

**Iowa Department of Natural Resources  
Title V Operating Permit**

**Name of Permitted Facility: Ag Processing Inc. – Algona  
Facility Location: 2108 140<sup>th</sup> Avenue, Algona, IA 50511**

**Air Quality Operating Permit Number: 15-TV-008R1**

**Expiration Date: May 31, 2025**

**Permit Renewal Application Deadline: November 30, 2024**

**EIQ Number: 92-6977**

**Facility File Number: 55-01-032**

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**Responsible Official**

**Name: Ernie Kiley**

**Title: Sr Vice President - Operations**

**Mailing Address: 12700 West Dodge Road, Omaha, NE 68103**

**Phone #: (402) 496-6651**

**Permit Contact Person for the Facility**

**Name: Justin Charbonneaux**

**Title: Plant Manager**

**Mailing Address: 2108 140<sup>th</sup> Avenue, Algona, IA 50511**

**Phone #: (515) 395-3910**

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This permit is issued in accordance with 567 Iowa Administrative Code Chapter 22, and is issued subject to the terms and conditions contained in this permit.

**For the Director of the Department of Natural Resources**

*Chris Kjellmark for Lori Hanson 6/1/2020*  
Lori Hanson, Supervisor of Air Operating Permits Section Date

# Table of Contents

<b>I. Facility Description and Equipment List .....</b>	<b>4</b>
<b>II. Plant - Wide Conditions .....</b>	<b>6</b>
<b>III. Emission Point Specific Conditions .....</b>	<b>10</b>
<b>IV. General Conditions .....</b>	<b>28</b>
G1. Duty to Comply	
G2. Permit Expiration	
G3. Certification Requirement for Title V Related Documents	
G4. Annual Compliance Certification	
G5. Semi-Annual Monitoring Report	
G6. Annual Fee	
G7. Inspection of Premises, Records, Equipment, Methods and Discharges	
G8. Duty to Provide Information	
G9. General Maintenance and Repair Duties	
G10. Recordkeeping Requirements for Compliance Monitoring	
G11. Evidence used in establishing that a violation has or is occurring.	
G12. Prevention of Accidental Release: Risk Management Plan Notification and Compliance Certification	
G13. Hazardous Release	
G14. Excess Emissions and Excess Emissions Reporting Requirements	
G15. Permit Deviation Reporting Requirements	
G16. Notification Requirements for Sources That Become Subject to NSPS and NESHAP Regulations	
G17. Requirements for Making Changes to Emission Sources That Do Not Require Title V Permit Modification	
G18. Duty to Modify a Title V Permit	
G19. Duty to Obtain Construction Permits	
G20. Asbestos	
G21. Open Burning	
G22. Acid Rain (Title IV) Emissions Allowances	
G23. Stratospheric Ozone and Climate Protection (Title VI) Requirements	
G24. Permit Reopenings	
G25. Permit Shield	
G26. Severability	
G27. Property Rights	
G28. Transferability	
G29. Disclaimer	
G30. Notification and Reporting Requirements for Stack Tests or Monitor Certification	
G31. Prevention of Air Pollution Emergency Episodes	
G32. Contacts List	
<b>V. Appendix A: Links to Standards .....</b>	<b>38</b>

## Abbreviations

acfm.....	actual cubic feet per minute
bu/hr.....	bushels per hour
CFR.....	Code of Federal Regulations
CE.....	control equipment
CEM.....	continuous emissions monitor
DDGS.....	distillers dried grains with solubles
°F.....	degrees Fahrenheit
EIQ.....	emissions inventory questionnaire
EP.....	emission point
EU.....	emission unit
gr./dscf.....	grains per dry standard cubic foot
IAC.....	Iowa Administrative Code
DNR.....	Iowa Department of Natural Resources
kW.....	kilowatts
Mgals.....	million gallons
MVAC.....	motor vehicle air conditioner
NAICS.....	North American Industry Classification System
NSPS.....	new source performance standard
ppmv.....	parts per million by volume
lb./hr.....	pounds per hour
lb./MMBtu.....	pounds per million British thermal units
SCC.....	Source Classification Codes
scfm.....	standard cubic feet per minute
SIC.....	Standard Industrial Classification
tpy.....	tons per year
USEPA.....	United States Environmental Protection Agency

### Pollutants

PM.....	particulate matter
PM <sub>10</sub> .....	particulate matter ten microns or less in diameter
SO <sub>2</sub> .....	sulfur dioxide
NO <sub>x</sub> .....	nitrogen oxides
VOC.....	volatile organic compound
CO.....	carbon monoxide
HAP.....	hazardous air pollutant

# I. Facility Description and Equipment List

Facility Name: Ag Processing Inc. - Algona

Permit Number: 15-TV-008R1

Facility Description: Industrial Organic Chemicals, NEC (SIC 2869)

## Equipment List

<b>Emission Point Number</b>	<b>Emission Unit Number</b>	<b>Emission Unit Description</b>	<b>DNR Construction Permit Number</b>
1	1.401	Vacuum Pump	06-A-833-S1
	1.402	Biodiesel Reactor 1	
	1.403	Biodiesel Reactor 2	
	1.407	Biodiesel Reactor 3	
	1.404	Methanol Rectification Column	
	1.405	Biodiesel Methanol Stripper	
	1.406	Glycerin Methanol Stripper	
	8.201	Fresh Methanol Tank (38,000 gallons)	
	8.202	Fresh Methanol Tank (38,000 gallons)	
	8.203	Process Methanol Tank (38,000 gallons)	
8.204	Sodium Methylate Tank (38,000 gallons)		
2A	2.00A	Boiler	06-A-834-S2
2B	2.00B	Boiler	06-A-835-S2
4	4	VOC Emissions from Equipment Leaks	06-A-837-S1
F1	F1	Fugitive Dust Emissions from Truck Traffic	06A-838-S1
10	10.00	Emergency Fire Pump Engine	NA

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## Insignificant Activities Equipment List

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Insignificant Emission Unit Number	Insignificant Emission Unit Description
5.101	Oil Tank (1,000,000 gallons)
5.121	Oil Tank (1,000,000 gallons)
6.131	Biodiesel Tank (1,000,000 gallons)
6.132	Biodiesel Tank (1,000,000 gallons)
6.133	Biodiesel Tank (1,000,000 gallons)
6.117	Biodiesel Tank (1,000,000 gallons)
8.231	Hydrochloric Acid Tank (11,700 gallons)
8.232	Hydrochloric Acid Tank (11,700 gallons)
8.233	Hydrochloric Acid Tank (11,700 gallons)
9.1	Cooling Tower
9.2	Cooling Tower
9.3	Cooling Tower
F2	Loadout
SU 1.2	DE Storage Tanks

## II. Plant-Wide Conditions

Facility Name: Ag Processing Inc. - Algona  
Permit Number: 15-TV-008R1

Permit conditions are established in accord with 567 Iowa Administrative Code rule 22.108

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### Permit Duration

The term of this permit is: 5 years  
Commencing on: June 1, 2020  
Ending on: May 31, 2025

Amendments, modifications and reopenings of the permit shall be obtained in accordance with 567 Iowa Administrative Code rules 22.110 - 22.114. Permits may be suspended, terminated, or revoked as specified in 567 Iowa Administrative Code Rules 22.115.

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### Emission Limits

*Unless specified otherwise in the Source Specific Conditions, the following limitations and supporting regulations apply to all emission points at this plant:*

Opacity (visible emissions): 40% opacity  
Authority for Requirement: 567 IAC 23.3(2)"d"

Sulfur Dioxide (SO<sub>2</sub>): 500 parts per million by volume  
Authority for Requirement: 567 IAC 23.3(3)"e"

#### Particulate Matter:

No person shall cause or allow the emission of particulate matter from any source in excess of the emission standards specified in this chapter, except as provided in 567 – Chapter 24. For sources constructed, modified or reconstructed on or after July 21, 1999, the emission of particulate matter from any process shall not exceed an emission standard of 0.1 grain per dry standard cubic foot of exhaust gas, except as provided in 567 – 21.2(455B), 23.1(455B), 23.4(455B) and 567 – Chapter 24.

For sources constructed, modified or reconstructed prior to July 21, 1999, the emission of particulate matter from any process shall not exceed the amount determined from Table I, or amount specified in a permit if based on an emission standard of 0.1 grain per standard cubic foot of exhaust gas or established from standards provided in 23.1(455B) and 23.4(455B).  
Authority for Requirement: 567 IAC 23.3(2)"a"

Fugitive Dust: Attainment and Unclassified Areas - A person shall take reasonable precautions to prevent particulate matter from becoming airborne in quantities sufficient to cause a nuisance as defined in Iowa Code section 657.1 when the person allows, causes or permits any materials to be handled, transported or stored or a building, its appurtenances or a construction haul road to be



#### **40 CFR 60 Subpart Kb Requirements**

This facility is subject to Standards of Performance for *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels)* for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984. The affected units are EU 8.201, EU 8.202, and EU 8.204.

See Appendix for a link to the Standard.

Authority for 40 CFR 60 Subpart Kb  
Requirements: 567 IAC 23.1(2) "ddd"

#### **40 CFR 60 Subpart VV Requirements**

This facility is subject to Standards of Performance for *Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry* for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006.

The affected units are equipment in VOC service and any applicable devices and systems (as defined in 40 CFR 60.480) in the entire facility. The owner or operator shall comply with the applicable requirements in 40 CFR 60.480 through 60.489, including recordkeeping requirements in 40 CFR 60.486 and reporting requirements in 40 CFR 60.487.

See Appendix for a link to the Standard.

Authority for 40 CFR 60 Subpart VV  
Requirements: 567 IAC 23.1(2) "nn"

#### **40 CFR 60 Subpart NNN**

This facility is subject to Standards of Performance for *Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations*. The affected units are EU 1.401, EU 1.405, and EU 1.406.

