

November 4, 2013

Owen H. Orndorff
Yellowstone Energy Limited Partnership
1087 W. River Street, Suite 200
Boise, ID 83702

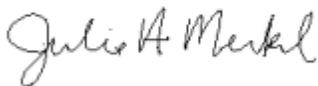
RE: Yellowstone Energy Limited Partnership Title V Operating Permit #OP2650-02 Renewal

Dear Mr. Orndorff:

The Department of Environmental Quality has prepared the enclosed Final Operating Permit #OP2650-02, for Yellowstone Energy Limited Partnership, located in Yellowstone County, Montana. Please review the cover page of the attached permit for information pertaining to the action taking place on Permit #OP2650-02.

If you have any questions, please contact Doug Kuenzli, the permit writer, at (406) 444-4267 or by email at dkuenzli@mt.gov.

Sincerely,



Julie Merkel
Air Permitting Program Supervisor
Air Resources Management Bureau
(406) 444-3626



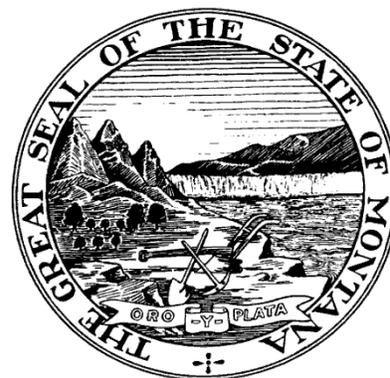
Doug Kuenzli
Environmental Science Specialist
Air Resources Management Bureau
(406) 444-4267

JM:DK

Enclosure

cc: Robert Duraski, US EPA Region VIII 8P-AR
Carson Coate, US EPA Region VIII, Montana Office

STATE OF MONTANA
Department of Environmental Quality
Helena, Montana 59620



AIR QUALITY OPERATING PERMIT OP2650-02

Initial Application Received: May 17, 2012
Application Deemed Administratively Complete: May 17, 2012
Application Deemed Technically Complete: May 17, 2012
AFS Number: **030-111-0023A**

Draft Issue Date: July 9, 2013
Proposed Issue Date: August 16, 2013
End of EPA 45-day Review: September 30, 2013
Date of Decision: October 2, 2013
Effective Date: November 2, 2013
Expiration Date: November 2, 2018
Renewal Application Due: May 2, 2018

In accordance with the Montana Code Annotated (MCA) Sections 75-2-217 and 218, and the Administrative Rules of Montana (ARM) Title 17, Chapter 8, Subchapter 12, Operating Permit Program, ARM 17.8.1201, *et seq.*,

Yellowstone Energy Limited Partnership
NE ¼ of Section 25, Township 1 North, Range 26 East, Yellowstone County
2215 North Frontage Road Billings, MT 59101

Permit Issuance and Appeal Processes: In accordance with Montana Code Annotated (MCA) Sections 75-2-217 and 218 and the Administrative Rules of Montana (ARM), ARM Title 17, Chapter 8, Subchapter 12, Operating Permit Program, this operating permit is hereby issued by the Department of Environmental Quality (Department) as effective and final on November 2, 2013. This permit must be kept on-site at the above named facility.

**Montana Air Quality Operating Permit
Department of Environmental Quality**

SECTION I.	GENERAL INFORMATION	1
SECTION II.	SUMMARY OF EMISSION UNITS.....	2
SECTION III.	PERMIT CONDITIONS.....	3
	A. FACILITY-WIDE.....	3
	B. EU01 – CIRCULATING FLUIDIZED BED COMBUSTION (CFBC) BOILER	6
	C. EU02 – LIMESTONE UNLOADING, HANDLING, AND CRUSHING AND EU03 LIMESTONE STORAGE..	14
	D. EU04, EU05, EU06, AND EU07 OUTDOOR COKE LOADING, HANDLING AND STORAGE.....	17
	E. EU08 COKE UNLOADING, CRUSHING, PROCESSING FACILITY AND EU09 COKE BARN.....	20
	F. EU10 AND EU11 ASH UNLOADING, HANDLING AND STORAGE.....	22
	G. EU12 FUGITIVE EMISSIONS: PAVED ROADS	24
	H. EU14: GASOLINE STORAGE & DISPENSING	26
SECTION IV.	NON-APPLICABLE REQUIREMENTS.....	28
	A. FACILITY-WIDE.....	28
	B. EMISSION UNITS.....	28
SECTION V.	GENERAL PERMIT CONDITIONS	29
	A. COMPLIANCE REQUIREMENTS	29
	B. CERTIFICATION REQUIREMENTS	29
	C. PERMIT SHIELD	30
	D. MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS.....	31
	E. PROMPT DEVIATION REPORTING	32
	F. EMERGENCY PROVISIONS	32
	G. INSPECTION AND ENTRY	33
	H. FEE PAYMENT	33
	I. MINOR PERMIT MODIFICATIONS.....	34
	J. CHANGES NOT REQUIRING PERMIT REVISION.....	34
	K. SIGNIFICANT PERMIT MODIFICATIONS	35
	L. REOPENING FOR CAUSE.....	35
	M. PERMIT EXPIRATION AND RENEWAL	36
	N. SEVERABILITY CLAUSE.....	36
	O. TRANSFER OR ASSIGNMENT OF OWNERSHIP	37
	P. EMISSIONS TRADING, MARKETABLE PERMITS, ECONOMIC INCENTIVES	37
	Q. NO PROPERTY RIGHTS CONVEYED	37
	R. TESTING REQUIREMENTS	37
	S. SOURCE TESTING PROTOCOL	37
	T. MALFUNCTIONS	37
	U. CIRCUMVENTION.....	37
	V. MOTOR VEHICLES	37
	W. ANNUAL EMISSIONS INVENTORY.....	38
	X. OPEN BURNING	38
	Y. MONTANA AIR QUALITY PERMITS.....	38
	Z. NATIONAL EMISSION STANDARD FOR ASBESTOS.....	39
	AA. ASBESTOS	39
	BB. STRATOSPHERIC OZONE PROTECTION – SERVICING OF MOTOR VEHICLE AIR CONDITIONERS	39
	CC. STRATOSPHERIC OZONE PROTECTION – RECYCLING AND EMISSION REDUCTIONS	39
	DD. EMERGENCY EPISODE PLAN.....	39
	EE. DEFINITIONS.....	40

APPENDIX A INSIGNIFICANT EMISSION UNITSA-1
APPENDIX B DEFINITIONS AND ABBREVIATIONSB-1
APPENDIX C NOTIFICATION ADDRESSESC-1
APPENDIX D AIR QUALITY INSPECTOR INFORMATION.....D-1
APPENDIX E JUNE 12, 1998 AND MARCH 17, 2000 BOARD ORDERS ADOPTING AN SO₂ CONTROL PLANE-1
APPENDIX F AMBIENT MONITORING PLAN F-1
APPENDIX G CAM PLAN - PM₁₀ CONTROL FROM CIRCULATING BED BOILERS (2) G-1
APPENDIX H CAM PLAN – SO₂ CONTROL FROM CIRCULATING BED BOILERS (2)..H-1

Terms not otherwise defined in this permit or in the Definitions and Abbreviations Appendix of this permit have the meaning assigned to them in the referenced regulations.

SECTION I. GENERAL INFORMATION

The following general information is provided pursuant to ARM 17.8.1210(1).

Company Name: **Yellowstone Energy Limited Partnership**

Mailing Address: **1087 West River Street, Suite 200**

City: **Boise**

State: **Idaho**

Zip: **83702**

Plant Location: **2215 N. Frontage Road, Billings, Montana 59101-7303**

Responsible Official: **Owen Orndorff**

Phone: **(208) 344-3570**

Facility Contact Person: **Dan Gray**

Phone: **(406) 256-5296**

Primary SIC Code: **4911**

Nature of Business: **External Combustion Boilers – Electric Generation**

Description of Process:

The primary operation of the YELP complex is the production of steam, a portion of which is transferred to the ExxonMobil Refinery and the remainder utilized to generate electricity via a steam turbine. The facility employs two circulating fluidized bed combustion (CFBC) boilers in the production of steam, fired by petroleum coke and coker gas as primary fuels. The total design capacity of the facility is 660,000 pounds per hour (lbs/hr) of steam and 65-Megawatts of electrical generation.

SECTION II. SUMMARY OF EMISSION UNITS

The emission units regulated by this permit are the following (ARM 17.8.1211):

Emissions Unit ID	Description	Pollution Control Device/Practice
EU01	Circulating Fluidized Bed Combustion (CFBC) Boilers (2)	Particulate emissions are controlled by baghouse; sulfur is controlled by injection of limestone into the boiler, NO ₂ , VOC and CO emissions are controlled by lower operating temperature and a recirculation of fuel and ash particles through the combustion boiler.
EU02	Limestone Unloading, Handling, and Crushing	The unloading of limestone to the hopper takes place in an enclosed area and the limestone is transferred via an enclosed conveyor, controlling fugitive emission. The crushing activity is enclosed and the air is exhausted through a baghouse.
EU03	Limestone Storage	Particulate emission from the filling of the limestone storage silo are controlled by a baghouse.
EU04	Coke Storage and Handling at Exxon	Particulate emission from the use of the coke storage silo at Exxon are controlled by a baghouse.
EU05	Coke Loading to Stockpile	None
EU06	Loading Coke from Stockpile to Hopper	None
EU07	Coke Storage and Handling	From the hopper, the coke is pneumatically fed to a surge bin, which is also fed from the fluid coker process at Exxon. The surge bin contains a bag filter for exhausted displacement air.
EU08	Coke Unloading, Crushing, Processing Facility	This building houses a crusher system, which includes a scalper (screen), a crusher, and a belt delivery system to existing coke silos. The particulate emissions are controlled by a baghouse.
EU09	Coke Barn	This building stores coke and is enclosed.
EU10	Ash Handling and Storage	Ash generated by the boilers is removed from the boiler as bottom ash and from the baghouse as fly ash by a pneumatic system and conveyed to a temporary storage silo. A bag filter on the silo controls particulate emissions.
EU11	Ash Unload to Trucks	Baghouse
EU12	Fugitive Emissions: Paved Roads	None
EU14	Fuel Storage and Distribution	Submerged fill

SECTION III. PERMIT CONDITIONS

The following requirements and conditions are applicable to the facility or to specific emission units located at the facility (ARM 17.8.1211, 1212, and 1213).

A. Facility-Wide

Conditions	Rule Citation	Rule Description	Pollutant/Parameter	Limit
A.1	ARM 17.8.105	Testing Requirements	Testing Requirements	-----
A.2	ARM 17.8.304(1)	Visible Air Contaminants	Opacity	40%
A.3	ARM 17.8.304(2)	Visible Air Contaminants	Opacity	20%
A.4	ARM 17.8.308(1)	Particulate Matter, Airborne	Fugitive Opacity	20%
A.5	ARM 17.8.308(2)	Particulate Matter, Airborne	Reasonable Precautions	-----
A.6	ARM 17.8.308	Particulate Matter, Airborne	Reasonable Precaution, Construction	20%
A.7	ARM 17.8.309	Particulate Matter, Fuel Burning Equipment	Particulate Matter	$E = 0.882 * H^{-0.1664}$ Or $E = 1.026 * H^{-0.233}$
A.8	ARM 17.8.310	Particulate Matter, Industrial Processes	Particulate Matter	$E = 4.10 * P^{0.67}$ or $E = 55 * P^{0.11} - 40$
A.9	ARM 17.8.322(4)	Sulfur Oxide Emissions, Sulfur in Fuel	Sulfur in Fuel (liquid or solid fuels)	1 lb/MMBtu fired
A.10	ARM 17.8.322(5)	Sulfur Oxide Emissions, Sulfur in Fuel	Sulfur in Fuel (gaseous)	50 gr/100 CF
A.11	ARM 17.8.324(3)	Hydrocarbon Emissions, Petroleum Products	Gasoline Storage Tanks	-----
A.12	ARM 17.8.324	Hydrocarbon Emissions, Petroleum Products	65,000 Gallon Capacity	-----
A.13	ARM 17.8.324	Hydrocarbon Emissions, Petroleum Products	Oil-effluent Water Separator	-----
A.14	ARM 17.8.342	NESHAPs General Provisions	SSM Plans	Submittal
A.15	ARM 17.8.1211(1)(c) and 40 CFR Part 98	Greenhouse Gas Reporting	Reporting	-----
A.16	ARM 17.8.204	Ambient Air Monitoring	SO ₂ and Meteorological Data	-----
A.17	ARM 17.8.1212	Reporting Requirements	Prompt Deviation Reporting	-----
A.18	ARM 17.8.1212	Reporting Requirements	Compliance Monitoring	-----
A.19	ARM 17.8.1207	Reporting Requirements	Annual Certification	-----

Conditions

- A.1. Pursuant to ARM 17.8.105, any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct test, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.

Compliance demonstration frequencies that list “as required by the Department” refer to ARM 17.8.105. In addition, for such sources, compliance with limits and conditions listing “as required by the Department” as the frequency, is verified annually using emission factors and engineering calculations by the Department’s compliance inspectors during the annual emission inventory review; in the case of Method 9 tests, compliance is monitored during the regular inspection by the compliance inspector.

- A.2. Pursuant to ARM 17.8.304(1), YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed on or before November 23, 1968, that exhibit an opacity of 40% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.

