



JAN 06 2020

Mr. Jeff Hamilton
Minturn Huller Cooperative
P.O. Box 760
Chowchilla, CA 93610

Re: Notice of Preliminary Decision - Federally Mandated Operating Permit
Facility Number: N-1319
Project Number: N-1182564

Dear Mr. Hamilton:

Enclosed for your review is the District's analysis of Minturn Huller Cooperative's application for the Federally Mandated Operating Permit for its operation of an air curtain incinerator at 9080 S. Minturn Rd, Chowchilla, California.

The notice of preliminary decision for this project has been posted on the District's website (www.valleyair.org). After addressing all comments made during the 30-day public notice and the 45-day EPA comment periods, the District intends to issue the Federally Mandated Operating Permit. Please submit your written comments on this project within the 30-day public comment period, as specified in the enclosed public notice.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Nick Peirce, Permit Services Manager, at (209) 557-6400.

Sincerely,



Arnaud Marjollet
Director of Permit Services

Enclosures

cc: Courtney Graham, CARB (w/enclosure) via email
cc: Gerardo C. Rios, EPA (w/enclosure) via EPS

Samir Sheikh
Executive Director/Air Pollution Control Officer

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SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Proposed Initial Title V Permit Evaluation Mintrun Muller Cooperative N-1319

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TITLE V PERMIT RENEWAL EVALUATION

Air Curtain Incinerator

Engineer: Youjin Kim
Date: December 4, 2019

Facility Number: N-1319
Facility Name: Minturn Huller Cooperative, Inc.
Mailing Address: P.O. Box 760, Chowchilla, CA 93610

Contact Name: Jeff Hamilton
Phone: (559) 665-1185

Responsible Official: Jeff Hamilton
Title: Manager

Project # : N-1182564
Deemed Complete: August 9, 2018

I. PROPOSAL

Minturn Huller Cooperative, Inc. is proposing that an initial Title V permit be issued for an air curtain incinerator located in Chowchilla, CA. Although this facility's emissions are below the thresholds that would require a Title V permit, 40 CFR 60 Subpart CCCC requires the owner/operator of this unit to obtain a Title V permit. Thus, a Title V permit will be issued solely for permit unit N-1319-10-1. The purpose of this evaluation is to identify all applicable requirements, determine if the air curtain incinerator will comply with those applicable requirements, and to provide the legal and factual basis for proposed permit conditions.

II. FACILITY LOCATION

This equipment is located at 9080 S. Minturn Road, Chowchilla, CA.

III. EQUIPMENT LISTING

Please refer to the Draft TV permits in Appendix A for a description of the equipment addressed by this initial TV permitting action.

IV. GENERAL PERMIT TEMPLATE USAGE

There are no applicable general permit templates that would apply to this project.

V. SCOPE OF EPA AND PUBLIC REVIEW

The applicant is not requesting any model general permit templates. Therefore, all federally enforceable conditions in this current Title V permit will be subject to EPA and public review.

VI. FEDERALLY ENFORCEABLE REQUIREMENTS

- District Rule 1070, Inspections¹
- District Rule 1100, Equipment Breakdown (amended December 17, 1992)
- District Rule 1080, Stack Monitoring (amended December 17, 1992)
- District Rule 1081, Source Sampling (amended December 16, 1993)
- District Rule 2010, Permits Required (amended December 17, 1992)
- District Rule 2020, Exemptions (amended December 18, 2014)
- District Rule 2031, Transfer of Permits (amended December 17, 1992)
- District Rule 2040, Applications (amended December 17, 1992)
- District Rule 2070, Standards for Granting Applications (amended December 17, 1992)
- District Rule 2080, Conditional Approval (amended December 17, 1992)
- District Rule 2201, New and Modified Stationary Source Review Rule (Amended August 15, 2019)
- District Rule 2410, Prevention of Significant Deterioration (Adopted June 16, 2011)

¹ District Rule 1070 is not Federally enforceable; however, the requirements of District Rule 1070 are included in District Rule 2520 Sections 9.3, 9.4, and 13.2 and are Federally Enforceable. Therefore, this Rule has been included in the Federally Enforceable Requirements Section.

- District Rule 2520, Federally Mandated Operating Permits (Amended August 15, 2019)
- District Rule 4001, New Source Performance Standards (Amended April 14, 1999)
- District Rule 4002, National Emission Standards for Hazardous Air Permits (Amended May 20, 2004)
- District Rule 4101, Visible Emissions (amended February 17, 2005)
- District Rule 4103, Open Burning (Amended April 15, 2010)
- District Rule 4106, Prescribed Burning and Hazard Reduction Burning (Adopted June 21, 2001)
- District Rule 4201, Particulate Matter Concentration (Amended December 17, 1992)
- District Rule 4202, Particulate Matter – Emission Rate (Amended December 17, 1992)
- District Rule 4301, Fuel Burning Equipment (Amended December 17, 1992)
- District Rule 4302, Incinerator Burning (Amended December 16, 1993)
- District Rule 8011, Fugitive Dust General Requirements (Amended August 19, 2004)
- District Rule 8021, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Construction, Demolition, Excavation, and Extraction Activities (Amended August 19, 2004)
- District Rule 8031, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Handling and Storage of Bulk Materials (Amended August 19, 2004)
- District Rule 8041, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Carryout and Trackout (Amended August 19, 2004)

- District Rule 8051, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Open Area (Amended August 19, 2004)
- District Rule 8061, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Paved and Unpaved Roads (Amended August 19, 2004)
- District Rule 8071, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Unpaved Vehicle/Equipment Areas (Amended September 16, 2004)
- 40 CFR Part 60, Subpart CCCC, Standards of Performance for Commercial and Industrial Solid Waste Incineration Units (Adopted June 23, 2016)
- 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners (Amended June 25, 2013)
- 40 CFR Part 82, Subpart F, Recycling and Emission Reduction (Amended April 10, 2015)
- 40 CFR Part 64, Compliance Assurance Monitoring
- 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos (Amended July 20, 2004)

VII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE

For each Title V source, the District issues a single permit that contains the Federally Enforceable requirements, as well as the District-only requirements. The District-only requirements are not a part of the Title V Operating Permits. The terms and conditions that are part of the facility's Title V permit are designated as "Federally Enforceable through Title V Permit".

