UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
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NOV 14 2016

Ref: 8P-AR

Mr. Scott Bradley
Area Vice President
Waste Management, Inc.
222 S. Mill Avenue, Suite 333
Tempe, Arizona 85281

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Final Part 71 Operating Permit, Permit #V-SV-000001-2016.00, Waste Management of Utah, Inc., Tekoi Landfill

Dear Mr. Bradley:

This is regarding renewal of the 40 CFR part 71 Title V operating permit (Part 71 permit) for Waste Management, Inc. Tekoi Landfill. The public comment period for the draft of this permit action ended on June 16, 2016. The EPA received one comment letter from Mr. Doc Nyiro of Waste Management, Inc. We have reviewed the comments and provided responses in "Enclosure 1 – Response to Comments Document." We have made revisions to the permit in response to the comments.

Based on the information provided in Waste Management, Inc.'s Part 71 permit renewal application, subsequent application updates, and public comments on the draft permit, the EPA hereby issues the enclosed final renewed Part 71 permit for the Tekoi Landfill. The new permit number is V-SV-000001-2016.00.

Please review each condition carefully and note any restrictions placed on this source. Procedures for appealing this permit can be found in 40 CFR 71.11(l). A petition to the Environmental Appeals Board (EAB) must be filed within 30 days of receipt of this final permit action. The permit will be effective on December 14, 2016, provided there are no appeals filed with the EAB.

If you have any questions concerning the enclosed final permit, please contact Colin Schwartz of my staff at (303) 312-6043.

Sincerely,

Carl Daly, Director
Air Program

Enclosures (2)

cc: Candace Bear, Skull Valley Band of Goshute Indians Community, Chairwomen
Bruce Clabaugh, Waste Management of Utah, Inc., Environmental Protection Manager
Brad Kloos, Waste Management of Utah, Inc., Senior District Manager

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Enclosure 1 - EPA Responses to Comments on the Draft Air Quality Operating Permit and Statement of Basis for the Tekoi Landfill Pursuant to the Title V Permit Program at 40 CFR Part 71

Comments on Draft Part 71 Permit

Cover Page

1. "**Comment #1:** The Permit is issued to Waste Management of Utah, Inc. (WMU) as requested in the permit renewal application. The entity that operates the landfill is CR Group, LLC, which is a subsidiary of WMU. We are requesting that the permit be issued to CR Group, LLC."

EPA Response: We have revised the permit to accurately reference the current facility operator.

Cover Page

2. "**Comment #2:** On the cover page, the location is listed as Section 18, Township 5 South, and Range 8 West. Although this is the information that was provided in the permit renewal application, the correct location is Section 26, Township 5 South, Range 8 West. This change should also be made on Page 1 of the permit."

EPA Response: We have revised the permit to reflect the corrected location provided by Waste Management, Inc.

3. I. A Facility Information

   "**Comment #3:** On Page 1, the Parent Company is listed as Waste Management of Utah, LLC. The Parent Company should be changed to Waste Management, Inc."

EPA Response: We have revised the permit to accurately reference the current Parent Company.

4. I. A Facility Information

   "**Comment #4:** On Page 1, the Responsible Official is listed as Area Vice President. We would like to change the Responsible Official to Area Director of Disposal Operations."

EPA Response: In a subsequent correspondence, Waste Management, Inc. supplied information and signature from the new Responsible Official, listing that individual's title as the Director, Post-Collection Operations. We have revised the permit to reference the title of the Responsible Official as indicated in the most recent correspondence to the EPA from Waste Management, Inc.

5. I. B Facility Emission Points

   "**Comment #5:** On page 2, Table 3, for Emission Unit ID's IE1, IE2, and IE3, please change the annual operating hours from 140, 420 and 420 to 715, 3,120, and 650 respectively. This change would result in the emissions IE2 exceeding the insignificant threshold."

EPA Response: We have received new emissions inventory data from Waste Management, Inc. and

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revised the references in the permit accordingly. Additionally, we moved emissions unit IE2 to Table 2 and have renamed it with emission unit ID E3.

6. I. B Facility Emission Points

"Comment #6: On page 2, Table 3, for Emission Unit ID's IE1, change the description of the unit from Non-emergency diesel fuel pump to Non-emergency generator to power fuel pump."

EPA Response: We have revised the permit to reflect the requested description of IE1.

7. III. A 40 CFR 63, Subpart AAAA

"Comment #7: On page 5, Section III. A. indicates the facility is subject to 40 CFR 63, subpart AAAA. Since the NMOC (non-methane organic compound) emission rate at the facility is currently less than 50 megagrams per year, we do not believe the facility is currently subject to this regulation."

EPA Response: Per 40 CFR 63.1935(b) which states: "You are subject to this subpart if you own or operate a MSW landfill that has accepted waste since November 8, 1987"and "Your MSW landfill is an area source landfill that has a design capacity equal to or greater than 2.5 million Mg and 2.5 million m^3 and that is not permanently closed as of January 16, 2003." The design capacity of Tekoi Landfill is expected to be over 3.1 million Mg in 2017 and is currently 45 million cubic meters by volume with a construction date after December 10, 2004. Tekoi Landfill has also monitored and modeled per other requirements listed in CFR 40 part 60, subpart WWW, which shows that you will be subject to 63.1935(a)(3) by 2017 due to NMOC being over 50 Mg/yr. Therefore, during the five years that this Part 71 permit will be effective, based on the information provided by Waste Management, Inc., we expect Tekoi Landfill to become subject to increased mitigation as discussed in 40 CFR 63, subpart AAAA. As such, we have retained this requirement in the final permit and added explanatory notes stating that this facility will be subject to increased mitigation at a future date.

