STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
Jess Byrne, Director

January 14, 2021

Dylan Seff, Manager, President & CEO
Dry Creek RNG LLC
c/o Vitol Inc.
6925 Richmond Ave. 11th Floor
Houston, TX 77098

RE: Facility ID No. 083-00099, Project No. 62554, Dry Creek RNG LLC, Hansen
Transfer of Ownership by Permit to Construct Revision

Dear Mr. Seff:

The Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) No. P-2009.0024, Project 62554 to Dry Creek RNG LLC located in Hansen for a transfer of ownership. This PTC is issued in accordance with IDAPA 58.01.01.209.04 of the Rules for the Control of Air Pollution in Idaho and is based on the certified information received on January 4, 2021. The transfer of ownership is based on the following information:

Previous Permittee Information

Permittee:	AgPower DCD, LLC – Dry Creek Dairy
Mailing Address:	c/o Camco International Group, Inc. 9360 Station Street, Suite 375, Lone Tree, CO 80124
Facility Location:	2952 North 4200 East, Hansen, ID 83334
Facility Contact:	Andrew Jackura, Authorized Representative
Phone Number:	(713) 823-9305
E-mail Address:	Andrew.Jackura@camcocleanenergy.com
Responsible Official:	Jim Weist, Manager
Phone Number:	(720) 279-2345

Updated Permittee Information

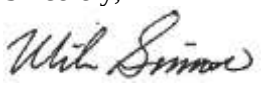
Permittee:	Dry Creek RNG LLC
Mailing Address:	c/o Vitol Inc. 6925 Richmond Ave. 11th floor, Houston, TX 77098
Facility Location:	2952 North 4200 East, Hansen, ID 83334
Facility Contact:	Andrew Jackura, Authorized Representative
Phone Number:	(713) 807-7775
E-mail Address:	ajackura@camcorng.com
Responsible Official:	Dylan Seff, Manager, President & CEO
Phone Number:	(713) 230-2000

This permit is effective immediately and replaces PTC No. P-2009.0024, Project 60628 issued March 31, 2011. This permit does not release Dry Creek RNG LLC from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

In order to fully understand the compliance requirements of this permit, DEQ highly recommends that you schedule a meeting with Bobby Dye, Regional Manager – Air Quality and Remediation, at (208) 736-2190 to review and discuss the terms and conditions of this permit. Should you choose to schedule this meeting, 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.

If you have any questions, please contact Kelli Wetzel at (208) 373-0575 or kelli.wetzel@deq.idaho.gov.

Sincerely,



Mike Simon
Stationary Source Bureau Chief
Air Quality Division

MS/kw

Enclosure

Permit No. P-2009.0024 PROJ 62554

Air Quality

PERMIT TO CONSTRUCT

Permittee	Dry Creek RNG LLC
Permit Number	P-2009.0024
Project ID	62554
Facility ID	083-00099
Facility Location	2952 North 4200 East Hansen, ID 83334

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 January 14, 2021

Kelli Wetzel

Kelli Wetzel, Permit Writer

Mike Simon

Mike Simon, Stationary Source Bureau Chief

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1 Permit Scope

Purpose

1.1 This is a revised permit to construct (PTC) to change the facility's name from AgPower DCD, LLC – Dry Creek Dairy to Dry Creek RNG LLC.

[01/14/2021]

1.2 This PTC replaces Permit to Construct No. P-2009.0024 issued on March 31, 2011.

[01/14/2021]

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	Anaerobic Digester Capacity 4.3 Million gallons Throughput: 270,000 gallons per day Biogas production: 1.2 million cubic feet per day	None during normal operations. Closed loop system vents directly to engines. A flare is used when engines are offline.
2	Biogas-fired IC Engine #1: Manufacturer: Guascor Model: 560 Rated Power: 1,057 bhp Ignition Type: Spark Biogas-fired IC Engine #2: Manufacturer: Guascor Model: 560 Rated Power: 1,057 bhp Ignition Type: Spark Biogas-fired IC Engine #3 Manufacturer: Guascor Model: 560 Rated Power: 1,057 bhp Ignition Type: Spark	H_2S Scrubber
2	Biogas-fired IC Flare #1 Flare – Andgar flare with a heat input rating of 28.3 MMBtu/hr	H_2S Scrubber

[03/31/2011]

2 Anaerobic Digester, H_2S Bio-Scrubber, Biogas-Fired IC Engines, and Flare

2.1 Process Description

An anaerobic digester is used to produce biogas from onsite dairy cattle manure. The biogas is then combusted in three reciprocating IC engines or a flare. The three reciprocating IC engines are used to power electrical generators. During emergencies and routine maintenance the IC engines are taken offline, and the excess biogas is combusted in the flare.