See Appendix for a link to the Standard.

Authority for 40 CFR 60 Subpart NNN  
Requirements: 567 IAC 23.1(2) "kkk"

#### **40 CFR 60 Subpart RRR**

This facility is subject to Standards of Performance for *Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes*. The affected units are EU 1.402, EU 1.403, and EU 1.407.

See Appendix for a link to the Standard.

Authority for 40 CFR 60 Subpart RRR  
Requirements: 567 IAC 23.1(2) "qqq"

#### **40 CFR 60 Subpart IIII Requirements**

This facility is subject to Standards of Performance for *Stationary Compression Ignition Internal Combustion Engines*. The affected unit is EU 10.00.

See Appendix for a link to the Standard.

Authority for 40 CFR 60 Subpart IIII  
Requirements: 567 IAC 23.1(2) "yyy"



#### **40 CFR 63 Subpart UU Requirements**

This facility is subject to National Emission Standards for Hazardous Air Pollutants for *National Emission Standards for Equipment Leaks – Control Level 2 Standards*. The affected units are EU 1.401, EU 1.402, EU 1.403, EU 1.407, EU 1.404, EU 1.405, EU 1.406, EU 8.201, EU 8.202, EU 8.203, and EU 8.204.

See Appendix for a link to the Standard.

Authority for 40 CFR 63 Subpart UU

Requirements: 567 IAC 23.1(4) "au"

#### **40 CFR 63 Subpart FFFF Requirements**

This facility is subject to National Emission Standards for Hazardous Air Pollutants for *Miscellaneous Organic Chemical Manufacturing*. The affected units are EU 1.401, EU 1.402, EU 1.403, EU 1.407, EU 1.404, EU 1.405, EU 1.406, EU 8.201, EU 8.202, EU 8.203, and EU 8.204.

See Appendix for a link to the Standard.

Authority for 40 CFR 63 Subpart FFFF

Requirements: 567 IAC 23.1(4) "cf"

#### **40 CFR 63 Subpart DDDDD Requirements**

This facility is subject to National Emission Standards for Hazardous Air Pollutants for *Industrial, Commercial, And Institutional Boilers and Process Heaters*. The affected units are EU 2.00A and EU 2.00B.

See Appendix for a link to the Standard.

Authority for 40 CFR 63 Subpart DDDDD

Requirements:

#### **40 CFR 63 Subpart ZZZZ Requirements**

This facility is subject to National Emission Standards for Hazardous Air Pollutants for *Reciprocating Internal Combustion Engines*. The affected unit is EU 10.00.

See Appendix for a link to the Standard.

Authority for 40 CFR 63 Subpart ZZZZ

Requirements: 567 IAC 23.1(4) "cz"

### III. Emission Point-Specific Conditions

Facility Name: Ag Processing Inc. - Algona

Permit Number: 15-TV-008R1

#### Emission Point ID Number: 1

#### Associated Equipment

Emission Unit	Emission Unit Description	Raw Material/Fuel	Rated Capacity	Control Equipment Description
1.401	Vacuum Pump	Vegetable Oil	72 Mgals/yr Biodiesel	Flare (CE 1.00) 4MMBtu/hr
1.402	Biodiesel Reactor 1			
1.403	Biodiesel Reactor 2			
1.407	Biodiesel Reactor 3			
1.404	Methanol Rectification Column			
1.405	Biodiesel Methanol Stripper			
1.406	Glycerin Methanol Stripper			
8.201	Fresh Methanol Tank (38,000 gallons)	Methanol		
8.202	Fresh Methanol Tank (38,000 gallons)	Methanol		
8.203	Process Methanol Tank (38,000 gallons)	Methanol		
8.204	Sodium Methylate Tank (38,000 gallons)	Sodium Methylate		

#### Applicable Requirements

##### Emission Limits (lb./hr, gr./dscf, lb./MMBtu, % opacity, etc.)

*The emissions from this emission point shall not exceed the levels specified below.*

Pollutant: Opacity

Emission Limit(s): No Visible Emissions <sup>(1)</sup>

Authority for Requirement: DNR Construction Permit 06-A-833-S1  
40 CFR 60.18(c)(1)

<sup>(1)</sup> As specified in §60.18(c)(1), flares shall be designed for and operated with no visible emissions for periods not to exceed a total of 5 minutes during any 2 consecutive hours. Reference Method 22 in appendix A of Part 60 of Chapter 40 shall be used to determine the compliance of the flare with the visible emissions provisions in §60.18(c)(1). The observations period is 2 hours and shall be used according to Method 22.

Pollutant: Particulate Matter (PM<sub>10</sub>)  
Emission Limit(s): 0.1 lb/hr  
Authority for Requirement: DNR Construction Permit 06-A-833-S1

Pollutant: Particulate Matter (PM)  
Emission Limit(s): 0.1 gr/dscf  
Authority for Requirement: DNR Construction Permit 06-A-833-S1  
567 IAC 23.3(2)"a"

Pollutant: Volatile Organic Compounds (VOC)  
Emission Limit(s): 7.0 lb/hr <sup>(2)</sup>  
Authority for Requirement: DNR Construction Permit 06-A-833-S1  
<sup>(2)</sup> Emission limit includes contributions from the flare (CE 1.00), methanol tank vent header (EU 8.201-8.204), biodiesel process (EU 1.401-1.406), and hexane emissions from the vegetable oil reactant.

Pollutant: Methanol  
Emission Limit(s): 1.5 lb/hr  
Authority for Requirement: DNR Construction Permit 06-A-833-S1  
567 IAC 23.1(4)"cf"

### **NSPS and NESHAP Requirements**

This process is subject to the following National New Source Performance Standards (NSPS):

- 40 CFR Part 60 Subpart A - *General Provisions*, as specified in §60.1 – §60.19;
- 40 CFR Part 60 Subpart Kb - Standards of Performance for *Volatile Organic Liquid Storage Vessel*, as specified in §60.110b;
- 40 CFR Part 60 Subpart VV - Standards of Performance for *Equipment Leaks of VOC in the Synthetic Organic Manufacturing Industry*, as specified in §60.480;
- 40 CFR Part 60 Subpart NNN - Standards of Performance for *Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations*, as specified in §60.660; and
- 40 CFR Part 60 Subpart RRR-Standards of Performance for *Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes* as specified in §60.700.

This facility is subject to the National Emission Standard for Hazardous Air Pollutants (NESHAP) 40 CFR Part 63 Subpart FFFF – *Miscellaneous Organic Chemical Manufacturing*, as specified in §63.2435. In addition, the facility is subject to the National Emission Standard for Hazardous Air Pollutants (NESHAP) 40 CFR Part 63 Subpart UU – *National Emission Standards for Equipment Leaks – Control Level 2 Standards*.

Authority for Requirement: DNR Construction Permit 06-A-833-S1  
40 CFR 60 Subpart Kb  
567 IAC 23.1(2) "ddd"  
40 CFR 60 Subpart VV

567 IAC 23.1(2) "nn"  
40 CFR 60 Subpart NNN  
567 IAC 23.1(2) "kkk"  
40 CFR 60 Subpart RRR  
567 IAC 23.1(2) "qqq"  
40 CFR 63 Subpart FFFF  
567 IAC 23.1(4) "cf"  
40 CFR 63 Subpart UU  
567 IAC 23.1(4) "au"

### **Operational Limits & Requirements**

*The owner/operator of this equipment shall comply with the operational limits and requirements listed below.*

#### **Operating Limits**

- A. The facility shall only use vegetable oils in the biodiesel process (EU 1.401-1.406).
- B. The primary fuel combusted in the flare (CE 1.00) shall be limited to natural gas or propane.
- C. The owner or operator shall install, calibrate, maintain, and operate the following equipment according to the manufactures specifications:
  - a. For the flare (CE 1.00), a heat sensing device, such as a ultra-violet beam sensor or thermocouple, or any other equivalent device at the pilot light to indicate the continuous presence of a flame.
  - b. The flare (CE 1.00) shall meet the requirements specified in 40 CFR § 63.987.
- D. This facility shall produce a maximum of 72 million gallons of biodiesel per rolling 12-month period.
- E. As specified in §63.2460(a), Ag Processing Inc. must meet each emission limit in Table 2 of Subpart FFFF that applies to this process and must meet each applicable requirement specified in paragraphs (b) and (c) of §63.2460.

#### **Reporting & Recordkeeping**

*All records as required by this permit shall be kept on-site for a minimum of five (5) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner.*

- A. The facility shall record the amount of all vegetable oils obtained for the biodiesel process (EU 1.4).
- B. For the flare (CE 1.00), the owner or operator shall keep up-to-date, readily accessible records of all visible emission readings, any heat content determinations, flow rate measurements, and/or exit velocity determinations made during performance tests, and all other records required to show compliance with the conditions of this permit.
- C. For the flare (CE 1.00), the owner or operator shall keep up-to-date, readily accessible continuous records of the flame pilot flame monitoring, and records of all periods of operations during which the pilot flame is absent.
- D. The owner or operator shall record on a monthly basis; the amount of biodiesel produced at the facility, in gallons, and calculate and record rolling 12-month totals.
- E. Ag Processing Inc. must keep all applicable records as specified in 40 CFR §63.2525

Authority for Requirement: DNR Construction Permit 06-A-833-S1

**Emission Point Characteristics**

*The emission point shall conform to the specifications listed below.*

- Stack Height (ft, from the ground): 26
- Stack Opening (inches, dia.): 41
- Exhaust Flow Rate (scfm): 4,500
- Exhaust Temperature (°F): 800
- Discharge Style: Vertical Unobstructed
- Authority for Requirement: DNR Construction Permit 06-A-833-S1

The temperature and flowrate are intended to be representative and characteristic of the design of the permitted emission point. The Department recognizes that the temperature and flow rate may vary with changes in the process and ambient conditions. If it is determined that either the temperature or flowrate above are different than the values stated, the owner or operator shall submit a request to the Department within thirty (30) days of the discovery to determine if a permit amendment is required or submit a permit application requesting to amend the permit.