- A.3. Pursuant to ARM 17.8.304(2), YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.
- A.4. Pursuant to ARM 17.8.308(1), YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.
- A.5. Pursuant to ARM 17.8.308(2), YELP shall not cause or authorize the use of any street, road or parking lot without taking reasonable precautions to control emissions of airborne particulate matter, unless otherwise specified by rule or in this permit.
- A.6. Pursuant to ARM 17.8.308, YELP shall not operate a construction site or demolition project unless reasonable precautions are taken to control emissions of airborne particulate matter. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.
- A.7. Pursuant to ARM 17.8.309, unless otherwise specified by rule or in this permit, YELP shall not cause or authorize particulate matter caused by the combustion of fuel to be discharged from any stack or chimney into the outdoor atmosphere in excess of the maximum allowable emissions of particulate matter for existing fuel burning equipment and new fuel burning equipment calculated using the following equations:

For existing fuel burning equipment (installed before November 23, 1968):

$$E = 0.882 * H^{-0.1664}$$

For new fuel burning equipment (installed on or after November 23, 1968):

$$E = 1.026 * H^{-0.233}$$

Where H is the heat input capacity in million British thermal units (MMBtu) per hour and E is the maximum allowable particulate emissions rate in pounds per MMBtu.

- A.8. Pursuant to ARM 17.8.310, unless otherwise specified by rule or in this permit, YELP shall not cause or authorize particulate matter to be discharged from any operation, process, or activity into the outdoor atmosphere in excess of the maximum hourly allowable emissions of particulate matter calculated using the following equations:

$$\begin{array}{ll} \text{For process weight rates up to 30 tons per hour:} & E = 4.10 * P^{0.67} \\ \text{For process weight rates in excess of 30 tons per hour:} & E = 55.0 * P^{0.11} - 40 \end{array}$$

Where E = rate of emissions in pounds per hour and p = process weight rate in tons per hour.

- A.9. Pursuant to ARM 17.8.322(4), YELP shall not burn liquid or solid fuels containing sulfur in excess of 1 pound per MMBtu fired, unless otherwise specified by rule or in this permit.
- A.10. Pursuant to ARM 17.8.322(5), YELP shall not burn any gaseous fuel containing sulfur compounds in excess of 50 grains (gr) per 100 standard cubic feet (scf) of gaseous fuel, calculated as hydrogen sulfide (H₂S) at standard conditions, unless otherwise specified by rule or in this permit.

- A.11. Pursuant to ARM 17.8.324(3), YELP shall not load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank is equipped with a vapor loss control device or is a pressure tank as described in ARM 17.8.324(1), unless otherwise specified by rule or in this permit.
- A.12. Pursuant to ARM 17.8.324, unless otherwise specified by rule or in this permit, YELP shall not place, store or hold in any stationary tank, reservoir or other container of more than 65,000 gallon capacity any crude oil, gasoline or petroleum distillate having a vapor pressure of 2.5 pounds per square inch absolute (psia) or greater under actual storage conditions, unless such tank, reservoir or other container is a pressure tank maintaining working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere, or is designed and equipped with a vapor loss control device, properly installed, in good working order and in operation.
- A.13. Pursuant to ARM 17.8.324, unless otherwise specified by rule or in this permit, YELP shall not use any compartment of any single or multiple-compartment oil-effluent water separator, which compartment receives effluent water containing 200 gallons a day or more of any petroleum product from any equipment processing, refining, treating, storing or handling kerosene or other petroleum product of equal or greater volatility than kerosene, unless such compartment is equipped with a vapor loss control device, constructed so as to prevent emission of hydrocarbon vapors to the atmosphere, properly installed, in good working order and in operation.
- A.14. Pursuant to ARM 17.8.342 and 40 CFR 63.6, YELP shall submit to the Department a copy of any startup, shutdown, and malfunction (SSM) plan required under 40 CFR 63.6(e)(3) within 30 days of the effective date of this operating permit (if not previously submitted), within 30 days of the compliance date of any new National Emission Standard for Hazardous Air Pollutants (NESHAPs) or Maximum Achievable Control Technology (MACT) standard, and within 30 days of the revision of any such SSM plan, when applicable. The Department requests submittal of such plans in electronic form, when possible.
- A.15. Pursuant to ARM 17.8.1211(1)(c) and 40 CFR Part 98, YELP shall comply with requirements of 40 CFR Part 98 – Mandatory Greenhouse Gas Reporting, as applicable (ARM 17.8.1211(1)(c), NOT an applicable requirement under Title V).
- A.16. YELP shall conduct ambient air monitoring in accordance with Appendix F of the permit (ARM 17.8.204).
- A.17. YELP shall promptly report deviations from permit requirements including those attributable to upset conditions, as upset is defined in the permit. To be considered prompt, deviations shall be reported to the Department using the schedule and content as described in Section V.E (unless otherwise specified in an applicable requirement) (ARM 17.8.1212).
- A.18. On or before February 15 and August 15 of each year, YELP shall submit to the Department the compliance monitoring reports required by Section V.D. These reports must contain all information required by Section V.D, as well as the information required by each individual emissions unit. For the reports due by February 15 of each year, YELP may submit a single report, provided that it contains all the information required by Section V.B & V.D. Per ARM 17.8.1207,

any application form, report, or compliance certification submitted pursuant to ARM Title 17, Chapter 8, Subchapter 12 (including semiannual monitoring reports), shall contain certification by a responsible official of truth, accuracy and completeness. This

certification and any other certification required under ARM Title 17, Chapter 8, Subchapter 12, shall state that, “based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.”

A.19. By February 15 of each year, YELP shall submit to the Department the compliance certification required by Section V.B. The annual certification required by Section V.B must include a statement of compliance based on the information available which identifies any observed, documented or otherwise known instance of noncompliance for each applicable requirement. Per ARM 17.8.1207,

any application form, report, or compliance certification submitted pursuant to ARM Title 17, Chapter 8, Subchapter 12 (including annual certifications), shall contain certification by a responsible official of truth, accuracy and completeness. This certification and any other certification required under ARM Title 17, Chapter 8, Subchapter 12, shall state that, “based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.”

B. EU01 – Circulating Fluidized Bed Combustion (CFBC) Boiler

Main Stack Emissions					
Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration		Reporting Requirements
			Method	Frequency	
B.1., B.17., B.22., B.23., B.24., B.25., B.32., B.39., B.40., B.42., B.45.	Opacity	20%	COMS and Method 9	Ongoing and As required by the Department and Section III.A.1	Quarterly and Semiannual
B.2., B.13., B.25., B.32., B.39., B.40., B.42., B.45.	Particulate from fuel combustion	$E=1.026 * H^{-0.233}$	Method 5	Annual	Semiannual
B.3., B.13., B.26., B.40., B.42. B.45.	Sulfur in fuel	1 lb sulfur/MMBtu	Fuel Analysis	Monthly	Semiannual
B.4., B.13., B.26., B.40., B.42., B.45.	Sulfur in fuel	50 gr/100 SCF	Fuel Analysis	Twice-Monthly	Semiannual
B.5., B.25., B.32., B.39., B.40., B.42., B.45.	Particulate Matter	18.26 lb/hr 438.4 lb/day 80.0 ton/yr	Method 5	Annual	Semiannual
			Excess Emissions Reports	As Necessary	Quarterly
B.5, B.6., B.17., B.23., B24., B.25., B.26., B.32., B.33., B.40., B.41., B.42., B.45.	SO ₂ Offsets	238 ton/yr 0.96 lb/MMBtu 720 bbl/day	CEMS and Recordkeeping	Ongoing and As Necessary	Quarterly
B.7., B.8., B.17., B.23., B.24., B.25., B.32., B.33., B.34., B.39., B.40., B.41., B.42., B.45.	SO ₂	620.0 lb/hr – avg 680.0 lb/hr – max 8.160 ton/day 2476.0 ton/yr	CEMS, Method 6/6c, and Method 19 as appropriate	Ongoing and Annual	Quarterly and Semiannual

Main Stack Emissions					
Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
B.7., B.9., B.11., B.17., B.23., B.24., B.25., B.32., B.33., B.39., B.40., B.41., B.42., B.45.	SO ₂ (when YELP is not receiving Exxon Coker flue gas)	2040.0 lb/3-hr 114.2 lb/3-hr 10,543.0 lb/day 3,848,049.0 lb/day		Ongoing and Annual	Quarterly and Semiannual
B.7., B.10., B.11., B.17., B.23., B.24., B.25., B.32., B.33., B.39., B.40., B.41., B.42., B.45.	SO ₂ (when YELP is receiving Exxon Coker flue gas or Exxon Coker is not operating)	2040.0 lb/3-hr 16,320.0 lb/day 5,956,800.0 lb/yr			
B.7., B.11., B.17., B.23., B.24., B.25., B.32., B.33., B.39., B.40., B.41., B.42., B.45.	SO ₂ (calendar days when conditions B.8 and B.9 both apply)	38.07 lb/hr 680.0 lb/hr			
B.7., B.12., B.17., B.23., B.24., B.25., B.26., B.40., B.42., B.45.	SO ₂	92% reduction			
B.13., B.26., B.40., B.42., B.45.	SO ₂ / Sulfur in fuel	Analyze weight percent Sulfur and heating value (Btu/lb) of petroleum Coke; analyze coker gas stream to facilitate F-Factor Determination	Method 19	Monthly	Semiannual
B.14., B.17., B.23., B.24., B.25., B.32., B.34., B.39., B.40., B.42., B.45.	CO	120.6 lb/hr 2898.6 lb/day 529.0 ton/yr	CEMS and Method 3/3B	Ongoing and Annual	Quarterly and Semiannual
B.15., B.17., B.23., B.24., B.25., B.32., B.34., B.39., B.40., B.42., B.45.	NO _x	319.0 lb/hr –avg 1,396.0 ton/yr 0.400 lb/MMBtu	CEMS and Method 7/7E	Ongoing and Annual	Quarterly and Semiannual
B.16., B.27., B.40., B.41., B.42., B.45.	Fuel Input	Petroleum coke fuel and Exxon coker process gas to be combusted in the YELP boilers	Reporting	As required by the Department and Section III.A.1	As necessary but at least Quarterly
B.17., B.23., B.24., B.25., B.32., B.34., B.39., B.40., B.42., B.45.	CEMS/CERMS	Operate and Maintain	40 CFR Part 60	Ongoing	Quarterly
B.18., B.28., B.35., B.42., B.45.	PM ₁₀ CAM Plan	ARM 17.8.1506	Provisions from CAM Plan, Appendix G	Ongoing	Semiannual
B.19., B.29., B.36., B.42., B.45.	SO ₂ CAM Plan	ARM 17.8.1506	Provisions from CAM Plan, Appendix H	Ongoing	Semiannual
B.20., B.30., B.37., B.42., B.45.	40 CFR 60, Subpart Da	40 CFR 60, Subpart Da	40 CFR 60, Subpart Da	40 CFR 60, Subpart Da	Semiannual
B.21., B.31., B.38., B.42., B.45.	40 CFR 63, Subpart UUUUU	40 CFR 63, Subpart UUUUU	40 CFR 63, Subpart UUUUU	40 CFR 63, Subpart UUUUU	Semiannual

Conditions

- B.1. YELP shall not cause to be discharged into the atmosphere from any affected facility any gases that exhibit greater than 20% opacity (6 minute average) except for one 6-minute period per hour of not more than 27% opacity (ARM 17.8.340 and 40 CFR 60.42a(b)).

- B.2. YELP shall not cause or authorize particulate matter caused by the combustion of fuel to be discharged from any stack or chimney into the outdoor atmosphere in excess of $E = 1.026 * H - 0.233$ for new fuel burning equipment, where: H = heat input capacity in MMBtu/hr and E = maximum allowable emission rate in lb/MMBtu (ARM 17.8.309).
- B.3. YELP shall not burn liquid or solid fuels containing sulfur in excess of 1 lb/MMBtu fired (ARM 17.8.322(4)).
- B.4. YELP shall not burn any gaseous fuel containing sulfur compounds in excess of 50 gr/100 SCF of gaseous fuel, calculated as hydrogen sulfide (H₂S) at standard conditions (ARM 17.8.322(5)).
- B.5. Particulate Matter emission from the Main Stack shall not exceed the following (ARM 17.8.752):
- a. 18.26 lb/hr (0.023 lb/MMBtu);
 - b. 438.4 lb/day; and
 - c. 80.0 ton/yr.
- B.6. The construction and operation of the YELP facility required external offsets from the adjacent Exxon refinery. The sulfur dioxide (SO₂) emission reduction from the Exxon coker process gas shall be at least 238 tons per calendar year. The offsets are provided by the combustion and treatment of the Exxon coker process gas stream, by both an hourly limit on sulfur-in-fuel burned at the refinery on a refinery-wide basis of 0.96 pounds of sulfur-in-fuel per million BTUs fired and a daily limit on the number of barrels of fuel oil that may be burned at the refinery by all combustion units of 720 barrels per calendar day. The short term hourly offset shall be guaranteed for the YELP facility according to the following operating conditions:
- a. At any time that YELP is notified by Exxon that Exxon has exceeded either the hourly sulfur-in-fuel limitation or the daily limit on the number of barrels of fuel oil fired, YELP shall operate its facility in such manner as to ensure that the ratio of SO₂ in the Exxon coker process gas stream to the SO₂ emitted from the YELP main stack shall be equal to or greater than 1:1. During times that the SO₂ CEM that measures the inlet coker process gas from Exxon is not operating, the minimum operating value recorded during the past 12-months shall be used. During the times that YELP's main stack SO₂ CEM is not operating, the maximum operating value recorded during the past 12-months shall be used.
 - b. If the initial notification from Exxon indicates that Exxon has exceeded the hourly sulfur-in-fuel limit, then YELP shall continue to comply with the ratio requirement described above in Section III.B.6.a until such time as YELP is notified by Exxon that the Exxon refinery has met the hourly sulfur-in-fuel limitation for 3 consecutive hourly periods.
 - c. If the initial notification from Exxon indicates that Exxon has exceeded the daily limit on the number of barrels of fuel oil fired, then YELP shall continue to comply with the ratio requirement described above in Section III.B.6.a until such time as YELP is notified by Exxon that the Exxon refinery is in compliance with the daily limit on fuel oil firing.
- B.7. YELP shall conform to the most stringent SO₂ emission limits (hourly, daily, and annual) as listed in this operating permit (Billings/Laurel SO₂ Emission Control Plan, approved into the SIP by EPA on May 2, 2002, and May 22, 2003).