2.2 Control Device Descriptions

Table 2.1 Anaerobic Digester Description

Emissions Units / Processes	Control Devices	Emission Points
Anaerobic digester (DIGESTER)	Bio-scrubber, three IC engines and two flares	N/A
IC Engines (IC-1 thru IC-3)	None	Exhaust stacks Engine 1-3
Emergency Flare	None	Exhaust Flare 4

[03/31/2011]

Emission Limits

2.3 Emission Limits of SO_2

The emission rate sulfur dioxide (SO_2) from the IC engines and the flare combined shall not exceed 120 lb/day.

[03/31/2011]

2.4 Emission Limits of NO_2

The total annual Nitrogen oxide (NO_2) emissions from the IC engines and the flare combined shall not exceed 57.5 T/yr.

[03/31/2011]

2.5 Biogas Production Limit

Biogas production from the anaerobic digester shall not exceed 1,200,000 scf per day.

Biogas production from the anaerobic digester shall not exceed 438 million scf per any consecutive 12-month period.

[03/31/2011]

2.6 Opacity Limit

Emissions from the IC engines and flare stacks, or any other stack, vent, or functionally equivalent opening associated with the IC engines or flares 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.

2.7 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.

2.8 40 CFR 60, Subpart JJJJ – Emission Standards for Owners and Operators of Stationary Spark Ignition Internal Combustion Engines

In accordance with 40 CFR 60.4233(e) and Table 1 of 40 CFR 60, Subpart JJJJ, the permittee shall comply with the following emission standards for IC engines firing on digester gas:

Table 2.2 40 CFR 60, Subpart JJJJ, Table 1 Summary

Engine Type and Fuel	Maximum Engine Power	Manufacturer Date	Emission Standards[a]					
			g/HP-hr			ppmvd at 15% O_2		
			NO_x	CO	VOC[b]	NO_x	CO	VOC[b]
Digester Gas (except lean burn 500≥HP<1,350)	HP≥500	7/1/2007	3.0	5.0	1.0	220	610	80
Digester Gas Lean Burn	500≥HP<1,350	1/1/2008	3.0	5.0	1.0	220	610	80

a) Owners and operators of stationary non-certified spark ignited IC engines may choose to comply with the emission standards in units of either g/bhp-hr or ppmvd at 15% O_2.
b) When calculating emissions of volatile organic compounds, emission of formaldehyde should not be included.

Operating Requirements

2.9 40 CFR 60, Subpart JJJJ – Emissions Standards for Owners and Operators of Stationary Spark Ignition Internal Combustion Engines

Owners and operators must operate and maintain the engines that achieve these standards over the life of the engine in accordance with 40 CFR 60.4234.

2.10 Biogas Combustion

Facility generated biogas produced from the anaerobic digester shall be combusted in IC Engine # 1 and/or IC Engine #2 and/or IC Engine #3. Any biogas not combusted in the engines shall be flared.

2.11 Flare Pilot Flame

Prior to first biogas production, the permittee shall install, maintain, and operate a digester flare that shall be ignited if biogas is diverted to the flare. The ignition system shall be equipped with a duplicate spark ignition system and a backup power source to provide for operation in the event of a power failure. In the event of a flame failure, the permittee shall follow a standard operating procedure to reinitiate the flare as expeditiously as practicable.

2.12 Bio-Scrubber Operating Parameters

The permittee shall maintain and operate the bio-scrubber as follows:

- Oxygen concentration at the scrubber outlet shall operate at a range between 0.25 - 3%.

[03/31/2011]

2.13 Bio-Scrubber Inspection and Repair Requirements

At least once each calendar year, the bio-scrubber shall be inspected for physical degradation that could affect the performance of the bio-scrubber, including but not limited to any individual spray nozzles that are plugged, missing, or damaged to the extent that they are no longer effective.

[03/31/2011]

Monitoring and Recordkeeping Requirements

2.14 Flare Ignition Monitoring

Prior to first biogas production, the permittee shall install, maintain, and operate a device that indicates the proper operation of the ignition system.

2.15 Biogas Flow Rate Monitoring

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 install, calibrate, maintain, and operate a biogas flow meter that shall be placed at the outlet of the covered anaerobic digester, in order to determine the total quantity of biogas produced by the digester. The biogas flow meter shall be installed, operated, and maintained in accordance with the O&M manual and the manufacturer specifications.
- Calibration of the biogas flow meter shall be performed and recorded in accordance with the O&M manual.

The permittee shall monitor and record the total biogas flow rate on a daily basis, in units of MMscf/day. Records of this information shall be maintained in accordance with Recordkeeping General Provision.

[03/31/2011]

2.16 Fuel Consumption Monitoring

The permittee shall monitor and record the amount of biogas combusted by the electric generators and the flare on a monthly basis. Each monthly amount of biogas combusted shall also be summed over the previous consecutive 12-month period. The amount of biogas combusted shall be recorded in units of million standard cubic feet per month (MMscf/mo) and MMscf per consecutive 12-month period (MMscf/yr). Records of this information shall be maintained in accordance with the Recordkeeping General Provision.

