



December 17, 2020

Ms. Linda Trolinder
BASF Corporation
30597 Jack Ave.
Shafter, CA 93263

Re: Notice of Preliminary Decision - Federally Mandated Operating Permit
Facility Number: S-704
Project Number: S-1202589

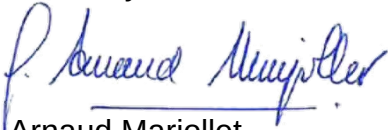
Dear Ms. Trolinder:

Enclosed for your review is the District's analysis of BASF Corporation's application for the Federally Mandated Operating Permit for its operation at 30597 Jack Ave in Shafter, 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. Leonard Scandura, Permit Services Manager, at (661) 392-5500.

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

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Proposed Initial Title V Permit Evaluation BASF Agricultural Solutions Seed US, LLC S-704

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INITIAL TITLE V PERMIT EVALUATION

Engineer: David Torii
Date: 12/10/20

Facility Number: S-704
Facility Name: BASF Agricultural Solutions Seed US, LLC
Mailing Address: 30597 Jack Ave
Shafter, CA 93263

Contact Name: Linda Trolinder
Phone: 661-342-6629

Responsible Official: Linda Trolinder
Title: SVP, Head of R & D

Project # : 1202589
Deemed Complete: 6/25/20

I. PROPOSAL

BASF Agricultural Solutions Seed US, LLC is requesting an initial Title V permit for an plant-matter incinerator. 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 S-704-4. The purpose of this evaluation is to identify all applicable requirements, determine if the 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 30597 Jack Ave in Shafter.

III. EQUIPMENT LISTING

Please refer to the Draft TV permit 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 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)
- 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)

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 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 unit in this Title V project is 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.

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 incinerator:

- *Observers for the opacity compliance demonstration shall be certified according to the procedure in EPA Method 9. [District Rules 1081, 4001 and 4101] N*
- *Annual Opacity testing shall be performed between 11 and 13 months of the previous performance test. [District Rule 1081 and 40 CFR 60.2150] N*
- *Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1]*
- *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]*

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 S-704-4 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 incinerator, Conditions 6 through 16 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. 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 incinerator, the following conditions will be included on the Title V Permit issued in this permitting action:

- *Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1]*
- *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 incinerator burns material inside an enclosure with an serving as a control device that increases the residence time of the products of incomplete combustion (CO, VOC, and PM). Thus, 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 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 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 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 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 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 of the 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 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 incinerator as an *equally effective* control device as a multiple-chamber incinerator provided the incinerator 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 incinerators that are commercial and industrial solid waste incineration (CISWI) units as defined in 40 CFR §60.2265.

Applicability

The incinerator in this project is located at a commercial or industrial facility; therefore, Subpart CCCC requirements are applicable. Pursuant to 40 CFR 60.2010.

Preconstruction Siting Analysis, Waste Management Plan, Operator Training and Qualification (sections 60.2045 through 60.1000):

Evaluation of these sections is not required for this review.

Emission Limitations and Operating Limits

§60.2105 What emission limitations must I meet and by when?

(a) You must meet the emission limitations for each CISWI, including bypass stack or vent, specified in table 1 of this subpart or tables 5 through 8 of this subpart by the applicable date in §60.2140. You must be in compliance with the emission limitations of this subpart that apply to you at all times.

The incinerator is subject to the 10% opacity limit of Table 1.

The following condition will ensure compliance with this section:

- *Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1]*

(b) A CISWI or ACI that commenced construction after November 30, 1999, but no later than June 4, 2010, or that commenced reconstruction or modification on or after June 1, 2001 but no later than August 7, 2013, must continue to meet the emission limits in table 1 of this subpart for units in the incinerator subcategory and §60.2250 for ACIs until the units become subject to the requirements of an approved state plan or federal plan that implements subpart DDDD of this part (Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units).

The incinerator is not subject to (b).

§60.2110 What operating limits must I meet and by when?

Section 60.2110 (a) through (g) specifies emission limits for incinerators equipped with specific control devices. The subject incinerator is not equipped with any of the specified controlled devices.

Section 60.2110 (h) says:

If you do not use a wet scrubber, electrostatic precipitator, or fabric filter to comply with the emission limitations, and if you do not determine

compliance with your particulate matter emission limitation with either a particulate matter CEMS or a particulate matter continuous parameter monitoring system (CPMS), you must maintain opacity to less than or equal to 10 percent opacity (1-hour block average).

The subject incinerator is not equipped with a PM CEMS or CPMS; therefore, opacity must be maintained to less than or equal to 10 percent opacity (1-hour block average). The following condition will be added to the permit to ensure compliance with this section .

- *Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1]*

Section 60.2110(i)(1) through (5) pertain to CPMSs. The subject incinerator is not equipped with a CPMS; therefore these sections do not apply.

§60.2115 What if I do not use a wet scrubber, fabric filter, activated carbon injection, selective noncatalytic reduction, an electrostatic precipitator, or a dry scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber, activated carbon injection, selective noncatalytic reduction, fabric filter, an electrostatic precipitator, or a dry scrubber or limit emissions in some other manner, including material balances, to comply with the emission limitations under §60.2105, you must petition the EPA Administrator for specific operating limits to be established during the initial performance test and continuously monitored thereafter. You must submit the petition at least sixty days before the performance test is scheduled to begin. Your petition must include the five items listed in paragraphs (a) through (e) of this section:

The subject incinerator does not use an air pollution control device; therefore, this section does not apply.

Performance Testing

§60.2125 *How do I conduct the initial and annual performance test?*

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

The incinerator is subject to the opacity requirement of Table 1. The below condition will be added to the ATC to ensure compliance with this section.

- *Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1]*

(b) You must document that the waste burned during the performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in §60.2175(b)(1)) and the types of waste burned during the performance test.