**Monitoring Requirements**

*The owner/operator of this equipment shall comply with the monitoring requirements listed below.*

**Opacity Monitoring**

Visible emissions shall be observed on a weekly basis. An exceedance of the indicator opacity of "No Visible Emissions (No VE)" will require the owner or operator to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedances continue after the corrections, the DNR may require additional proof to demonstrate compliance (e.g. additional testing). If weather conditions prevent the observer from conducting an opacity observation, the observer shall note such conditions on the data observation sheet. At least three attempts shall be made to retake visible emissions readings at approximately 2-hour intervals throughout the day. If all observation attempts for a week have been unsuccessful due to weather, an observation shall be made the next operating day where weather permits.

Maintain a written record of the observation and any action resulting from the observation for a minimum of five years.

Authority for Requirement: 567 IAC 22.108(14)

**Agency Approved Operation & Maintenance Plan Required?**      Yes  No

**Facility Maintained Operation & Maintenance Plan Required?**      Yes  No

**Compliance Assurance Monitoring (CAM) Plan Required?**      Yes  No

Authority for Requirement: 567 IAC 22.108(3)

## **Emission Point ID Number: 2A and 2B**

### Associated Equipment

Associated Emission Unit ID Numbers: 2.00A, 2.00B

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Emission Unit vented through this Emission Point: 2.00A, 2.00B

Emission Unit Description: Boiler A, Boiler B

Raw Material/Fuel: Natural Gas, Diesel or Biodiesel

Rated Capacity: 30.618 MMBtu/hr each

### **Applicable Requirements**

#### **Emission Limits (lb./hr, gr./dscf, lb./MMBtu, % opacity, etc.)**

*The emissions from these emission points shall not exceed the levels specified below.*

#### **New Source Performance Standard Emission Limits (Distillate Oil alone or in combination with any other fuel)**

Pollutant: Opacity

Emission Limit(s): 20% <sup>(1)</sup>

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3  
567 IAC 23.1(2)"III"

<sup>(1)</sup> Per 40 CFR §60.43c(c), opacity shall not exceed 20% (6-minute average), except for one (1) 6-minute period per hour of not more than 27% opacity. Per 40 CFR §60.43c(d), the opacity standard applies at all times except for periods of startup, shutdown, or malfunction (SSM).

Pollutant: Particulate Matter (PM)

Emission Limit(s): <sup>(2)</sup>

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3  
567 IAC 23.1(2)"III"

<sup>(2)</sup> Per 40 CFR §60.43c(e)(4), this unit is not subject to the PM limit in 40 CFR §60.43c(e)(1) since the sulfur content of the fuel combusted in EUs 2.00A and 2.00B is limited to below 0.50 weight percent.

Pollutant: Sulfur Dioxide (SO<sub>2</sub>)

Emission Limit(s): <sup>(3)</sup>

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3  
567 IAC 23.1(2)"III"

<sup>(3)</sup> Per 40 CFR §60.42c(d), as an alternative to the SO<sub>2</sub> emission limit of 215 ng/J (0.50 lb/MMBTU), the emission unit (EUs 2.00A and 2.00B) shall not combust oil that contains greater than 0.50 weight percent sulfur.

## **Non- New Source Performance Standard Emission Limits (Natural Gas or 100% biodiesel)**

Pollutant: Opacity

Emission Limit(s): 40% <sup>(4)</sup>

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3  
567 IAC 23.3(2)"d"

<sup>(4)</sup> An exceedance of the indicator opacity will require the owner or operator to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedances continue after the corrections, the Department may require additional proof to demonstrate compliance (e.g., stack testing). The indicator opacities for this emission unit (EU 2.00A and 2.00B) are:

- Combustion of 100% natural gas: No Visible Emissions (No VE)
- Combustion of biodiesel alone or in combination with natural gas: 10%

Pollutant: Particulate Matter (PM)

Emission Limit(s): 0.6 lb/MMBtu

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3  
567 IAC 23.3(2)"b"

Pollutant: Sulfur Dioxide (SO<sub>2</sub>)

Emission Limit(s): <sup>(5)</sup>

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3  
567 IAC 23.3(3)

<sup>(5)</sup> The SO<sub>2</sub> emission limits for this emission unit (EU 2.00A and 2.00B) shall be:

- Combustion natural gas: 500 ppm [567 IAC 23.3(3)"e"]
- Combustion of 100% biodiesel: 2.5 lb/MMBTU [567 IAC 23.3(3)"b"]

### **Other Emission Limits**

Pollutant: Particulate Matter (PM<sub>10</sub>)

Emission Limit(s): 1.20 lb/hr

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3

Pollutant: Particulate Matter (PM)

Emission Limit(s): 1.20 lb/hr

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3

Pollutant: Nitrogen Oxides (NO<sub>x</sub>)

Emission Limit(s): 7.23 lb/hr

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3

Pollutant: Carbon Monoxide (CO)

Emission Limit(s): 4.17 lb/hr

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3

### **NSPS and NESHAP Requirements**

This emission unit is subject to Subparts A (*General Provisions*; 40 CFR §60.1 – 40 CFR §60.19) and Dc (*Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*; 40 CFR §60.40c – 40 CFR §60.48c) of the New Source Performance Standards (NSPS).

These emission units are subject to the requirements of the National Emission Standards for Hazardous Air Pollutants for *Industrial, Commercial, and Institutional Boilers and Process Heaters*, 40 CFR Part 63, Subpart DDDDD.

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3  
40 CFR 60 Subpart Dc  
567 IAC 23.1(2)"III"  
40 CFR 63 Subpart DDDDD

### **Operational Limits & Requirements**

*The owner/operator of this equipment shall comply with the operational limits and requirements listed below.*

Operating limits for this emission unit shall be:

- A. This emission unit is limited to combusting the following fuels:
  - Natural gas,
  - Fuel oil #1,
  - Fuel oil #2,
  - Biodiesel fuel, and
  - Blended biodiesel (i.e. biodiesel combined with any mixture of fuel oil #1 and/or fuel oil #2).
- B. The maximum sulfur (S) content of any fuel oil #1, fuel oil #2, biodiesel fuel, or blended biodiesel combusted in this emission unit shall not exceed 0.05% (by weight).

### **Operating Condition Monitoring & Recordkeeping**

*All records as required by this permit shall be kept on-site for a minimum of five (5) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner.*

- A. Per 40 CFR §60.48c(g)(1), the owner or operator shall record and maintain records of the amount of each fuel combusted during each operating day. As an alternative to this requirement per 40 CFR §60.48c(g)(2) and 40 CFR §60.48c(g)(3), the owner or operator may elect to either:
  - record and maintain records of the amount of each fuel combusted during each calendar month [See 40 CFR §60.48c(g)(2)] or
  - record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month [See 40 CFR §60.48c(g)(3)].
- B. The owner or operator shall keep records and submit reports as required by 40 CFR §60.48c(e)(1). These records include, but are not limited to records of fuel supplier certifications as described under 40 CFR §60.48c(f).



- C. Reporting and recordkeeping requirements for NSPS Subpart Dc not specifically listed in this permit shall be done in accordance with 40 CFR §60.48c.
- D. A copy of the sulfur (S) fuel analysis for each 20% increment of biodiesel blend.
- E. In order to calculate the NO<sub>x</sub> emissions from the combustion of blended biodiesel, the owner or operator shall use the following methodology:
- If the blended rate is between 2.01% to 20.00% biodiesel in combination with 80.00% or greater fuel oil #1 and/or fuel oil #2, the Emission Factor established with the 20.00% emission factor for blended biodiesel shall be used.
  - If the blended rate is greater than 20.01% but below 40.00% biodiesel in combination with 60.00% or greater fuel oil #1 and/or fuel oil #2, the Emission Factor established with the 40.00% emission factor for blended biodiesel shall be used.
  - If the blended rate is greater than 40.01% but below 60.00% biodiesel in combination with 40.00% or greater fuel oil #1 and/or fuel oil #2, the Emission Factor established with the 60.00% emission factor for blended biodiesel shall be used.
  - If the blended rate is greater than 60.01% but below 80.00% biodiesel in combination with 20.00% or greater fuel oil #1 and/or fuel oil #2, the Emission Factor established with the 80.00% emission factor for blended biodiesel shall be used.
  - If the blended rate is greater than 80.01% but below 99.99% biodiesel in combination with 0.01% or greater fuel oil #1 and/or fuel oil #2, the Emission Factor established with the 100.00% emission factor for biodiesel shall be used.

The above emission factors will be established from the stack test information outlined in Condition 12 of this permit and will be based on the development of the emission factor using a 95% confidence interval of the stack test report emission rate.

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3

### **Emission Point Characteristics**

*Each of these emission points shall conform to the specifications listed below.*

Stack Height (ft, from the ground): 30

Stack Opening (inches, dia.): 24

Exhaust Flow Rate (scfm): 9,100

Exhaust Temperature (°F): 385

Discharge Style: Vertical Obstructed

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3

The temperature and flowrate are intended to be representative and characteristic of the design of the permitted emission point. The Department recognizes that the temperature and flow rate may vary with changes in the process and ambient conditions. If it is determined that either the temperature or flowrate above are different than the values stated, the owner or operator shall submit a request to the Department within thirty (30) days of the discovery to determine if a permit amendment is required or submit a permit application requesting to amend the permit.