2.17 Sulfur Dioxide Monitoring

Monitoring and recordkeeping of sulfur dioxide emissions in pounds per day from the engines and flare combined shall occur once daily. Records of this information shall be maintained on site and be made available to DEQ representatives upon request and in accordance with the Recordkeeping General Provision. Monitoring shall occur in accordance with a written and DEQ approved monitoring protocol within 60 days of startup.

The permittee may use a hydrogen sulfide CEM, Sulfur Dioxide CEM(s), or a hand held hydrogen sulfide monitor to determine sulfur dioxide emission rates. The permittee shall presume all hydrogen sulfide is oxidized to sulfur dioxide.

If the permittee elects to use a hydrogen sulfide CEM or sulfur dioxide CEM monitoring shall occur in accordance with a written and DEQ approved monitoring protocol. The monitoring protocol shall address:

- Installation specifications
- Calibration requirements (i.e. zero and span checks)
- Details of how the combined sulfur dioxide pound per day emissions will be calculated from the CEM data and biogas flow data.

If the permittee elects to use a hand held hydrogen sulfide monitor the device shall have a certified accuracy of plus or minus 10% and the hand held monitor shall be calibrated, maintained, and replaced in accordance with manufacturer specifications. The permittee shall maintain documentation on-site the manufacturer's specifications for the hand held monitor including documentation of the accuracy of the device, calibration and replacement requirements. Sulfur dioxide emission rate monitoring shall occur in accordance with a written and DEQ approved monitoring protocol. The monitoring protocol shall address:

- Monitoring procedures including details regarding monitoring ports, and sampling procedures
- Calibration requirements
- Details of how the combined sulfur dioxide pound per day emissions will be calculated from the hand held hydrogen sulfide monitoring data and biogas flow data.

[03/31/2011]

2.18 Operations and Maintenance Manual

The permittee shall have developed and submitted to DEQ an Operations and Maintenance (O&M) manual for the anaerobic digester, the IC engines #1, #2, #3, and the flare which describes the procedures that will be followed to comply with the General Compliance General Provision of this permit and the manufacturer's specifications for each piece of equipment. At a minimum, the following shall be included in the O&M manual:

- Biogas Flow Meter
  - Standard operational procedure for flow-rate sampling,
  - Frequency and method of calibration,
  - Operational maintenance plan,
  - Procedures for upset/breakdown conditions and for correcting equipment malfunctions, and
  - Maximum flow rate.
- Bio-Scrubber
  - Standard operational procedures for oxygen concentration and surplus monitoring at the outlet of the bio-scrubber,
  - Frequency and method of calibration, and
  - Procedures for upset/breakdown conditions and for correcting equipment malfunctions.
- Pilot Flame Detector
  - Method of ensuring continuous operation,
  - Operational maintenance, and
  - Procedures for upset/breakdown conditions and for correcting equipment malfunctions.

The contents of the O&M manual shall be based on manufacturer's specifications for each piece of equipment. The manual shall be a permittee developed document independent of the manufacturer supplied operating manuals but may include summaries of procedures included in the manufacturer supplied operating manual. 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.

The O&M manual shall be submitted to DEQ within 60 days of permit issuance and shall contain a certification by a responsible official. Any changes to the O&M Manual shall be submitted within 15 days of the change.

[03/31/2011]

2.19 Visible Emissions Monitoring

The permittee shall conduct a monthly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. The visible emissions inspection shall consist of a see/no see evaluation for each potential source. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable, or 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% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each visible emissions 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.

2.20 Odor Complaints

The permittee shall maintain records of all odor complaints received to demonstrate compliance with 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.

[03/31/2011]

2.21 40 CFR 60, Subpart JJJJ – Compliance Requirements for Owners and Operators of Stationary Spark Ignition Internal Combustion Engines

The permittee shall comply with the compliance requirements for owners and operators per 40 CFR 60.4243 as follows:

- Keep a maintenance plan and records of conducted maintenance and, to the extent practicable, maintain and operate the engines in a manner consistent with good air pollution practices for minimizing emissions in accordance with 40 CFR 60.4243(b)(2)(ii).

Conduct a performance test within 60 days of initial IC engine operation and conduct subsequent performance testing every 8,760 hours of each IC engine's operation or every 3 years, whichever comes first, in accordance with 40 CFR 60.4243(b)(2)(ii).