- *The operator shall document that the waste burned during the Method 9 at 40 CFR part 60 performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in §60.2175(b)(1)) and the types of waste burned during the performance test. [District Rules 1070, 2520, and 4001, CFR 60.2125(b)]*

(c) All performance tests must be conducted using the minimum run duration specified in table 1 of this subpart or tables 5 through 8 of this subpart.

The below condition will be added to the ATC to ensure compliance with this section.

- *Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1]*

(d) Method 1 of appendix A of this part must be used to select the sampling location and number of traverse points. The test procedures required by EPA Method 9 ensure compliance with this section.

Of the requirements in sections (e) through (j), the incinerator is only subject to the opacity testing requirement if (i). The below condition will be added to the ATC to ensure compliance with this section.

- *Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1]*

INITIAL COMPLIANCE REQUIREMENTS

§60.2135 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

(a) You must conduct a performance test, as required under §§60.2125 and 60.2105 to determine compliance with the emission limitations in table 1 of this subpart or tables 5 through 8 of this subpart, to establish compliance with any opacity operating limit in §60.2110, to establish the kiln-specific emission limit in §60.2145(y), as applicable, and to establish operating limits using the procedures in §60.2110 or §60.2115. The performance test must be conducted using the test methods listed in table 1 of this subpart or tables 5 through 8 of this subpart and the procedures in §60.2125. The use of the bypass stack during a performance test shall invalidate the performance test.

The following condition will ensure compliance with §60.2110:

- *Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1]*

(b) As an alternative to conducting a performance test, as required under §§60.2125 and 60.2105, you may use a 30-day rolling average of the 1-hour arithmetic average CEMS data, including CEMS data during startup and shutdown as defined in this subpart, to determine compliance with the emission limitations in Table 1 of this subpart or tables 5 through 8 of this subpart. You must conduct a performance evaluation of each continuous monitoring system within 180 days of installation of the monitoring system. The initial performance evaluation must be conducted prior to collecting CEMS data that will be used for the initial compliance demonstration.

The permittee will comply with §§60.2125 and 60.2105; therefore an alternative test is not needed.

§60.2140 By what date must I conduct the initial performance test?

(a) The initial performance test must be conducted within 60 days after your CISWI reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.

(b) If you commence or recommence combusting a solid waste at an existing combustion unit at any commercial or industrial facility, and you conducted a test consistent with the provisions of this subpart while combusting the solid waste within the 6 months preceding the reintroduction of that solid waste in the combustion chamber, you do not

need to retest until 6 months from the date you reintroduce that solid waste.

(c) If you commence or recommence combusting a solid waste at an existing combustion unit at any commercial or industrial facility and you have not conducted a performance test consistent with the provisions of this subpart while combusting the solid waste within the 6 months preceding the reintroduction of that solid waste in the combustion chamber, you must conduct a performance test within 60 days from the date you reintroduce that solid waste.

The following conditions will ensure compliance with the requirements of these sections.

- *Within 60 days of the incinerator reaching a material burn rate representative of normal operation, and no later than 180 days after commencing operation, the operator shall conduct an initial test for opacity. [District Rule 1081 and 40 CFR 60.2140]*
- *If you commence or recommence combusting a solid waste and you conducted a test consistent with the provisions of this subpart while combusting the solid waste within the 6 months preceding the reintroduction of that solid waste in the combustion chamber, you do not need to retest until 6 months from the date you reintroduce that solid waste. [District Rule 1081 and 40 CFR 60.2140]*
- *If you commence or recommence combusting a solid waste and you have not conducted a performance test consistent with the provisions of this subpart while combusting the solid waste within the 6 months preceding the reintroduction of that solid waste in the combustion chamber, you must conduct a performance test within 60 days from the date you reintroduce that solid waste. [District Rule 1081 and 40 CFR 60.2140]*

§60.2141 By what date must I conduct the initial air pollution control device inspection?

(a) The initial air pollution control device inspection must be conducted within 60 days after installation of the control device and the associated CISWI reaches the charge rate at which it will operate, but no later than 180 days after the device's initial startup.

(b) Within 10 operating days following an air pollution control device inspection, all necessary repairs must be completed unless the owner or operator obtains written approval from the state agency establishing a date whereby all necessary repairs of the designated facility must be completed.

The incinerator is not equipped with a control device; therefore, these sections do not apply.

CONTINUOUS COMPLIANCE REQUIREMENTS

§ 60.2145 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

Section 60.2145(a) specifies requirements for changing fuel type. Authorization via ATC is required for the changes specified in this section. The following condition precludes fuel changes:

- *No material except crop/plant material may be incinerated in this equipment. [District Rule 2201 and 40 CFR 60.45(a)]*

Section 60.2145(b) states that “You must conduct an annual performance test for the pollutants listed in table 1 of this subpart or tables 5 through 8 of this subpart and opacity for each CISWI unit as required under § 60.2125. The annual performance test must be conducted using the test methods listed in table 1 of this subpart or tables 5 through 8 of this subpart and the procedures in § 60.2125. Annual performance tests are not required if you use CEMS or continuous opacity monitoring systems to determine compliance.” The following condition will ensure compliance with the requirements of this section.

- *Annual Opacity testing shall be performed between 11 and 13 months of the previous performance test. [District Rule 1081 and 40 CFR 60.2150] N*

Section 60.2145(c) states: “You must continuously monitor the operating parameters specified in § 60.2110 or established under § 60.2115 and as specified in § 60.2170. Use 3-hour block average values to determine compliance (except for baghouse leak detection system alarms) unless a different averaging period is established under § 60.2115 or, for energy recovery units, where the averaging time for each operating parameter is a 30-day rolling, calculated each hour as the average of the previous 720 operating hours. Operation above the established maximum, below the established minimum, or outside the allowable range of operating limits specified in para-graph (a) of this section constitutes a deviation from your operating limits established under this subpart, except during performance tests conducted to determine compliance with the emission and operating limits or to establish new operating limits. Operating limits are confirmed or reestablished during performance tests.” The following condition will ensure compliance with the requirements of this section.