## **Monitoring Requirements**

*The owner/operator of this equipment shall comply with the monitoring requirements listed below.*

### **Compliance Demonstration**

<b>Pollutant</b>	<b>Compliance Demonstration</b>	<b>Compliance Methodology</b>	<b>Frequency</b>
PM – State	Yes <sup>1, 2</sup>	Stack test	One-time
PM <sub>10</sub>	Yes <sup>1, 2</sup>	Stack test	One-time
Opacity	Yes <sup>1, 2</sup>	Stack test	See Footnote 3
SO <sub>2</sub>	Yes	Fuel analysis	See Footnote 4
NO <sub>x</sub>	Yes <sup>1, 2</sup>	Stack test	See Footnote 5
CO	Yes <sup>1, 2</sup>	Stack test	One-time

<sup>(1)</sup> The owner or operator shall either conduct representative initial compliance testing for Boiler A (EP 2.00A) and Boiler B (EP 2.00B) or conduct initial compliance testing on both emission points. If the owner or operator decides to conduct representative initial compliance testing, it shall be conducted on either EP 2.00A or EP 2.00B. The initial compliance test results from that test shall be considered representative for the other emission point.

<sup>(2)</sup> The test shall be conducted on the initial use of 100% pure biodiesel.

<sup>(3)</sup> Testing is required per 40 CFR §60.40c(c) and 40 CFR §60.8 and is required to be completed for fuel oil #1, fuel oil #2, and each type of blended fuel (i.e. biodiesel plus fuel oil #1, and/or fuel oil #2 in any percentage).

<sup>(4)</sup> The owner or operator shall obtain a sulfur (S) fuel analysis for each 20% increment of biodiesel blended fuel including 100% pure biodiesel combusted in this emission unit (EU 2.00A and 2.00B). The increments are:

- 2.01% – 20% ,
- 20.01% – 40% ,
- 40.01% – 60% ,
- 60.01% – 80% , and
- 100% pure biodiesel (NOTE: It is assumed 80.01% – 100% is equivalent to 100%)

After three (3) fuel analyses for three (3) separate lots of each 20% increment, the owner or operator may submit a written request to the Department to stop doing the fuel analysis for that blended increment. [NOTE: per the definition of "diesel fuel" (567 IAC 20.2), 2% biodiesel (B2) is equivalent to fuel oil #1/fuel oil #2)].

<sup>(5)</sup> NO<sub>x</sub> testing is required for each 20% increment of biodiesel blended fuel (i.e. biodiesel plus fuel oil #1 and/or fuel oil #2) and 100% pure biodiesel. Therefore, stack testing is required for the following biodiesel blends:

- 2.01% – 20% ,
- 20.01% – 40% ,
- 40.01% – 60% ,
- 60.01% – 80% , and
- 100% pure biodiesel

NOTE: The 80.01% – 100% blend rate will be captured in the 100% pure biodiesel testing.

Authority for Requirement: DNR Construction Permits 06-A-834-S3, 06-A-835-S3

*The owner of this equipment or the owner's authorized agent shall provide written notice to the Director, not less than 30 days before a required stack test or performance evaluation of a continuous emission monitor. Results of the test shall be submitted in writing to the Director in*

*the form of a comprehensive report within 6 weeks of the completion of the testing. 567 IAC 25.1(7)*

**Agency Approved Operation & Maintenance Plan Required?**      Yes  No

**Facility Maintained Operation & Maintenance Plan Required?**      Yes  No

**Compliance Assurance Monitoring (CAM) Plan Required?**      Yes  No

Authority for Requirement: 567 IAC 22.108(3)

## **Emission Point ID Number: 4**

### Associated Equipment

Associated Emission Unit ID Numbers: 4.00

Emissions Control Equipment ID Number: None

Emissions Control Equipment Description: Leak Detection and Repair (LDAR)

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Emission Unit vented through this Emission Point: 4

Emission Unit Description: VOC Emissions from Equipment Leaks

Raw Material/Fuel: Soybean Oil/Methanol/Sodium Methylate

### **Applicable Requirements**

#### **Emission Limits (lb./hr, gr./dscf, lb./MMBtu, % opacity, etc.)**

*The emissions from this emission point shall not exceed the levels specified below.*

Pollutant: Volatile Organic Compounds (VOC)

Emission Limit(s): 15.0 tons/yr

Authority for Requirement: DNR Construction Permit 06-A-837-S1

Pollutant: Single Hazardous Air Pollutant (Single HAP)

Emission Limit(s): 15.0 tons/yr

Authority for Requirement: DNR Construction Permit 06-A-837-S1

#### **NSPS and NESHAP Requirements**

This facility is subject to the National New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart A- *General Provisions*, as specified in §60.1 – §60.19, and 40 CFR Part 60 Subpart VV - Standards of Performance for *Equipment Leaks of VOC in the Synthetic Organic Manufacturing Industry*, as specified in §60.480.

This facility is subject to the National Emission Standard for Hazardous Air Pollutants (NESHAP) 40 CFR Part 63 Subpart FFFF – *Miscellaneous Organic Chemical Manufacturing*, as specified in §63.2435. In addition, the facility is subject to the National Emission Standard for Hazardous Air Pollutants (NESHAP) 40 CFR Part 63 Subpart UU – *National Emission Standards for Equipment Leaks – Control Level 2 Standards*.

Authority for Requirement: DNR Construction Permit 06-A-837-S1

40 CFR 60 Subpart A

567 IAC 23.1(2)

40 CFR 60 Subpart VV

567 IAC 23.1(2) "nn"

40 CFR 63 Subpart FFFF

567 IAC 23.1(4) "cf"

40 CFR 63 Subpart UU

567 IAC 23.1(4) "au"

**Operational Limits & Requirements**

*The owner/operator of this equipment shall comply with the operational limits and requirements listed below.*

**Operating Limits**

- A. The facility shall follow all the applicable requirements and standards of NESHAP 40 CFR 63 Subpart UU.

**Reporting & Record keeping**

*All records as required by this permit shall be kept on-site for a minimum of five (5) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner.*

- A. The facility shall follow all the applicable monitoring requirements of NESHAP 40 CFR 63 Subpart FFFF and Subpart UU.
- B. The facility shall follow all the applicable recordkeeping and reporting standards of NESHAP 40 CFR 63 Subpart FFFF and Subpart UU.

Authority for Requirement: DNR Construction Permit 06-A-837-S1

**Monitoring Requirements**

*The owner/operator of this equipment shall comply with the monitoring requirements listed below.*

**Agency Approved Operation & Maintenance Plan Required?** Yes  No

**Facility Maintained Operation & Maintenance Plan Required?** Yes  No

**Compliance Assurance Monitoring (CAM) Plan Required?** Yes  No

Authority for Requirement: 567 IAC 22.108(3)

## **Emission Point ID Number: F1**

### Associated Equipment

Associated Emission Unit ID Numbers: F1  
Emissions Control Measure Description: Dust Suppression

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Emission Unit vented through this Emission Point: F1  
Emission Unit Description: Fugitive Dust Emissions from Truck Traffic  
Raw Material/Fuel: Dust from Truck Traffic

### **Applicable Requirements**

#### **Emission Limits (lb./hr, gr./dscf, lb./MMBtu, % opacity, etc.)**

*The emissions from this emission point shall not exceed the levels specified below.*

Opacity:

Emission Limit: <sup>(1)</sup>

Authority for Requirement: DNR Construction Permit 06-A-838-S1

<sup>(1)</sup>The owner/operator shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond lot line of the property.

Pollutant: Particulate Matter (PM<sub>10</sub>)

Emission Limit: 23.0 tons/yr

Authority for Requirement: DNR Construction Permit 06-A-838-S1

Pollutant: Particulate Matter (PM)

Emission Limit: 80.0 tons/yr

Authority for Requirement: DNR Construction Permit 06-A-838-S1

#### **Operational Limits & Requirements**

*The owner/operator of this equipment shall comply with the operational limits and requirements listed below.*

#### **Operating Limits**

- A. The facility shall apply chemical dust suppressants if the twelve-month rolling total of PM emissions from haul roads is equal to or greater than 70 tons. The suppressant shall be applied at a rate and frequency required by the manufacturer's specifications to achieve a minimum of 80% fugitive dust control. If the selected chemical dust suppressant cannot be applied because the ambient air temperature (as measured at the facility during daylight operating hours) will be less than 35.0 F (1.70 C) or conditions due to weather, in combination with the application of the chemical dust suppressant, could create hazardous driving conditions, then the chemical dust suppressant application shall be postponed and applied as soon after the scheduled application date as the conditions preventing the application have been abated. If the twelve-month rolling total of PM emissions is less than

70 tons, or reverts back under 70 tons after exceeding the threshold, the application of chemical dust suppressant shall not be required

B. Any spills on the road shall be cleaned up immediately.

### **Reporting & Record keeping**

*All records as required by this permit shall be kept on-site for a minimum of five (5) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner.*

- A. The facility shall maintain a log for the haul roads that show the following:
  - a. The vehicle miles traveled (VMT) for each month;
  - b. Monthly PM emissions;
  - c. Twelve-month rolling totals for PM emissions;
  - d. Should chemical dust suppressant applications be required, as per Permit Condition 14.A., the dates of the application, application rate and deviations; and,
  - e. Should the facility opt to test for surface silt content, the surface silt content of the road and the date of the silt content testing for each month.
- B. The owner/operator shall record the number of trucks that load/unload material on a monthly basis. Based on the number of trucks the total Vehicle Miles Traveled (VMT) shall be calculated for each month.
- C. The facility shall assume surface silt content of 18.1 for each month for all haul road calculations, unless the facility has opted to conduct silt content testing. If surface silt content testing is conducted, a representative haul road for surface silt content will be utilized and the surface silt content results recorded for that month.
- D. The owner/operator shall calculate and record the monthly PM emissions from haul roads according to the formula from AP-42 Section 13.2.2. The monthly values obtained for the VMT and the surface silt content shall be used in this calculation (surface silt content may be based on the assumed value of 18.1 or as tested for that month).
- E. The facility shall update monthly the twelve-month rolling total of PM emissions from haul roads by adding up the calculated monthly emissions for the previous twelve months. The plant shall notify DNR immediately if the twelve-month rolling total exceeds 80.0 tons of PM.
- F. Should chemical dust suppressant application be required (i.e., PM emissions from haul roads  $\geq$  70 tons per 12-month rolling period), the owner or operator shall keep records of chemical dust suppressant application (date, location of suppressant application, and amount). In addition, owner or operator shall document all deviations from scheduled chemical suppressant application (include date, scheduled location of suppressant application, reasons for not applying suppressant). The owner or operator shall also keep a copy of the manufacturer's specifications for achieving 80% dust suppression available for inspection.