For this facility, the following rules are not federally enforceable and will not be discussed in further detail:

- District Rule 1160, Emission Statements (Adopted November 18, 1992)
- District Rule 4102, Nuisance (amended December 17, 1992)

VIII. COMPLIANCE

A. District Rule 1070, Inspections

The purpose of this rule is to explain the District's authority in determining compliance with District rules and regulations. District Rule 1070 had been submitted to the EPA to replace several SIP-approved County Rules. However, EPA subsequently removed those County Rules from the California SIP (see 40 CFR Section 52.220). The County Rules were removed when EPA removed various rules describing the investigative and/or enforcement authority of local agencies from the SIP. EPA stated that the reason for removing these rules was that although states may need to adopt such rules to demonstrate adequate enforcement authority under the Clean Air Act, they should not be approved into the SIP to avoid potential conflicts with EPA's independent enforcement authority provided in the Clean Air Act. Although the County Rules are no longer contained in the SIP, the requirements in the County Rules are also contained in Sections 9.3, 9.4, and 13.2 of District Rule 2520, the District's Title V operating permit program, which has been approved by EPA; therefore, conditions referencing Rule 1070 will also reference Rule 2520 and remain Federally Enforceable Through Title V. The following conditions will be included on the Title V Permit issued in this permitting action:

- *Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *The operator shall keep records of all initial and annual opacity test results and reports onsite in either paper copy or electronic format for at least 5 years. [District Rules 1070, 2520, and 4001, CFR 60.2973] Federally Enforceable Through Title V Permit*
- *All records shall be maintained and retained on-site for a period of at least 5 years and shall be made available for District inspection upon request. [District Rules 1070 and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit*

B. District Rule 1080 – Stack Monitoring

This Rule is applicable to sources that are required to install continuous monitoring equipment. The emission units in this Title V project are not required to be equipped with continuous monitoring equipment; therefore, the requirements of District Rule 1080 are not applicable.

C. District Rule 1081 – Source Sampling

The purpose of this rule is to ensure that any source operation that emits or may emit air contaminants provides adequate and safe facilities for use in sampling to determine compliance. The rule also specifies methods and procedures for source testing, sample collection, and compliance demonstration.

Air Curtain Incinerator Source Sampling Requirements

The following conditions will be included on the Title V Permit to demonstrate compliance with District Rule 1081 requirements for the air curtain incinerator:

- *Opacity testing shall be conducted using the methods and procedures approved by the District. The District must be notified 30 days prior to any compliance opacity testing and an opacity test plan must be submitted for approval at least 15 days prior to testing. [District Rule 1081] Federally Enforceable Through TV Permit*
- *Opacity observations shall be made at the point of greatest opacity in that portion of the plume where condensed water vapor is not present. [District Rule 1081] Federally Enforceable Through TV Permit*
- *The operator shall conduct periodic testing for opacity at least once every 12 calendar months. Opacity testing shall consist of one 30-minute cold start observation, and three 1-hour observations under normal steady state operation. [District Rules 1081 and 4001, 40 CFR 60.2972] Federally Enforceable Through TV Permit*
- *The permittee shall submit to the District the opacity test results report in paper or electronic format within 60 days of completion of the field test. The opacity results shall include information regarding the charge rate during opacity observation. [District Rules 1081 and 4001, 40 CFR 60.2973] Federally Enforceable Through TV Permit*

D. District Rule 1100 – Equipment Breakdown

This rule defines breakdown condition and procedures to follow if one occurs. The corrective action, the issuance of an emergency variance, and the reporting requirements are also specified. Sections 6.0 and 7.0 prescribe breakdown procedures and reporting requirements. District Rule 1100 has been submitted to EPA to replace County Rules that are in the State Implementation Plan. The District has previously demonstrated that District Rule 1100 is at least as stringent as the county SIP Rules addressing breakdowns (See Umbrella Model General Template 0-3). Therefore, the following conditions will be included on the Title V permit generated by this permitting action:

- *{4362} The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through TV Permit*
- *{4363} The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through TV Permit*
- *{4372} Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through TV Permit*

E. District Rule 2010 – Permits Required

The purpose of District Rule 2010 is to require any person constructing, altering, replacing or operating any source operation that emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate.

Section 3.0 of this rule requires any person, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, to first obtain authorization for such construction from the APCO in the form of an Authority to Construct or Permit to Operate. The following conditions will be included on the Title V permit generated by this permitting action

- *{4365} Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (12/20/07). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through TV Permit*
- *{4368} Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through TV Permit*

F. District Rule 2020 – Exemptions

District Rule 2020 lists equipment that is specifically exempt from obtaining permits and specifies recordkeeping requirements to verify such exemptions. The following conditions will be included on the Title V permit generated by this permitting action:

- *{4365} Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (12/20/07). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through TV Permit*

G. District Rule 2031 – Transfer of Permits

District Rule 2031 prohibits the transfer of Permits to Operate or Authorities to Construct from one location to another, from one piece of equipment to another, or from one person to another unless a new application is filed with and approved by the District. The following condition will be included on the Title V Permit issued in this permitting action:

- *This Permit to Operate shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through TV Permit*

H. District Rule 2040 – Applications

The purpose of this rule is to explain the procedures for filing, denying, and appealing the denial of applications for an Authority to Construct or a Permit to Operate. The following condition will be included on the Title V Permit issued in this permitting action:

- *Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through TV Permit*

I. District Rule 2070 – Standards for Granting Applications

District Rule 2070 requires sources to be constructed and operated as specified in the Authority to Construct and the Permit to Operate and requires that source comply with the applicable requirements of District Rule 2201 (New and Modified Stationary Source Review Rule), District Rule 4001 (New Source Performance Standards), and District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants). District Rule 2070 also explains the standards by which an APCO may deny an application for an Authority to Construct or Permit to Operate. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4366} The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit*

renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.13.1] Federally Enforceable Through TV Permit

J. District Rule 2080 – Conditional Approval

The purpose of this rule is to grant authority to the APCO to issue or revise specific written conditions on an Authority to Construct or a Permit to Operate to ensure compliance with air contaminant emission standards or limitations. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4366} The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.13.1] Federally Enforceable Through TV Permit*

K. District Rule 2201 - New and Modified Stationary Source Review Rule (NSR)

Permit unit N-1319-10-1 was subject to District Rule 2201 upon application for an Authority to Construct (ATC). In accordance with the White Paper for Streamlined Development of Part 70 Permit Applications, dated July 10, 1995, conditions from the resulting Permit to Operate (PTO) were addressed to define how NSR permit terms should be incorporated into the Title V permit.

For the air curtain incinerator, Conditions 13 through 18, 20 through 27, 30, and 31 were included on the Title V Permit issued in this permitting action to satisfy the requirements of District Rule 2201.