- *Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1]*

Section 60.2145(d) states: You must burn only the same types of waste and fuels used to establish subcategory applicability (for energy recovery units) and operating limits during the performance test.

The following condition precludes fuel changes:

- *No material except crop/plant material may be incinerated in this equipment. [District Rule 2201 and 40 CFR 60.45(a)]*

Sections 60.2145(e) through (u) do not apply to the incinerator.

§60.2150 By what date must I conduct the annual performance test?

You must conduct annual performance tests between 11 and 13 months of the previous performance test.

The following condition will ensure compliance with the requirements of this section.

Annual Opacity testing shall be performed between 11 and 13 months of the previous performance test. [District Rule 1081 and 40 CFR 60.2150] N

Recordkeeping and Reporting

60.2175 What records must I keep?

You must maintain the items (as applicable) as specified in paragraphs (a), (b), and (e) through (x) of this section for a period of at least 5 years:

(a) Calendar date of each record; and

(b) Records of the data described in paragraphs (b)(1) through (7) of this section:

(1) The CISWI charge dates, times, weights, and hourly charge rates;

The following condition will ensure compliance with the requirements of this section.

The permittee shall maintain daily, monthly, and rolling 12-month period records of the tons of waste material burned in the incinerator. *[District Rule 1081 and 40 CFR 60.2175]*

Sections (2) through (6) do not apply the subject incinerator.

Monitoring

§60.2165 What monitoring equipment must I install and what parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitation under §60.2105, you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in table 2 of this subpart. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in table 2 of this subpart at all times except as specified in §60.2170(a).

(b) If you use a fabric filter to comply with the requirements of this subpart and you do not use a PM CPMS or PM CEMS for monitoring PM compliance, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (b)(1) through (8) of this section:

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter;

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations;

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter or less;

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings;

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor;

(6) The bag leak detection system must be equipped with an alarm system that will alert automatically an operator when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is observed easily by plant operating personnel;

(7) For positive pressure fabric filter systems, a bag leak detection system must be installed in each baghouse compartment or cell. For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter; and

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(c) If you are using something other than a wet scrubber, activated carbon, selective non-catalytic reduction, an electrostatic precipitator, or a dry scrubber to comply with the emission limitations under §60.2105, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in §60.2115.

(d) If you use activated carbon injection to comply with the emission limitations in this subpart, you must measure the minimum mercury sorbent flow rate once per hour.

(e) If you use selective noncatalytic reduction to comply with the emission limitations, you must complete the following:

The incinerator is not equipped with the control devices listed in above sections (a) through (e); therefore, these sections do not apply.

(1) Following the date on which the initial performance test is completed or is required to be completed under §60.2125, whichever date comes first, ensure that the affected facility does not operate above the maximum charge rate, or below the minimum secondary chamber temperature (if applicable to your CISWI) or the minimum reagent flow rate measured as 3-hour block averages at all times; and

(2) Operation of the affected facility above the maximum charge rate, below the minimum secondary chamber temperature and below the minimum reagent flow rate simultaneously constitute a violation of the nitrogen oxides emissions limit.

The following condition will ensure compliance with the requirements of this section.

- *The secondary chamber (afterburner) shall be preheated and maintained at a temperature of at least 1,000 degrees Fahrenheit throughout the incineration process. [District Rule 2201 and 40 CFR 60.2165]*

(f) If you use an electrostatic precipitator to comply with the emission limits of this subpart and you do not use a PM CPMS for monitoring PM compliance, you must monitor the secondary power to the electrostatic precipitator collection plates and maintain the 3-hour block averages at or above the operating limits established during the mercury or particulate matter performance test. This section does not apply.

(g) For waste-burning kilns not equipped with a wet scrubber or dry scrubber, you must install, calibrate, maintain, and operate a CEMS for monitoring hydrogen chloride emissions discharged to the atmosphere, as specified in §60.2145(j), and record the output of the system. You may substitute use of a HCl CEMS for conducting the HCl initial and annual testing with EPA Method 321 at 40 CFR part 63, appendix A. For units

other than waste-burning kilns not equipped with a wet scrubber or dry scrubber, a facility may substitute use of a hydrogen chloride CEMS for conducting the hydrogen chloride initial and annual performance test. For units equipped with a hydrogen chloride CEMS, you are not required to monitor the minimum hydrogen chloride sorbent flow rate, the minimum scrubber liquor pH, or the monitoring minimum injection rate.

(h) To demonstrate compliance with the particulate matter emissions limit, a facility may substitute use of a particulate matter CEMS for conducting the PM initial and annual performance test. For units equipped with a particulate matter CEMS, you are not required to use other CMS for monitoring PM compliance (e.g., bag leak detectors, ESP secondary power, PM scrubber pressure). (i) To demonstrate initial and continuous compliance with the dioxin/furan emissions limit, a facility may substitute use of a continuous automated sampling system for the dioxin/furan initial and annual performance tests. You must record the output of the system and analyze the sample according to EPA Method 23 at 40 CFR part 60, appendix A-7 of this part. This option to use a continuous automated sampling system takes effect on the date a final performance specification applicable to dioxin/furan from continuous monitors is published in the Federal Register. The owner or operator who elects to continuously sample dioxin/furan emissions instead of sampling and testing using EPA Method 23 at 40 CFR part 60, appendix A-7 must install, calibrate, maintain, and operate a continuous automated sampling system and must comply with the requirements specified in §60.58b(p) and (q). A facility may substitute continuous dioxin/furan monitoring for the minimum sorbent flow rate, if activated carbon sorbent injection is used solely for compliance with the dioxin/furan emission limit.