Authority for Requirement: DNR Construction Permit 06-A-838-S1

**Monitoring Requirements**

*The owner/operator of this equipment shall comply with the monitoring requirements listed below.*

**Agency Approved Operation & Maintenance Plan Required?**      Yes  No

**Facility Maintained Operation & Maintenance Plan Required?**      Yes  No

**Compliance Assurance Monitoring (CAM) Plan Required?**      Yes  No

Authority for Requirement: 567 IAC 22.108(3)



## **Emission Point ID Number: 10**

### Associated Equipment

Associated Emission Unit ID Numbers: 10.00

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Emission Unit vented through this Emission Point: 10.00  
Emission Unit Description: Emergency Fire Pump  
Raw Material/Fuel: Diesel  
Rated Capacity: 183 bhp

### **Applicable Requirements**

#### **Emission Limits (lb./hr, gr./dscf, lb./MMBtu, % opacity, etc.)**

*The emissions from this emission point shall not exceed the levels specified below.*

Pollutant: Opacity  
Emission Limit(s): 40%  
Authority for Requirement: 567 IAC 23.3(2)"d"

Pollutant: Particulate Matter  
Emission Limit(s): 0.1 gr/dscf  
Authority for Requirement: 567 IAC 23.3(2)"a"

Pollutant: Sulfur Dioxide (SO<sub>2</sub>)  
Emission Limit(s): 2.5 lb/MMBtu  
Authority for Requirement: 567 IAC 23.3(3)"b"(2)

#### **NESHAP Applicability**

The emergency engine is subject to 40 CFR 63 Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE). According to 40 CFR 63.6590(a)(2)(ii) this compression ignition emergency engine, located at a major source, is a new stationary RICE as it was constructed on or after June 12, 2006.

According to 40 CFR 63.6590(c)(6), this emergency engine must meet the requirements of subpart ZZZZ by meeting the requirements of 40 CFR 60 Subpart IIII for compression ignition engines. No further requirements apply for this emergency engine under subpart ZZZZ.

Authority for Requirement: 40 CFR Part 63 Subpart ZZZZ  
567 IAC 23.1(4)"cz"

## **Operational Limits & Requirements**

*The owner/operator of this equipment shall comply with the operational limits and requirements listed below.*

### **Emission Standards:**

According to 40 CFR 60.4205(c) and Table 4 to Subpart IIII, you must comply with the following emission standards in grams/kW-hr (grams/HP-hr):

<b>Maximum Engine Power</b>	<b>Model Year(s)</b>	<b>NMHC + NOx</b>	<b>CO</b>	<b>PM</b>
130 ≤ kW ≤ 560 (175 ≤ HP ≤ 750)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)

### **Fuel Requirements:**

You must use diesel fuel that has a maximum sulfur content of 15 ppm (0.0015%) by weight and a minimum cetane index of 40 or a maximum aromatic content of 35 percent by volume. 40 CFR 60.4207 and 40 CFR 80.510(b).

### **Compliance Requirements:**

1. You must operate and maintain the engine to comply with the required emission standards over the entire life of the engine (40 CFR 60.4206) by doing all of the following (40 CFR 60.4211(a)).
  - a) Operating and maintaining the engine and control device according to the manufacturer's emission-related written instructions;
  - b) Changing only those emission-related settings that are permitted by the manufacturer; and
  - c) Meeting the requirements of 40 CFR 89, 94 and/or 1068, as they apply to you.
2. You must demonstrate compliance with the applicable emission standards by purchasing an engine certified to the applicable emission standards. The engine must be installed and configured according to the manufacturer's emission-related specifications. 40 CFR 60.4211(c).
3. If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct the following performance testing in accordance with 40 CFR 60.4212 to demonstrate compliance with applicable emission standards. You are required to notify the DNR 30 days prior to the test date and are required to submit a stack test report to the DNR within 60 days after the completion of the testing. See 40 CFR 60.4211(g) for additional information.

<b>Maximum Engine Power</b>	<b>Initial Test</b>	<b>Subsequent Test</b>
100 ≤ HP ≤ 500	Within 1 year of engine startup, or non-permitted action <sup>(1)</sup>	Not required

<sup>(1)</sup> Non-permitted action means that you do not install, configure, operate, and

maintain the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer.

**Operating and Recordkeeping Requirements**

1. If your emergency engine does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine (40 CFR 40.4209(a)) and, starting with the model years in the following table, you must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time. 40 CFR 40.4214(b).

<b>Engine power</b>	<b>Starting model year</b>
19 ≤ KW < 56 (25 ≤ HP < 75)	2013
56 ≤ KW < 130 (75 ≤ HP < 175)	2012
130 ≤ KW (175 ≤ HP)	2011

2. There is no time limit on the use of the emergency engine in emergency situations. 40 CFR 60.4211(f)(1).
3. The engine may be operated for the purpose of maintenance checks and readiness testing for a maximum of 100 hours/year. See 40 CFR 60.4211(f)(2) for more information.
4. The engine may be operated for up to 50 hours per year for non-emergency purposes. This operating time cannot be used for peak shaving or to generate income for the facility (e.g. supplying power to the grid) and should be included in the total of 100 hours allowed for maintenance checks and readiness testing. See 40 CFR 60.4211(f)(3) for more information.

Authority for Requirement: 40 CFR Part 60 Subpart III  
567 IAC 23.1(3)"yyy"

**Monitoring Requirements**

*The owner/operator of this equipment shall comply with the monitoring requirements listed below.*

**Agency Approved Operation & Maintenance Plan Required?** Yes  No

**Facility Maintained Operation & Maintenance Plan Required?** Yes  No

**Compliance Assurance Monitoring (CAM) Plan Required?** Yes  No

Authority for Requirement: 567 IAC 22.108(3)

#### **IV. General Conditions**

This permit is issued under the authority of the Iowa Code subsection 455B.133(8) and in accordance with 567 Iowa Administrative Code chapter 22.

##### **G1. Duty to Comply**

1. The permittee must comply with all conditions of the Title V permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for a permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. *567 IAC 22.108(9)"a"*
2. Any compliance schedule shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based. *567 IAC 22.105(2)"h"(3)*
3. Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall be enforceable by the administrator and are incorporated into this permit. *567 IAC 22.108(1)"b"*
4. Unless specified as either "state enforceable only" or "local program enforceable only", all terms and conditions in the permit, including provisions to limit a source's potential to emit, are enforceable by the administrator and citizens under the Act. *567 IAC 22.108(14)*
5. 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. *567 IAC 22.108(9)"b"*
6. For applicable requirements with which the permittee is in compliance, the permittee shall continue to comply with such requirements. For applicable requirements that will become effective during the permit term, the permittee shall meet such requirements on a timely basis. *567 IAC 22.108(15)"c"*

##### **G2. Permit Expiration**

1. Except as provided in rule 567—22.104(455B), permit expiration terminates a source's right to operate unless a timely and complete application for renewal has been submitted in accordance with rule 567—22.105(455B). *567 IAC 22.116(2)*
2. To be considered timely, the owner, operator, or designated representative (where applicable) of each source required to obtain a Title V permit shall submit on forms or electronic format specified by the Department to the Air Quality Bureau, Iowa Department of Natural Resources, Air Quality Bureau, Wallace State Office Building, 502 E 9th St., Des Moines, IA 50319-0034, two copies (three if your facility is located in Linn or Polk county) of a complete permit application, at least 6 months but not more than 18 months prior to the date of permit expiration. An additional copy must also be sent to U.S. EPA Region VII, Attention: Chief of Air Permitting & Standards Branch, 11201 Renner Blvd., Lenexa, KS 66219. Additional copies to local programs or EPA are not required for application materials submitted through the electronic format specified by the Department. The application must include all emission points, emission units, air pollution control equipment, and monitoring devices at the facility. All emissions generating activities, including fugitive emissions, must be included. The definition of a complete application is as indicated in 567 IAC 22.105(2). *567 IAC 22.105*

##### **G3. Certification Requirement for Title V Related Documents**

Any application, report, compliance certification or other document submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. All 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. *567 IAC 22.107(4)*

##### **G4. Annual Compliance Certification**

By March 31 of each year, the permittee shall submit compliance certifications for the previous calendar year. The certifications shall include descriptions of means to monitor the compliance status of all emissions sources including emissions limitations, standards, and work practices in accordance with applicable requirements. The certification for a source shall include the identification of each term or condition of the permit that is the basis of the certification; the compliance status; whether compliance was continuous or intermittent; the method(s) used for determining the compliance status of the source, currently and over the reporting period consistent with all applicable department rules. For sources determined not to be in compliance at the time of compliance certification, a compliance schedule shall be submitted which provides for periodic progress reports, dates for achieving activities, milestones, and an explanation of why any dates were missed and preventive or corrective measures. The compliance certification shall be submitted to the administrator, director, and the appropriate DNR Field office. *567 IAC 22.108(15)"e"*