8. V. 40 CFR Part 60, Subpart IIII

"Comment #8: On page 9, Section V.A. indicates that 40 CFR Part 60, subpart IIII applies to engines IE1 and IE2. Based on the years the engines were manufactured, 2000 and 2002, we do not believe these engines are subject to this regulation."

EPA Response: Based on the engine manufacture information Waste Management, Inc. has provided we agree that these engines are not subject to 40 CFR part 60, Subpart IIII regulations and have revised the permit to remove Section V.A.

Comments on Statement of Basis for Draft Part 71 Permit

1. I.A. Facility Information

"Comment #1: On page 1, Section I.A., the owner of the facility is listed at WMU, but should be listed as the Skull Valley Band of Goshutes. As previously mentioned we are requesting to

change the operator from WMU to CR Group, LLC."

2. I.A. Facility Information

"Comment #2: On page 1, Section I.A., as previously mentioned, the location should be changed to Section 26, Township 5 South, Range 8 West."

3. I.D. Emission Points; Table 1

"Comment #3: On page 2, Section I.D., Table 1, the construction date for the facility is listed as January 14, 2005, as was provided in the permit renewal application. The correct date is December 10, 2004."

4. I.D. Emission Points; Table 2

"Comment #4: On page 2, Section I.D., Table 2, for Emission Unit IDs IE1, IE2, and IE3, please change the annual operating hours from 140, 420, and 420 to 715, 3,120, and 650 respectively. This change would result in the emissions from IE2 exceeding the insignificant threshold."

5. I.D Emission Points; Table 2

"Comment #5: On page 2, Section I.D.,Table 3, for Emission Unit ID's IE1, change the description of the unit from Non-emergency diesel fuel pump to Non-emergency generator to power fuel pump."

6. II.C; 40 CFR Part 63, Subpart AAAA

"Comment #6: On page 5, Section II. C. indicates the facility is subject to 40 CFR 63, subpart AAAA. Since the NMOC emission rate at the facility is currently less than 50 megagrams per year, we do not believe the facility is currently subject to this regulation."

7. II.H; 40 CFR Part 68: Chemical Accident Prevention Provisions

"Comment #7: On page 7, Section I. H. the first paragraph refers to flammable substances which are potentially present in the natural gas stream entering the facility. As a point of clarification, there is no natural gas stream entering the facility."

<u>EPA Response to Comments on the Statement of Basis for the Draft Part 71 Permit</u>: There is no Statement of Basis associated with the final permit and we do not make changes to the Statement of Basis for the draft permit. Waste Management, Inc.'s comments are a part of the permit record and any necessary corrections are, therefore, documented in the permanent permit record. Regarding comment number 6, specifically, please see our response to Draft Part 71 Permit comment number 7.

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United States Environmental Protection Agency
Region 8
Air Program
1595 Wynkoop Street
Denver, Colorado 80202

Air Pollution Control Permit to Operate
Title V Operating Permit Program at 40 CFR Part 71

In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Title V Operating Permit Program at 40 CFR part 71 (Part 71) and applicable rules and regulations,

CR Group, LLC.
Tekoi Landfill

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit.

This source is authorized to operate at the following location:

Section 26, Township 5 South, Range 8 West
40.358323 N, -112.724416 West
on the Skull Valley Indian Reservation
Tooele County, Utah

Terms not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the EPA and citizens under the CAA.

Carl Daly, Director
Air Program
U.S. EPA Region 8

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Air Pollution Control Permit to Operate
Title V Operating Permit Program at 40 CFR Part 71

CR Group, LLC
Tekoi Landfill

Permit Number: V-SV-000001-2016.00
Replaces Permit No.: V-SV-00001-2010.00

Issue Date: May 17, 2016
Effective Date: December 14, 2016
Expiration Date: December 14, 2021

The permit number cited above should be referenced in future correspondence regarding this facility.

Table 1. Part 71 Permitting History

Date of Action	Permit Number	Type of Action	Description of Action
September 22, 2011	V-SV-00001-2010.00	Initial Permit	
November 14, 2016	V-SV-000001-2016.00	Permit Renewal	

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I. Facility Information and Emission Unit Identification

A. Facility Information

Parent Company Name:	Waste Management of Utah, Inc
Plant Operator Name:	Tekoi Landfill
Plant Location:	Latitude 40.358323 N, Longitude -112.724416 W Section 26, Township 5, Range 8 West
Region:	8
State:	Utah
County:	Tooele
Reservation:	Skull Valley Band of Goshute Indian Community
Tribe:	Skull Valley Band of Goshute Indians
Responsible Official:	Director, Post-Collection Operations
SIC Code:	4953

Description:

The Tekoi Landfill (TLF), which is owned by the Skull Valley Band of Goshute Indian Community and operated by CR Group, LLC (CR), serves as a regional municipal solid waste (MSW) and construction and demolition (C&D) debris disposal facility.

No hazardous wastes or infectious wastes are accepted for disposal, nor is the incineration of waste permitted. TLF currently accepts approximately 750 tons of waste per day (tpd); however, it is permitted to accept a maximum of 4,000 tpd.