(j) To demonstrate initial and continuous compliance with the mercury emissions limit, a facility may substitute use of a mercury CEMS or an integrated sorbent trap monitoring system for the mercury initial and annual performance test. The owner or operator who elects to continuously measure mercury emissions instead of sampling and testing using EPA Reference Method 29 or 30B at 40 CFR part 60, appendix A-8, ASTM D6784-02 (Reapproved 2008) (incorporated by reference, see §60.17), or an approved alternative method for measuring mercury emissions, must install, calibrate, maintain, and operate the mercury CEMS or integrated sorbent trap monitoring system and must comply with performance specification 12A or performance specification 12B, respectively, and quality assurance procedure 5. For the purposes of emissions calculations when using an integrated sorbent trap monitoring system, the mercury concentration determined for each sampling period must be assigned to each hour during the sampling period. Waste-burning kilns must install, calibrate, maintain, and operate a mercury CEMS or an integrated sorbent trap monitoring system as specified in §60.2145(j). For units equipped with a mercury CEMS or an integrated sorbent trap monitoring system, you are not required to monitor the minimum sorbent flow rate, if activated carbon sorbent injection is used solely for compliance with the mercury emission limit. (k) To demonstrate initial and

continuous compliance with the nitrogen oxides emissions limit, a facility may substitute use of a CEMS for the nitrogen oxides initial and annual performance test to demonstrate compliance with the nitrogen oxides emissions limits. For units equipped with a nitrogen oxides CEMS, you are not required to monitor the charge rate, secondary chamber temperature, and reagent flow for selective noncatalytic reduction, if applicable:

(1) Install, calibrate, maintain, and operate a CEMS for measuring nitrogen oxides emissions discharged to the atmosphere and record the output of the system. The requirements under performance specification 2 of appendix B of this part, the quality assurance procedure 1 of appendix F of this part and the procedures under §60.13 must be followed for installation, evaluation, and operation of the CEMS; and

(2) Compliance with the emission limit for nitrogen oxides must be determined based on the 30-day rolling average of the hourly emission concentrations using CEMS outlet data, as outlined in §60.2145(u).

(l) To demonstrate initial and continuous compliance with the sulfur dioxide emissions limit, a facility may substitute use of a CEMS for the sulfur dioxide initial and annual performance test to demonstrate compliance with the sulfur dioxide emissions limits:

(1) Install, calibrate, maintain, and operate a CEMS for measuring sulfur dioxide emissions discharged to the atmosphere and record the output of the system. The requirements under performance specification 2 of appendix B of this part, the quality assurance requirements of procedure one of appendix F of this part and procedures under §60.13 must be followed for installation, evaluation, and operation of the CEMS; and

(2) Compliance with the sulfur dioxide emission limit shall be determined based on the 30-day rolling average of the hourly arithmetic average emission concentrations using CEMS outlet data, as outlined in §60.2145(u).

(m) For energy recovery units over 10 MMBtu/hr but less than 250 MMBtu/hr annual average heat input rates that do not use a wet scrubber, fabric filter with bag leak detection system, an electrostatic precipitator, particulate matter CEMS, or particulate matter CPMS you must install, operate, certify, and maintain a continuous opacity monitoring system according to the procedures in paragraphs (m)(1) through (5) of this section by the compliance date specified in §60.2105. Energy recovery units that use a CEMS to demonstrate initial and continuing compliance according to the procedures in §60.2165(n) are not required to install a continuous opacity monitoring system and must perform the annual performance tests for the opacity consistent with §60.2145(f):

(1) Install, operate, and maintain each continuous opacity monitoring system according to performance specification 1 of 40 CFR part 60, appendix B;

(2) Conduct a performance evaluation of each continuous opacity monitoring system according to the requirements in §60.13 and according to PS-1 of 40 CFR part 60, appendix B;

(3) As specified in §60.13(e)(1), each continuous opacity monitoring system must complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period;

(4) Reduce the continuous opacity monitoring system data as specified in §60.13(h)(1); and

(5) Determine and record all the 6-minute averages (and 1-hour block averages as applicable) collected.

Above section (m) does not apply.

(n) For coal and liquid/gas energy recovery units, incinerators, and small remote incinerators, an owner or operator may elect to install, calibrate, maintain, and operate a CEMS for monitoring particulate matter emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility who continuously monitors particulate matter emissions instead of conducting performance testing using EPA Method 5 at 40 CFR part 60, appendix A-3 or monitoring with a particulate matter CPMS according to paragraph (r) of this section, must install, calibrate, maintain, and operate a PM CEMS and must comply with the requirements specified in paragraphs (n)(1) through (10) of this section:

(1) The PM CEMS must be installed, evaluated, and operated in accordance with the requirements of performance specification 11 of appendix B of this part and quality assurance requirements of procedure 2 of appendix F of this part and §60.13. Use Method 5 or Method 5I of appendix A of this part for the PM CEMS correlation testing;

(2) The initial performance evaluation must be completed no later than 180 days after the date of initial startup of the affected facility, as specified under §60.2125 or within 180 days of notification to the Administrator of use of the continuous monitoring system if the owner or operator was previously determining compliance by Method 5 performance tests, whichever is later;

(3) The owner or operator of an affected facility may request that compliance with the particulate matter emission limit be determined using carbon dioxide measurements corrected to an equivalent of 7 percent oxygen. The relationship between oxygen and carbon dioxide levels for the affected facility must be established according to the procedures and methods specified in §60.2145(t)(4)(i) through (iv);