Performance Testing Requirements

2.22 40 CFR 60, Subpart JJJJ – Testing Requirements for Owners and Operators of Stationary Spark Ignition Internal Combustion Engines

The permittee shall comply with all applicable performance test standards of 40 CFR 60.4244 as follows:

- Performance tests shall be conducted within 10% of the highest achievable load in accordance with 40 CFR 60.4244(a).
- Performance tests shall not be conducted during periods of start-up, shut down, or malfunction in accordance with 40 CFR 60.4244(b).
- Three separate test runs shall be conducted within 10% of the highest achievable load and last at least one hour in accordance with 40 CFR 60.4244(c).

Compliance with the NO_x, CO, and VOC standards of 40 CFR 60.4234 shall be demonstrated in accordance with the calculations provided in 40 CFR 60.4244(d) through 40 CFR 60.4244(f) and 40 CFR 60, Subpart JJJJ, Table 2.

Reporting Requirements

2.23 40 CFR 60, Subpart JJJJ – Notification, Reports, and Recordkeeping Requirements for Owners and Operators of Stationary Spark Ignition Internal Combustion Engines

The permittee shall comply with all applicable standards for notification, reports, and records per 40 CFR 60.4245 as follows:

- Submit all notifications and all supporting documentation to the addressees provided in the Subpart A Table and in accordance with 40 CFR 60.4245(a)(1).
- Keep records of maintenance conducted on the engines in accordance with 40 CFR 60.4245(a)(2).
- If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90 and 1048 in accordance with 40 CFR 60.4245(a)(3).
- If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards in accordance with 40 CFR 60.4245(a)(4).
- Submit an initial notification to the addressees provided in the Subpart A Table in accordance with 40 CFR 60.4245(c). The notification shall contain the following information:
  - Name and address of the owner or operator
  - The address of the affected sources
  - Engine information including make, model, engine family, serial number, model year, maximum engine brake horsepower, and engine displacement
  - Emission control equipment
  - Fuel used

Submit results of the performance tests within 60 days after the performance test was conducted in accordance with 40 CFR 60.4245(d). Results shall be sent to the addressees provided in the Subpart A Table.

2.24 NSPS 40 CFR 60, Subpart A – General Provisions

Generally applicable requirements of Subpart A of the New Source Performance Standards (NSPS, 40 CFR 60) are summarized in the Subpart A Table. These summaries are provided to aid the permittee in understanding the general requirements and to highlight the notification and record keeping requirements of 40 CFR 60 for affected facilities. These summaries do not relieve the permittee from the responsibility to comply with all applicable requirements of the CFR, and they are not intended to be a comprehensive listing of all requirements that may apply.

Table 2.3 NSPS Subpart A (40 CFR 60.1) Summary of General Provisions for Affected Facilities

Section	Section Title	Summary of Section
60.4	Address	**All notifications and reports shall be submitted to:** Director, Office of Air Quality US EPA 1200 Sixth Avenue Seattle, WA 98101 And Department of Environmental Quality Twin Falls Regional Office 650 Addison Avenue West, Suite 110 Twin Falls, ID 83301
60.7(b),(c)(d) and (f)	Notification and Record Keeping	• Notification of construction postmarked no later than 30 days of such date. • Notification of startup postmarked within 15 days of such date. • Notification of physical or operational change that may increase emissions postmarked 60 days before the change is made. • Maintain records of the occurrence and duration of any: startup, shutdown or malfunction of the affected source; malfunction of air pollution control device; and any period when a continuous monitoring system or monitoring device is inoperative. • For affected units with continuous monitoring device requirements, report excess emissions and monitoring system performance semiannually, postmarked by January 30th and July 30th (in the format required by NSPS). • Maintain in a permanent form records suitable for inspection all measurements, system testing, performance measurements, calibration checks, adjustments and maintenance performed. Records shall be maintained for a period of two years from the date the record is required to be generated by the applicable regulation.
60.11(a),(b),(c), (d) and (g)	Compliance with Standards and Maintenance Requirements	• Other than opacity standards, where performance tests are required compliance with standards is determined by methods and procedures established by 40 CFR 60.8. • Compliance with opacity standards shall be determined by Method 9 of Appendix A. The owner or operator may elect to use COM measurements in lieu of Method 9, provided notification is made at least 30 days before the performance test. • At all times, including periods of startup, shutdown, and malfunction to the extent practicable, the operator shall maintain and operate any affected facility and air pollution control equipment consistent with good air pollution control practices. • For the purposes of determining compliance with standards, any creditable evidence may be used if the appropriate performance or compliance test procedure has been performed.
60.12	Circumvention	No owner or operator shall build, erect, install, or use any article or method, including dilution, to conceal an emission which would otherwise constitute a violation.

3 General Provisions

General Compliance

3.1 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.]

3.2 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]

3.3 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

3.4 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

3.5 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]

3.6 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

3.7 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.

3.8 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.

3.9 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

3.10 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

3.11 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

3.12 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

3.13 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

3.14 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

3.15 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

3.16 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]