The landfill is comprised of a 6-phase MSW disposal area, as well as two C&D disposal areas. The MSW portion of the landfill was operated as a balefill landfill until November 2010. A balefill is a type of landfill in which MSW is mechanically baled before being placed in the MSW disposal area. The bales were approximately 45" x 45" x 60" and weighed approximately 4,000 pounds. TLF has not conducted balefill operations for several years and does not expect to resume such operation in the future. Therefore, CR has requested that any reference to such operation be removed from the Title V Permit. The site now accepts only loose (unbaled) MSW. The method of disposal has no effect on landfill emissions.

B. Facility Emission Points

Table 2 – Emission Units and Emission Generating Activities

Unit I.D.	Description	Control Equipment
E1	MSW Landfill MSW and C&D Debris Disposal	None
E2	Fugitive Dust Emissions from Paved and Unpaved Roads, and Material Handling	None
E3	John Deere (6.8L); 165 hp diesel-fired stationary compression ignition engine. Construction Date: Pre June 12, 2006; Manufactured 2002. Use: ~3,120 hrs/year; Non-emergency generator to power lights.	None

Table 3 - Insignificant Emission Units*

Emission Unit ID	Description
IE1	Isuzu; 89 horsepower (hp) diesel-fired stationary compression ignition engine. Construction Date: Pre June 12, 2006; Manufactured 2000. Use: ~715 hrs/year; Non-emergency generator to power fuel pump
IE3	Honda; 13 hp gas-powered spark ignition engine. Constructed Date: January 2016; Manufactured 2014. Use: ~650 hrs/year; Non-emergency water pump.
IE4	1 - 12,000-gallon diesel fuel tank

*Insignificant emission units can change at the facility as long as the new or replacement units meet the criteria for insignificance, and TLF supplies information as required under 40 CFR part 71 and this permit. The insignificant emission unit status does not exempt these emission units from the requirements of the NSPS and MACT standards that may apply.

II. Standards of Performance for Municipal Solid Waste Landfills

A. 40 CFR Part 60, Subpart WWW - Standards

1. This facility is subject to the requirements of 40 CFR part 60, subpart WWW. Notwithstanding conditions in this permit, the Permittee shall comply with all applicable requirements of 40 CFR part 60, subpart WWW.

2. 40 CFR 60, subpart WWW applies as follows:

   (a) §60.750(a) - This facility is a MSW landfill that was constructed, reconstructed or modified on or after May 30, 1991; and

   (b) §60.752(b) – This facility has a design capacity greater than 2.5 million megagrams.

[40 CFR 60.750 - 60.759]

B. Standards for Air Emissions

1. The Permittee shall calculate an non-methane organic compound (NMOC) emission rate for the landfill using the procedure and default values specified in §60.754(a)(1).

[40 CFR 60.752(b)]

2. **Tier 1**: The Permittee shall compare the calculated NMOC mass emission rate to the standard of 50 megagrams per year as required by §60.754(a)(2).

   (a) If the calculated NMOC emission rate is less than 50 megagrams per year using Tier 1, the Permittee shall:

      (i) Submit an emission rate report as provided in §60.757(b)(1); and
      (ii) Recalculate the NMOC mass emission rate annually using the procedure and default values specified in §60.754(a)(1) and using Tier 1 as specified in §60.754(a)(2) until such time as the calculated emission rate is equal to or greater than 50 megagrams per year or the landfill is closed.

[40 CFR 60.752(b)(1) and 40 CFR 60.754(a)(1)(i)]

   (b) If the calculated NMOC emission rate using the default values of §60.754(a)(1) is equal to or greater than 50 megagrams per year using Tier 1, the Permittee shall either:

      (i) Comply with §60.752(b)(2) as follows:

         (A) Submit a collection and control system design plan prepared by a professional engineer within 1 year;
         (B) Install a collection and control system, as specified in §60.752(b)(2)(ii)(A) or (B) and §60.752(b)(2)(iii), within 30 months after the first annual report in which the rate equals or exceeds 50 megagram per year; and
         (C) Comply with the specifications for active collection systems as specified in §60.759.

      or

      (ii) Determine a site-specific NMOC concentration and recalculate the NMOC emission rate using the procedures provided in paragraph §60.754(a)(3) and identified as Tier 2.

[40 CFR 60.752(b)(2) and 40 CFR 60.754(a)(1)(ii)]

[Explanatory Note: According to information provided by Waste Management, Inc. in the Part 71 permit renewal application dated March 22, 2016, the facility is expected to exceed 50 mg/yr of NMOC and become subject to 40 CFR 63.1935(a)(3) by 2017.]

3. **Tier 2**: The Permittee shall calculate a site-specific NMOC concentration as required by §60.754(a)(3) and recalculate the NMOC mass emission rate using the equations provided in §60.754(a)(1) using the average NMOC concentration from the collected samples instead of the default value in the equation in §60.754(a)(1).

   (a) If the resulting NMOC mass emission rate is less than 50 megagrams per year using Tier

2, the Permittee shall:

(i) Submit a periodic estimate of the emission rate report as provided in §60.757(b)(1); and
(ii) Retest the site-specific NMOC concentration every 5 years using Tier 2.

[40 CFR 60.754(a)(3)(i)]

(b) If the resulting NMOC mass emission rate is equal to or greater than 50 megagrams per year using Tier 2, the Permittee shall either:

(i) Comply with §60.752(b)(2) as follows:

(A) Submit a collection and control system design plan prepared by a professional engineer within 1 year;
(B) Install a collection and control system, as specified in §60.752(b)(2)(ii)(A) or (B) and §60.752(b)(2)(iii), within 30 months after the first annual report in which the rate equals or exceeds 50 megagram per year; and
(C) Comply with the specifications for active collection systems as specified in §60.759.

or

(ii) Determine a site-specific methane generation rate constant and recalculate the NMOC emission rate using the procedures specified in paragraph §60.754(a)(4) and identified as Tier 3.