(4) The owner or operator of an affected facility must conduct an initial performance test for particulate matter emissions. If PM CEMS are elected for demonstrating compliance, and the initial performance test has not yet been conducted, then initial compliance must be determined by using the CEMS specified in paragraph (n) of this section to measure particulate matter. You must calculate a 30-day rolling average of 1-hour arithmetic average emission concentrations, including CEMS data during startup and shutdown, as defined in this subpart, using equation 19-19 in section 12.4.1 of EPA Reference Method 19 at 40 CFR part 60, appendix A-7;

(5) Continuous compliance with the particulate matter emission limit must be determined based on the 30-day rolling average calculated using equation 19-19 in section 12.4.1 of EPA Reference Method 19 at 40 CFR part 60, appendix A-7 from the 1-hour arithmetic average CEMS outlet data;

(6) At a minimum, valid continuous monitoring system hourly averages must be obtained as specified in §60.2170(e);

(7) The 1-hour arithmetic averages required under paragraph (n)(5) of this section must be expressed in milligrams per dry standard cubic meter corrected to 7 percent oxygen (dry basis) and must be used to calculate the 30-day rolling average emission concentrations. CEMS data during startup and shutdown, as defined in this subpart, are not corrected to 7 percent oxygen, and are measured at stack oxygen content. The 1-hour arithmetic averages must be calculated using the data points required under §60.13(e)(2);

(8) All valid CEMS data must be used in calculating average emission concentrations even if the minimum CEMS data requirements of paragraph (n)(6) of this section are not met.

(9) The CEMS must be operated according to performance specification 11 in appendix B of this part; and,

(10) Quarterly and yearly accuracy audits and daily drift, system optics, and sample volume checks must be performed in accordance with procedure 2 in appendix F of this part.

(o) To demonstrate initial and continuous compliance with the carbon monoxide emissions limit, you may substitute use of a CEMS for the carbon monoxide initial and annual performance test:

(1) Install, calibrate, maintain, and operate a CEMS for measuring carbon monoxide emissions discharged to the atmosphere and record the output of the system. The requirements under performance specification 4A or 4B of appendix B of this part, the quality assurance procedure 1 of appendix F of this part and the procedures under §60.13 must be followed for installation, evaluation, and operation of the CEMS; and

(2) Compliance with the carbon monoxide emission limit shall be determined based on the 30-day rolling average of the hourly arithmetic average emission concentrations, including CEMS data during startup and shutdown as defined in this subpart, using CEMS outlet data, as outlined in §60.2145(u).

(p) The owner/operator of an affected source with a bypass stack shall install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of the bypass stack including date, time and duration.

(q) For energy recovery units with a design heat input capacity of 100 MMBtu/hr or greater that do not use a carbon monoxide CEMS, you must install, operate, and maintain a oxygen analyzer system as defined in §60.2265 according to the procedures in paragraphs (q)(1) through (4) of this section:

(1) The oxygen analyzer system must be installed by the initial performance test date specified in §60.2140;

(2) You must operate the oxygen trim system within compliance with paragraph (q)(3) of this section at all times;

(3) You must maintain the oxygen level such that the 30-day rolling average that is established as the operating limit for oxygen according to paragraph (q)(4) of this section is not below the lowest hourly average oxygen concentration measured during the most recent CO performance test; and

(4) You must calculate and record a 30-day rolling average oxygen concentration using equation 19-19 in section 12.4.1 of EPA Reference Method 19 of appendix A-7 of this part.

(r) For energy recovery units with annual average heat input rates greater than or equal to 250 MMBtu/hr and waste-burning kilns, you must install, calibrate, maintain, and operate a PM CPMS and record the output of the system as specified in paragraphs (r)(1) through (8) of this section. If you elect to use a particulate matter CEMS as specified in paragraph (n) of this section, you are not required to use a PM CPMS to monitor particulate matter emissions. For other energy recovery units, you may elect to use PM CPMS operated in accordance with this section. PM CPMS are suitable in lieu of using other CMS for monitoring PM compliance (e.g., bag leak detectors, ESP secondary power, PM scrubber pressure):

(1) Install, calibrate, operate, and maintain your PM CPMS according to the procedures in your approved site-specific monitoring plan developed in accordance with §60.2145(l) and paragraphs (r)(1)(i) through (iii) of this section:

(i) The operating principle of the PM CPMS must be based on in-stack or extractive light scatter, light scintillation, beta attenuation, or mass accumulation detection of PM in the exhaust gas or representative sample. The reportable measurement output from the PM CPMS must be expressed as milliamps or a digital signal equivalent;

(ii) The PM CPMS must have a cycle time (*i.e.*, period required to complete sampling, measurement, and reporting for each measurement) no longer than 60 minutes; and

(iii) The PM CPMS must be capable of detecting and responding to particulate matter concentration increments no greater than 0.5 mg/actual cubic meter.

(2) During the initial performance test or any such subsequent performance test that demonstrates compliance with the PM limit, you must adjust the site-specific operating limit in accordance with the results of the performance test according to the procedures specified in §60.2110.

(3) Collect PM CPMS hourly average output data for all energy recovery unit or waste-burning kiln operating hours. Express the PM CPMS output as milliamps or the digital signal equivalent.

(4) Calculate the arithmetic 30-day rolling average of all of the hourly average PM CPMS output collected during all energy recovery unit or waste-burning kiln operating hours data (milliamps or digital bits).

(5) You must collect data using the PM CPMS at all times the energy recovery unit or waste-burning kiln is operating and at the intervals specified in paragraph (r)(1)(ii) of this section, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments), and any scheduled maintenance as defined in your site-specific monitoring plan.