- B.8. SO₂ emissions from the Main Stack shall not exceed the following (ARM 17.8.752):
- a. 620.0 lb/hr computed on a rolling 30-day average (0.777 lb/MMBtu)
 - b. 680.0 maximum lb/hr;
 - c. 8.160 ton/day; and
 - d. 2476.0 ton/yr computed as a 12 month total at the end of each calendar month.
- B.9. YELP Main Stack SO₂ emissions shall be limited as follows during periods when the Exxon Coker Unit is operating and YELP is not receiving Exxon Coker flue gas (Billings/Laurel SO₂ Emission Control Plan, approved into the SIP by EPA on May 2, 2002, and May 22, 2003).
- a. Three Hour Emissions of SO₂ from the YELP boiler stack shall not exceed:
 - i. 2,040 pounds per 3-hour period during that portion of each calendar-day beginning at 6:00 a.m. and ending at 9:00 p.m.; and
 - ii. 114.2 pounds per 3-hour period during that portion of each calendar-day beginning at 9:00 p.m. and ending at 6:00 a.m.
 - b. Daily Emissions of SO₂ from the YELP boiler stack shall not exceed 10,543.0 pounds per calendar day; and
 - c. Annual Emissions of SO₂ from the YELP boiler stack shall not exceed 3,848,049.0 pounds per calendar year.
- B.10. YELP Main Stack SO₂ emissions shall be limited as follows during periods when either the Exxon Coker Unit is not operating or the Exxon Coker Unit is operating and YELP is receiving the Exxon Coker flue gas (Billings/Laurel SO₂ Emission Control Plan, approved into the SIP by EPA on May 2, 2002, and May 22, 2003):
- a. Three-Hour Emissions of SO₂ from the YELP boiler stack shall not exceed 2040.0 pounds per 3-hour period;
 - b. Daily Emissions of SO₂ from the YELP boiler stack shall not exceed 16,320.0 pounds per calendar day; and
 - c. Annual Emissions of SO₂ from the YELP boiler stack shall not exceed 5,956,800.0 pounds per calendar year.
- B.11. If, for any 3-hour period during the course of a calendar day, the conditions for Section III.B.9 and Section III.B.10 both apply, then the resulting 3-hour emission limitation for the YELP Main Stack shall be determined by prorating, on an hourly basis, the emission limits contained in Section III.B.9 and Section III.B.10. The prorated 3-hour emission limitation shall be calculated as the sum of the 1-hour values determined in accordance with the requirements below (Billings/Laurel SO₂ Emission Control Plan, approved into the SIP by EPA on May 2, 2002, and May 22, 2003):
- a. Each Clock Hour during the 3-hour period that the conditions for Section III.B.9 apply shall be assigned a 1-hour value equal to the emission limitation contained in Section III.B.9 (a)(ii) divided by 3; and

- b. All other Clock Hours in the subject 3-hour period shall be assigned a 1-hour value equal to the 3-hour emission limitation contained in Section III.B.10 (a) divided by 3.
- B.12. YELP shall achieve a minimum of 92% SO₂ control for all boilers operating hours¹. Percent control of SO₂ shall be determined according to the provision in 40 CFR 60, Appendix A Method 19 (ARM 17.8.340 and ARM 17.8.752).
- B.13. YELP shall analyze the weight percent sulfur and heating value (BTU/lb) of the petroleum coke fuel on a monthly basis when the boilers are operating. Twice per month YELP shall analyze the coker gas stream to facilitate F-Factor determination when the boilers are operating. Analysis procedures and methods shall follow 40 CFR 60, Appendix A Method 19 (ARM 17.8.749 and ARM 17.8.340).
- B.14. Carbon Monoxide (CO) emissions from the Main Stack shall not exceed the following (ARM 17.8.752):
- a. 120.6 lb/hr.
 - b. 2898.6 lb/day; and
 - c. 529.0 ton/yr;
- B.15. NO_x emissions from the Main Stack shall not exceed the following (ARM 17.8.752):
- a. 319.0 lb/hr computed on a rolling 30-day average (0.400 lb/MMBtu); and
 - b. 1,396.0 ton/yr; and
- B.16. The facility shall burn, in conjunction with petroleum coke fuel, all of the Exxon coker process gas in the YELP boilers. YELP is authorized to burn petroleum coke (solid fuel) and coker gas (gaseous fuel) (ARM 17.8.749).
- B.17. YELP shall install, operate, and maintain the following Continuous Emission Monitors/Continuous Emission Rate Monitors (CEMs/CERMs) (ARM 17.8.340 and ARM 17.8.749):
- a. Main Stack
 - i. Opacity
 - ii. Sulfur Dioxide
 - iii. Nitrogen Oxides
 - iv. Oxygen
 - v. Carbon Monoxide
 - vi. Volumetric Flow Rate
 - b. Coker Process Gas Flue
 - i. Sulfur Dioxide
 - ii. Volumetric Flow Rate

¹ "Boiler operating hour" means any time during a 60-minute clock hour in which a boiler operates.

- c. The monitors shall comply with all applicable provisions of 40 CFR, Parts 60.5 through 60.13 and Appendix B, (Performance Specifications 1, 2, 3, and 4) and Appendix F (Quality Assurance/Quality Control) provisions. Volumetric flow rate monitors shall comply with the requirements of Attachment 1 of the Stipulation (Appendix E of this permit), including Methods A-1 and B-1.
- B.18. YELP shall provide a reasonable assurance of compliance with emission limitations or standards for the anticipated range of operations at the Circulating Fluidized Bed Boiler for PM₁₀ (ARM 17.8.1504).
- B.19. YELP shall provide a reasonable assurance of compliance with emission limitations or standards for the anticipated range of operations at the Circulating Fluidized Bed Boiler for SO₂ (ARM 17.8.1504).
- B.20. YELP shall comply with all of the applicable requirements, including emission limitations, monitoring, recordkeeping, reporting, and testing requirements, of 40 CFR 60, Subpart Da – *Standards of Performance for Electric Utility Steam Generating Units* (ARM 17.8.340 and 40 CFR 60, Subpart Da).
- B.21. YELP shall comply with all of the applicable requirements, including emission limitations, monitoring, recordkeeping, reporting, and testing requirements, of 40 CFR 63, Subpart UUUUU – *National Emissions Standards for Hazardous Air Pollutants: Coal- and Oil Fired Electric Utility Steam Generating Units* (ARM 17.8.342 and 40 CFR 63, Subpart UUUUU).

Compliance Demonstration

- B.22. A Method 9 test shall be performed, as required by, the Department and Section III.A.1 to monitor compliance with the opacity limit in Section III.B.1. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.1213 and ARM 17.8.106).
- B.23. Compliance with emission limits in Section III.B shall be monitored by utilizing data taken from the CEMs listed in Section III.B.17, as required by 40 CFR 60 and in accordance with the Stipulation (Appendix E). Although the CEMS data is the method of monitoring compliance on a continuous basis, the data from annual reference method tests shall also be used to monitor compliance. All CEMS shall be operated pursuant to any and all requirements of Exhibit A of the Stipulation. The above does not relieve YELP from meeting any applicable requirements of 40 CFR 60, Appendices A and B, any requirement identified in the June 12, 1998, Stipulation, or other stack testing that will be required by the Department (Billings/Laurel SO₂ Emission Control Plan, approved into the SIP by EPA on May 2, 2002, and May 22, 2003).
- B.24. All gaseous continuous emission monitors shall be required to comply with quality assurance/quality control procedures in 40 CFR Part 60, Appendix F and the CEM availability requirements in 40 CFR 60. CEM systems are to be in operation at all times when the emission units are operating except for quality assurance and control checks, breakdowns and repairs. In the event the primary CEM system is unable to meet minimum availability requirements, YELP shall provide a back-up or alternative monitoring system and plan such that continuous compliance can be monitored. YELP shall submit the alternative monitoring plan for Department approval within 60 days after achieving the maximum production rate for the facility and not later than 180 days after initial startup (ARM 17.8.1213, ARM 17.8.749, and ARM 17.8.340).

- B.25. Compliance testing and continuous monitor certification shall be as specified in 40 CFR Part 60, Appendices A and B. The Department shall require annual compliance stack testing at the YELP main stack. Testing shall include: Methods 1-4 and 6/6C for SO₂, Method 7/7E for nitrogen oxides (NO_x), Method 3/3B for, and Method 5 for particulate matter (PM, PM₁₀) or equivalent methods as approved by the Department and EPA, and in accordance with the Montana Source Test Protocol and Procedures Manual. Upon request, the Department may require stack testing for other pollutants. Test methods and procedures, where there is more than one option for any given pollutant, shall be approved by the Department prior to commencement of testing. Certification of all CEMS/CERMS shall be conducted annually. The annual monitor certification can coincide with the required compliance stack testing (ARM 17.8.106 and ARM 17.8.749). The annual Relative Accuracy Test Audits (RATAs) required by Sections 6(C) and (D) of Exhibit A of the Stipulation (Appendix E) may substitute for the annual source test provided that the flow rate RATA and the concentration RATA are performed simultaneously and additional calculations are made to determine and report the data in pounds per hour sulfur dioxide (Billings/Laurel SO₂ Emission Control Plan, approved into the SIP by EPA on May 2, 2002, and May 22, 2003).
- B.26. YELP shall verify the sulfur dioxide emission rate, utilizing CEMS, on an hourly basis on both the YELP stack and from the Exxon coker process gas received by the YELP facility. The results shall be reported to the Department along with other emissions data within 30 days of the end of each reporting period. The report shall contain all necessary data from the coker process gas stream, fuel petroleum coke sulfur content, and the YELP main stack continuous emission monitoring system such that the SO₂ emission reduction is quantifiable on an hourly basis (ARM 17.8.1213 and ARM 17.8.749).
- B.27. YELP shall report to the Department, within 24-hours, any time in which the Exxon coker process gas is diverted away from the fluidized bed boiler facility (YELP). Said report shall include the period of diversion, estimate of process gas diverted, and circumstances explaining the diversion of this stream. Said report shall discuss what corrective actions will be taken to prevent recurrences of the situation and what caused the diversion (ARM 17.8.1213 and ARM 17.8.749).
- B.28. YELP shall monitor compliance by following the Compliance Assurance Monitoring (CAM) Plan for PM₁₀ (Appendix G). The CAM Plan, written by YELP in accordance with ARM 17.8.1504 is summarized in Appendix G and is available in full upon request by the Department or the facility (ARM 17.8.1213 and ARM 17.8.1503).
- B.29. YELP shall monitor compliance by following the CAM Plan for SO₂ (Appendix H). The CAM Plan, written by YELP in accordance with ARM 17.8.1504 is summarized in Appendix H and is available in full upon request by the Department or the facility (ARM 17.8.1213 and ARM 17.8.1503).
- B.30. YELP shall meet the requirement for demonstration of compliance and testing procedures of 40 CFR 60, Subpart Da (ARM 17.8.1213 and 40 CFR 60, Subpart Da).
- B.31. YELP shall meet the requirement for demonstration of compliance and testing procedures of 40 CFR 63, Subpart UUUUU (ARM 17.8.1213 and 40 CFR 63, Subpart UUUUU).

Recordkeeping

- B.32. All source test recordkeeping shall be performed in accordance with the test method used and the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).

- B.33. YELP shall maintain all records necessary to verify compliance with the required SO₂ offsets, all requirements identified in 40 CFR Part 60, and all requirements identified in the June 12, 1998, and March 17, 2000, stipulation. The records shall be made available to the Department upon request (Billings/Laurel SO₂ Emission Control Plan, approved into the SIP by EPA on May 2, 2002, and May 22, 2003).
- B.34. YELP shall maintain all monitoring records for Opacity, PM, SO₂, NO_x, and CO as specified within Sections III.B.22 through III.B.25 (ARM 17.8.1212).
- B.35. Records shall be prepared and data kept in accordance with 40 CFR Part 64 and the CAM Plan for PM₁₀, Appendix G of this permit (ARM 17.8.1212 and 40 CFR Part 64).
- B.36. Records shall be prepared and data kept in accordance with 40 CFR Part 64 and the CAM Plan for SO₂, Appendix H of this permit (ARM 17.8.1212 and 40 CFR Part 64).
- B.37. YELP shall conduct recordkeeping as required by 40 CFR 60, Subpart Da (ARM 17.8.1212 and 40 CFR 60, Subpart Da).
- B.38. YELP shall conduct recordkeeping as required by 40 CFR 63, Subpart UUUUU (ARM 17.8.1212 and 40 CFR 63, Subpart UUUUU).