##### **G5. Semi-Annual Monitoring Report**

By March 31 and September 30 of each year, the permittee shall submit a report of any monitoring required under this permit for the 6 month periods of July 1 to December 31 and January 1 to June 30, respectively. All instances of

deviations from permit requirements must be clearly identified in these reports, and the report must be signed by a responsible official, consistent with 567 IAC 22.107(4). The semi-annual monitoring report shall be submitted to the director and the appropriate DNR Field office. 567 IAC 22.108(5)

**G6. Annual Fee**

1. The permittee is required under subrule 567 IAC 22.106 to pay an annual fee based on the total tons of actual emissions of each regulated air pollutant. Beginning July 1, 1996, Title V operating permit fees will be paid on July 1 of each year. The fee shall be based on emissions for the previous calendar year.
2. The fee amount shall be calculated based on the first 4,000 tons of each regulated air pollutant emitted each year. The fee to be charged per ton of pollutant will be available from the department by June 1 of each year. The Responsible Official will be advised of any change in the annual fee per ton of pollutant.
3. The emissions inventory shall be submitted annually by March 31 with forms specified by the department documenting actual emissions for the previous calendar year.
4. The fee shall be submitted annually by July 1 with forms specified by the department.
5. If there are any changes to the emission calculation form, the department shall make revised forms available to the public by January 1. If revised forms are not available by January 1, forms from the previous year may be used and the year of emissions documented changed. The department shall calculate the total statewide Title V emissions for the prior calendar year and make this information available to the public no later than April 30 of each year.
6. Phase I acid rain affected units under section 404 of the Act shall not be required to pay a fee for emissions which occur during the years 1993 through 1999 inclusive.
7. The fee for a portable emissions unit or stationary source which operates both in Iowa and out of state shall be calculated only for emissions from the source while operating in Iowa.
8. Failure to pay the appropriate Title V fee represents cause for revocation of the Title V permit as indicated in 567 IAC 22.115(1)"d".

**G7. Inspection of Premises, Records, Equipment, Methods and Discharges**

Upon presentation of proper credentials and any other documents as may be required by law, the permittee shall allow the director or the director's authorized representative to:

1. Enter upon the permittee's premises where a Title V 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. Sample or monitor, at reasonable times, substances or parameters for the purpose of ensuring compliance with the permit or other applicable requirements. 567 IAC 22.108(15)"b"

**G8. Duty to Provide Information**

The permittee shall furnish to the director, within a reasonable time, any information that the director 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 also shall furnish to the director copies of records required to be kept by the permit, or for information claimed to be confidential, the permittee shall furnish such records directly to the administrator of EPA along with a claim of confidentiality. 567 IAC 22.108(9)"e"

**G9. General Maintenance and Repair Duties**

The owner or operator of any air emission source or control equipment shall:

1. Maintain and operate the equipment or control equipment at all times in a manner consistent with good practice for minimizing emissions.
2. Remedy any cause of excess emissions in an expeditious manner.
3. Minimize the amount and duration of any excess emission to the maximum extent possible during periods of such emissions. These measures may include but not be limited to the use of clean fuels, production cutbacks, or the use of alternate process units or, in the case of utilities, purchase of electrical power until repairs are completed.
4. Schedule, at a minimum, routine maintenance of equipment or control equipment during periods of process shutdowns to the maximum extent possible. 567 IAC 24.2(1)

**G10. Recordkeeping Requirements for Compliance Monitoring**

1. In addition to any source specific recordkeeping requirements contained in this permit, the permittee shall maintain the following compliance monitoring records, where applicable:
  - a. The date, place and time of sampling or measurements
  - b. The date the analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.

- e. The results of such analyses; and
  - f. The operating conditions as existing at the time of sampling or measurement.
  - g. The records of quality assurance for continuous compliance monitoring systems (including but not limited to quality control activities, audits and calibration drifts.)
2. The permittee shall retain records of all required compliance monitoring data and support information for a period of at least 5 years from the date of compliance monitoring sample, measurement report or application. Support information includes all calibration and maintenance records and all original strip chart recordings for continuous compliance monitoring, and copies of all reports required by the permit.
3. For any source which in its application identified reasonably anticipated alternative operating scenarios, the permittee shall:
- a. Comply with all terms and conditions of this permit specific to each alternative scenario.
  - b. Maintain a log at the permitted facility of the scenario under which it is operating.
  - c. Consider the permit shield, if provided in this permit, to extend to all terms and conditions under each operating scenario. *567 IAC 22.108(4), 567 IAC 22.108(12)*

**G11. Evidence used in establishing that a violation has or is occurring.**

Notwithstanding any other provisions of these rules, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any provisions herein.

1. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at a source:
- a. A monitoring method approved for the source and incorporated in an operating permit pursuant to 567 Chapter 22;
  - b. Compliance test methods specified in 567 Chapter 25; or
  - c. Testing or monitoring methods approved for the source in a construction permit issued pursuant to 567 Chapter 22.
2. The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
- a. Any monitoring or testing methods provided in these rules; or
  - b. Other testing, monitoring, or information gathering methods that produce information comparable to that produced by any method in subrule 21.5(1) or this subrule. *567 IAC 21.5(1)-567 IAC 21.5(2)*

**G12. Prevention of Accidental Release: Risk Management Plan Notification and Compliance Certification**

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Act, the permittee shall notify the department of this requirement. The plan shall be filed with all appropriate authorities by the deadline specified by EPA. A certification that this risk management plan is being properly implemented shall be included in the annual compliance certification of this permit. *567 IAC 22.108(6)*

**G13. Hazardous Release**

The permittee must report any situation involving the actual, imminent, or probable release of a hazardous substance into the atmosphere which, because of the quantity, strength and toxicity of the substance, creates an immediate or potential danger to the public health, safety or to the environment. A verbal report shall be made to the department at (515) 725-8694 and to the local police department or the office of the sheriff of the affected county as soon as possible but not later than six hours after the discovery or onset of the condition. This verbal report must be followed up with a written report as indicated in 567 IAC 131.2(2). *567 IAC Chapter 131-State Only*

**G14. Excess Emissions and Excess Emissions Reporting Requirements**

1. Excess Emissions. Excess emission during a period of startup, shutdown, or cleaning of control equipment is not a violation of the emission standard if the startup, shutdown or cleaning is accomplished expeditiously and in a manner consistent with good practice for minimizing emissions. Cleaning of control equipment which does not require the shutdown of the process equipment shall be limited to one six-minute period per one-hour period. An incident of excess emission (other than an incident during startup, shutdown or cleaning of control equipment) is a violation. If the owner or operator of a source maintains that the incident of excess emission was due to a malfunction, the owner or operator must show that the conditions which caused the incident of excess emission were not preventable by reasonable maintenance and control measures. Determination of any subsequent enforcement action will be made following review of this report. If excess emissions are occurring, either the control equipment causing the excess emission shall be repaired in an expeditious manner or the process generating the emissions shall be shutdown within a reasonable period of time. An expeditious manner is the time necessary to determine the cause of the excess emissions and to correct it within a reasonable period of time. A reasonable period of time is eight hours plus the period of time required to shut down the process without damaging the process equipment or control equipment. A variance from this subrule may be available as provided for in Iowa Code section 455B.143. In the

case of an electric utility, a reasonable period of time is eight hours plus the period of time until comparable generating capacity is available to meet consumer demand with the affected unit out of service, unless, the director shall, upon investigation, reasonably determine that continued operation constitutes an unjustifiable environmental hazard and issue an order that such operation is not in the public interest and require a process shutdown to commence immediately.

## 2. Excess Emissions Reporting

a. Initial Reporting of Excess Emissions. An incident of excess emission (other than an incident of excess emission during a period of startup, shutdown, or cleaning) shall be reported to the appropriate field office of the department within eight hours of, or at the start of the first working day following the onset of the incident. The reporting exemption for an incident of excess emission during startup, shutdown or cleaning does not relieve the owner or operator of a source with continuous monitoring equipment of the obligation of submitting reports required in 567-subrule 25.1(6). An initial report of excess emission is not required for a source with operational continuous monitoring equipment (as specified in 567-subrule 25.1(1) ) if the incident of excess emission continues for less than 30 minutes and does not exceed the applicable emission standard by more than 10 percent or the applicable visible emission standard by more than 10 percent opacity. The initial report may be made by electronic mail (E-mail), in person, or by telephone and shall include as a minimum the following:

- i. The identity of the equipment or source operation from which the excess emission originated and the associated stack or emission point.
- ii. The estimated quantity of the excess emission.
- iii. The time and expected duration of the excess emission.
- iv. The cause of the excess emission.
- v. The steps being taken to remedy the excess emission.
- vi. The steps being taken to limit the excess emission in the interim period.

b. Written Reporting of Excess Emissions. A written report of an incident of excess emission shall be submitted as a follow-up to all required initial reports to the department within seven days of the onset of the upset condition, and shall include as a minimum the following:

- i. The identity of the equipment or source operation point from which the excess emission originated and the associated stack or emission point.
- ii. The estimated quantity of the excess emission.
- iii. The time and duration of the excess emission.
- iv. The cause of the excess emission.
- v. The steps that were taken to remedy and to prevent the recurrence of the incident of excess emission.
- vi. The steps that were taken to limit the excess emission.
- vii. If the owner claims that the excess emission was due to malfunction, documentation to support this claim. *567 IAC 24.1(1)-567 IAC 24.1(4)*