[40 CFR 60.752(b)(2) and 40 CFR 60.754(a)(3)(ii)]

4. **Tier 3**: The Permittee shall determine the site-specific methane generation rate constant as required by §60.754(a)(4) and recalculate the NMOC mass emission rate using the site-specific methane generation rate constant, the NMOC concentration previously determined by Tier 2, and the equations provided in §60.754(a)(1).

(a) If the resulting NMOC mass emission rate is less than 50 megagrams per year using Tier 3, the Permittee shall:

(i) Submit a periodic emission rate report as provided in §60.757(b)(1); and
(ii) Recalculate the NMOC emission rate annually as provided in §60.757(b)(1) using the equations in paragraph §60.754(a)(1), the site-specific methane generation rate constant, and NMOC concentration rate obtained by Tier 2 every 5 years. The site-specific methane generation rate constant is performed only once, and the value obtained from this test shall be used in all subsequent annual NMOC emission rate calculations.

[40 CFR 60.754(a)(4)(ii)]

(b) If the resulting NMOC mass emission rate is equal to or greater than 50 megagrams per year using Tier 3, the Permittee shall comply with §60.752(b)(2) as follows:

(i) Submit a collection and control system design plan prepared by a professional engineer within 1 year; and

(ii) Install a collection and control system, as specified in §60.752(b)(2)(ii)(A) or (B) and §60.752(b)(2)(iii), within 30 months after the first annual report in which the rate equals or exceeds 50 megagram per year; and

(iii) Comply with the specifications for active collection systems as specified in §60.759.

[40 CFR 60.752(b)(2) and 40 CFR 60.754(a)(4)(i)]

C. Compliance Provisions [40 CFR 60.755]

The specified methods in §60.755(a)(1) - (a)(6) shall be used to determine whether the gas collection and control system is in compliance with §60.752(b)(2)(ii).

D. Monitoring of Operations [40 CFR 60.756]

The requirements of §60.756(a) - (f) shall be used to monitor the capture and control system requirements of §60.752(b)(2).

E. Reporting Requirements [40 CFR 60.757]

If the NMOC emission rate equals or exceeds 50 megagrams per year, the Permittee shall meet the applicable reporting requirements of §60.757(a) - (g).

F. Recordkeeping Requirements [40 CFR 60.758]

The Permittee shall meet the applicable recordkeeping requirements of §60.758(a) - (f).

III. 40 CFR Part 63, Subpart AAAA – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste (MSW) Landfills

A. 40 CFR 63, Subpart AAAA - Standards

1. This facility is subject to the requirements of 40 CFR part 63, subpart AAAA. Notwithstanding conditions in this permit, the Permittee shall comply with all applicable requirements of 40 CFR part 63, subpart AAAA.

   (a) 40 CFR 63, subpart AAAA applies as follows: §63.1935(a) - This facility is a MSW landfill that has accepted waste since November 8, 1987 or has additional capacity for waste deposition; and

   (b) §63.1935(a)(3) – This facility has a design capacity greater than 2.5 million megagrams and is an area source MSW landfill.

[40 CFR 63.1930 – 63.1990]

B. Non-Methane Organic Compound Emission Rate < 50 Mg/year

If the uncontrolled NMOC emission rate is less than 50 megagrams per year, as calculated according to §60.754(a) of the MSW landfills NSPS in 40 CFR part 60, subpart WWW, the Permittee shall recalculate the NMOC emission rate annually as specified in 40 CFR 60.752(b)(1) using the procedures

specified in 40 CFR 60.754(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed.

[40 CFR 63.1935(a)(3)]

[Explanatory note: The requirements of 40 CFR part 60, subpart WWW are summarized in the section on requirements from the Standards of Performance for Municipal Solid Waste Landfills in this permit.]

C. Non-Methane Organic Compound Emission Rate ≥ 50 Mg/year

If the uncontrolled NMOC emission rate is equal to or greater than 50 megagrams per year, as calculated according to §60.754(a) of the MSW landfills NSPS in 40 CFR part 60, subpart WWW, the Permittee shall comply with 40 CFR part 63, subpart AAAA by meeting the standards, monitoring, recordkeeping and reporting requirements as specified in 40 CFR part 60, subpart WWW in addition to the following standards, monitoring, recordkeeping and reporting requirements that apply to the facility.

[40 CFR 63.1935(a)(3)]

[Explanatory note: The requirements of 40 CFR part 60, subpart WWW are summarized in the section on requirements from the Standards of Performance for Municipal Solid Waste Landfills in this permit.]

1. Standards for Air Emissions

(a) The Permittee shall comply with the requirements of 40 CFR part 60, subpart WWW.

[40 CFR 63.1955(a)]

(b) If the Permittee is required by 40 CFR 60.752(b)(2) of 40 CFR part 60, subpart WWW to install a collection and control system, the Permittee must comply with the requirements in §§63.1960 through 63.1985, and with the general provisions as specified in Table 1 of 40 CFR part 63, subpart AAAA.

[40 CFR 63.1955(b)]

(c) For approval of collection and control systems that include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions, the Permittee must follow the procedures in 40 CFR 60.752(b)(2). If alternatives have already been approved under 40 CFR part 60, subpart WWW, these alternatives can be used to comply with 40 CFR 63, subpart AAAA, except as specified in 63.1955(c).