Reporting

- B.39. All source testing results shall be submitted to the Department in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).
- B.40. YELP shall submit quarterly emission and operational reports. The reports are due 30 days after the end of each period shall also include the following (ARM 17.8.749 and 17.8.1212):
 - a. Emission reporting for SO₂ from the main stack and Exxon coker process gas. Reports shall consist of hourly and 24-hour calendar-day totals for each calendar month;
 - b. Source or unit operating time during the reporting period and daily petroleum coke, coker process gas, and limestone consumption;
 - c. Notification received by Exxon as referenced in Section III.B.6 (a) through III.B.6.c. Reports shall provide the date and time of notifications and shall also describe in detail the operating measures were taken by YELP to meet the requirements in Section III.B.6 (a) through III.B.6 (c);
 - d. Monitoring down time that occurred during the reporting period;
 - e. A summary of excess emissions for each pollutant and averaging period identified in Section III.B for PM, SO₂, CO, and NO_x;
 - f. Emission estimates for sulfur oxides and reduced sulfides from material balance, engineering calculation data, and any emission testing. Report of sulfur and BTU content from petroleum coke fuel analysis on a daily basis; and
 - g. Reasons for any excess emissions specifically allowed in Section III.B with mitigative measures utilized and corrective actions taken to prevent a recurrence of the upset situation.

- B.41. In accordance with Section 7 of Exhibit A of the Stipulation (Appendix E of this permit), YELP shall submit quarterly reports on a calendar-year basis. The quarterly reports shall be submitted within 30 days of the end of each calendar quarter. The quarterly reports shall be submitted to the Department's Permitting and Compliance Division office in Helena and the Billings Regional Office. The quarterly report format shall consist of both a comprehensive electronic-magnetic report and a written or hard copy data summary report (Billings/Laurel SO₂ Emission Control Plan, approved into the SIP by EPA on May 2, 2002 and May 22, 2003 and ARM 17.8.1212).
- B.42. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).
- B.43. YELP shall submit reports in accordance with 40 CFR 60, Subpart Da (ARM 17.8.1212 and 40 CFR 60, Subpart Da).
- B.44. YELP shall submit reports in accordance with 40 CFR 63, Subpart UUUUU (ARM 17.8.1212 and 40 CFR 63, Subpart UUUUU).
- B.45. The semiannual compliance monitoring report shall include the following (ARM 17.8.1212):
- a. A summary of results of any required reference method tests performed during the reporting period,
 - b. A summary of compliance with CEMS requirements in Section III.B and the June 12, 1998, stipulation (Appendix E);
 - c. A summary of quarterly reports submitted under Section III.B.40 and III.B.41;
 - d. A summary of compliance with PM₁₀ CAM Provisions, Appendix G;
 - e. A summary of compliance with SO₂ CAM provisions, Appendix H;
 - f. A summary of compliance with 40 CFR 60, Subpart Da;
 - g. A summary of compliance with 40 CFR 63, Subpart UUUUU; and,
 - h. A summary of any exceedance or deviation from a limit or requirement established within Section III.B.

C. EU02 – Limestone Unloading, Handling, and Crushing and EU03 Limestone Storage

Limestone Unloading, Handling, Crushing, and Storage					
Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
C.1., C.2., C.7., C.8., C.9., C.12., C.14., C.16., C.17., C.19.	Opacity	20%	Enclosed Structure and/or Operate and Maintain Baghouse	Whenever process equipment is operating	Semiannual
			Method 9	As required by the Department and Section III.A.1	
			Visual Surveys	Weekly	
C.3., C.7., C.13., C.17., C.19.	Baghouse(s)	Install/Utilize	Operate and Maintain	Ongoing	Semiannual

C.4., C.8., C.13., C.17., C.19	Enclosure/Baghouse	Install/Utilize	Operate and Maintain	Ongoing	Semiannual
C.5., C.7., C.8., C.10., C.12., C.13., C.16., C.17., C.19.	Particulate Emissions	0.01 gr/dscf	Enclosed structure and/or Operate and Maintain Baghouse	Whenever process equipment is operating	Semiannual
			Method 5	Every 4 years	
C.6., C.11., C.15., C.17., C.18., C.19.	Particulate Emissions	40 CFR 60, Subpart OOO	40 CFR 60, Subpart OOO	40 CFR 60, Subpart OOO	Semiannual

Conditions

- C.1. YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source that exhibits an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).
- C.2. YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes unless otherwise specified by rule or in this permit (ARM 17.8.308).
- C.3. All storage silos, surge bins, hoppers, limestone unloading, crushing and conveyor systems shall utilize baghouses (bag filters) for particulate emission control (ARM 17.8.752).
- C.4. The limestone load-in hopper shall be enclosed and particulate emissions shall be controlled by a baghouse (ARM 17.8.749)
- C.5. Particulate emissions from the baghouse(s) shall not exceed 0.01 gr/dscf (ARM 17.8.752).
- C.6. YELP shall comply with all applicable standards and limitations of 40 CFR 60, Subpart OOO – *Standards of Performance for Nonmetallic Mineral Processing Plants* (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

Compliance Demonstration

- C.7. YELP shall operate, maintain, and repair the baghouses on all storage silos, surge bins, hoppers, limestone unloading, crushing and conveyor systems to ensure compliance with the requirements of Sections III.C.1 through III.C.3 and III.C.5 (ARM 17.8.1213).
- C.8. YELP shall maintain the structural enclosure and operate, maintain, and repair the baghouse on the limestone load-in hopper to ensure compliance with the requirements of Sections III.C.1, III.C.2, III.C.4 and III.C.5 (ARM 17.8.1213).
- C.9. YELP shall conduct either a semiannual Method 9 source test or a weekly visual survey of visible emissions from the limestone unloading, handling, crushing, and storage areas. Under the visual survey option, once per calendar week, during daylight hours, YELP shall visually survey the limestone unloading, handling, crushing, and storage areas for any visible emissions. If visible emissions are observed during the visual survey, YELP must conduct a Method 9 source test. The Method 9 source test must begin within one hour of any observation of visible emissions. If visible emissions meet or exceed 15% opacity based on the Method 9 source test, YELP shall immediately take corrective action to contain or minimize the source of emissions. If corrective actions are taken, then YELP shall immediately conduct a subsequent visual survey (and subsequent Method 9 source test if visible emissions remain) to monitor compliance. The person

conducting the visual survey shall record the results of the survey (including the results of any Method 9 source test performed) in a log, including any corrective action taken. Conducting a visual survey does not relieve YELP of the liability for a violation determined using Method 9.

If the visual surveys are not performed once per calendar week as specified above during the reporting period, then YELP shall perform the Method 9 source tests on the limestone unloading, handling, crushing, and storage areas for that reporting period.

Method 9 source tests must be performed in accordance with the Montana Source Test Protocol and Procedures Manual, except that prior notification of the test is not required. Each observation period must be a minimum of 6 minutes unless any one reading is 20% or greater, then the observation period must be a minimum of 20 minutes or until a violation of the standard has been documented, whichever is a shorter period of time (ARM 17.8.101(27) and ARM 17.8.1213).

- C.10. A Method 5 test or other Department approved test shall be performed every 4 years. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1213).
- C.11. YELP shall meet the requirement for demonstration of compliance and testing procedures of 40 CFR 60, Subpart OOO, as applicable (ARM 17.8.1213 and 40 CFR 60, Subpart OOO).

Recordkeeping

- C.12. All source test recordkeeping shall be performed in accordance with the test method used and the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).
- C.13. YELP shall maintain a log of corrective action, maintenance, and repair activity performed on the enclosure(s) and baghouse(s). The log shall include, but is not limited to, the identification information for the baghouse, the date of the maintenance and/or corrective action, the name(s) of repair personnel, description of the maintenance activity and the item(s) repaired or replaced. The log shall be available to the Department for inspection and must be submitted to the Department upon request (ARM 17.8.1212).
- C.14. If visual surveys are performed, YELP shall maintain a log to verify that the visual surveys were performed as specified in Section III.C.9. Each log entry must include the date, time, results of survey (and results of subsequent Method 9, if applicable), and observer's initials. If any corrective action is required, the time, date, observer's initials, and any preventive or corrective action taken must be recorded in the log (ARM 17.8.1212).
- C.15. YELP shall conduct recordkeeping as required by 40 CFR 60, Subpart OOO (ARM 17.8.1212 and 40 CFR 60, Subpart OOO).

Reporting

- C.16. All source testing results shall be submitted to the Department in accordance with the Montana Source Test Protocol and Procedures Manual, except that Method 9 source tests results need not be submitted unless an exceedance is observed (ARM 17.8.106 and ARM 17.8.1212).
- C.17. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).
- C.18. YELP shall submit reports in accordance with 40 CFR 60, Subpart OOO (ARM 17.8.1212 and 40 CFR 60, Subpart OOO).

- C.19. The semiannual compliance monitoring reports shall include the following (ARM 17.8.1212):
- a. A summary of the results of any reference method test performed during the reporting period;
 - b. A summary of recorded maintenance performed and corrective actions taken during the period as required by Section III.C.13;
 - c. A summary of any exceedance or deviation from a limit or requirement established within Section III.C; and,
 - d. A summary of compliance with 40 CFR 60, Subpart OOO.

D. EU04, EU05, EU06, and EU07 Outdoor Coke Loading, Handling and Storage

**EU04 Coke Storage and Handling at Exxon
 EU05 Coke Loading to Stockpile,
 EU06 Loading Coke from Stockpile to Hopper
 EU07 Coke Storage and Handling**

Coke Loading, Handling and Storage					
Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration		Reporting Requirements
			Method	Frequency	
D.1., D.2., D.8., D.9., D.11., D.13., D.16., D.17., D.18., D.19.	Opacity	20%	Operate and Maintain Baghouse	Whenever process equipment is operating	Semiannual
			Method 9	As required by the Department and Section III.A.1	
			Visual Surveys	Daily or when coke piles disturbed	
			Best Management Practices	As necessary	
D.3., D.9., D.14., D.14., D.18., D.19.	Baghouse(s)	Install/Utilize	Operate and Maintain	Ongoing	Semiannual
D.4., D.9., D.12., D.13., D.14., D.17., D.18., D.19	Particulate Emissions	0.01 gr/dscf	Operation and Maintain Baghouse	Whenever process equipment is operating	Semiannual
			Method 5	Every 4-years	
D.5., D.8., D.9., D.11., D.12., D.14., D.16., D.18., D.19.	Particulate Matter	18.1 ton/yr	Method 9	As required by the Department and Section III.A.1	Semiannual
			Visual Surveys	Daily or when coke piles disturbed	
			Best Management Practices	As necessary	
D.6., D.10., D.15., D.18., D.19	Petroleum Coke Storage	45,000 tons	Recordkeeping	Ongoing	Semiannual
D.7., D.10., D.15., D.18., D.19.	Petroleum Coke Throughput	35,000 tons	Recordkeeping	Ongoing	Semiannual

Conditions

- D.1. YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source that exhibits an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).
- D.2. YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes unless otherwise specified by rule or in this permit (ARM 17.8.308).
- D.3. All storage silos, surge bins, hoppers shall utilize baghouses (bag filters) for particulate emission control (ARM 17.8.749).
- D.4. Particulate emissions from each baghouse shall not exceed 0.01 gr/dscf (ARM 17.8.752).
- D.5. Particulate matter emissions from the coke storage facility and loading areas are limited to 18.1 ton/yr (ARM 17.8.752).
- D.6. YELP shall not have on site more than four inactive processed petroleum coke stockpiles with a maximum total capacity of 45,000 tons (ARM 17.8.749).
- D.7. The total amount of off-site petroleum coke transported, dumped, and stored at the Exxon Refinery coke storage area shall not exceed 35,000 tons during any rolling 12-month time period (ARM 17.8.749).

Compliance Demonstration

- D.8. YELP shall implement best management practices to reduce wind-blown emissions, including wet surfactants and concrete block barriers (ARM 17.8.749).
- D.9. YELP shall operate, maintain, and repair the baghouse(s) on all storage silos, surge bins, hoppers to ensure compliance with requirements of Sections III.D.1 through III.D.4 (ARM 17.8.1213).
- D.10. YELP shall record petroleum coke total storage capacity and throughput, as appropriate, to demonstrate compliance with the limits prescribed within Sections III.D.6 and III.D.7 (ARM 17.8.1213)
- D.11. YELP shall conduct a daily visual survey of visible emissions from all outside coke handling areas and stockpiles. At least daily or when coke piles are disturbed, during daylight hours, YELP shall visually survey all outside coke handling areas and stockpiles for any visible emissions. If visible emissions are observed during the visual survey, YELP must conduct a Method 9 source test. The Method 9 source test must begin within one hour of any observation of visible emissions. If visible emissions meet or exceed 15% opacity based on the Method 9 source test, YELP shall immediately take corrective action to contain or minimize the source of emissions. If corrective actions are taken, then YELP shall immediately conduct a subsequent visual survey (and subsequent Method 9 source test if visible emissions remain) to monitor compliance. The person conducting the visual survey shall record the results of the survey (including the results of any Method 9 source test performed) in a log, including any corrective action taken. Conducting a visual survey does not relieve YELP of the liability for a violation determined using Method 9 (ARM 17.8.1213).