3. Emergency Defense for Excess Emissions. For the purposes of this permit, an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation 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 non-compliance, to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation or operator error. An emergency constitutes an affirmative defense to an action brought for non-compliance with technology based limitations if it can be demonstrated 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 facility at the time was 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 of the permit; and
- d. The permittee submitted notice of the emergency to the director by certified mail within two working days of the time when the emissions limitations were exceeded due to the emergency. This notice fulfills the requirement of paragraph 22.108(5)"b." – See G15. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

In any enforcement proceeding, the permittee seeking to establish the occurrence of an

emergency has the burden of proof. This provision is in addition to any emergency or upset provision contained in any applicable requirement. *567 IAC 22.108(16)*

#### **G15. Permit Deviation Reporting Requirements**

A deviation is any failure to meet a term, condition or applicable requirement in the permit. Reporting requirements for deviations that result in a hazardous release or excess emissions have been indicated above (see G13 and G14). Unless more frequent deviation reporting is specified in the permit, any other deviation shall be documented in the semi-annual monitoring report and the annual compliance certification (see G4 and G5). *567 IAC 22.108(5)"b"*

#### **G16. Notification Requirements for Sources That Become Subject to NSPS and NESHAP Regulations**

During the term of this permit, the permittee must notify the department of any source that becomes subject to a standard or other requirement under 567-subrule 23.1(2) (standards of performance of new stationary sources) or section 111 of the Act; or 567-subrule 23.1(3) (emissions standards for hazardous air pollutants), 567-subrule 23.1(4) (emission standards for hazardous air pollutants for source categories) or section 112 of the Act. This notification shall be submitted in writing to the department pursuant to the notification requirements in 40 CFR Section 60.7, 40 CFR Section 61.07, and/or 40 CFR Section 63.9. *567 IAC 23.1(2), 567 IAC 23.1(3), 567 IAC 23.1(4)*

#### **G17. Requirements for Making Changes to Emission Sources That Do Not Require Title V Permit Modification**

1. Off Permit Changes to a Source. Pursuant to section 502(b)(10) of the CAAA, the permittee may make changes to this installation/facility without revising this permit if:

- a. The changes are not major modifications under any provision of any program required by section 110 of the Act, modifications under section 111 of the act, modifications under section 112 of the act, or major modifications as defined in 567 IAC Chapter 22.
- b. The changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions);
- c. The changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or as total emissions);
- d. The changes are not subject to any requirement under Title IV of the Act (revisions affecting Title IV permitting are addressed in rules 567—22.140(455B) through 567 - 22.144(455B));
- e. The changes comply with all applicable requirements.
- f. For each such change, the permitted source provides to the department and the administrator by certified mail, at least 30 days in advance of the proposed change, a written notification, including the following, which must be attached to the permit by the source, the department and the administrator:
  - i. A brief description of the change within the permitted facility,
  - ii. The date on which the change will occur,
  - iii. Any change in emission as a result of that change,
  - iv. The pollutants emitted subject to the emissions trade
  - v. If the emissions trading provisions of the state implementation plan are invoked, then Title V permit requirements with which the source shall comply; a description of how the emissions increases and decreases will comply with the terms and conditions of the Title V permit.
  - vi. A description of the trading of emissions increases and decreases for the purpose of complying with a federally enforceable emissions cap as specified in and in compliance with the Title V permit; and
  - vii. Any permit term or condition no longer applicable as a result of the change.

*567 IAC 22.110(1)*

2. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), record keeping, reporting, or compliance certification requirements. *567 IAC 22.110(2)*

3. Notwithstanding any other part of this rule, the director may, upon review of a notice, require a stationary source to apply for a Title V permit if the change does not meet the requirements of subrule 22.110(1). *567 IAC 22.110(3)*

4. The permit shield provided in subrule 22.108(18) shall not apply to any change made pursuant to this rule.

Compliance with the permit requirements that the source will meet using the emissions trade shall be determined according to requirements of the state implementation plan authorizing the emissions trade. *567 IAC 22.110(4)*

5. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes, for changes that are provided for in this permit. *567 IAC 22.108(11)*



## **G18. Duty to Modify a Title V Permit**

### **1. Administrative Amendment.**

- a. An administrative permit amendment is a permit revision that does any of the following:
  - i. Correct typographical errors
  - ii. Identify a change in the name, address, or telephone number of any person identified in the permit, or provides a similar minor administrative change at the source;
  - iii. Require more frequent monitoring or reporting by the permittee; or
  - iv. Allow for a change in ownership or operational control of a source where the director 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 director.
- b. The permittee may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request. The request shall be submitted to the director.
- c. Administrative amendments to portions of permits containing provisions pursuant to Title IV of the Act shall be governed by regulations promulgated by the administrator under Title IV of the Act.

### **2. Minor Title V Permit Modification.**

- a. Minor Title V permit modification procedures may be used only for those permit modifications that satisfy all of the following:
  - i. Do not violate any applicable requirement;
  - ii. Do not involve significant changes to existing monitoring, reporting or recordkeeping requirements in the Title V permit;
  - iii. Do not require or change a case by case determination of an emission limitation or other standard, or an increment analysis;
  - iv. 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 in order to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include any federally enforceable emissions caps which the source would assume to avoid classification as a modification under any provision under Title I of the Act; and an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Act;
  - v. Are not modifications under any provision of Title I of the Act; and
  - vi. Are not required to be processed as significant modification under rule 567 - 22.113(455B).
- b. An application for minor permit revision shall be on the minor Title V modification application form and shall include at least the following:
  - i. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
  - ii. The permittee's suggested draft permit;
  - iii. Certification by a responsible official, pursuant to 567 IAC 22.107(4), that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and
  - iv. Completed forms to enable the department to notify the administrator and the affected states as required by 567 IAC 22.107(7).
- c. The permittee may make the change proposed in its minor permit modification application immediately after it files the application. After the permittee makes this change and until the director takes any of the actions specified in 567 IAC 22.112(4) "a" to "c", the permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time, the permittee need not comply with the existing permit terms and conditions it seeks to modify. However, if the permittee 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 the facility.

### **3. Significant Title V Permit Modification.**

Significant Title V modification procedures shall be used for applications requesting Title V permit modifications that do not qualify as minor Title V modifications or as administrative amendments. These include but are not limited to all significant changes in monitoring permit terms, every relaxation of reporting or recordkeeping permit terms, and any change in the method of measuring compliance with existing requirements. Significant Title V modifications shall meet all requirements of 567 IAC Chapter 22, including those for applications, public

participation, review by affected states, and review by the administrator, as those requirements that apply to Title V issuance and renewal.

The permittee shall submit an application for a significant permit modification not later than three months after commencing operation of the changed source unless the existing Title V permit would prohibit such construction or change in operation, in which event the operation of the changed source may not commence until the department revises the permit. *567 IAC 22.111-567 IAC 22.113*

#### **G19. Duty to Obtain Construction Permits**

Unless exempted in 567 IAC 22.1(2) or to meet the parameters established in 567 IAC 22.1(1)"c", the permittee shall not construct, install, reconstruct or alter any equipment, control equipment or anaerobic lagoon without first obtaining a construction permit, or conditional permit, or permit pursuant to rule 567 IAC 22.8, or permits required pursuant to rules 567 IAC 22.4, 567 IAC 22.5, 567 IAC 31.3, and 567 IAC 33.3 as required in 567 IAC 22.1(1). A permit shall be obtained prior to the initiation of construction, installation or alteration of any portion of the stationary source or anaerobic lagoon. *567 IAC 22.1(1)*

#### **G20. Asbestos**

The permittee shall comply with 567 IAC 23.1(3)"a", and 567 IAC 23.2(3)"g" when activities involve asbestos mills, surfacing of roadways, manufacturing operations, fabricating, insulating, waste disposal, spraying applications, demolition and renovation operations (*567 IAC 23.1(3)"a"*); training fires and controlled burning of a demolished building (*567 IAC 23.2*).

#### **G21. Open Burning**

The permittee is prohibited from conducting open burning, except as provided in 567 IAC 23.2. *567 IAC 23.2 except 23.2(3)"j"; 567 IAC 23.2(3)"j" - State Only*

#### **G22. Acid Rain (Title IV) Emissions Allowances**

The permittee shall not exceed any allowances that it holds under Title IV of the Act or the regulations promulgated there under. Annual emissions of sulfur dioxide in excess of the number of allowances to emit sulfur dioxide held by the owners and operators of the unit or the designated representative of the owners and operators is prohibited. Exceedences of applicable emission rates are prohibited. "Held" in this context refers to both those allowances assigned to the owners and operators by USEPA, and those allowances supplementally acquired by the owners and operators. The use of any allowance prior to the year for which it was allocated is prohibited. Contravention of any other provision of the permit is prohibited. *567 IAC 22.108(7)*

#### **G23. Stratospheric Ozone and Climate Protection (Title VI) Requirements**

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

- a. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to § 82.106.
- b. The placement of the required warning statement must comply with the requirements pursuant to § 82.108.
- c. The form of the label bearing the required warning statement must comply with the requirements pursuant to § 82.110.
- d. No person may modify, remove, or interfere with the required warning statement except as described in § 82.112.