L. District Rule 2410 – Prevention of Significant Deterioration (PSD)

The purpose of this rule is to incorporate the federal prevention of significant deterioration (PSD) rule requirements into the District's Rules and Regulations by incorporating the federal requirements by reference. The PSD program is a construction permitting program for new major stationary sources and major modifications to existing major stationary sources located in areas classified as attainment or in areas that are unclassifiable for any criteria pollutant. The provisions of this rule shall apply to any source and the owner or operator of any source subject to any requirement under Title 40 Code of Federal Regulations (40 CFR) Part 52.21 as incorporated into this rule.

There are no PSD requirements for this source; therefore, this source is not subject to the provisions of this rule. No further discussion is required.

M. District Rule 2520 - Federally Mandated Operating Permits

The purpose of this rule is to provide for the following: an administrative mechanism for issuing operating permits for new and modified sources of air contaminants in accordance with requirements of 40 CFR Part 70; an administrative mechanism for issuing renewed operating permits for sources of air contaminants in accordance with requirements of 40 CFR Part 70; an administrative mechanism for revising, reopening, revoking, and terminating operating permits for sources of air contaminants in accordance with requirements of 40 CFR Part 70; an administrative mechanism for incorporating requirements authorized by preconstruction permits issued under District Rule 2201 (New and Modified Stationary Source Review) in a Part 70 permit as administrative amendments, provided that such permits meet the necessary procedural and compliance requirements.

Section 5.2 of District Rule 2520 requires that permittees submit applications for Title V permit renewal at least six months prior to permit expiration. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4398} The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through TV Permit*

Section 9.1 requires the permit to include emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance. Section 9.1.1 states that the permit must specify and reference the origin of an authority for each term or condition and identify any difference in form as compared to the applicable requirements upon which the term or condition is based. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4399} When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through TV Permit*

Section 9.3.2 requires that each permit contain periodic monitoring or testing to ensure compliance with federally enforceable emission limits or other requirements if none is associated with the applicable requirement. Recordkeeping may be sufficient to meet the requirements of this section. Monitoring and recordkeeping requirements have been incorporated into the permit as appropriate.

Section 9.4 contains requirements to incorporate all applicable recordkeeping requirements into the Title V permit. This section also specifies records of any required monitoring and support data be kept for a period of five years. The following conditions will be included on the Title V Permit issued in this permitting action:

- *{4369} The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through TV Permit*
- *{4370} The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through TV Permit*

Section 9.5 requires the permittee to submit reports of any required monitoring at least every six months and to promptly report deviations from

permit requirements. The following conditions will be included on the Title V Permit issued in this permitting action:

- *{4371} The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through TV Permit*
- *{4372} Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through TV Permit*

Section 9.7 includes a severability clause to ensure the continued validity of the various permit requirements in the event of a challenge to any portion of the permit. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4373} If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through TV Permit*

Section 9.8.1 states that the permittee must comply with all conditions of the permit. Permit noncompliance constitutes a violation of the CAA, and the District Rules and Regulations, and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4366} The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit*

renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.13.1] Federally Enforceable Through TV Permit

Section 9.8.2 states that it is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4374} It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through TV Permit*

Section 9.8.3 states that the permit may be modified, revoked, reopened, and reissued, or terminated for cause. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4375} The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through TV Permit*

Section 9.8.4 states that the permit does not convey any property rights of any sort, or any exclusive privilege. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4376} The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through TV Permit*

Section 9.8.5 requires the permittee to furnish to the District, within a reasonable time, any information that the District 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. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4377} The Permittee shall furnish to the District, within a reasonable time, any information that the District 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. Upon request, the permittee shall also furnish to the District copies of*

records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through TV Permit

Section 9.9 states that the permit must contain provisions to ensure payment of annual permit fees and other applicable fees prescribed in Regulation III of these Rules and Regulations. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4378} The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through TV Permit*

Section 9.13.1 of District Rule 2520 requires any report or document Submitted under a permit requirement or a request for information by the District or EPA contain a certification by a responsible official as to truth, accuracy, and completeness. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4387} With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through TV Permit*

Section 9.13.2 states that the permit must contain inspection and entry requirements that require that, upon presentation of credentials and other documents that may be required by law, the permittee shall allow an authorized representative of the District to perform the following:

1. Enter upon the permittees premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
3. Inspect at reasonable times any facilities equipment, practices, or operations regulated or required under the permit; and
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

The following conditions will be included on the Title V Permit issued in this permitting action:

- *Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rules 1070 and 2520] Federally Enforceable Through TV Permit*
- *Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rules 1070 and 2520] Federally Enforceable Through TV Permit*
- *{4381} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through TV Permit*
- *{4382} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through TV Permit*

Section 9.16 of District Rule 2520 requires that the permittee submit certification of compliance with the terms and standards of Title V permits to the EPA and the District annually (or more frequently as required by the applicable requirement or the District). The following condition will be included on the Title V Permit issued in this permitting action:

- *{4397} The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through TV Permit*

Additionally, the following condition will be included to specify the reporting period for the required monitoring and compliance certification report:

- *On {MONTH DAY, YEAR}, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report are based upon this initial permit issuance date, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520]*

Greenhouse Gas Requirements

There are no federally applicable Greenhouse Gas (GHG) requirements for this source. It should be noted that the Mandatory Greenhouse Gas Reporting rule (40 CFR Part 96) is not included in the definition of an applicable requirement within Title V (per 40 CFR 71.2). Therefore, there will be no further discussion of GHG in this evaluation.

N. District Rule 4001 – New Source Performance Standards

The purpose of this Rule is to incorporate the New Source Performance Standards from Part 60, Chapter 1, Title 40, Code of Federal Regulations. The units in this project are subject to New Source Performance Standards. The 40 CFR Part 60 new source performance standards are addressed later in this evaluation, under separate headings. A "District Rule 4001" rule reference will be included on any conditions that are required for the demonstration of compliance with the applicable New Source Performance Standards in the later sections, to ensure compliance with Rule 4001 requirements.

O. District Rule 4002 – National Emission Standards for Hazardous Air Pollutants

The purpose of this Rule is to incorporate the National Emission Standards for Hazardous Air Pollutants from Part 61 Chapter I, Subchapter C, Title 40, Code of Federal Regulations and the National Emission Standards for Hazardous Air Pollutants for Source Categories from Part 63, Chapter I, Subchapter C, Title 40, Code of Federal Regulations. Air curtain incinerators are not subject to any National Emission Standards for Hazardous Air pollutants.

