

Fact Sheet Language, Standard Condition I

Air Quality Permit Standard Condition I

All conditions listed in Standard Condition I are included in all Air Quality Permits issued by NDEQ and are required by Title 129. These conditions are all regulatory with each Title 129 requirement listed, except for the following conditions. The basis from Title 129 for each of the following conditions is referenced with each condition if applicable.

- I.(H) This condition contains general recordkeeping requirements that apply to all permitted emission units, including a date for when records must be completed, the length of time records must be maintained, and the identification of specific types of records that must be maintained by the permittee. Records must be maintained to ensure compliance with all applicable requirements. Specific recordkeeping requirements for permitted emission units can be found in the respective sections covering the units. (Title 129, Chapter 34, Section 006)
- I.(I) This condition requires all permitted emission units, associated emissions conveyances, required control equipment, and required monitoring equipment to be properly installed, operated, and maintained. In addition, this condition requires that all emissions from emission units using controls shall be captured and routed through associated emission conveyances to the control equipment, except for uncaptured emissions due to the design of the equipment, or uncaptured emissions described in the permit application or any additional information submitted prior to permit issuance. This condition addresses any uncaptured emissions known and identified prior to permit issuance.

Associated emissions conveyance (s) is physical equipment (including but not limited to: ductwork, pipes, conduits, vessels, etc.) that route emissions from an emission unit to control equipment. It is expected that the installation, operation, and maintenance conducted will be similar to the items contained in the documents detailing proper operation, inspection, and maintenance of the equipment. It is very important that permitted and required equipment is operating properly and maintained since poorly maintained equipment may emit greater amounts of pollution into the atmosphere or monitor information incorrectly or inaccurately. Emission estimates for this permitting action are based on the requirement that all equipment is operating properly and being properly maintained. (Title 129, Chapter 34, Section 006)

- I.(N) This condition establishes requirements related to performance testing, it is intended to demonstrate and ensure the source will be in compliance with permitted limits on a continuous basis. As such, testing is generally required to be conducted under conditions producing the highest emissions or loading to a control device. This typically is done at the maximum capacity, which is at a level of operation that would not create an unsafe condition, and the facility can operate at that level at least some of the time. For a comprehensive evaluation on representative testing conditions, please review the NDEQ guidance on stack testing available on our web site or the national stack testing guidance document found on EPA's web site. All performance tests if required throughout this permit are required to be conducted in accordance with these conditions. For all testing, the permittee is required to provide the NDEQ at least thirty (30) days written (i.e. hard copy, not electronic or verbal) notice prior to testing, unless the NDEQ gives approval for a notice of less than 30 days. If testing is pursuant to a requirement in federal rule, the notice provisions of the underlying requirement apply. The emissions testing notification should include information as required in Condition I.(N)(1)(b). This is to ensure that the NDEQ has the opportunity to witness the emissions testing and/or review the testing plan proposed. The permittee must also submit the final test results within sixty (60) days after the test has occurred. Subsequent monitoring of these parameters can indicate whether additional testing may be necessary because previous testing is not representative of current operations. (Title 129, Chapter 34, Sections 002 and 003)

- I.(O) The purpose of this condition is to require notifications when previous testing may no longer be representative of the current operation of the emission unit or control equipment due to changes. The changes could be any that impact emissions. Some changes would include, but are not limited to, increasing the capacity of an emission unit (e.g., increasing the hourly throughput of grain received, increasing the production rates, etc.) or changes to the operational parameters of control equipment that potentially make the control equipment less efficient (e.g., using less scrubbing liquid, using less chemical addition, or scrubbing liquid with higher temperature than previous testing). The NDEQ may require additional testing to verify the source remains in compliance with the emission limitation after the change is made. (Title 129, Chapter 34, Section 001)
- (2) This condition requires the source to notify the NDEQ when actual production/throughput of tested equipment increases by ten (10) percent from the recorded rates from a performance test conducted after January 1, 2012. Increasing production or throughput of equipment can render previous testing not representative of current operations, therefore triggering an assessment by the NDEQ as to whether additional testing is necessary. Examples include heat input or steam generation for a boiler, or the beer feed rate at an ethanol plant. If there are subsequent ten (10) percent increases over the rate most recently notified to the NDEQ, the permittee shall make a one-time notification to the NDEQ of each such subsequent increase. Once additional performance testing is completed, this condition ‘resets’ and notification of the 10% increase is based from the most recent test data. (Title 129, Chapter 34, Section 001)
- I.(P) This condition requires the permittee to comply with the opacity requirements in Chapter 20, Section 004 for all emission units at the source unless a more stringent opacity standard is specified in the underlying requirements of an applicable federal rule and/or specified within Title 129 and this permit. (Title 129, Chapter 20, Section 006)