Method 9 source tests must be performed in accordance with the Montana Source Test Protocol and Procedures Manual, except that prior notification of the test is not required. Each observation period must be a minimum of 6 minutes unless any one reading is 20% or greater, then the observation period must be a minimum of 20 minutes or until a violation of the standard has been documented, whichever is a shorter period of time (ARM 17.8.101(27) and ARM 17.8.1213).

- D.12. A Method 5 test or other Department approved test shall be performed every 4 years on the baghouse. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1213).

Recordkeeping

- D.13. All source test recordkeeping shall be performed in accordance with the test method used and the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).
- D.14. YELP shall maintain a log of corrective actions, maintenance, and repair activity performed on the baghouse(s). The log shall include, but is not limited to, the identification information for the enclosure/baghouse, the date of the maintenance and/or corrective action, the name(s) of repair personnel, description of the maintenance activity and the item(s) repaired or replaced. The log shall be available to the Department for inspection and must be submitted to the Department upon request (ARM 17.8.1212).
- D.15. YELP shall maintain petroleum coke storage and throughput records as specified within Section III.D.10.
- D.16. YELP shall maintain on-site a log containing all visual observations monitoring compliance with the visual survey requirement(s). The log shall include, but is not limited to, the date, time, observer(s), observer(s)' s location, the area being surveyed, and the results of the visual survey(s). If any preventative or corrective action is required, the time, date, and a description of the action taken must be included in the log. The log shall be available to the Department for inspection and must be submitted to the Department upon request (ARM 17.8.1212).

Reporting

- D.17. All source testing results shall be submitted to the Department in accordance with the Montana Source Test Protocol and Procedures Manual, except that Method 9 source tests results need not be submitted unless an exceedance is observed (ARM 17.8.106 and ARM 17.8.1212).
- D.18. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).
- D.19. The semiannual compliance monitoring reports shall include the following (ARM 17.8.1212):
- a. A summary of the results of any reference method test performed during the reporting period;
 - b. A summary of recorded maintenance performed and corrective actions taken during the period, as required by Section III.D.14; and,
 - c. A summary of any exceedance or deviation from a limit or requirement established within Section III.D.

E. EU08 Coke Unloading, Crushing, Processing Facility and EU09 Coke Barn

Coke Unloading/Crushing Processing Facility and Coke Barn					
Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
E.1., E.2., E.7., E.8., E.9., E.10., E.12., E.13., E.15., E.16., E.17., E.18.	Opacity	20%	Enclosed structure and/or Operate and Maintain Baghouse	Whenever process equipment is operating	Semiannual
			Method 9	As required by the Department and Section III.A.1	
			Visual Surveys	Weekly	
E.3., E.7., E.13., E.17., E.18.	Enclosure/Baghouse	Install/Utilize	Operate and Maintain	Ongoing	Semiannual
E.5., E.8., E.13., E.17., E.18.	Enclosure	Install/Utilize	Maintain	Ongoing	Semiannual
E.4., E.7., E.10., E.12., E.13., E.16., E.17., E.18.	Particulate Emissions	0.01 gr/dscf	Enclosed Structure; Operate and Maintain Baghouse	Whenever process equipment is operating	Semiannual
			Method 5	Every 4-years	
E.6., E.11., E.14., E.17., E.18.	Petroleum Coke Throughput	240,900 tons or 202,000 tons	Recordkeeping	Ongoing	Semiannual

Conditions

- E.1. YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).
- E.2. YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes unless otherwise specified by rule or in this permit (ARM 17.8.308).
- E.3. The coke unloading/crushing/processing facility shall be completely enclosed and utilize a baghouse to control emissions from the crusher, screen, and associated conveyors (ARM 17.8.752).
- E.4. Baghouse filter emission from the coke unloading/crushing/processing facility shall not exceed 0.01 gr/dscf (ARM 17.8.752).
- E.5. The coke barn shall be enclosed. In addition, the conveyor system linking the coke unloading/crushing/processing facility to the coke barn shall be enclosed (ARM 17.8.752).
- E.6. The processing of off-site petroleum coke (crushing, handling, and storage) shall take place in the coke unloading, crushing, processing facility, the coke barn, and at the existing Exxon Refinery coke storage area only. Off-site petroleum coke means coke that is not produced at the Billings Exxon/Mobil Refinery. The total amount of off-site petroleum coke delivered to YELP shall not exceed (ARM 17.8.749);
 - a. 240,900 tons during any rolling 12-month period when no off-site coke is stored at the Exxon Refinery coke storage area; and

- b. 202,000 tons during any 12-month period when off-site petroleum coke is transported to and stored at the Exxon Refinery coke storage area. This limit applies while transporting, dumping, and storing off-site petroleum coke at the Exxon Refinery coke storage area and during the ensuing 12-months after the last dumping of coke at the Exxon Refinery storage area.

Compliance Demonstration

- E.7. YELP shall maintain the structural enclosure and operate, maintain, and repair the baghouse on the coke unloading, crushing, processing facility to ensure compliance with the requirements of Sections III.E.1 through III.E.4 (ARM 17.8.1213).
- E.8. YELP shall maintain the structural enclosure on the coke barn and associated conveyor to ensure compliance with the requirements of Sections III.E.1, III.E.2 and III.E.5 (ARM 17.8.1213).
- E.9. YELP shall conduct either a semiannual Method 9 source test or a weekly visual survey of visible emissions from the coke unloading, crushing, processing facility and coke barn areas. Under the visual survey option, once per calendar week, during daylight hours, YELP shall visually survey the coke unloading, crushing, processing facility and coke barn areas for any visible emissions. If visible emissions are observed during the visual survey, YELP must conduct a Method 9 source test. The Method 9 source test must begin within one hour of any observation of visible emissions. If visible emissions meet or exceed 15% opacity based on the Method 9 source test, YELP shall immediately take corrective action to contain or minimize the source of emissions. If corrective actions are taken, then YELP shall immediately conduct a subsequent visual survey (and subsequent Method 9 source test if visible emissions remain) to monitor compliance. The person conducting the visual survey shall record the results of the survey (including the results of any Method 9 source test performed) in a log, including any corrective action taken. Conducting a visual survey does not relieve YELP of the liability for a violation determined using Method 9.

If the visual surveys are not performed once per calendar week as specified above during the reporting period, then YELP shall perform the Method 9 source tests on the coke unloading, crushing, processing facility and coke barn areas for that reporting period.

Method 9 source tests must be performed in accordance with the Montana Source Test Protocol and Procedures Manual, except that prior notification of the test is not required. Each observation period must be a minimum of 6 minutes unless any one reading is 20% or greater, then the observation period must be a minimum of 20 minutes or until a violation of the standard has been documented, whichever is a shorter period of time (ARM 17.8.101(27) and ARM 17.8.1213).

- E.10. A Method 5 test or other Department approved test shall be performed on the coke unloading/crushing/processing facility baghouse every 4 years. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1213).
- E.11. YELP shall perform recordkeeping which documents compliance with the throughput limits of Section III.E.6 (ARM 17.8.1213).

Recordkeeping

- E.12. All source test recordkeeping shall be performed in accordance with the test method used and the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).

- E.13. YELP shall maintain a log of all corrective action, maintenance, and repair activity performed on the coke unloading/crushing/processing facility enclosure and baghouse and the coke barn/conveyor enclosure. The log shall include, but is not limited to, the identification information for the baghouse, the date of the maintenance and/or corrective action, the name(s) repair personnel, description of the maintenance activity and the item(s) repaired or replaced. The log shall be available to the Department for inspection and must be submitted to the Department upon request (ARM 17.8.1212).
- E.14. YELP shall document, by month, the amount of petroleum coke received. By the 25th day of each month, YELP shall total the amount of coke received for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section III.E.6. The information for each of the previous months shall be submitted along with the annual emission inventory
- E.15. If visual surveys are performed, YELP shall maintain a log to verify that the visual surveys were performed as specified in Section III.E.9. Each log entry must include the date, time, results of survey (and results of subsequent Method 9, if applicable), and observer's initials. If any corrective action is required, the time, date, observer's initials, and any preventive or corrective action taken must be recorded in the log (ARM 17.8.1212).

Reporting

- E.16. All source testing results shall be submitted to the Department in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).
- E.17. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).
- E.18. The semiannual compliance monitoring reports shall include the following (ARM 17.8.1212):
- a. A summary of the results of any reference method test performed during the reporting period;
 - b. A summary of recorded maintenance performed and corrective actions taken during the period, as required by Section III.E.13; and,
 - c. A summary of any exceedance or deviation from a limit or requirement established within Section III.E.

F. EU10 and EU11 Ash Unloading, Handling and Storage

EU10 Ash Handling and Storage

EU11 Ash Unload to Trucks

Ash Unloading, Handling and Storage					
Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration		Reporting Requirements
			Method	Frequency	
F.1., F.2., F.5., F.6., F.8., F.9., F.10., F.11., F.12., F.13.	Opacity	20%	Enclosed Structure; Operate and Maintain Baghouse	Whenever process equipment is operating	Semiannual
			Method 9	As required by the Department and Section III.A.1	
			Visual Surveys	Weekly	
F.3., F.5., F.9., F.12., F.13.	Enclosure/Baghouse	Install/Utilize	Operate and Maintain	Ongoing	Semiannual

F.4., F.5., F.7., F.8., F.9., F.11., F.12., F.13.	Particulate Emissions	0.01 gr/dscf	Enclosed Structure; Operate and Maintain Baghouse	Whenever process equipment is operating	Semiannual
			Method 5	Every 4-years	

Conditions

- F.1. YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source that exhibits an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).
- F.2. YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes unless otherwise specified by rule or in this permit (ARM 17.8.308).
- F.3. Ash load-out operations shall be enclosed and particulate emissions controlled by a baghouse (Bag filters) (ARM 17.8.749).
- F.4. Baghouse filter emission from Ash Storage and Unloading shall not exceed 0.01 gr/dscf (ARM 17.8.752).

Compliance Demonstration

- F.5. YELP shall maintain the enclosure and operate, maintain and repair the baghouse on the ash load-out operation to ensure compliance with the requirements of Sections III.F.1 through III.F.4 (ARM 17.8.1213).
- F.6. YELP shall conduct either a semiannual Method 9 source test or a weekly visual survey of visible emissions from all ash unloading, handling and storage areas. Under the visual survey option, once per calendar week, during daylight hours, YELP shall visually survey the all ash unloading, handling and storage areas for any visible emissions. If visible emissions are observed during the visual survey, YELP must conduct a Method 9 source test. The Method 9 source test must begin within one hour of any observation of visible emissions. If visible emissions meet or exceed 15% opacity based on the Method 9 source test, YELP shall immediately take corrective action to contain or minimize the source of emissions. If corrective actions are taken, then YELP shall immediately conduct a subsequent visual survey (and subsequent Method 9 source test if visible emissions remain) to monitor compliance. The person conducting the visual survey shall record the results of the survey (including the results of any Method 9 source test performed) in a log, including any corrective action taken. Conducting a visual survey does not relieve YELP of the liability for a violation determined using Method 9.

If the visual surveys are not performed once per calendar week as specified above during the reporting period, then YELP shall perform the Method 9 source tests on all ash unloading, handling and storage areas for that reporting period.

Method 9 source tests must be performed in accordance with the Montana Source Test Protocol and Procedures Manual, except that prior notification of the test is not required. Each observation period must be a minimum of 6 minutes unless any one reading is 20% or greater, then the observation period must be a minimum of 20 minutes or until a violation of the standard has been documented, whichever is a shorter period of time (ARM 17.8.101(27) and ARM 17.8.1213).

F.7. A Method 5 test or other Department approved test shall be performed every 4 years. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1213).

Recordkeeping

- F.8. All source test recordkeeping shall be performed in accordance with the test method used and the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).
- F.9. YELP shall maintain a log of all corrective action and maintenance activity performed on the enclosure and baghouse. The log shall include, but is not limited to, the identification information for the baghouse, the date of the maintenance and/or corrective action, the name(s) of repair personnel, description of the maintenance activity and the item(s) repaired or replaced. The log shall be available to the Department for inspection and must be submitted to the Department upon request (ARM 17.8.1212).
- F.10. If visual surveys are performed, YELP shall maintain a log to verify that the visual surveys were performed as specified in Section III.F.6. Each log entry must include the date, time, results of survey (and results of subsequent Method 9, if applicable), and observer’s initials. If any corrective action is required, the time, date, observer’s initials, and any preventive or corrective action taken must be recorded in the log (ARM 17.8.1212).

Reporting

- F.11. All source testing results shall be submitted to the Department in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).
- F.12. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).
- F.13. The semiannual compliance monitoring reports shall include the following (ARM 17.8.1212):
- a. A summary of the results of any reference method test performed during the reporting period;
 - b. A summary of recorded maintenance performed and corrective actions taken during the period, as required by Section III.F.9; and,
 - c. A summary of any exceedance or deviation from a limit or requirement established within Section III.F.