(6) You must use all the data collected during all energy recovery unit or waste-burning kiln operating hours in assessing the compliance with your operating limit except:

(i) Any data collected during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or quality control activities conducted during monitoring system malfunctions are not used in calculations (report any such periods in your annual deviation report);

(ii) Any data collected during periods when the monitoring system is out of control as specified in your site-specific monitoring plan, repairs associated with periods when the monitoring system is out of control, or required monitoring system quality assurance or quality control activities

conducted during out-of-control periods are not used in calculations (report emissions or operating levels and report any such periods in your annual deviation report); and

(iii) Any PM CPMS data recorded during periods of CEMS data during startup and shutdown, as defined in this subpart.

(7) You must record and make available upon request results of PM CPMS system performance audits, as well as the dates and duration of periods from when the PM CPMS is out of control until completion of the corrective actions necessary to return the PM CPMS to operation consistent with your site-specific monitoring plan.

(8) For any deviation of the 30-day rolling average PM CPMS average value from the established operating parameter limit, you must:

(i) Within 48 hours of the deviation, visually inspect the air pollution control device;

(ii) If inspection of the air pollution control device identifies the cause of the deviation, take corrective action as soon as possible and return the PM CPMS measurement to within the established value;

(iii) Within 30 days of the deviation or at the time of the annual compliance test, whichever comes first, conduct a PM emissions compliance test to determine compliance with the PM emissions limit and to verify the operation of the emissions control device(s). Within 45 days of the deviation, you must re-establish the CPMS operating limit. You are not required to conduct additional testing for any deviations that occur between the time of the original deviation and the PM emissions compliance test required under this paragraph; and

(iv) PM CPMS deviations leading to more than four required performance tests in a 12-month process operating period (rolling monthly) constitute a violation of this subpart.

(s) If you use a dry scrubber to comply with the emission limits of this subpart, you must monitor the injection rate of each sorbent and maintain the 3-hour block averages at or above the operating limits established during the hydrogen chloride performance test.

(t) If you are required to monitor clinker production because you comply with the production-rate based mercury limit for your waste-burning kiln, you must:

(1) Determine hourly clinker production by one of two methods:

(i) Install, calibrate, maintain, and operate a permanent weigh scale system to measure and record weight rates in tons-mass per hour of the

amount of clinker produced. The system of measuring hourly clinker production must be maintained within ± 5 percent accuracy, or

(ii) Install, calibrate, maintain, and operate a permanent weigh scale system to measure and record weight rates in tons-mass per hour of the amount of feed to the kiln. The system of measuring feed must be maintained within ± 5 percent accuracy. Calculate your hourly clinker production rate using a kiln-specific feed to clinker ratio based on reconciled clinker production determined for accounting purposes and recorded feed rates. Update this ratio monthly. Note that if this ratio changes at clinker reconciliation, you must use the new ratio going forward, but you do not have to retroactively change clinker production rates previously estimated.

(2) Determine the accuracy of the system of measuring hourly clinker production (or feed mass flow if applicable) before the effective date and during each quarter of source operation.

(3) Conduct accuracy checks in accordance with the procedures outlined in your site-specific monitoring plan under §60.2145(I).

Above sections (f) through (t) do not apply.

§60.2170 *Is there a minimum amount of monitoring data I must obtain?*

For each continuous monitoring system required or optionally allowed under §60.2165, you must collect data according to this section:

(a) You must operate the monitoring system and collect data at all required intervals at all times compliance is required except for periods of monitoring system malfunctions or out-of-control periods, repairs associated with monitoring system malfunctions or out-of-control periods (as specified in 60.2210(o)), and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments). A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to effect monitoring system repairs in response to monitoring system malfunctions or out-of-control periods and to return the monitoring system to operation as expeditiously as practicable;

(b) You may not use data recorded during monitoring system malfunctions or out-of-control periods, repairs associated with monitoring system malfunctions or out-of-control periods, or required monitoring system quality assurance or control activities in calculations used to report emissions or operating levels. You must use all the data collected during all other periods, including data normalized for above scale readings, in

assessing the operation of the control device and associated control system; and

(c) Except for periods of monitoring system malfunctions or out-of-control periods, repairs associated with monitoring system malfunctions or out-of-control periods, and required monitoring system quality assurance or quality control activities including, as applicable, calibration checks and required zero and span adjustments, failure to collect required data is a deviation of the monitoring requirements.

The unit is not equipped with a CEMs; therefore this section does not apply.

Recordkeeping and Reporting

§60.2175 What records must I keep?

You must maintain the items (as applicable) as specified in paragraphs (a), (b), and (e) through (x) of this section for a period of at least 5 years:

(a) Calendar date of each record; and

(b) Records of the data described in paragraphs (b)(1) through (7) of this section:

(1) The CISWI charge dates, times, weights, and hourly charge rates;

The following condition will ensure compliance with the requirements of (a)(b) and (1)

- *The permittee shall maintain daily records of the weight of material incinerated (in pounds) and secondary chamber (afterburner) temperature during operation. [District Rule 2201 and CFR 60.2175] N*

(2) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable;

(3) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable;

(4) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable;

(5) For affected CISWIs that establish operating limits for controls other than wet scrubbers under §60.2110(d) through (g) or §60.2115, you must maintain data collected for all operating parameters used to determine compliance with the operating limits. For energy recovery units using activated carbon injection or a dry scrubber, you must also maintain

records of the load fraction and corresponding sorbent injection rate records;

(6) If a fabric filter is used to comply with the emission limitations, you must record the date, time, and duration of each alarm and the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of operating time during each 6-month period that the alarm sounds, calculated as specified in §60.2110(c);

(7) If you monitor clinker production in accordance with §60.2165(t):

(i) Hourly clinker rate produced if clinker production is measured directly;

(ii) Hourly measured kiln feed rates and calculated clinker production rates if clinker production is not measured directly;

(iii) 30-day rolling averages for mercury in pounds per million tons of clinker produced;

(iv) The initial and quarterly accuracy of the system of measuring hourly clinker production (or feed mass flow).