[40 CFR 63.1955(c)]

2. Compliance Provisions [40 CFR 63.1960]

Compliance shall be determined by the requirements of §63.1960. This includes performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence. In addition, continuous parameter monitoring data, collected under subpart WWW, are used to demonstrate compliance with the operating conditions for control systems. Finally, the Permittee must develop a written startup, shutdown, and malfunction (SSM) plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site.

3. **Monitoring and Testing [40 CFR 63.1980(g)]**

If the Permittee adds any liquids other than leachate in a controlled fashion to the waste mass and does not comply with the bioreactor requirements in §§63.1947, 63.1955(c) and 63.1980(c) through (f) of 40 CFR part 63, subpart AAAA, the Permittee must keep a record of calculations as specified in §63.1980(g).

4. **Recordkeeping and Reporting Requirements**

(a) The Permittee must comply with the recordkeeping requirements as specified in §60.758(a) of 40 CFR part 60, subpart WWW, except that the annual report described in 40 CFR 60.757(f) must be submitted every 6 months.

[40 CFR 63.1980(a)]

(b) The Permittee must keep records and reports as specified in the general provisions of 40 CFR part 60 and in Table 1 of 40 CFR part 63, subpart AAAA. Applicable records in the general provisions include items such as SSM plans and the SSM plan reports.

[40 CFR 63.1980(b)]

IV. 40 CFR Part 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants from Reciprocating Internal Combustion Engines

A. Applicability

40 CFR part 63, subpart ZZZZ applies to the following emission units:

1. Isuzu engine identified as IE1 in Table 3 of this permit;

2. John Deere engine identified as E3 in Table 2 of this permit;

3. Honda engine identified as IE3 in Table 3 of this permit.

[40 CFR 63.6585 - 63.6590]

B. Requirements for Engine IE3

1. The Permittee must meet the requirements of 40 CFR part 63, subpart ZZZZ by meeting the requirements of 40 CFR part 60, subpart JJJJ, for stationary SI engines. No further requirements apply to engine unit IE3 under 40 CFR part 63.

[40 CFR 63.6590(c)]

2. Pursuant to 40 CFR part 60, subpart JJJJ, this engine is subject to 40 CFR part 60, subpart JJJJ, as it was manufactured after July 1, 2008. As such, there are additional requirements outlined in this permit that apply to this engine.

[40 CFR 60.4230(a)(1)]

C. Requirements for Engines IE1 and E3

1. Emission and Operating Limitations

a. Except during periods of startup, the Permittee shall:

i. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;
ii. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and
iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

b. During periods of startup the Permittee shall minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

[40 CFR 63.6603(a) and Table 2d: 1(a)-(c)]

2. Testing and Initial Compliance Requirements

The Permittee must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which must provide, to the extent practicable, for the maintenance and operation of the engine in a manner consistent with good air pollution control practices for minimizing emissions.

[40 CFR 63.6625(e)(4) and Table 6: 9(a)(i)-(ii)]

3. Continuous Compliance Requirements

a. The Permittee must be in compliance with the emission limitations, operating limitations, and other requirements which apply, at all times.

[40 CFR 63.6605(a)]

b. The Permittee must operate and maintain the engines, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions, at all times.

[40 CFR 63.6605(b)]

c. The Permittee must demonstrate continuous compliance with each emission limitation, operating limitation and other requirements that apply.

[40 CFR 63.6640 (a)]

4. **Notifications, Reports, and Records**

a. The Permittee must submit notifications as specified in §63.6645.

b. The Permittee must submit reports as specified in §63.6650.

c. The Permittee must keep records as specified in §63.6655.

d. The Permittee must keep the records in the format and for the duration as specified in §63.6660.

[40 CFR 63.6645, 63.6650, 63.6655, 63.6660]

V. 40 CFR Part 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

A. Applicability

40 CFR part 60, subpart JJJJ applies to the following engines:

1. Honda engine identified as IE3 in Table 3 of this permit.

[40 CFR 60.4230]

B. Emission Standards for Owners and Operators

The Permittee, as an owner or operator of a 2014 model year non-emergency SI ICE must comply with the emission standards set in 40 CFR 60.4231(a).

[40 CFR 60.4233(a)]

C. Compliance Requirements for Owners and Operators

a. The Permittee, as the owner or operator of the SI ICE, must

i. Comply with the emission standards;
ii. Operate and maintain the stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

iii. Only change those settings that are permitted by the manufacturer; and
iv. Meet the requirements of 40 CFR parts 90 or 1054, as they apply.

[40 CFR 60.4243]

VI. Facility-Wide Requirements [40 CFR 71.6(a)(1)]

Conditions in this section of this permit apply to all emissions units located at the source, including any units not specifically listed in Table 2 of the Facility Emission Points section of this permit.

A. Recordkeeping Requirements [40 CFR 71.6(a)(3)(ii)]

The Permittee shall comply with the following generally applicable recordkeeping requirements:

1. If the Permittee determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more HAPs is not subject to a relevant standard or other requirement established under 40 CFR Part 63, the Permittee shall keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the Permittee believes the source is unaffected (e.g., because the source is an area source).

   [40 CFR 63.10(b)(3)]

2. Records shall be kept of off permit changes, as required by the Off Permit Changes section of this permit.

B. Reporting Requirements [40 CFR 71.6(a)(3)(iii)]

1. The Permittee shall submit to the EPA all reports of any required monitoring under this permit semiannually. The first report shall cover the period from the effective date of this permit through December 31st, 2016. Thereafter, the report shall be submitted semi-annually, by April 1st and October 1st of each year. The report due on April 1st shall cover the 6 month period ending on the last day of December before the report is due. The report due on October 1st shall cover the 6 month period ending on the last day of June before the report is due. All instances of deviations from permit requirements shall be clearly identified in such reports. All required reports shall be certified by a responsible official consistent with the Submissions section of this permit.