G. EU12 Fugitive Emissions: Paved Roads

Fugitive Emissions: Vehicle Traffic					
Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration		Reporting Requirements
			Method	Frequency	
G.1, G.3, G.4., G.5, G.6, G.7, G.8.	Opacity	20%	Method 9	As required by the Department and Section III.A.1	Semiannual
			Visual Surveys	Weekly	Semiannual
G.1, G.3, G.4, G.5, G.7., G.8.	Opacity	-----	Reasonable Precautions	As necessary	Semiannual

Conditions

- G.1. YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6-consecutive minutes (ARM 17.8.308(1)).
- G.2. YELP shall not cause or authorize the use of any access roads, parking lots, or the general plant area without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308(2)).

Compliance Demonstration

- G.3. YELP shall conduct either a semiannual Method 9 source test or a weekly visual survey of visible emissions from paved roadway areas. Under the visual survey option, once per calendar week, during daylight hours, YELP shall visually survey the paved roadway areas for any visible emissions. If visible emissions are observed during the visual survey, YELP must conduct a Method 9 source test. The Method 9 source test must begin within one hour of any observation of visible emissions. If visible emissions meet or exceed 15% opacity based on the Method 9 source test, YELP shall immediately take corrective action to contain or minimize the source of emissions. If corrective actions are taken, then YELP shall immediately conduct a subsequent visual survey (and subsequent Method 9 source test if visible emissions remain) to monitor compliance. The person conducting the visual survey shall record the results of the survey (including the results of any Method 9 source test performed) in a log, including any corrective action taken. Conducting a visual survey does not relieve YELP of the liability for a violation determined using Method 9.

If the visual surveys are not performed once per calendar week as specified above during the reporting period, then YELP shall perform the Method 9 source tests on paved roadway areas for that reporting period.

Method 9 source tests must be performed in accordance with the Montana Source Test Protocol and Procedures Manual, except that prior notification of the test is not required. Each observation period must be a minimum of 6 minutes unless any one reading is 20% or greater, then the observation period must be a minimum of 20 minutes or until a violation of the standard has been documented, whichever is a shorter period of time (ARM 17.8.101(27) and ARM 17.8.1213).

- G.4. YELP shall treat all unpaved portions of the access roads, parking lots, and general plant area with fresh water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precaution requirement (ARM 17.8.1213).

Recordkeeping

- G.5. If visual surveys are performed, YELP shall maintain a log to verify that the visual surveys were performed as specified in Section III.G.3. Each log entry must include the date, time, results of survey (and results of subsequent Method 9, if applicable), and observer's initials. If any corrective action is required, the time, date, observer's initials, and any preventive or corrective action taken must be recorded in the log (ARM 17.8.1212).

Reporting

- G.6. All source test recordkeeping shall be performed in accordance with the test method used and the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).
- G.7. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).
- G.8. The semiannual compliance monitoring reports shall include the following (ARM 17.8.1212):
- A summary of the results of any reference method test performed during the reporting period;
 - A summary of any exceedance or deviation from a limit or requirement established within Section III.G.

H. EU14: Gasoline Storage & Fuel Dispensing

Fugitive Emissions: Vehicle Traffic					
Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
H.1., H.3., H.5., H.8., H.9.	Gasoline Storage Tank	≥ 250 Gallon Storage	Submerged Fill	Ongoing	Semiannual
H.2., H.4., H.6., H.7., H.8., H.9.	Gasoline Dispensing	40 CFR 63, Subpart CCCCCC	40 CFR 63, Subpart CCCCCC	40 CFR 63, Subpart CCCCCC	Semiannual

Conditions

- H.1. YELP shall not load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank is equipped with a vapor loss control device or is a pressure tank as described in ARM 17.8.324(1), unless otherwise specified by rule or in this permit (ARM 17.8.324(3)).
- H.2. YELP shall comply with all applicable standards and limitations of 40 CFR 63, Subpart CCCCCC – *National Emission Standards for Hazardous Air Pollutants: Gasoline Dispensing Facilities* (ARM 17.8.342 and 40 CFR 63, Subpart CCCCCC).

Compliance Demonstration

- H.3. YELP shall use a submerged fill pipe during the loading of gasoline into any stationary tank unless the tank is equipped with a vapor loss control device or is a pressure tank as required in section III.H.1 (ARM 17.8.749 and ARM 17.8.1213).
- H.4. YELP shall meet the requirement for demonstration of compliance and testing procedures of 40 CFR 63, Subpart CCCCCC (ARM 17.8.1213 and 40 CFR 63, Subpart CCCCCC).

Recordkeeping

- H.5. YELP shall maintain on site a log to monitor continuous use of the submerged fill pipe by maintaining a log of tank loading. The log shall include the date and time of loading (ARM 17.8.1212).

H.6. YELP shall conduct recordkeeping as required by 40 CFR 63, Subpart CCCCCC (ARM 17.8.1212 and 40 CFR 63, Subpart CCCCCC).

Reporting

H.7. YELP shall submit reports in accordance with 40 CFR 63, Subpart CCCCCC (ARM 17.8.1212 and 40 CFR 63, Subpart CCCCCC).

H.8. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).

H.9. The semiannual compliance monitoring reports shall include the following (ARM 17.8.1212):

- a. A summary of any exceedance or deviation from a limit or requirement established within Section III.H; and,
- b. A summary of compliance with 40 CFR 63, Subpart CCCCCC.

SECTION IV. NON-APPLICABLE REQUIREMENTS

Air Quality Administrative Rules of Montana (ARM) and Federal Regulations identified as not applicable to the facility or to a specific emissions unit at the time of the permit issuance are listed below (ARM 17.8.1214). The following list does not preclude the need to comply with any new requirements that may become applicable during the permit term.

A. Facility-Wide

The following table contains non-applicable requirements which are administered by the Air Resources Management Bureau of the Department of Environmental Quality.

Rule Citation	Reason
40 CFR 60, Subparts C, Db, Dc, E-X, Z, AA-EE, GG-HH, KK-NN, PP-XX, AAA-BBB, DDD, FFF-LLL, NNN, PPP-QQQ, RRR-WWW 40 CFR 61 (Except subpart A, subpart M and appendices); 40 CFR 68; 40 CFR 82 (Except subparts B&F).	These requirements are not applicable because this facility is not an "affected facility" under these regulations.
40 CFR 72 through 78	These requirements are not applicable because the facility is not an affected source as defined by the acid rain regulations.
ARM 17.8.316 ARM 17.8.320 ARM 17.8.321, ARM 17.8.323, ARM 17.8.331, ARM 17.8.332, ARM 17.8.333, ARM 17.8.334, and ARM 17.8.610.	These rules are not applicable because the facility is not listed in the source category cited in the rules.

B. Emission Units

The permit application identified applicable requirements as well as non-applicable requirements. The Department has listed all non-applicable requirements in Section IV.A. These requirements relate to each specific unit as well as facility wide.

SECTION V. GENERAL PERMIT CONDITIONS

A. Compliance Requirements

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(a)-(c)&(e), §1206(6)(b)&(c)

1. The permittee must comply with all conditions of the permit. Any noncompliance with the terms or conditions of the permit constitutes a violation of the Montana Clean Air Act, and may result in enforcement action, permit modification, revocation and reissuance, or termination, or denial of a permit renewal application under ARM Title 17, Chapter 8, Subchapter 12.
2. 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.
3. 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. If appropriate, this factor may be considered as a mitigating factor in assessing a penalty for noncompliance with an applicable requirement if the source demonstrates that both the health, safety or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations, and that such health, safety or environmental impacts were unforeseeable and could not have otherwise been avoided.
4. The permittee shall furnish to the Department, within a reasonable time set by the Department (not to be less than 15 days), any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Department copies of those records that are required to be kept pursuant to the terms of the permit. This subsection does not impair or otherwise limit the right of the permittee to assert the confidentiality of the information requested by the Department, as provided in 75-2-105, MCA.
5. Any schedule of compliance for applicable requirements with which the source is not in compliance with at the time of permit issuance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it was based.
6. For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis unless a more detailed plan or schedule is required by the applicable requirement or the Department.

B. Certification Requirements

ARM 17.8, Subchapter 12, Operating Permit Program §1207 and §1213(7)(a)&(c)-(d)

1. Any application form, report, or compliance certification submitted pursuant to ARM Title 17, Chapter 8, Subchapter 12, shall contain certification by a responsible official of truth, accuracy and completeness. This certification and any other certification required under ARM Title 17, Chapter 8, Subchapter 12, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
2. Compliance certifications shall be submitted by February 15 of each year, or more frequently if otherwise specified in an applicable requirement or elsewhere in the permit. Each certification must include the required information for the previous calendar year (i.e., January 1 – December 31).

3. Compliance certifications shall include the following:
 - a. The identification of each term or condition of the permit that is the basis of the certification;
 - b. The identification of the method(s) or other means used by the owner or operator for determining the status of compliance with each term and condition during the certification period, consistent with ARM 17.8.1212;
 - c. The status of compliance with each term and condition for the period covered by the certification, *including whether compliance during the period was continuous or intermittent* (based on the method or means identified in ARM 17.8.1213(7)(c)(ii), as described above); and
 - d. Such other facts as the Department may require to determine the compliance status of the source.
4. All compliance certifications must be submitted to the Environmental Protection Agency, as well as to the Department, at the addresses listed in the Notification Addresses Appendix of this permit.

C. Permit Shield

ARM 17.8, Subchapter 12, Operating Permit Program §1214(1)-(4)

1. The applicable requirements and non-federally enforceable requirements are included and specifically identified in this permit and the permit includes a precise summary of the requirements not applicable to the source. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements and any non-federally enforceable requirements as of the date of permit issuance.
2. The permit shield described in 1 above shall remain in effect during the appeal of any permit action (renewal, revision, reopening, or revocation and reissuance) to the Board of Environmental Review (Board), until such time as the Board renders its final decision.
3. Nothing in this permit alters or affects the following:
 - a. The provisions of Sec. 7603 of the FCAA, 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 Sec. 7651g(a) of the FCAA;
 - d. The ability of the administrator to obtain information from a source pursuant to Sec. 7414 of the FCAA;
 - e. The ability of the Department to obtain information from a source pursuant to the Montana Clean Air Act, Title 75, Chapter 2, MCA;
 - f. The emergency powers of the Department under the Montana Clean Air Act, Title 75, Chapter 2, MCA; and

- g. The ability of the Department to establish or revise requirements for the use of Reasonably Available Control Technology (RACT) as defined in ARM Title 17, Chapter 8. However, if the inclusion of a RACT into the permit pursuant to ARM Title 17, Chapter 8, Subchapter 12, is appealed to the Board, the permit shield, as it applies to the source's existing permit, shall remain in effect until such time as the Board has rendered its final decision.
4. Nothing in this permit alters or affects the ability of the Department to take enforcement action for a violation of an applicable requirement or permit term demonstrated pursuant to ARM 17.8.106, Source Testing Protocol.
5. Pursuant to ARM 17.8.132, for the purpose of submitting a compliance certification, nothing in these rules shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance. However, when compliance or noncompliance is demonstrated by a test or procedure provided by permit or other applicable requirements, the source shall then be presumed to be in compliance or noncompliance unless that presumption is overcome by other relevant credible evidence.
6. The permit shield will not extend to minor permit modifications or changes not requiring a permit revision (see Sections I & J).
7. The permit shield will extend to significant permit modifications and transfer or assignment of ownership (see Sections K & N).

D. Monitoring, Recordkeeping, and Reporting Requirements

ARM 17.8, Subchapter 12, Operating Permit Program §1212(2)&(3)

1. Unless otherwise provided in this permit, the permittee shall maintain compliance monitoring records that include the following information:
 - a. The date, place as defined in the permit, and time of sampling or measurement;
 - b. The date(s) 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 at the time of sampling or measurement.
2. The permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. All monitoring data, support information, and required reports and summaries may be maintained in computerized form at the plant site if the information is made available to Department personnel upon request, which may be for either hard copies or computerized format. Strip-charts must be maintained in their original form at the plant site and shall be made available to Department personnel upon request.

3. The permittee shall submit to the Department, at the addresses located in the Notification Addresses Appendix of this permit, reports of any required monitoring by February 15 and August 15 of each year, or more frequently if otherwise specified in an applicable requirement or elsewhere in the permit. The monitoring report submitted on February 15 of each year must include the required monitoring information for the period of July 1 through December 31 of the previous year. The monitoring report submitted on August 15 of each year must include the required monitoring information for the period of January 1 through June 30 of the current year. All instances of deviations from the permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official, consistent with ARM 17.8.1207.

E. Prompt Deviation Reporting

ARM 17.8, Subchapter 12, Operating Permit Program §1212(3)(b)

The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. To be considered prompt, deviations shall be reported as part of the routine reporting requirements under ARM 17.8.1212(3)(b) and, if applicable, in accordance with the malfunction reporting requirements under ARM 17.8.110, unless otherwise specified in an applicable requirement.

1. For deviations which may result in emissions potentially in violation of permit limitations:
 - a. An initial phone notification (or faxed or electronic notification) describing the incident within 24 hours (or the next business day) of discovery; and,
 - b. A follow-up written, faxed, or electronic report within 30 days of discovery of the deviation that describes the probable cause of the reported deviation and any corrective actions or preventative measures taken.
2. For deviations attributable to malfunctions, deviations shall be reported to the Department in accordance with the malfunction reporting requirements under ARM 17.8.110; and
3. For all other deviations, deviations shall be reported to the Department via a written, faxed, or electronic report within 90 days of discovery (as determined through routine internal review by the permittee).