(c)-(d) [Reserved]

(e) Identification of calendar dates and times for which data show a deviation from the operating limits in table 2 of this subpart or a deviation from other operating limits established under §60.2110(d) through (g) or §60.2115 with a description of the deviations, reasons for such deviations, and a description of corrective actions taken;

(f) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations;

(g) All documentation produced as a result of the siting requirements of §§60.2045 and 60.2050;

(h) Records showing the names of CISWI operators who have completed review of the information in §60.2095(a) as required by §60.2095(b), including the date of the initial review and all subsequent annual reviews;

(i) Records showing the names of the CISWI operators who have completed the operator training requirements under §60.2070, met the criteria for qualification under §60.2080, and maintained or renewed their qualification under §60.2085 or §60.2090. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications;

- (j) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours;
- (k) Records of calibration of any monitoring devices as required under §60.2165;
- (l) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment;
- (m) The information listed in §60.2095(a);
- (n) On a daily basis, keep a log of the quantity of waste burned and the types of waste burned (always required);
- (o) Maintain records of the annual air pollution control device inspections that are required for each CISWI subject to the emissions limits in table 1 of this subpart or tables 5 through 8 of this subpart, any required maintenance, and any repairs not completed within 10 days of an inspection or the timeframe established by the state regulatory agency;
- (p) For continuously monitored pollutants or parameters, you must document and keep a record of the following parameters measured using continuous monitoring systems. If you monitor emissions with a CEMS, you must indicate which data are CEMS data during startup and shutdown:
 - (1) All 6-minute average levels of opacity;
 - (2) All 1-hour average concentrations of sulfur dioxide emissions;
 - (3) All 1-hour average concentrations of nitrogen oxides emissions;
 - (4) All 1-hour average concentrations of carbon monoxide emissions;
 - (5) All 1-hour average concentrations of particulate matter emissions;
 - (6) All 1-hour average concentrations of mercury emissions;
 - (7) All 1-hour average concentrations of HCl CEMS outputs;
 - (8) All 1-hour average percent oxygen concentrations; and
 - (9) All 1-hour average PM CPMS readings or particulate matter CEMS outputs;
- (q) Records indicating use of the bypass stack, including dates, times, and durations.

(r) If you choose to stack test less frequently than annually, consistent with §60.2155(a) through (c), you must keep annual records that document that your emissions in the previous stack test(s) were less than 75 percent of the applicable emission limit and document that there was no change in source operations including fuel composition and operation of air pollution control equipment that would cause emissions of the relevant pollutant to increase within the past year.

(s) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

(t) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(u) Records of actions taken during periods of malfunction to minimize emissions in accordance with §60.11(d), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(v) For operating units that combust non-hazardous secondary materials that have been determined not to be solid waste pursuant to §241.3(b)(1) of this chapter, you must keep a record which documents how the secondary material meets each of the legitimacy criteria under §241.3(d)(1). If you combust a fuel that has been processed from a discarded non-hazardous secondary material pursuant to §241.3(b)(4) of this chapter, you must keep records as to how the operations that produced the fuel satisfies the definition of processing in §241.2 and each of the legitimacy criteria of §241.3(d)(1) of this chapter. If the fuel received a non-waste determination pursuant to the petition process submitted under §241.3(c) of this chapter, you must keep a record that documents how the fuel satisfies the requirements of the petition process. For operating units that combust non-hazardous secondary materials as fuel per §241.4, you must keep records documenting that the material is a listed non-waste under §241.4(a).

(w) Records of the criteria used to establish that the unit qualifies as a small power production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)) and that the waste material the unit is proposed to burn is homogeneous.

(x) Records of the criteria used to establish that the unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)) and that the waste material the unit is proposed to burn is homogeneous.

Above sections (2) through (x) do not apply.

§60.2180 Where and in what format must I keep my records?

All records must be available onsite in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

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 1081 and 40 CFR 60.2180]

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

The 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 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 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 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: S-704-4-1

EXPIRATION DATE: 12/31/2023

EQUIPMENT DESCRIPTION:

1.6 MMBTU/HR NATURAL GAS-FIRED INCINERATOR, TWO-CHAMBER DESIGN

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. {98} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. Particulate matter emissions from the incinerator shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
5. {1898} The exhaust stack shall vent vertically upward. The vertical exhaust flow shall not be impeded by a rain cap (flapper ok), roof overhang, or any other obstruction. [District Rule 4102]
6. The secondary chamber (afterburner) shall be equipped with an operational temperature gauge. [District Rule 2201] Federally Enforceable Through Title V Permit
7. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201] Federally Enforceable Through Title V Permit
8. The primary and secondary chamber (afterburner) shall be fired solely on PUC-quality natural gas. [District Rule 2201] Federally Enforceable Through Title V Permit
9. The incinerator shall not be operated unless the secondary chamber (afterburner) is operational. [District Rules 2201 and 4302] Federally Enforceable Through Title V Permit
10. The secondary chamber (afterburner) shall be preheated and maintained at a temperature of at least 1,000 degrees Fahrenheit throughout the incineration process. [District Rule 2201 and 40 CFR 60.2165] Federally Enforceable Through Title V Permit
11. No material except crop/plant material may be incinerated in this equipment. [District Rule 2201 and 40 CFR 60.45(a)] Federally Enforceable Through Title V Permit
12. Emissions from the shall not exceed any of the following: 15.1 lb-NOx/day; 3.0 lb-SOx/day; 8.4 lb-PM10/day; 27.7 lb-CO/day; or 3.7 lb-VOC/day. [District Rule 2201] Federally Enforceable Through Title V Permit
13. The maximum quantity of charge (crop/plant material) incinerated shall not exceed any of the following: 1.2 tons per day or 10 tons per rolling 12-month period. [District Rule 2201] Federally Enforceable Through Title V Permit
14. The permittee shall maintain daily records of the weight of material incinerated (in pounds) and secondary chamber (afterburner) temperature during operation. [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.