[Explanatory note: To help Part 71 Permittees meet reporting responsibilities, the EPA has developed a form "SIXMON" for 6 month monitoring reports. The form may be found on EPA's website at: https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits.]

2. "Deviation" means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in

accordance with 40 CFR 71.6(a)(3)(i) and (a)(3)(ii). For a situation lasting more than 24 hours which constitutes a deviation, each 24-hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:

(a) A situation where emissions exceed an emission limitation or standard;

(b) A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met; or

(c) A situation in which observations or data collected demonstrate noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit.

3. The Permittee shall promptly report to the EPA deviations from permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. "Prompt" is defined as follows:

(a) Any definition of "prompt" or a specific time frame for reporting deviations provided in an underlying applicable requirement as identified in this permit.

(b) Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:

(i) For emissions of a HAP or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(ii) For emissions of any regulated air pollutant, excluding a HAP or a toxic air pollutant that continues for more than 2 hours in excess of permit requirements, the report must be made within 48 hours.

(iii) For all other deviations from permit requirements, the report shall be submitted with the semi-annual monitoring report.

(c) If any of the conditions in (i) or (ii) of paragraph (b) above are met, the Permittee must notify EPA by telephone (1-800-227-6312), facsimile (303-312-6409), or by email to r8airreportenforcement@epa.gov based on the timetables listed above. *[Notification must specify that this notification is a deviation report for a Part 71 permit].* A written notice, certified consistent with the Submissions section of this permit must be submitted within 10 working days of the occurrence. All deviations reported under this section must also be identified in the 6-month report required under Condition 1 in this section of this permit.

[Explanatory note: To help Part 71 Permittees meet reporting responsibilities, the EPA has developed a form "PDR" for prompt deviation reporting. The form may be found on the EPA's website at: https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits.]

VII. General Provisions

A. Annual Fee Payment [40 CFR 71.9]

1. The Permittee shall pay an annual permit fee in accordance with the procedures outlined below.

2. The Permittee shall pay the annual permit fee each year no later than April 1st. The fee shall cover the previous calendar year.

3. The fee payment shall be in United States currency and shall be paid by money order, bank draft, certified check, corporate check, or electronic funds transfer payable to the order of the U.S. Environmental Protection Agency.

4. The Permittee shall send fee payment and a completed fee filing form to:

For regular U.S. Postal Service mail	**For non-U.S. Postal Service express mail** (FedEx, Airborne, DHL, and UPS)
U.S. Environmental Protection Agency FOIA and Miscellaneous Payments Cincinnati Finance Center P.O. Box 979078 St. Louis, MO 63197-9000	U.S. Bank Government Lockbox 979078 U.S. EPA FOIA & Misc. Payments 1005 Convention Plaza SL-MO-C2-GL St. Louis, MO 63101

5. The Permittee shall send an updated fee calculation worksheet form and a photocopy of each fee payment check (or other confirmation of actual fee paid) submitted annually by the same deadline as required for fee payment to the address listed in the Submissions section of this permit.

[Explanatory note: The fee filing form "FF" and the fee calculation worksheet form "FEE" may be found on the EPA website at:
https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits.]

6. Basis for calculating annual fee:

   (a) The annual emissions fee shall be calculated by multiplying the total tons of actual emissions of all "regulated pollutants (for fee calculation)" emitted from the source by the presumptive emissions fee (in dollars per ton) in effect at the time of calculation.

      (i) "Actual emissions" means the actual rate of emissions in tpy of any regulated pollutant (for fee calculation) emitted from a Part 71 source over the preceding calendar year. Actual emissions shall be calculated using each emissions unit's actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year.

      (ii) Actual emissions shall be computed using methods required by the permit for determining compliance, such as monitoring or source testing data.

      (iii) If actual emissions cannot be determined using the compliance methods in the permit, the Permittee shall use other federally recognized procedures.

[Explanatory note: The presumptive fee amount is revised each calendar year to account for inflation, and it is available from the EPA prior to the start of each calendar year.]

(b) The Permittee shall exclude the following emissions from the calculation of fees:

(i) The amount of actual emissions of each regulated pollutant (for fee calculation) that the source emits in excess of 4,000 tpy;

(ii) Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation; and

(iii) The quantity of actual emissions (for fee calculation) of insignificant activities [defined in 40 CFR 71.5(c)(11)(i)] or of insignificant emissions levels from emissions at the source identified in the Permittee's application pursuant to 40 CFR 71.5(c)(11)(ii).

7. Fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official.

[Explanatory note: The fee calculation worksheet form already incorporates a section to help the Permittee meet this responsibility.]

8. The Permittee shall retain fee calculation worksheets and other emissions-related data used to determine fee payment for 5 years following submittal of fee payment. [Emission-related data include, for example, emissions-related forms provided by the EPA and used by the Permittee for fee calculation purposes, emissions-related spreadsheets, and emissions-related data, such as records of emissions monitoring data and related support information required to be kept in accordance with 40 CFR 71.6(a)(3)(ii).]

9. Failure of the Permittee to pay fees in a timely manner shall subject the Permittee to assessment of penalties and interest in accordance with 40 CFR 71.9(l).

10. When notified by the EPA of underpayment of fees, the Permittee shall remit full payment within 30 days of receipt of notification.