Prompt deviation reports do not need to be resubmitted with regular semiannual (or other routine) reports, but may be referenced by the date of submittal.

F. Emergency Provisions

ARM 17.8, Subchapter 12, Operating Permit Program §1201(13) and §1214(5), (6)&(8)

1. 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 causes the source to exceed a technology-based emission limitation under this permit due to the unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of reasonable preventive maintenance, careless or improper operation, or operator error.

2. An emergency constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates through properly signed, contemporaneous logs, or other relevant evidence, that:
 - a. An emergency occurred and the permittee can identify the cause(s) of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in the permit; and
 - d. The permittee submitted notice of the emergency to the Department within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice fulfills the requirements of ARM 17.8.1212(3)(b). This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
3. These emergency provisions are in addition to any emergency, malfunction or upset provision contained in any applicable requirement.

G. Inspection and Entry

ARM 17.8, Subchapter 12, Operating Permit Program §1213(3)&(4)

1. Upon presentation of credentials and other requirements as may be required by law, the permittee shall allow the Department, the administrator, or an authorized representative (including an authorized contractor acting as a representative of the Department or the administrator) to perform the following:
 - a. Enter the premises where a source required to obtain a permit is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
 - c. Inspect at reasonable times any facilities, emission units, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
 - d. As authorized by the Montana Clean Air Act and rules promulgated thereunder, sample or monitor, at reasonable times, any substances or parameters at any location for the purpose of assuring compliance with the permit or applicable requirements.
2. The permittee shall inform the inspector of all workplace safety rules or requirements at the time of inspection. This section shall not limit in any manner the Department's statutory right of entry and inspection as provided for in 75-2-403, MCA.

H. Fee Payment

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(f) and ARM 17.8, Subchapter 5, Air Quality Permit Application, Operation, and Open Burning Fees §505(3)-(5) (STATE ONLY)

1. The permittee must pay application and operating fees, pursuant to ARM Title 17, Chapter 8, Subchapter 5.

2. Annually, the Department shall provide the permittee with written notice of the amount of the fee and the basis for the fee assessment. The air quality operation fee is due 30 days after receipt of the notice, unless the fee assessment is appealed pursuant to ARM 17.8.511. If any portion of the fee is not appealed, that portion of the fee that is not appealed is due 30 days after receipt of the notice. Any remaining fee, which may be due after the completion of an appeal, is due immediately upon issuance of the Board's decision or upon completion of any judicial review of the Board's decision.
3. If the permittee fails to pay the required fee (or any required portion of an appealed fee) within 90 days of the due date of the fee, the Department may impose an additional assessment of 15% of the fee (or any required portion of an appealed fee) or \$100, whichever is greater, plus interest on the fee (or any required portion of an appealed fee), computed at the interest rate established under 15-31-510(3), MCA.

I. Minor Permit Modifications

ARM 17.8, Subchapter 12, Operating Permit Program §1226(3)&(11)

1. An application for a minor permit modification need only address in detail those portions of the permit application that require revision, updating, supplementation, or deletion, and may reference any required information that has been previously submitted.
2. The permit shield under ARM 17.8.1214 will not extend to any minor modifications processed pursuant to ARM 17.8.1226.

J. Changes Not Requiring Permit Revision

ARM 17.8, Subchapter 12, Operating Permit Program §1224(1)-(3), (5)&(6)

1. The permittee is authorized to make changes within the facility as described below, provided the following conditions are met:
 - a. The proposed changes do not require the permittee to obtain an air quality preconstruction permit under ARM Title 17, Chapter 8, Subchapter 7;
 - b. The proposed changes are not modifications under Title I of the FCAA, or as defined in ARM Title 17, Chapter 8, Subchapters 8, 9, or 10;
 - c. The emissions resulting from the proposed changes do not exceed the emissions allowable under this permit, whether expressed as a rate of emissions or in total emissions;
 - d. The proposed changes do not alter permit terms that are necessary to enforce applicable emission limitations on emission units covered by the permit; and
 - e. The facility provides the administrator and the Department with written notification at least 7 days prior to making the proposed changes.
2. The permittee and the Department shall attach each notice provided pursuant to 1.e above to their respective copies of this permit.
3. Pursuant to the conditions above, the permittee is authorized to make Section 502(b)(10) changes, as defined in ARM 17.8.1201(30), without a permit revision. For each such change, the written notification required under 1.e above shall include a description of the change within the source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

4. The permittee may make a change not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided the following conditions are met:
 - a. Each proposed change does not weaken the enforceability of any existing permit conditions;
 - b. The Department has not objected to such change;
 - c. Each proposed change meets all applicable requirements and does not violate any existing permit term or condition; and
 - d. The permittee provides contemporaneous written notice to the Department and the administrator of each change that is above the level for insignificant emission units as defined in ARM 17.8.1201(22) and 17.8.1206(3), and the written notice describes each such change, including the date of the change, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
5. The permit shield authorized by ARM 17.8.1214 shall not apply to changes made pursuant to ARM 17.8.1224(3) and (5), but is applicable to terms and conditions that allow for increases and decreases in emissions pursuant to ARM 17.8.1224(4).

K. Significant Permit Modifications

ARM 17.8, Subchapter 12, Operating Permit Program §1227(1), (3)&(4)

1. The modification procedures set forth in 2 below must be used for any application requesting a significant modification of this permit. Significant modifications include the following:
 - a. Any permit modification that does not qualify as either a minor modification or as an administrative permit amendment;
 - b. Every significant change in existing permit monitoring terms or conditions;
 - c. Every relaxation of permit reporting or recordkeeping terms or conditions that limit the Department's ability to determine compliance with any applicable rule, consistent with the requirements of the rule; or
 - d. Any other change determined by the Department to be significant.
2. Significant modifications shall meet all requirements of ARM Title 17, Chapter 8, including those for applications, public participation, and review by affected states and the administrator, as they apply to permit issuance and renewal, except that an application for a significant permit modification need only address in detail those portions of the permit application that require revision, updating, supplementation or deletion.
3. The permit shield provided for in ARM 17.8.1214 shall extend to significant modifications.

L. Reopening for Cause

ARM 17.8, Subchapter 12, Operating Permit Program §1228(1)&(2)

This permit may be reopened and revised under the following circumstances:

1. Additional applicable requirements under the FCAA become applicable to the facility when the permit has a remaining term of 3 or more years. Reopening and revision of the permit shall be completed not later than 18 months after promulgation of the applicable requirement. No reopening is required under ARM 17.8.1228(1)(a) if the effective date of the applicable requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms or conditions have been extended pursuant to ARM 17.8.1220(12) or 17.8.1221(2);
2. Additional requirements (including excess emission requirements) become applicable to an affected source under the Acid Rain Program. Upon approval by the administrator, excess emission offset plans shall be deemed incorporated into the permit;
3. The Department or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms or conditions of the permit; or
4. The administrator or the Department determines that the permit must be revised or revoked and reissued to ensure compliance with the applicable requirements.

M. Permit Expiration and Renewal

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(g), §1220(11)&(12), and §1205(2)(d)

1. This permit is issued for a fixed term of 5 years.
2. Renewal of this permit is subject to the same procedural requirements that apply to permit issuance, including those for application, content, public participation, and affected state and administrator review.
3. Expiration of this permit terminates the permittee's right to operate unless a timely and administratively complete renewal application has been submitted consistent with ARM 17.8.1221 and 17.8.1205(2)(d). If a timely and administratively complete application has been submitted, all terms and conditions of the permit, including the application shield, remain in effect after the permit expires until the permit renewal has been issued or denied.
4. For renewal, the permittee shall submit a complete air quality operating permit application to the Department not later than 6 months prior to the expiration of this permit, unless otherwise specified. If necessary to ensure that the terms of the existing permit will not lapse before renewal, the Department may specify, in writing to the permittee, a longer time period for submission of the renewal application. Such written notification must be provided at least 1 year before the renewal application due date established in the existing permit.

N. Severability Clause

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(i)&(l)

1. The administrative appeal or subsequent judicial review of the issuance by the Department of an initial permit under this subchapter shall not impair in any manner the underlying applicability of all applicable requirements, and such requirements continue to apply as if a final permit decision had not been reached by the Department.
2. If any provision of a permit is found to be invalid, all valid parts that are severable from the invalid part remain in effect. If a provision of a permit is invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid applications.

O. Transfer or Assignment of Ownership

ARM 17.8, Subchapter 12, Operating Permit Program §1225(2)&(4)

1. If an administrative permit amendment involves a change in ownership or operational control, the applicant must include in its request to the Department a written agreement containing a specific date for the transfer of permit responsibility, coverage and liability between the current and new permittee.
2. The permit shield provided for in ARM17.8.1214 shall not extend to administrative permit amendments.

P. Emissions Trading, Marketable Permits, Economic Incentives

ARM 17.8, Subchapter 12, Operating Permit Program §1226(2)

Notwithstanding ARM 17.8.1226(1) and (7), minor air quality operating permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in the Montana State Implementation Plan or in applicable requirements promulgated by the administrator.

Q. No Property Rights Conveyed

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(d)

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

R. Testing Requirements

ARM 17.8, Subchapter 1, General Provisions §105

The permittee shall comply with ARM 17.8.105.

S. Source Testing Protocol

ARM 17.8, Subchapter 1, General Provisions §106

The permittee shall comply with ARM 17.8.106.

T. Malfunctions

ARM 17.8, Subchapter 1, General Provisions §110

The permittee shall comply with ARM 17.8.110.

U. Circumvention

ARM 17.8, Subchapter 1, General Provisions §111

The permittee shall comply with ARM 17.8.111.

V. Motor Vehicles

ARM 17.8, Subchapter 3, Emission Standards §325

The permittee shall comply with ARM 17.8.325.

W. Annual Emissions Inventory

ARM 17.8, Subchapter 5, Air Quality Permit Application, Operation and Open Burning Fees §505 (STATE ONLY)

The permittee shall supply the Department with annual production and other information for all emission units necessary to calculate actual or estimated actual amount of air pollutants emitted during each calendar year. Information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request, unless otherwise specified in this permit. Information shall be in the units required by the Department.

X. Open Burning

ARM 17.8, Subchapter 6, Open Burning §604, 605 and 606

The permittee shall comply with ARM 17.8.604, 605 and 606.

Y. Montana Air Quality Permits

ARM 17.8, Subchapter 7, Permit, Construction and Operation of Air Contaminant Sources §745 and 764

1. Except as specified, no person shall construct, install, alter or use any air contaminant source or stack associated with any source without first obtaining a permit from the Department or Board. A permit is not required for those sources or stacks as specified by ARM 17.8.744(1)(a)-(k).
2. The permittee shall comply with ARM 17.8.743, 744, 745, 748, and 764.
3. ARM 17.8.745(1) specifies de minimis changes as construction or changed conditions of operation at a facility holding an air quality preconstruction permit issued under Chapter 8 that does not increase the facility's potential to emit by more than 5 tons per year of any pollutant, except:
 - a. Any construction or changed condition that would violate any condition in the facility's existing MAQP or any applicable rule contained in Chapter 8 is prohibited, except as provided in ARM 17.8.745(2);
 - b. Any construction or changed conditions of operation that would qualify as a major modification under Subchapters 8, 9 or 10 of Chapter 8;
 - c. Any construction or changed condition of operation that would affect the plume rise or dispersion characteristic of emissions that would cause or contribute to a violation of an ambient air quality standard or ambient air increment as defined in ARM 17.8.804;
 - d. Any construction or improvement project with a potential to emit more than 5 tons per year may not be artificially split into smaller projects to avoid air quality preconstruction permitting; or
 - e. Emission reductions obtained through offsetting within a facility are not included when determining the potential emission increase from construction or changed conditions of operation, unless such reductions are made federally enforceable.
4. Any facility making a de minimis change pursuant to ARM 17.8.745(1) shall notify the Department if the change would include a change in control equipment, stack height, stack diameter, stack gas temperature, source location or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit.

The notice must be submitted, in writing, 10 days prior to start up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(1).

Z. National Emission Standard for Asbestos

40 CFR, Part 61, Subpart M

The permittee shall not conduct any asbestos abatement activities except in accordance with 40 CFR 61, Subpart M (National Emission Standard for Hazardous Air Pollutants for Asbestos).

AA. Asbestos

ARM 17.74, Subchapter 3, General Provisions and Subchapter 4, Fees

The permittee shall comply with ARM 17.74.301, *et seq.*, and ARM 17.74.401, *et seq.* (State only)

BB. Stratospheric Ozone Protection – Servicing of Motor Vehicle Air Conditioners

40 CFR, Part 82, Subpart B

If the permittee performs a service on motor vehicles and this service involves ozone-depleting substance/refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR 82, Subpart B.

CC. Stratospheric Ozone Protection – Recycling and Emission Reductions

40 CFR, Part 82, Subpart F

The permittee shall comply with the standards for recycling and emission reductions in 40 CFR 82, Subpart F, except as provided for MVACs in Subpart B:

1. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156;
2. 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;
3. Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technical certification program pursuant to §82.161;
4. Persons disposing of small appliances, MVACs and MVAC-like (as defined at §82.152) appliances must comply with recordkeeping requirements pursuant to §82.166;
5. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156; and
6. 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.