P. District Rule 4101 – Visible Emissions

The purpose of this rule is to prohibit the emissions of visible air contaminants to the atmosphere. Section 5.0 states that a person shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant, other than uncombined water vapor, for a period or periods aggregating more than three minutes in any one hour which is:

1. As dark or darker in shade as the designated No. 1 on the Ringelmann Chart as published by the United States Bureau of Mines.
2. Of such opacity to obscure an observer's view to a degree equal to or greater than the smoke described in item #1.

Section 6.0 states that the following test methods shall be used unless otherwise approved by the APCO and United States Environmental Protection Agency:

1. US EPA Method 9 for visual determination of opacity emissions.
2. 40 Code of Federal Regulations (CFR) Part 60 Appendix B Performance Specification 1 for determination of certified, calibrated in-stack opacity monitoring system.

For the air curtain incinerator, the following conditions will be included on the Title V Permit issued in this permitting action:

- *During the startup period that is within the first 30 minutes of operation, visible emissions from the air curtain incinerator shall not equal or exceed Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour. [District Rules 2201, 4001 and 4101, 40 CFR 60.2971] Federally Enforceable Through TV Permit*
- *After the startup period, during steady state operation, visible emissions from the air curtain incinerator shall not equal or exceed either of the following limits: Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour or 10% opacity as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values. [District Rules 2201, 4001, and 4101, 40 CFR 60.2971] Federally Enforceable Through TV Permit*
- *Compliance with the opacity limits on this permit shall be determined by EPA Method 9. [District Rules 4001 and 4101, 40 CFR 60.2972] Federally Enforceable Through TV Permit*

- *Observers for the opacity compliance demonstration shall be certified according to the procedure in EPA Method 9. [District Rules 4001 and 4101, 40 CFR 60.2972] Federally Enforceable Through TV Permit*

Q. District Rule 4103 – Open Burning

The purpose of this rule is to permit, regulate, and coordinate the use of open burning while minimizing smoke impacts on the public. This rule applies to open burning conducted in the San Joaquin Valley Air Basin, with the exception of prescribed burning and hazard reduction burning as defined in District Rule 4106.

Section 3.2.3 of this rule defines open burning as:

“the combustion of any combustible refuse or other material of any type outdoors in the open air, not in any enclosure, where the products of combustion are not directed through a flue. For the purposes of this rule, prescribed burning and hazard reduction burning are not considered to be open burning.”

The air curtain incinerator burns material inside an enclosure with an air curtain serving as a control device that increases the residence time of the products of incomplete combustion (CO, VOC, and PM). Thus, air curtain incinerators do not meet the definition of open burning and the requirements of District Rule 4103 are not applicable.

R. District Rule 4106 – Prescribed Burning and Hazard Reduction Burning

The purpose of this rule is to permit, regulate, and coordinate the use of prescribed burning and hazard reduction burning while minimizing smoke impacts to the public. The provisions of this rule apply to all prescribed burning, and to hazard reduction burning in wildland/urban interface.

Prescribed Burning is defined in Section 3.12 of District Rule 4106 as:

“the planned application of fire, including natural or accidental ignition, to vegetation on lands selected in advance of such application to meet specific planned resource management objectives as set forth in section 3.11.”

Planned Resource Management Objectives, defined in Section 3.11 of District Rule 4106, include:

"forest management, wildlife habitat management, range improvement, fire hazard reduction, wilderness management, weed abatement, watershed rehabilitation, vegetation manipulation, disease and pest prevention, and ecosystem management."

Hazard reduction burning is defined in Section 3.7 of Rule 4106 as:

"the burning of flammable vegetation that has been removed and cleared away from buildings or structures in compliance with local ordinances to reduce fire hazard pursuant to Section 4291 of the California Public Resources Code for the purpose of maintaining a firebreak of up to 100 feet from such buildings or structures."

The use of the air curtain incinerator to dispose of wood material does not qualify as a prescribed burn nor a hazard reduction burn as defined in this rule. Therefore, District Rule 4106 requirements are not applicable to the units in this project.

S. District Rule 4201 – Particulate Matter Concentration

The purpose of this rule is to protect the ambient air quality by establishing a particulate emission standard. The rule is applicable to any source operation that emits or may emit dust, fumes, or total suspended particulate matter. Section 5.1 of the rule requires that a person not release or discharge into the atmosphere from any single source operation, dust fumes, or total suspended particulate matter emissions in excess of 0.1 grain per cubic foot of gas at dry standard conditions, as determined by the test methods in Section 4.0.

Per N-1162806, the PM concentration is calculated as follows:

Rule 4201 Particulate Matter Concentration				
Permit Unit	PM Emission rate (lb/day)	Air Flow Rate (scfm)	PM conc. (gr/scf)	Compliance with the 0.1 gr/dscf limit?
N-1319-10	56.1	9,300	0.029	Yes

As demonstrated above, the air curtain incinerator particulate matter concentration complies with District Rule 4201 requirements. The following condition will be included on the Title V Permit issued in this permitting action:

- *Particulate matter emissions from the air curtain incinerator shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Thorough TV Permit*

T. District Rule 4202 – Emission Rate

The purpose of this rule is to limit particulate matter emissions by establishing allowable emission rates.

Per N-1162806, the PM emissions are calculated as follows:

The purpose of this rule is to limit particulate matter (PM) emissions by establishing allowable (PM) emission rates.

The formula for establishing the allowable PM emissions rate is a function of the process weight. The definition of *process weight* in the rule includes “the total weight of all materials introduced into any specific process ...”

$$E = 3.59 \times P^{0.62} \text{ if } P \leq 30 \text{ tons/hr}$$

$$E = 17.31 \times P^{0.16} \text{ if } P > 30 \text{ tons/hr}$$

Where,

E = allowable PM emissions in lb/hr
P = process weight rate in tons/hr

The following table compares the Rule 2201-based potential to emit (PE) (in lb/hr) to E.

Rule 4202 Compliance					
Permit Unit	Permitted Throughput (ton/day)	P process weight (ton/hr)	E allowable emission rate from Rule 4202 Eqn. (lb-PM/hr)	Rule 2201 PE (PM/hr)	PE < E?
N-1319-10	50	4.17	8.70	4.61	Yes

Since the Rule 2201 PE is less than E for the air curtain incinerator, all units are expected to operate in compliance with this rule. The following condition will be included on the Title V Permit issued in this permitting action:

- *Particulate matter emissions from the air curtain incinerator shall not exceed the hourly rate as calculated in District Rule 4202 using the equation $E=3.59 \times P^{0.62}$ if P is less than or equal to 30 tons per hour, or $E=17.31 \times P^{0.16}$ if P is greater than 30 tons per hour. [District Rule 4202] Federally Enforceable Through Title V Permit*

U. District Rule 4301 – Fuel Burning Equipment

The purpose of this rule is to limit the emission of air contaminants from fuel burning equipment. The provisions of this rule are applicable to any fuel burning equipment except air pollution control equipment. Fuel burning equipment is defined as "any furnace, boiler, apparatus, stack and all appurtances thereto, used in the process of burning fuel for the primary purpose of producing heat or power by indirect heat transfer.