11. A Permittee who thinks an EPA-assessed fee is in error and who wishes to challenge such fee, shall provide a written explanation of the alleged error to the EPA along with full payment of the EPA assessed fee.

B. Annual Emissions Inventory [40 CFR 71.9(h)(1)and (2)]

1. The Permittee shall submit an annual emissions report of its actual emissions for both criteria pollutants and regulated HAPs for this source for the preceding calendar year for fee assessment purposes. The annual emissions report shall be certified by a responsible official and shall be submitted each year to the EPA by April 1st.

2. The annual emissions report shall be submitted to the EPA at the address listed in the Submissions section of this permit.

[Explanatory note: An annual emissions report, required at the same time as the fee calculation worksheet by 40 CFR 71.9(h), has been incorporated into the fee calculation worksheet form as a convenience.]

C. Compliance Requirements [40 CFR 71.6(a)(6), Section 113(a) and 113(e)(1) of the CAA, and 40 CFR 51.212, 52.12, 52.33, 60.11(g), 61.12]

1. Compliance with the Permit

(a) The Permittee must comply with all conditions of this Part 71 permit. Any permit noncompliance constitutes a violation of the CAA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

(b) 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 this permit.

(c) For the purpose of submitting compliance certifications in accordance with §71.6(c)(5), or establishing whether or not a person has violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

2. Compliance Schedule [40 CFR 71.5(c)(8)(iii)]

(a) For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements.

(b) For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis.

3. Compliance Certifications [40 CFR 71.6(c)(5)]

(a) The Permittee shall submit to the EPA a certification of compliance with permit terms and conditions, including emission limitations, standards, or work practices annually by April 1st, and shall cover the same 12-month period as the two consecutive semi-annual monitoring reports.

[Explanatory note: To help Part 71 Permittees meet reporting responsibilities, the EPA has developed a reporting form for annual compliance certifications. The form may be found on the EPA website at: https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits.]

(b) The compliance certification shall be certified as to truth, accuracy, and completeness by a responsible official consistent with 40 CFR 71.5(d).

(c) The certification shall include the following:

(i) Identification of each permit term or condition that is the basis of the certification;

(ii) The identification of the method(s) or other means used for determining the compliance status of each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required in this permit. If necessary, the Permittee also shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA, which prohibits knowingly making a false certification or omitting material information;

(iii) The status of compliance with each term and condition of the permit for the period covered by the certification based on the method or means designated in (ii) above. The certification shall identify each deviation and take it into account in the compliance certification;

(iv) Such other facts as the EPA may require to determine the compliance status of the source; and

(v) Whether compliance with each permit term was continuous or intermittent.

D. Duty to Provide and Supplement Information
[40 CFR 71.6(a)(6)(v), 71.5(a)(3), and 71.5(b)]

1. The Permittee shall furnish to the EPA, within a reasonable time, any information that EPA 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 EPA copies of records that are required to be kept pursuant to the terms of the permit, including information claimed to be confidential. Information claimed to be confidential must be accompanied by a claim of confidentiality according to the provisions of 40 CFR Part 2, Subpart B.

2. The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. In addition, a Permittee shall provide additional information as necessary to address any requirements that become applicable after the date a complete application is filed, but prior to release of a draft permit.

E. Submissions [40 CFR 71.5(d), 71.6(c)(1) and 71.9(h)(2)]

1. Any document (application form, report, compliance certification, etc.) required to be submitted under this permit shall be certified by a responsible official as to truth, accuracy, and completeness. Such certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Explanatory note: the EPA has developed a reporting form "CTAC" for certifying truth, accuracy and completeness of Part 71 submissions. The form may be found on EPA website at: https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits.]

All fee calculation worksheets and applications for renewals and permit modifications shall be submitted to:

Part 71 Permit Contact, Air Program, 8P-AR
U.S. Environmental Protection Agency,
1595 Wynkoop Street
Denver, Colorado 80202

2. Except where otherwise specified, all reports, test data, monitoring data, notifications, and compliance certifications shall be submitted to:

   Director, Air Toxics and Technical Enforcement Program, 8ENF-AT
   U.S. Environmental Protection Agency,
   1595 Wynkoop Street
   Denver, Colorado 80202

F. Severability Clause [40 CFR 71.6(a)(5)]

The provisions of this permit are severable, and in the event of any challenge to any portion of this permit, or if any portion is held invalid, the remaining permit conditions shall remain valid and in force.

G. Permit Actions [40 CFR 71.6(a)(6)(iii)]

This 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 of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

H. Administrative Permit Amendments [40 CFR 71.7(d)]

The Permittee may request the use of administrative permit amendment procedures for a permit revision that:

1. Corrects typographical errors;

2. Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source;

3. Requires more frequent monitoring or reporting by the Permittee;

4. Allows for a change in ownership or operational control of a source where the EPA determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee has been submitted to the EPA;

5. Incorporates into the Part 71 permit the requirements from preconstruction review permits authorized under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of 40 CFR 71.7 and 71.8 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in 40 CFR 71.6; or

6. Incorporates any other type of change which EPA has determined to be similar to those listed in (1) through (5) above.

[Note to Permittee: If 1 through 5 above do not apply, please contact the EPA for a determination of similarity prior to submitting the Permittee's request for an administrative permit amendment under this provision.]

