₂S monitoring, Draeger® tubes, or equivalent, may be used to collect a sample in lieu of H₂S monitors.

Calibration of the H₂S monitors shall be performed and recorded in accordance with the O&M manual and no less frequently than semi-annually if the meter is in service. If the meter is out of service, the meter must be cleaned and calibrated before being put into service.

Gas checks must be conducted weekly for new H₂S analyzers, and an acceptable gas check is an analyzer response that is $\pm 20\%$ of a known concentration. If gas checks are within the $\pm 20\%$ range for four consecutive weeks, then the frequency of gas checks can be reduced to monthly. If four consecutive monthly gas checks are within the acceptable range, then the frequency can be reduced to semi-annually. If any gas check response is outside the $\pm 20\%$ range, then the frequency would start over at weekly.

- A *gas check* is defined as an introduction of a known concentration of gas to the analyzer system prior to any adjustment being made to the analyzer response and recording the system response. A gas check will identify if the analyzer system is maintaining accuracy over time and determine if gas checks and calibration frequency should be increased or decreased.

The measured H₂S concentrations from the H₂S monitors shall be recorded once per week in units of ppmv.

Monitoring and recordkeeping of H₂S concentrations shall occur during each calendar week of operations. Monthly monitoring may be conducted in lieu of weekly monitoring, provided that 24 consecutive weeks of monitoring do not exceed 90% of any of the H₂S limits for Stream 1, Stream 2, or Stream 3 in the H₂S Concentration Limit permit condition. If any single measurement during monthly monitoring equals or exceeds 90% of a H₂S limit, then monitoring frequency shall revert to each calendar week until the 24 consecutive weeks of monitoring do not equal or exceed 90% of any of the H₂S Limits. Samples must be collected downstream of the digesters and upstream of the biogas flare. Records of this information shall be maintained on site and be made available to DEQ representatives upon request and in accordance with the General Provisions.

2.16 Operations and Maintenance Manual Requirement

The permittee shall operate the anaerobic digester, the H₂S scrubber, the gas processing unit, and the flare according to O&M manual specifications and recommendations for each piece of equipment. At a minimum, the following shall be included in the O&M manual:

- Biogas Flow Rate Meters
 - Standard operational procedure for flow-rate sampling
 - Frequency and method of calibration
 - Flow rate measurement range
- H₂S Concentration Monitor
 - Standard operational procedure for H₂S concentration sampling
 - Frequency and method of calibration
 - H₂S concentration measurement range
- Pilot Flame Detector
 - Method of ensuring continuous operation
 - Procedure for pilot flame reignition

Requirements to periodically monitor and record the parameters listed above no less frequently than once per calendar month, unless otherwise specified in the permit.

The contents of the O&M manual shall be based on manufacturer's specifications for each piece of equipment. A copy of the manufacturer's recommendations shall be included with the O&M manual, and both shall be made available to DEQ representatives upon request.

Any changes to the O&M Manual shall be submitted to DEQ within 15 days of the change.

2.17 Odor Complaints

The permittee shall maintain records of all odor complaints received to demonstrate compliance with the Odors permit condition. The permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date 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.

3 Water Heaters

3.1 Process Description

The raw manure will be heated by two natural gas-fired water heaters to undergo anaerobic digestion.

3.2 Control Device Descriptions

Table 3.1 Water Heater Description

Emissions Units / Processes	Control Devices	Emission Points
<u>Water Heater 1:</u> Manufacturer: Cleaver-Brooks Model: CFLC Rated Capacity: 12 MMBtu/hr Fuel: Natural Gas	None	Water Heater 1 Exhaust Stack
<u>Water Heater 2:</u> Manufacturer: Cleaver-Brooks Model: CFLC Rated Capacity: 12 MMBtu/hr Fuel: Natural Gas	None	Water Heater 2 Exhaust Stack

Emission Limits

3.3 Emission Limits

The emissions from the water heater stacks shall not exceed any corresponding emissions rate limits listed in Table 3.2.