Facility Name: BASF CORPORATION
Location: 30597 JACK AVE, SHAFTER, CA 93263
S-704-4-1: Dec 11 2020 7:46AM - TORIO

15. The permittee shall maintain monthly records to support the rolling 12-month processing limit. [District Rule 2201] Federally Enforceable Through Title V Permit
16. Records shall be maintained and retained on-site for at least five years and shall be made available for District inspection upon request. [District Rule 2201] Federally Enforceable Through Title V Permit
17. 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
18. 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
19. Within 60 days of the incinerator reaching a material burn rate representative of normal operation, and no later than 180 days after commencing operation, the operator shall conduct an initial test for opacity. [District Rule 1081 and 40 CFR 60.2140] Federally Enforceable Through Title V Permit
20. Visible emissions from the 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 based on EPA Method 9. [District Rules 1081 and 4101 and 40 CFR 60.2110(h) and Table 1] Federally Enforceable Through Title V Permit
21. Observers for the opacity compliance demonstration shall be certified according to the procedure in EPA Method 9. [District Rules 1081, 4001 and 4101] Federally Enforceable Through Title V Permit
22. Annual Opacity testing shall be performed between 11 and 13 months of the previous performance test. [District Rule 1081 and 40 CFR 60.2150] Federally Enforceable Through Title V Permit
23. The operator shall document that the waste burned during the Method 9 at 40 CFR part 60 performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in §60.2175(b)(1)) and the types of waste burned during the performance test. [District Rules 1070, 2520, and 4001, CFR 60.2125(b)] Federally Enforceable Through Title V Permit
24. 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 60.2180] Federally Enforceable Through Title V Permit
25. 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
26. 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
27. 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
28. 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
29. 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

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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

30. 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
31. 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
32. 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
33. 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
34. 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
35. 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
36. 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
37. 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
38. 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
39. 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
40. 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
41. 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

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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

42. 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
43. If you commence or recommence combusting a solid waste and you conducted a test consistent with the provisions of this subpart while combusting the solid waste within the 6 months preceding the reintroduction of that solid waste in the combustion chamber, you do not need to retest until 6 months from the date you reintroduce that solid waste. [District Rule 1081 and 40 CFR 60.2140] Federally Enforceable Through Title V Permit
44. If you commence or recommence combusting a solid waste and you have not conducted a performance test consistent with the provisions of this subpart while combusting the solid waste within the 6 months preceding the reintroduction of that solid waste in the combustion chamber, you must conduct a performance test within 60 days from the date you reintroduce that solid waste. [District Rule 1081 and 40 CFR 60.2140] Federally Enforceable Through Title V Permit
45. The permittee shall maintain daily, monthly, and rolling 12-month period records of the tons of waste material burned in the incinerator. [District Rule 1081 and 40 CFR 60.2175] Federally Enforceable Through Title V Permit
46. 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 1081 and 40 CFR 60.2973] Federally Enforceable Through Title V Permit
47. 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
48. 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
49. 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] Federally Enforceable Through Title V Permit
50. 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
51. 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
52. 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
53. 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
54. 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

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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

55. 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

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

Facility Name: BASF CORPORATION
Location: 30597 JACK AVE, SHAFTER, CA 93263
S-704-4-1 : Dec 11 2020 7:46AM - TORIO

DRAFT

ATTACHMENT B

Previous Operating Permit

*San Joaquin Valley
Air Pollution Control District*

PERMIT UNIT: S-704-4-0

EXPIRATION DATE: 12/31/2023

EQUIPMENT DESCRIPTION:

1.6 MMBTU/HR NATURAL GAS-FIRED INCINERATOR, TWO-CHAMBER DESIGN

PERMIT UNIT REQUIREMENTS

1. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
2. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
3. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. The exhaust stack shall vent vertically upward. The vertical exhaust flow shall not be impeded by a rain cap (flapper ok), roof overhang, or any other obstruction. [District Rule 4102]
5. The secondary chamber (afterburner) shall be equipped with an operational temperature gauge. [District Rule 2201]
6. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201]
7. The primary and secondary chamber (afterburner) shall be fired solely on PUC-quality natural gas. [District Rule 2201]
8. The incinerator shall not be operated unless the secondary chamber (afterburner) is operational. [District Rules 2201 and 4302]
9. The secondary chamber (afterburner) shall be preheated and maintained at a temperature of at least 1,000 degrees Fahrenheit throughout the incineration process. [District Rule 2201]
10. No material except crop/plant material may be incinerated in this equipment. [District Rule 2201]
11. Emissions from the shall not exceed any of the following: 15.1 lb-NOx/day; 3.0 lb-SOx/day; 8.4 lb-PM10/day; 27.7 lb-CO/day; or 3.7 lb-VOC/day. [District Rule 2201]
12. The maximum quantity of charge (crop/plant material) incinerated shall not exceed any of the following: 1.2 tons per day or 10 tons per rolling 12-month period. [District Rule 2201]
13. The permittee shall maintain daily records of the weight of material incinerated (in pounds) and secondary chamber (afterburner) temperature during operation. [District Rule 2201]
14. The permittee shall maintain monthly records to support the rolling 12-month processing limit. [District Rule 2201]
15. Records shall be maintained and retained on-site for at least five years and shall be made available for District inspection upon request. [District Rule 2201]

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

Facility Name: BASF CORPORATION
Location: 30597 JACK AVE, SHAFTER, CA 93263
S-704-4-0 : Oct 8 2020 8:11AM - TORID