None of the units in this project is used to produce heat or power by indirect heat transfer. Therefore, the requirements of District Rule 4301 are not applicable to the units in this project.

V. District Rule 4302 – Incinerator Burning

This purpose of this rule is to limit air pollution by prohibiting the use of any incinerator except for a multiple-chamber incinerator or one equally effective in controlling air pollution. This rule is applicable to any incineration activity or equipment.

Section 3.0 of this rule requires that a person not burn in any incinerator within the District except in a multiple-chamber incinerator as defined in District Rule 1020 (Definitions) or in equipment found by the APCO to be equally effective for the purpose of air pollution control as an approved multiple-chamber incinerator.

The purpose of a multiple-chamber incinerator is to minimize the emissions of the products of incomplete combustion, i.e. PM10, CO, and VOC. The secondary and tertiary chambers of a multiple-chamber incinerator accomplish this by re-burning the flue gas from the primary chamber before emitting the exhaust to the atmosphere. The air curtain of the air curtain incinerator performs a function similar to the secondary and tertiary chambers of a multiple-chamber incinerator. Besides oxygenating the fire with forced air and increasing the combustion temperature, the air curtain increases the residency time of the products of incomplete combustion by forming a barrier preventing their immediate escape. The increased residency time causes particles (especially) and gases to be re-burned continually in the flame.

For the disposal of large amounts of agricultural wood waste material, the District regards the air curtain incinerator as an *equally effective* control device as a multiple-chamber incinerator provided the air curtain is operated according to manufacturer's specifications and operates in compliance with visible emissions limits. Therefore, compliance with this rule is expected.

W. District Rule 8011 – Fugitive Dust Requirements

The purpose of Regulation VIII (Fugitive PM₁₀ Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM₁₀) by requiring actions to prevent, reduce, or mitigate anthropogenic fugitive dust emissions. The Rules contained in this Regulation have been developed pursuant to United States Environmental Protection Agency guidance for Serious PM₁₀ Nonattainment Areas. The rules are applicable to specified anthropogenic fugitive dust sources. Fugitive dust contains PM₁₀ and particles larger than PM₁₀. Controlling fugitive dust missions when visible emissions are detected will not prevent all PM₁₀ emissions, but will substantially reduce PM₁₀ emissions.

The provisions of this rule are applicable to specified outdoor fugitive dust sources. The definitions, exemptions, requirements, administrative requirements, recordkeeping requirements, and test methods set forth in this rule are applicable to all Rules under Regulation VIII (Fugitive PM₁₀ Prohibitions) of the Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. The following conditions will be included on the Title V Permit issued in this permitting action:

- *{4390} Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8021] Federally Enforceable Through TV Permit*
- *{4391} Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8031] Federally Enforceable Through TV Permit*
- *{4392} An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041*

*(8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8041]
Federally Enforceable Through TV Permit*

- *{4393} Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8051] Federally Enforceable Through TV Permit*
- *{4394} Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8061] Federally Enforceable Through TV Permit*
- *{4395} Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8071] Federally Enforceable Through TV Permit*

X. District Rule 8021 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM₁₀) from Construction, Demolition, Excavation, and Extraction Activities

The purpose of this rule is to limit fugitive dust emissions from construction, demolition, excavation, extraction, and other earthmoving activities.

This rule applies to any construction, demolition, excavation, extraction, and other earthmoving activities, including, but not limited to, land clearing, grubbing, scraping, travel on site, and travel on access roads to and from the site. This rule also applies to the construction of new landfill disposal sites or modification to existing landfill disposal sites prior to commencement of landfilling activities.

Section 5.0 requires that no person shall perform any construction, demolition, excavation, extraction, or other earthmoving activities unless the appropriate requirements in sections 5.1 and 5.2 are sufficiently implemented to limit Visible Dust Emissions (VDE) to 20% opacity or less. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4390} Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8021] Federally Enforceable Through TV Permit*

Y. District Rule 8031 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM₁₀) from Handling and Storage of Bulk Materials

The purpose of this rule is to limit fugitive dust emissions from the outdoor handling, storage, and transport of bulk materials. This rule applies to the outdoor handling, storage, and transport of any bulk material. Section 5.0 requires that no person shall perform any outdoor handling, storage, and transport of bulk materials unless the appropriate requirements in Table 8031-1 of this rule are sufficiently implemented to limit Visible Dust Emissions (VDE) to 20% opacity or less or to comply with the conditions for a stabilized surface as defined in Rule 8011. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4391} Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8031] Federally Enforceable Through TV Permit*

Z. District Rule 8041 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM₁₀) from Carryout and Trackout

The purpose of this rule is to limit fugitive dust emissions from carryout and trackout. This rule applies to all sites that are subject to Rules 8021

(Construction, Demolition, Excavation, Extraction, and other Earthmoving Activities), 8031 (Bulk Materials), and 8071 (Unpaved Vehicle and Equipment Traffic Areas) where carryout or trackout has occurred or may occur.

Section 5.0 requires that the owner or operator shall sufficiently prevent or cleanup carryout and trackout as specified in sections 5.1 through 5.8. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The use of blower devices, or dry rotary brushes or brooms, for removal of carryout and trackout on public roads is expressly prohibited. The removal of carryout and trackout from paved public roads does not exempt an owner or operator from obtaining state or local agency permits which may be required for the cleanup of mud and dirt on paved public roads. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4392} An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8041] Federally Enforceable Through TV Permit*

AA. District Rule 8051 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM₁₀) from Open Areas

The purpose of this rule is to limit fugitive dust emissions from open areas. This rule applies to any open area having 3.0 acres or more of disturbed surface area that has remained undeveloped, unoccupied, unused, or vacant for more than seven days.