Table 3.2 Water Heater Emission Limits^(a)

Source Description	PM _{2.5} /PM ₁₀ ^(b)		SO ₂		NO _x		CO		VOC	
	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)	lb/hr ^(c)	T/yr ^(d)
Water Heaters	0.24	1.05	0.02	0.11	0.58	2.52	0.17	0.74	0.04	0.17

- a) In absence of any other credible evidence, compliance is ensured by complying with permit operating, monitoring, and record keeping requirements.
- b) 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.
- c) 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.
- d) Tons per any consecutive 12-calendar month period.

3.4 Opacity Limit

Emissions from the Water Heater stacks, or any other stack, vent, or functionally equivalent opening associated with the Water Heaters, 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.

Operating Requirements

3.5 Fuel Type

Water Heaters 1 and 2 shall combust natural gas exclusively.

Monitoring and Recordkeeping Requirements

3.6 Fuel Records

In accordance with 40 CFR 60.48c(g)(1), the permittee shall record and maintain records of the amount of natural gas combusted during each operating day; or in accordance with 40 CFR 60.48c(g)(2), the permittee may elect to record and maintain records of the amount of each fuel combusted during each calendar month; or in accordance with 40 CFR 60.48c(g)(3), the permittee may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.

3.7 Incorporation of Federal Requirements by Reference

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, Subpart Dc

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.

4 IC Engine

4.1 Process Description

The facility operates a natural gas-fired 100 kW Generac engine to provide electricity in case of power outages.

4.2 Control Device Descriptions

Table 4.1 IC Engine Description

Emissions Units / Processes	Control Devices	Emission Points
IC Engine: Manufacturer: Generac Model: QT100 Capacity: 134 bhp Fuel: Natural Gas	None	IC Engine exhaust stack

Emission Limits

4.3 Opacity Limit

Emissions from the IC Engine stack, 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.

4.4 Emission Standards

In accordance with 40 CFR 60.4233, the permittee must comply with the emission standards in Table 1 to the Subpart for the IC engine.

Table 4.2 Table 1 to Subpart JJJJ of Part 60 - NO_x, CO, and VOC Emission Standards for Stationary Emergency Engines > 25HP

Engine type and fuel	Maximum engine power	Manufacture date	Emission Standards ^(a)					
			g/hp-hr			ppmvd at 15% O ₂		
			NO _x	CO	VOC ^(b)	NO _x	CO	VOC ^(b)
Non-Emergency SI Natural Gas and Non-Emergency SI Lean Burn LPG	100≤HP<500	7/1/2008	2.0	4.0	1.0	160	540	86

- Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/hr-hr or ppmvd at 15 percent O₂.
- For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

Operating Requirements

4.5 Fuel Type

The IC engine shall combust natural gas exclusively.

4.6 Lifetime Operation and Maintenance

In accordance with 40 CFR 60.4234, the permittee shall operate and maintain a stationary SI ICE that achieves the emission standards as required in 40 CFR 60.4233(e) over the entire life of the engine.

Monitoring and Recordkeeping Requirements

4.7 Maintenance Records

In accordance with 40 CFR 60.4243(a)(1), the permittee shall install a certified engine and operate and maintain the engine according to the manufacturer's emission-related written instructions. The permittee must keep records of conducted maintenance, but no performance testing is required.

4.8 Records

In accordance with 40 CFR 60.4245(a), the permittee shall keep records of the following information:

- All notifications submitted to comply with the subpart and all documentation supporting any notification.
- Maintenance conducted on the 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.