I. Minor Permit Modifications [40 CFR 71.7(e)(1)]

1. The Permittee may request the use of minor permit modification procedures only for those modifications that:

   (a) Do not violate any applicable requirement;

   (b) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;

   (c) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;

   (d) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:

      (i) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I; and
      (ii) An alternative emissions limit approved pursuant to regulations promulgated under Section 112(i)(5) of the CAA;

   (e) Are not modifications under any provision of Title I of the CAA; and

   (f) Are not required to be processed as a significant modification.

2. Notwithstanding the list of changes ineligible for minor permit modification procedures in 1 above, minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in an applicable implementation plan or in applicable requirements promulgated by EPA.

3. An application requesting the use of minor permit modification procedures shall meet the requirements of 40 CFR 71.5(c) and shall include the following:

   (a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

   (b) The source's suggested draft permit;

(c) Certification by a responsible official, consistent with 40 CFR 71.5(d), that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and

(d) Completed forms for the permitting authority to use to notify affected States as required under 40 CFR 71.8.

4. The source may make the change proposed in its minor permit modification application immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions authorized by 40 CFR 71.7(e)(1)(iv)(A) through (C), the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

5. The permit shield under 40 CFR 71.6(f) may not extend to minor permit modifications.

J. Significant Permit Modifications [40 CFR 71.7(e)(3), 71.8(d), and 71.5(a)(2)]

1. The Permittee must request the use of significant permit modification procedures for those modifications that:

(a) Do not qualify as minor permit modifications or as administrative amendments;

(b) Are significant changes in existing monitoring permit terms or conditions; or

(c) Are relaxations of reporting or recordkeeping permit terms or conditions.

2. Nothing herein shall be construed to preclude the Permittee from making changes consistent with Part 71 that would render existing permit compliance terms and conditions irrelevant.

3. Permittees must meet all requirements of Part 71 for applications, public participation, and review by affected states and tribes for significant permit modifications. For the application to be determined complete, the Permittee must supply all information that is required by 40 CFR 71.5(c) for permit issuance and renewal, but only that information that is related to the proposed change.

K. Reopening for Cause [40 CFR 71.7(f)]

The permit may be reopened and revised prior to expiration under any of the following circumstances:

1. Additional applicable requirements under the CAA become applicable to a major Part 71 source with a remaining permit term of three or more years. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to 40 CFR 71.7(c)(3);

2. Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;

3. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or

4. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

L. Property Rights [40 CFR 71.6(a)(6)(iv)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

M. Inspection and Entry [40 CFR 71.6(c)(2)]

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the EPA or an authorized representative to perform the following:

1. Enter upon the Permittee's premises where a Part 71 source is located or emissions-related activity is conducted, or where records must be kept under the conditions 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 (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

4. As authorized by the CAA, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

N. Emergency Provisions [40 CFR 71.6(g)]

1. In addition to any emergency or upset provision contained in any applicable requirement, the Permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the Permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

   (a) An emergency occurred and that the Permittee can identify the cause(s) of the emergency;

   (b) The permitted source was at the time being properly operated;

   (c) During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and

(d) The Permittee submitted notice of the emergency to the EPA within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements for prompt notification of deviations.

2. In any enforcement proceedings the Permittee attempting to establish the occurrence of an emergency has the burden of proof.

3. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

O. Transfer of Ownership or Operation [40 CFR 71.7(d)(1)(iv)]

A change in ownership or operational control of this source may be treated as an administrative permit amendment if the EPA determines no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee has been submitted to the EPA.

P. Off Permit Changes [40 CFR 71.6(a)(12) and 40 CFR 71.6(a)(3)(ii)]

The Permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met, and that all records required by this section are kept for a period of 5 years:

1. Each change is not addressed or prohibited by this permit;

2. Each change shall meet with all applicable requirements and shall not violate any existing permit term or condition;

3. Changes under this provision may not include changes subject to any requirement of 40 CFR parts 72 through 78 or modifications under any provision of Title I of the CAA;

4. The Permittee must provide contemporaneous written notice to the EPA of each change, except for changes that qualify as insignificant activities under 40 CFR 71.5(c)(11). The written notice must describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change;

5. The permit shield does not apply to changes made under this provision;

6. The Permittee must keep a record describing all changes that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes;

7. The notice shall be kept on site and made available to the EPA on request, in accordance with the general recordkeeping provision of this permit; and

8. Submittal of the written notice required above shall not constitute a waiver, exemption, or shield from applicability of any applicable standard or PSD permitting requirements under 40 CFR 52.21 that would be triggered by the change.

Q. Permit Expiration and Renewal [40 CFR 71.5(a)(1)(iii), 71.5(a)(2), 71.5(c)(5), 71.6(a)(11), 71.7(b), 71.7(c)(1), and 71.7(c)(3)]

1. This permit shall expire upon the earlier occurrence of the following events:

   (a) Five (5) years elapse from the date of issuance; or

   (b) The source is issued a Part 70 or Part 71 permit under an EPA-approved or delegated permit program.

2. Expiration of this permit terminates the Permittee's right to operate unless a timely and complete permit renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration of this permit.

3. If the Permittee submits a timely and complete permit application for renewal, consistent with 40 CFR 71.5(a)(2), but the EPA has failed to issue or deny the renewal permit, then all the terms and conditions of the permit, including any permit shield granted pursuant to 40 CFR 71.6(f) shall remain in effect until the renewal permit has been issued or denied.

4. The Permittee's failure to have a Part 71 permit is not a violation of this part until the EPA takes final action on the permit renewal application. This protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit any additional information identified as being needed to process the application by the deadline specified in writing by the EPA.

5. Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation, affected State, and tribal review.

6. The application for renewal shall include the current permit number, description of permit revisions and off permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.