Section 5.0 requires that whenever open areas are disturbed or vehicles are used in open areas, the owner or operator shall implement one or more of the control measures indicated in Table 8051-1 to comply with the conditions of a stabilized surface at all times and to limit Visible Dust Emissions (VDE) to 20% opacity. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4393} Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section*

4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8051] Federally Enforceable Through TV Permit

BB. District Rule 8061 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM₁₀) from Paved and Unpaved Roads

The purpose of this rule is to limit fugitive dust emissions from paved and unpaved roads by implementing control measures and design criteria. This rule applies to any new or existing public or private paved or unpaved road, road construction project, or road modification project. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4394} Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8061] Federally Enforceable Through TV Permit*

CC. District Rule 8071 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM₁₀) from Unpaved Vehicle/Equipment Areas

The purpose of this rule is to limit fugitive dust emissions from unpaved vehicle and equipment traffic areas by implementing control measures and design criteria. This rule applies to any unpaved vehicle/equipment traffic area of 1.0 acre or larger. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4395} Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004).*

[District Rules 8011 and 8071] Federally Enforceable Through TV Permit

DD. 40 CFR Part 60 Subpart CCCC – Standards of Performance for Commercial and Industrial Solid Waste Incineration Units

40 CFR Part 60 Subpart CCCC is applicable to air curtain incinerators that are commercial and industrial solid waste incineration (CISWI) units as defined in 40 CFR §60.2265.

The air curtain incinerator in this project is located at a commercial or industrial facility; therefore, Subpart CCCC requirements are applicable. Pursuant to 40 CFR 60.2020(i), air curtain incinerators that burn only 100% wood waste, 100% clean lumber, and 100% mixture of only wood waste, clean lumber, and/or yard waste, are only required to meet the requirements under §60.2242 and under "Air Curtain Incinerators" (§§60.2245 through 60.2260).

§60.2242 requires each CISWI unit and air curtain incinerator subject to the standards under this subpart to be operated pursuant to a permit issued under Section 129(e) and Title V of the clean air act. This permitting action will result in an issuance of a Title V permit for the air curtain incinerator at this facility. Thus, this requirement will be satisfied.

In order to only be subject to the requirements of requirements of §§60.2245 through 60.2260, the air curtain incinerator may only combust 100% wood waste, 100% clean lumber, or a 100% mixture of wood waste, clean lumber, and/or yard waste. The following condition will be included on the Title V Permit issued in this permitting action:

- *Only 100% wood waste, or 100% clean lumber, or a 100% mixture of wood waste, clean lumber, and/or yard waste shall be combusted in the air curtain incinerator. [40 CFR 60.2245] Federally Enforceable Through TV Permit*

§60.2250 lists the following emission limits for air curtain incinerators, which must be met within 60 days of the air curtain incinerator reaching the charge rate at which it will operate, but no later than 180 days after its initial startup:

1. Maintain opacity to less than 10 percent opacity (as determined by the average three 1-hour blocks consisting of ten 6-minute average opacity

- values), except during the startup period that is within the first 30 minutes of operation; and
2. Maintain opacity to less than or equal to 35 percent opacity (as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values) during the startup period that is within 30 minutes of operation.

District Rule 4101 limits operations to no more than 20% percent opacity for the entire duration of operation of the air curtain incinerator; therefore, District Rule 4101 requirements are more stringent than the 35 percent opacity requirement during startup periods that is listed in this Subpart. The following conditions will be included on the Title V Permit issued in this permitting action:

- *During the startup period that is within the first 30 minutes of operation, visible emissions from the air curtain incinerator shall not equal or exceed Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour. [District Rules 2201, 4001 and 4101, 40 CFR 60.2250 or 40 CFR 60.2971] Federally Enforceable Through TV Permit*
- *After the startup period, during steady state operation, visible emissions from the air curtain incinerator shall not equal or exceed either of the following limits: Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour or 10% opacity as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values. [District Rules 2201, 4001, and 4101, 40 CFR 60.2971] Federally Enforceable Through TV Permit*

§60.2255 requires:

1. Use Method 9 of Appendix A of Subpart 60 to determine compliance with the opacity limitation
2. Conduct an initial test for opacity as specified in §60.8
3. After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of the previous test.

Initial opacity measurements have already been conducted. The following conditions will be included on the Title V Permit issued in this permitting action:

- *The operator shall conduct periodic testing for opacity at least once every 12 calendar months. Opacity testing shall consist of one 30-minute cold start observation, and three 1-hour observations under normal steady state operation. [District Rules 1081 or 4001, 40 CFR 60.2972] Federally Enforceable Through TV Permit*

- *Compliance with the opacity limits on this permit shall be determined by EPA Method 9. [District Rules 4001 and 4101, 40 CFR 60.2972] Federally Enforceable Through TV Permit*
- *Observers for the opacity compliance demonstration shall be certified according to the procedure in EPA Method 9. [District Rules 4001 and 4101, 40 CFR 60.2972] Federally Enforceable Through TV Permit*

§60.2260(a) lists notification requirements for air curtain incinerators prior to installation. The District has already been notified; therefore, the notification requirements have been satisfied.

The remainder of §60.2260 lists the following recordkeeping requirements:

1. Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the Administrator approves another format, for at least five years.
2. Make all records available for submittal to the Administrator or for an inspector's onsite review.
3. Submit the results (as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values) of the initial opacity tests no later than 60 days following the initial test. Submit annual opacity test results within 12 months following the previous report.

The initial opacity results have already been submitted. The following conditions will be included on the Title V Permit issued in this permitting action:

- *The permittee shall submit to the District the opacity test results report in paper or electronic format within 60 days of completion of the field test. The opacity results shall include information regarding the charge rate during opacity observation. [District Rules 1081 and 4001, 40 CFR 60.2973] Federally Enforceable Through TV Permit*
- *The operator shall keep records of all initial and annual opacity test results and reports onsite in either paper copy or electronic format for at least 5 years. [District Rules 1070, 2520, and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit*
- *All records shall be maintained and retained on-site for a period of at least 5 years and shall be made available for District inspection upon request. [District Rules 1070 and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit*

EE. 40 CFR Part 82 Subpart B – Servicing of Motor Vehicle Air Conditioners

The air curtain incinerator operation is not associated with the servicing of motor vehicle air conditioners; therefore, this requirement is not applicable.

FF. 40 CFR 82 Subpart F – Recycling and Emission Reduction

The air curtain incinerator operation is not associated with the recycling and emission reduction requirements of this Subpart; therefore, this requirement is not applicable.