Reporting Requirements

4.9 General Provisions of 40 CFR 60

In accordance with 40 CFR 60.4246, the permittee shall comply with the following applicable General Provisions of 40 CFR 60:

Table 5.3 Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ

General Provision Citation	Subject of citation	Applies to subpart	Explanation
§60.1	General applicability of the General Provisions	Yes	
§60.2	Definitions	Yes	Additional terms defined in §60.4248.
§60.3	Units and abbreviations	Yes	
§60.4	Address	Yes	
§60.5	Determination of construction or modification	Yes	
§60.6	Review of plans	Yes	
§60.7	Notification and Recordkeeping	Yes	Except that §60.7 only applies as specified in §60.4245.
§60.8	Performance tests	Yes	Except that §60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	

General Provision Citation	Subject of citation	Applies to subpart	Explanation
§60.11	Compliance with standards and maintenance requirements	Yes	Requirements are specified in subpart JJJJ.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	No	
§60.14	Modification	Yes	
§60.15	Reconstruction	Yes	
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device requirements	No	
§60.19	General notification and reporting requirements	Yes	

4.10 Incorporation of Federal Requirements by Reference

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, Subpart JJJJ
- National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 63, Subpart ZZZZ

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.

5 General Provisions

General Compliance

5.1 The permittee has a continuing duty to comply with all terms and conditions of this permit. All emissions authorized herein shall be consistent with the terms and conditions of this permit and the “Rules for the Control of Air Pollution in Idaho.” The emissions of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, shall constitute a violation of this permit, the “Rules for the Control of Air Pollution in Idaho,” and the Environmental Protection and Health Act (Idaho Code §39-101, et seq).

[Idaho Code §39-101, et seq.]

5.2 The permittee shall at all times (except as provided in the “Rules for the Control of Air Pollution in Idaho”) maintain in good working order and operate as efficiently as practicable all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.

[IDAPA 58.01.01.211, 5/1/1994]

5.3 Nothing in this permit is intended to relieve or exempt the permittee from the responsibility to comply with all applicable local, state, or federal statutes, rules, and regulations.

[IDAPA 58.01.01.212.01, 5/1/1994]

Inspection and Entry

5.4 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 an emissions source is located, 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]

Construction and Operation Notification

5.5 This permit shall expire if construction has not begun within two years of its issue date, or if construction is suspended for one year.

[IDAPA 58.01.01.211.02, 5/1/1994]

5.6 The permittee shall furnish DEQ written notifications as follows:

- A notification of the date of initiation of construction, within five working days after occurrence; except in the case where pre-permit construction approval has been granted then notification shall be made within five working days after occurrence or within five working days after permit issuance whichever is later;
- A notification of the date of any suspension of construction, if such suspension lasts for one year or more; and

- A notification of the initial date of achieving the maximum production rate, within five working days after occurrence - production rate and date.

[IDAPA 58.01.01.211.01, 5/1/1994]

- A notification of the anticipated date of initial start-up of the stationary source or facility not more than sixty days or less than thirty days prior to such date; and
- A notification of the actual date of initial start-up of the stationary source or facility within fifteen days after such date.

[IDAPA 58.01.01.211.03, 5/1/1994]

Performance Testing

5.7 If performance testing (air emissions source test) is required by this permit, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test date or shorter time period as approved by DEQ. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests that such testing not be performed on weekends or state holidays.

5.8 All performance 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, at least 30 days prior to conducting any performance test, the permittee is encouraged to submit a performance test protocol to DEQ for approval. The written protocol shall include a description of the test method(s) to be used, an explanation of any or unusual circumstances regarding the proposed test, and the proposed test schedule for conducting and reporting the test.

5.9 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.

[IDAPA 58.01.01.157, 4/5/2000 and 4/11/2015]

Monitoring and Recordkeeping

5.10 The permittee shall maintain sufficient records to ensure compliance with all of the terms and conditions of this 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 58.01.01.211, 5/1/1994]

Excess Emissions

- 5.11** The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130–136 for excess emissions due to start-up, shut-down, scheduled maintenance, safety measures, upsets, and breakdowns.

[IDAPA 58.01.01.130–136, 4/5/2000]

Certification

- 5.12** All documents submitted to DEQ—including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certification—shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

[IDAPA 58.01.01.123, 5/1/1994]

False Statements

- 5.13** 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]

Tampering

- 5.14** 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]

Transferability

- 5.15** This permit is transferable in accordance with procedures listed in IDAPA 58.01.01.209.06.

[IDAPA 58.01.01.209.06, 4/11/2006]

Severability

- 5.16** 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 58.01.01.211, 5/1/1994]