2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVACs in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161.
- d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with reporting and recordkeeping requirements pursuant to § 82.166. ("MVAC-like appliance" as defined at § 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to § 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

3. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.
4. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant,
5. The permittee shall be allowed to switch from any ozone-depleting or greenhouse gas generating substances to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *40 CFR part 82*

#### **G24. Permit Reopenings**

1. 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. *567 IAC 22.108(9)"c"*
2. Additional applicable requirements under the Act become applicable to a major part 70 source with a remaining permit term of 3 or more years. Revisions shall be made as expeditiously as practicable, but not later than 18 months after the promulgation of such standards and regulations.
  - a. Reopening and revision on this ground is not required if the permit has a remaining term of less than three years;
  - b. Reopening and revision on this ground is not 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 70.4(b)(10)(i) or (ii) as amended to May 15, 2001.
  - c. Reopening and revision on this ground is not required if the additional applicable requirements are implemented in a general permit that is applicable to the source and the source receives approval for coverage under that general permit. *567 IAC 22.108(17)"a", 567 IAC 22.108(17)"b"*
3. A permit shall be reopened and revised under any of the following circumstances:
  - a. The department receives notice that the administrator has granted a petition for disapproval of a permit pursuant to 40 CFR 70.8(d) as amended to July 21, 1992, provided that the reopening may be stayed pending judicial review of that determination;
  - b. The department or the administrator determines that the Title V permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Title V permit;
  - c. Additional applicable requirements under the Act become applicable to a Title V source, provided that the reopening on this ground is not required if the permit has a remaining term of less than three years, the effective date of the requirement is later than the date on which the permit is due to expire, or the additional applicable requirements are implemented in a general permit that is applicable to the source and the source receives approval for coverage under that general permit. Such a reopening shall be complete not later than 18 months after promulgation of the applicable requirement.
  - d. Additional requirements, including excess emissions requirements, become applicable to a Title IV 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.
  - e. The department or the administrator determines that the permit must be revised or revoked to ensure compliance by the source with the applicable requirements. *567 IAC 22.114(1)*
4. Proceedings to reopen and reissue a Title V permit shall follow the procedures applicable to initial permit issuance and shall effect only those parts of the permit for which cause to reopen exists. *567 IAC 22.114(2)*
5. A notice of intent shall be provided to the Title V source at least 30 days in advance of the date the permit is to be reopened, except that the director may provide a shorter time period in the case of an emergency. *567 IAC 22.114(3)*

#### **G25. Permit Shield**

1. The director may expressly include in a Title V permit a provision stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:
  - a. Such applicable requirements are included and are specifically identified in the permit; or

- b. The director, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.
2. A Title V permit that does not expressly state that a permit shield exists shall be presumed not to provide such a shield.
3. A permit shield shall not alter or affect the following:
  - a. The provisions of Section 303 of the Act (emergency orders), including the authority of the administrator under that section;
  - b. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
  - c. The applicable requirements of the acid rain program, consistent with Section 408(a) of the Act;
  - d. The ability of the department or the administrator to obtain information from the facility pursuant to Section 114 of the Act. *567 IAC 22.108(18)*

**G26. Severability**

The provisions of this permit are severable and if any provision or application of any provision is found to be invalid by this department or a court of law, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected by such finding. *567 IAC 22.108(8)*

**G27. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege. *567 IAC 22.108(9)"d"*

**G28. Transferability**

This permit is not transferable from one source to another. If title to the facility or any part of it is transferred, an administrative amendment to the permit must be sought consistent with the requirements of *567 IAC 22.111(1)*. *567 IAC 22.111(1)"d"*

**G29. Disclaimer**

No review has been undertaken on the engineering aspects of the equipment or control equipment other than the potential of that equipment for reducing air contaminant emissions. *567 IAC 22.3(3)"c"*

**G30. Notification and Reporting Requirements for Stack Tests or Monitor Certification**

The permittee shall notify the department's stack test contact in writing not less than 30 days before a required test or performance evaluation of a continuous emission monitor is performed to determine compliance with applicable requirements of 567 – Chapter 23 or a permit condition. Such notice shall include the time, the place, the name of the person who will conduct the test and other information as required by the department. If the owner or operator does not provide timely notice to the department, the department shall not consider the test results or performance evaluation results to be a valid demonstration of compliance with applicable rules or permit conditions. Upon written request, the department may allow a notification period of less than 30 days. At the department's request, a pretest meeting shall be held not later than 15 days prior to conducting the compliance demonstration. A testing protocol shall be submitted to the department no later than 15 days before the owner or operator conducts the compliance demonstration. A representative of the department shall be permitted to witness the tests. Results of the tests shall be submitted in writing to the department's stack test contact in the form of a comprehensive report within six weeks of the completion of the testing. Compliance tests conducted pursuant to this permit shall be conducted with the source operating in a normal manner at its maximum continuous output as rated by the equipment manufacturer, or the rate specified by the owner as the maximum production rate at which the source shall be operated. In cases where compliance is to be demonstrated at less than the maximum continuous output as rated by the equipment manufacturer, and it is the owner's intent to limit the capacity to that rating, the owner may submit evidence to the department that the source has been physically altered so that capacity cannot be exceeded, or the department may require additional testing, continuous monitoring, reports of operating levels, or any other information deemed necessary by the department to determine whether such source is in compliance.

Stack test notifications, reports and correspondence shall be sent to:

Stack Test Review Coordinator  
Iowa DNR, Air Quality Bureau  
Wallace State Office Building  
502 E 9<sup>th</sup> St.  
Des Moines, IA 50319-0034  
(515) 725-9526

Within Polk and Linn Counties, stack test notifications, reports and correspondence shall also be directed to the supervisor of the respective county air pollution program.

*567 IAC 25.1(7)"a", 567 IAC 25.1(9)*

**G31. Prevention of Air Pollution Emergency Episodes**

The permittee shall comply with the provisions of 567 IAC Chapter 26 in the prevention of excessive build-up of air contaminants during air pollution episodes, thereby preventing the occurrence of an emergency due to the effects of these contaminants on the health of persons. *567 IAC 26.1(1)*

**G32. Contacts List**

The current address and phone number for reports and notifications to the EPA administrator is:

Iowa Compliance Officer  
Air Branch  
Enforcement and Compliance Assurance Division  
U.S. EPA Region 7  
11201 Renner Blvd.  
Lenexa, KS 66219  
(913) 551-7020

The current address and phone number for reports and notifications to the department or the Director is:

Chief, Air Quality Bureau  
Iowa Department of Natural Resources  
Wallace State Office Building  
502 E 9<sup>th</sup> St.  
Des Moines, IA 50319-0034  
(515) 725-8200

Reports or notifications to the DNR Field Offices or local programs shall be directed to the supervisor at the appropriate field office or local program. Current addresses and phone numbers are:

**Field Office 1**

909 West Main – Suite 4  
Manchester, IA 52057  
(563) 927-2640

**Field Office 2**

2300-15th St., SW  
Mason City, IA 50401  
(641) 424-4073

**Field Office 3**

1900 N. Grand Ave.  
Spencer, IA 51301  
(712) 262-4177

**Field Office 4**

1401 Sunnyside Lane  
Atlantic, IA 50022  
(712) 243-1934

**Field Office 5**

Wallace State Office Building  
502 E 9<sup>th</sup> St.  
Des Moines, IA 50319-0034  
(515) 725-0268

**Field Office 6**

1023 West Madison Street  
Washington, IA 52353-1623  
(319) 653-2135

**Polk County Public Works Dept.**

Air Quality Division  
5885 NE 14th St.  
Des Moines, IA 50313  
(515) 286-3351

**Linn County Public Health**

Air Quality Branch  
501 13th St., NW  
Cedar Rapids, IA 52405  
(319) 892-6000

## V. Appendix A

40 CFR 60 Subpart A – *General Provisions*

[https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr60\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr60_main_02.tpl)

40 CFR 60 Subpart Dc – Standards of Performance for *Small Industrial Commercial Institutional Steam Generating Units*.

<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div6&view=text&node=40:7.0.1.1.1.12>

40 CFR 60 Subpart Kb – Standards of Performance for *Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels)* for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984.

[https://www.ecfr.gov/cgi-bin/text-idx?SID=cd24360dfb2a3fd3113472bc70aa1b61&mc=true&node=sp40.7.60.k\\_0b&rgn=div6](https://www.ecfr.gov/cgi-bin/text-idx?SID=cd24360dfb2a3fd3113472bc70aa1b61&mc=true&node=sp40.7.60.k_0b&rgn=div6)

40 CFR 60 Subpart VV – Standards of Performance for *Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry* for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006.

<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.7.60.vv>

40 CFR 60 Subpart NNN - Standards of Performance for *Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations*

<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.7.60.nnn>

40 CFR 60 Subpart RRR - Standards of Performance for *Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes*

<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.7.60.rrr>

40 CFR 60 Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

<https://www.ecfr.gov/cgi-bin/text-idx?SID=cd24360dfb2a3fd3113472bc70aa1b61&mc=true&node=sp40.8.60.iiii&rgn=div6>

40 CFR 63 Subpart UU - National Emission Standards for *Equipment Leaks -- Control Level 2 Standards*

<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.11.63.uu>

40 CFR 63 Subpart FFFF – National Emission Standard for Hazardous Air Pollutants for *Miscellaneous Organic Chemical Manufacturing*.

<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div6&view=text&node=40:13.0.1.1.1.13>

40 CFR 63 Subpart DDDDD - National Emission Standards For Hazardous Air Pollutants For *Industrial, Commercial, And Institutional Boilers And Process Heaters*

<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div6&view=text&node=40:14.0.1.1.1.5#40:14.0.1.1.1.5.137.2>

40 CFR 63 Subpart 63 ZZZZ - National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines

[https://www.ecfr.gov/cgi-bin/text-](https://www.ecfr.gov/cgi-bin/text-idx?SID=cd24360dfb2a3fd3113472bc70aa1b61&mc=true&node=pt40.15.63&rgn=div5#sp40.15.63.zzzz)

[idx?SID=cd24360dfb2a3fd3113472bc70aa1b61&mc=true&node=pt40.15.63&rgn=div5#sp40.15.63.zzzz](https://www.ecfr.gov/cgi-bin/text-idx?SID=cd24360dfb2a3fd3113472bc70aa1b61&mc=true&node=pt40.15.63&rgn=div5#sp40.15.63.zzzz)