GG. 40 CFR Part 61 Subpart M – National Emission Standard for Asbestos

This subpart lists the national emission standards for asbestos. The following condition will be included on the Title V Permit issued in this permitting action:

- *{4396} Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M]*

HH. 40 CFR 64 – Compliance Assurance Monitoring

40 CFR Part 64 requires Compliance Assurance Monitoring for units that meet the following three criteria:

- 1) the unit must have an emission limit for the pollutant;
- 2) the unit must have add-on controls for the pollutant; these are devices such as flue gas recirculation (FGR), baghouses, and catalytic oxidizers; and
- 3) the unit must have a pre-control potential to emit of greater than the major source thresholds.

Pollutant	Major Source Threshold (lb/year)
NO _x	20,000
SO _x	140,000
PM ₁₀	140,000
CO	200,000
VOC	20,000

The proposed air curtain incinerator does not have any add-on control for pollutants. Therefore, based on Item 2, the Compliance Assurance Monitoring is not required for the unit. No further discussion is needed.

IX. PERMIT SHIELD

A permit shield legally protects a facility from enforcement of the shielded regulations when a source is in compliance with the terms and conditions of the Title V permit. Compliance with the terms and conditions of the Operating Permit is considered compliance with all applicable requirements upon which those conditions are based, including those that have been subsumed.

A. Requirements Addressed by Model General Permit Templates

There is no applicable model general permit templates for such installations.

B. Requirements not Addressed by Model General Permit Templates

The applicant is not requesting any permit shields.

C. Obsolete Permit Shields From Existing Permit Requirements

Since the current permit does not include any permit shields, no permit shields were removed.

X. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The purpose of this initial TV evaluation is to identify all applicable requirements, determine if the air curtain incinerator will comply with those applicable requirements, and to provide the legal and factual basis for proposed permit conditions.

Per the California Environmental Quality Act (CEQA) Statute §21080.24, and CEQA Guidelines §15281, the issuance, modification, amendment, or renewal of

any permit by an air pollution control district or air quality management district pursuant to Title V is exempt from CEQA, unless the issuance, modification, amendment, or renewal authorizes a physical or operational change to a source or facility. There will be no physical or operational change to the source or facility nor will the issuance of the initial TV permit authorize a physical or operational change to the source or facility. Therefore, this initial TV project is subject to a ministerial action that is exempt from CEQA.

XI. PERMIT CONDITIONS

See Attachment A - Initial Title V Operating Permit.

ATTACHMENTS

- A. Draft Initial Title V Operating Permit
- B. Previous Operating Permit

ATTACHMENT A

Draft Initial Title V Operating Permit

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-1319-10-1

EXPIRATION DATE: 09/30/2022

EQUIPMENT DESCRIPTION:

AIR BURNERS INC. MODEL S-220 AIR CURTAIN INCINERATOR WITH ELECTRIC POWERED FAN

PERMIT UNIT REQUIREMENTS

1. {4398} The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
2. {4399} When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
3. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit
4. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit
5. {4381} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit
6. {4382} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit
7. {4390} Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8021] Federally Enforceable Through Title V Permit
8. {4391} Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8031] Federally Enforceable Through Title V Permit
9. {4392} An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8041] Federally Enforceable Through Title V Permit
10. {4393} Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8051] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

11. {4394} Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8061] Federally Enforceable Through Title V Permit
12. {4395} Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8071] Federally Enforceable Through Title V Permit
13. The air curtain incinerator shall be operated according to manufacturer's specifications and in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201] Federally Enforceable Through Title V Permit
14. The air curtain incinerator shall burn only almond wood waste material that has been generated onsite as a byproduct of almond processing. [District Rule 2201] Federally Enforceable Through Title V Permit
15. The air curtain incinerator shall be located at the following coordinates: UTM - 10S, 742321 E, 4115625 N. [District Rule 2201] Federally Enforceable Through Title V Permit
16. Active burning inside the air curtain shall only be conducted from 7:00 am to 5:00 pm from September 21 through June 21. [District Rule 2201] Federally Enforceable Through Title V Permit
17. Active burning inside the air curtain shall only be conducted from 7:00 am to 7:00 pm from June 22 through September 20. [District Rule 2201] Federally Enforceable Through Title V Permit
18. The permittee shall maintain operational control or restrict public access to the adjacent parcel of land east of the facility boundary. [District Rule 2201] Federally Enforceable Through Title V Permit
19. Only 100% wood waste, or 100% clean lumber, or a 100% mixture of wood waste, clean lumber, and/or yard waste shall be combusted in the air curtain incinerator. [40 CFR 60.2245] Federally Enforceable Through Title V Permit
20. The air curtain incinerator shall burn no more than 50 tons of almond wood waste material in any one day. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
21. The air curtain incinerator shall burn no more than 10,000 tons of almond wood waste material in any year. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
22. The amount of wood ash handled shall not exceed 1.5 tons in any one day. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
23. The amount of wood ash handled shall not exceed 300 tons in any year. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
24. Wood ash removed from the firebox shall be handled, stored, and disposed of in a manner minimizing entrainment into the atmosphere. [District Rule 2201] Federally Enforceable Through Title V Permit
25. For conducting a cold start, the operator shall use a propane or butane torch, driptorch, or flare to ignite the material inside the air curtain incinerator. No accelerants (e.g. gasoline, diesel fuel, kerosene, turpentine) may be used. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
26. Emissions (in units of pounds per ton of almond wood waste material) from the air curtain incinerator shall not exceed any of the following limits: 1.0 lb-NOx/ton, 0.1 lb-SOx/ton, 1.1 lb-PM10/ton, 2.6 lb-CO/ton, or 1.1 lb-VOC/ton. [District Rule 2201] Federally Enforceable Through Title V Permit
27. Emissions from wood ash handling and storage shall not exceed 0.46 lb-PM10/ton. [District Rule 2201] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

28. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
29. {98} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
30. During the startup period that is within the first 30 minutes of operation, visible emissions from the air curtain incinerator shall not equal or exceed Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour. [District Rules 2201, 4001 and 4101, 40 CFR 60.2971] Federally Enforceable Through Title V Permit
31. After the startup period, during steady state operation, visible emissions from the air curtain incinerator shall not equal or exceed either of the following limits: Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour or 10% opacity as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values. [District Rules 2201, 4001, and 4101, 40 CFR 60.2971] Federally Enforceable Through Title V Permit
32. Compliance with the opacity limits on this permit shall be determined by EPA Method 9. [District Rules 4001 and 4101, 40 CFR 60.2972] Federally Enforceable Through Title V Permit
33. Observers for the opacity compliance demonstration shall be certified according to the procedure in EPA Method 9. [District Rules 4001 and 4101, 40 CFR 60.2972] Federally Enforceable Through Title V Permit
34. Opacity testing shall be conducted using the methods and procedures approved by the District. The District must be notified 30 days prior to any compliance opacity testing and an opacity test plan must be submitted for approval at least 15 days prior to testing. [District Rule 1081] Federally Enforceable Through Title V Permit
35. The operator shall conduct periodic testing for opacity at least once every 12 calendar months. Opacity testing shall consist of one 30 minute cold start observation, and three 1 hour observations under normal steady state operation. [District Rules 1081 and 4001, 40 CFR 60.2972] Federally Enforceable Through Title V Permit
36. Opacity observations shall be made at the point of greatest opacity in that portion of the plume where condensed water vapor is not present. [District Rule 1081] Federally Enforceable Through Title V Permit
37. The permittee shall submit to the District the opacity test results report in paper or electronic format within 60 days of completion of the field test. The opacity results shall include information regarding the charge rate during opacity observation. [District Rules 1081 and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit
38. The operator shall keep records of all initial and annual opacity test results and reports onsite in either paper copy or electronic format for at least 5 years. [District Rules 1070, 2520, and 4001, CFR 60.2973] Federally Enforceable Through Title V Permit
39. {4369} The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
40. {4370} The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
41. {4371} The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
42. {4373} If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

43. {4366} The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.13.1] Federally Enforceable Through Title V Permit
44. {4374} It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
45. {4375} The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
46. {4376} The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
47. {4377} The Permittee shall furnish to the District, within a reasonable time, any information that the District 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. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
48. {4378} The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit
49. {4387} With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
50. {4362} The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
51. {4363} The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
52. {4372} Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
53. {4365} Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (12/20/07). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

54. {4368} Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
55. {4396} Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit
56. {4397} The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit
57. On {MONTH DAY, YEAR}, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report are based upon this initial permit issuance date, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520] Federally Enforceable Through Title V Permit
58. This Permit to Operate shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
59. The permittee shall maintain daily and cumulative annual records of the tons of wood material burned in the air curtain incinerator [District Rule 1070] Federally Enforceable Through Title V Permit
60. All records shall be maintained and retained on-site for a period of at least 5 years and shall be made available for District inspection upon request. [District Rules 1070 and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

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ATTACHMENT B

Previous Operating Permit

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-1319-10-0

EXPIRATION DATE: 09/30/2022

EQUIPMENT DESCRIPTION:

AIR BURNERS INC. MODEL S-220 AIR CURTAIN INCINERATOR WITH ELECTRIC POWERED FAN

PERMIT UNIT REQUIREMENTS

1. Within 12 months of initial operation of this air curtain incinerator, the operator shall submit a complete application for a Title V operating permit to the District for compliance with New Source Performance Standard Subpart CCCC - Standards of Performance for Commercial and Industrial Solid Waste Incineration Units. [40 CFR 60.2242]
2. The air curtain incinerator shall be operated according to manufacturer's specifications and in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201]
3. The air curtain incinerator shall burn only almond wood waste material that has been generated onsite as a byproduct of almond processing. [District Rule 2201]
4. The air curtain incinerator shall be located at the following coordinates: UTM - 10S, 742321 E, 4115625 N. [District Rule 2201]
5. Active burning inside the air curtain shall only be conducted from 7:00 am to 5:00 pm from September 21 through June 21. [District Rule 2201]
6. Active burning inside the air curtain shall only be conducted from 7:00 am to 7:00 pm from June 22 through September 20. [District Rule 2201]
7. The permittee shall maintain operational control or restrict public access to the adjacent parcel of land east of the facility boundary. [District Rule 2201]
8. The air curtain incinerator shall burn no more than 50 tons of almond wood waste material in any one day. [District Rules 2201 and 4102]
9. The air curtain incinerator shall burn no more than 10,000 tons of almond wood waste material in any year. [District Rules 2201 and 4102]
10. The amount of wood ash handled shall not exceed 1.5 tons in any one day. [District Rules 2201 and 4102]
11. The amount of wood ash handled shall not exceed 300 tons in any year. [District Rules 2201 and 4102]
12. Wood ash removed from the firebox shall be handled, stored, and disposed of in a manner minimizing entrainment into the atmosphere. [District Rule 2201]
13. For conducting a cold start, the operator shall use a propane or butane torch, driptorch, or flare to ignite the material inside the air curtain incinerator. No accelerants (e.g. gasoline, diesel fuel, kerosene, turpentine) may be used. [District Rules 2201 and 4102]
14. Emissions (in units of pounds per ton of almond wood waste material) from the air curtain incinerator shall not exceed any of the following limits: 1.0 lb-NOx/ton, 0.1 lb-SOx/ton, 1.1 lb-PM10/ton, 2.6 lb-CO/ton, or 1.1 lb-VOC/ton. [District Rule 2201]
15. Emissions from wood ash handling and storage shall not exceed 0.46 lb-PM10/ton. [District Rule 2201]
16. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

17. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
18. During the startup period that is within the first 30 minutes of operation, visible emissions from the air curtain incinerator shall not equal or exceed Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour. [District Rules 2201 and 4101]
19. After the startup period, during steady state operation, visible emissions from the air curtain incinerator shall not equal or exceed either of the following limits: Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour or 10% opacity as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values. [District Rules 2201 and 4101]
20. Compliance with the opacity limits on this permit shall be determined by EPA Method 9. [District Rule 4101]
21. Observers for the opacity compliance demonstration shall be certified according to the procedure in EPA Method 9. [District Rule 4101]
22. Opacity testing shall be conducted using the methods and procedures approved by the District. The District must be notified 30 days prior to any compliance opacity testing and an opacity test plan must be submitted for approval at least 15 days prior to testing. [District Rule 1081]
23. The operator shall conduct periodic testing for opacity at least once every 12 calendar months. Opacity testing shall consist of one 30 minute cold start observation, and three 1 hour observations under normal steady state operation. [District Rule 1081]
24. Opacity observations shall be made at the point of greatest opacity in that portion of the plume where condensed water vapor is not present. [District Rule 1081]
25. The permittee shall submit to the District the opacity test results report in paper or electronic format within 60 days of completion of the field test. The opacity results shall include information regarding the charge rate during opacity observation. [District Rule 1081]
26. The operator shall keep records of all initial and annual opacity test results and reports onsite in either paper copy or electronic format for at least 5 years. [District Rule 1070]
27. The permittee shall maintain daily and cumulative annual records of the tons of wood material burned in the air curtain incinerator. [District Rule 1070]
28. All records shall be maintained and retained on-site for a period of at least 5 years and shall be made available for District inspection upon request. [District Rule 1070]

These terms and conditions are part of the Facility-wide Permit to Operate.