DD. Emergency Episode Plan

The permittee shall comply with the requirements contained in Chapter 9.7 of the State of Montana Air Quality Control Implementation Plan.

Each major source emitting 100 tons per year located in a Priority I Air Quality Control Region, shall submit to the Department a legally enforceable Emergency Episode Action Plan (EEAP) that details how the source will curtail emissions during an air pollutant emergency episode. The industrial EEAP shall be in accordance with the Department's EEAP and shall be submitted according to a timetable developed by the Department, following Priority I reclassification.

EE. Definitions

Terms not otherwise defined in this permit or in the Definitions and Abbreviations Appendix of this permit, shall have the meaning assigned to them in the referenced regulations.

Appendix A INSIGNIFICANT EMISSION UNITS

Disclaimer: The information in this appendix is not State or Federally enforceable, but is presented to assist YELP, the permitting authority, inspectors, and the public.

Pursuant to ARM 17.8.1201(22)(a), an insignificant emission unit means any activity or emission unit located within a source that: (i) has a potential to emit less than 5 tons per year of any regulated pollutant; (ii) has a potential to emit less than 500 pounds per year of lead; (iii) has a potential to emit less than 500 pounds per year of hazardous air pollutants listed pursuant to Section 7412 (b) of the FCAA; and (iv) is not regulated by an applicable requirement, other than a generally applicable requirement that applies to all emission units subject to Subchapter 12.

List of Insignificant Activities:

The following table of insignificant sources and/or activities was provided by YELP. Because there are no requirements to update such a list, the emission units and/or activities may change from those specified in the table.

Emissions Unit ID	Description
IEU01	Fuel Usage: Diesel Fuel
IEU02	Emergency Generators
IEU03	Repair and Maintenance Activities
IEU04	Welding
IEU06	Space Heating
IEU07	Wind Erosion of Stockpile
IEU08	Exterior Limestone Storage Pile (\leq 2,000 Tons)
IEU09	Coke Load-Out Silo
IEU10	#2 Coke Belt Dust Collector
IEU11	17,000 Ton Coke Storage Pile

Appendix B DEFINITIONS and ABBREVIATIONS

"Act" means the Clean Air Act, as amended, 42 U.S. 7401, *et seq.*

"Administrative permit amendment" means an air quality operating permit revision that:

- (a) Corrects typographical errors;
- (b) Identifies a change in the name, address or phone number of any person identified in the air quality operating permit, or identifies a similar minor administrative change at the source;
- (c) Requires more frequent monitoring or reporting by YELP;
- (d) Requires changes in monitoring or reporting requirements that the Department deems to be no less stringent than current monitoring or reporting requirements;
- (e) Allows for a change in ownership or operational control of a source if the Department has determined that no other change in the air quality operating permit is necessary, consistent with ARM 17.8.1225; or
- (f) Incorporates any other type of change that the Department has determined to be similar to those revisions set forth in (a)-(e), above.

"Applicable requirement" means all of the following as they apply to emission units in a source requiring an air quality operating permit (including requirements that have been promulgated or approved by the Department or the administrator through rule making at the time of issuance of the air quality operating permit, but have future-effective compliance dates; provided that such requirements apply to sources covered under the operating permit):

- (a) Any standard, rule, or other requirement, including any requirement contained in a consent decree or judicial or administrative order entered into or issued by the Department, that is contained in the Montana state implementation plan approved or promulgated by the administrator through rule making under Title I of the FCAA;
- (b) Any federally enforceable term, condition or other requirement of any air quality preconstruction permit issued by the Department under Subchapters 7, 8, 9 and 10 of this chapter, or pursuant to regulations approved or promulgated through rule making under Title I of the FCAA, including parts C and D;
- (c) Any standard or other requirement under Section 7411 of the FCAA, including Section 7411(d);
- (d) Any standard or other requirement under Section 7412 of the FCAA, including any requirement concerning accident prevention under Section 7412(r)(7), but excluding the contents of any risk management plan required under Section 7412(r);
- (e) Any standard or other requirement of the acid rain program under Title IV of the FCAA or regulations promulgated thereunder;
- (f) Any requirements established pursuant to Section 7661c(b) or Section 7414(a)(3) of the FCAA;
- (g) Any standard or other requirement governing solid waste incineration, under Section 7429 of the FCAA;

- (h) Any standard or other requirement for consumer and commercial products, under Section 7511b(e) of the FCAA;
- (i) Any standard or other requirement for tank vessels, under Section 7511b(f) of the FCAA;
- (j) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the FCAA, unless the administrator determines that such requirements need not be contained in an air quality operating permit;
- (k) Any national ambient air quality standard or increment or visibility requirement under part C of Title I of the FCAA, but only as it would apply to temporary sources permitted pursuant to Section 7661c(e) of the FCAA; or
- (l) Any federally enforceable term or condition of any air quality open burning permit issued by the Department under Subchapter 6.

"Department" means the Montana Department of Environmental Quality.

"Emission unit" means any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any pollutant listed under Section 7412(b) of the FCAA. This term is not meant to alter or affect the definition of the term "unit" for purposes of Title IV of the FCAA.

"FCAA" means the Federal Clean Air Act, as amended.

"Federally enforceable" means all limitations and conditions that are enforceable by the administrator, including those requirements developed pursuant to 40 CFR Parts 60 and 61, requirements within the Montana state implementation plan, and any permit requirement established pursuant to 40 CFR 52.21, or under regulations approved pursuant to 40 CFR Part 51, Subpart I, including operating permits issued under an EPA approved program that is incorporated into the Montana state implementation plan and expressly requires adherence to any permit issued under such program.

"Fugitive emissions" means those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

"General air quality operating permit" or **"general permit"** means an air quality operating permit that meets the requirements of ARM 17.8.1222, covers multiple sources in a source category, and is issued in lieu of individual permits being issued to each source.

"Hazardous air pollutant" means any air pollutant listed as a hazardous air pollutant pursuant to Section 112(b) of the FCAA.

"Non-federally enforceable requirement" means the following as they apply to emission units in a source requiring an air quality operating permit:

- (a) Any standard, rule, or other requirement, including any requirement contained in a consent decree, or judicial or administrative order entered into or issued by the Department, that is not contained in the Montana state implementation plan approved or promulgated by the administrator through rule making under Title I of the FCAA;
- (b) Any term, condition or other requirement contained in any air quality preconstruction permit issued by the Department under Subchapters 7, 8, 9 and 10 of this chapter that is not federally enforceable;
- (c) Does not include any Montana ambient air quality standard contained in Subchapter 2 of this chapter.

"Permittee" means the owner or operator of any source subject to the permitting requirements of this subchapter, as provided in ARM 17.8.1204, that holds a valid air quality operating permit or has submitted a timely and complete permit application for issuance, renewal, amendment, or modification pursuant to this subchapter.

"Regulated air pollutant" means the following:

- (a) Nitrogen oxides or any volatile organic compounds;
- (b) Any pollutant for which a national ambient air quality standard has been promulgated;
- (c) Any pollutant that is subject to any standard promulgated under Section 7411 of the FCAA;
- (d) Any Class I or II substance subject to a standard promulgated under or established by Title VI of the FCAA; or
- (e) Any pollutant subject to a standard or other requirement established or promulgated under Section 7412 of the FCAA, including, but not limited to the following:
 - (i) Any pollutant subject to requirements under Section 7412(j) of the FCAA. If the administrator fails to promulgate a standard by the date established in Section 7412(e) of the FCAA, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established in Section 7412(e) of the FCAA;
 - (ii) Any pollutant for which the requirements of Section 7412(g)(2) of the FCAA have been met, but only with respect to the individual source subject to Section 7412(g)(2) requirement.

"Responsible official" means one of the following:

- (a) For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
 - (ii) The delegation of authority to such representative is approved in advance by the Department.
- (b) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
- (c) For a municipality, state, federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a regional administrator of the environmental protection agency).

- (d) For affected sources: the designated representative in so far as actions, standards, requirements, or prohibitions under Title IV of the FCAA or the regulations promulgated thereunder are concerned, and the designated representative for any other purposes under this subchapter.

Abbreviations:

ARM	Administrative Rules of Montana
ASTM	American Society of Testing Materials
BACT	Best Available Control Technology
bb1	barrels
Btu	British Thermal Unit
CAM	Compliance Assurance Monitoring
CAT	Fluid Catalytic Cracking
CEM	Continuous Emission Monitor
CERM	Continuous Emission Rate Monitor
CFBC	Circulating Fluidized Bed Combustion
CFR	Code of Federal Regulations
CO	carbon monoxide
COM	Continuous Opacity Monitor
DEQ	Department of Environmental Quality
dscf	dry standard cubic foot
dscfm	dry standard cubic foot per minute
EPA	U.S. Environmental Protection Agency
EPA Method	Test methods contained in 40 CFR 60, Appendix A
EU	emission unit
FCAA	Federal Clean Air Act
gr	grains
HAP	hazardous air pollutant
IEU	insignificant emission unit
Method 3	40 CFR 60, Appendix A, Method 3
Method 5	40 CFR 60, Appendix A, Method 5
Method 6	40 CFR 60, Appendix A, Method 6
Method 7	40 CFR 60, Appendix A, Method 7
Method 9	40 CFR 60, Appendix A, Method 9
MMBtu	million British Thermal Units
NO _x	oxides of nitrogen
NO ₂	nitrogen dioxide
O ₂	oxygen
Pb	lead
PM	particulate matter
PM10	particulate matter less than 10 microns in size
psig	pounds per square inch gauge
RATA	Relative Accuracy Test Audits
scf	standard cubic feet
SIC	Source Industrial Classification
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SO _x	oxides of sulfur
TPY	tons per year
U.S.C.	United States Code
VE	visible emissions
VOC	volatile organic compound

Appendix C NOTIFICATION ADDRESSES

Compliance Notifications:

Montana Department of Environmental Quality
Permitting and Compliance Division
Air Resources Management Bureau
P.O. Box 200901
Helena, MT 59620-0901

United States EPA
Air Program Coordinator
Region VIII, Montana Office
10 W. 15th Street, Suite 3200
Helena, MT 59626

Permit Modifications:

Montana Department of Environmental Quality
Permitting and Compliance Division
Air Resources Management Bureau
P.O. Box 200901
Helena, MT 59620-0901

Office of Partnerships and Regulatory Assistance
Air and Radiation Program
US EPA Region VIII 8P-AR
1595 Wynkoop Street
Denver, CO 80202-1129

Appendix D AIR QUALITY INSPECTOR INFORMATION

Disclaimer: The information in this appendix is not State or Federally enforceable but is presented to assist YELP, permitting authority, inspectors, and the public.

1. Directions to Plant:

YELP is located three miles northeast of Billings adjacent to the Exxon Refinery at 2215 N. Frontage Road.

2. Safety Equipment Required:

Representatives of the State of Montana, Department of Environmental Quality, who wish to enter YELP's premises for the purpose of conducting an inspection of the facility, as per 75-2-403, MCA, shall at a minimum, have in possession and utilize the following personnel protective equipment (PPE):

1. Hard Hat
2. Safety Glasses
3. Hearing Protection

In addition to the above mentioned items, and at the direction of a Representative of YELP, additional PPE may be required, including, but not limited to Nomex ® clothing, respirators, etc.

At all times that a Department Representative is present upon the premises, the Representative shall follow all directions of a YELP Representative that are meant to protect the health and safety of the State Representative and facility employees.

3. Facility Plot Plan:

A facility plot plan was submitted on June 12, 1996, as part of the Title V Operating Permit Application.

Appendix E June 12, 1998 and March 17, 2000 Board Orders Adopting an SO₂ Control Plan

Although the hard copy of Appendix E has been removed from the permit, the contents of Appendix E, June 12, 1998, and March 17, 2000, Board Orders Adopting an SO₂ Control Plan remain as applicable requirements as stated in the Title V Operating Permit #OP2650-02. To receive a hard copy of this appendix, please contact one of the following:

Montana Department of Environmental Quality
Permitting and Compliance Division
Air Resources Management Bureau
1520 E. Sixth Ave.
P.O. Box 200901
Helena, Montana 59620-0901
Bureau Phone #: (406) 444-3490

OR

Yellowstone Energy Limited Partnership
2215 North Frontage Road
Billings, MT 59101
Phone (406) 256-5296

The EPA SIP-approval of the SO₂ Emission Control Plan, dated May 2, 2002, and May 22, 2003, can be supplied by the Department, or can be obtained via the web at the following website:

<http://www.epa.gov/fedrgstr/>

Appendix F AMBIENT MONITORING PLAN

AMBIENT MONITORING PLAN YELLOWSTONE ENERGY LIMITED PARTNERSHIP Permit #2650-08

1. This ambient air monitoring plan is required by MAQP #2650-08 that applies to the petroleum coke-fired power generation facility adjacent to the Exxon petroleum refinery in Billings, Montana. This monitoring plan may be changed from time to time by the Department, but all current requirements of this plan are also considered conditions of the permit.
2. YELP shall operate and maintain a single air monitoring site in the vicinity of their power generation facility. The exact location of any monitoring site must be approved by the Department and meet all the requirements contained in the Montana Ambient Air Monitoring Program Quality Assurance Project Plan, including revisions; the EPA Quality Assurance Manual, including revisions; the EPA Ambient Monitoring Guidelines for Prevention of Significant Deterioration (PSD), including revisions (EPA-450/4-87-007); Parts 53 and 58 of the Code of Federal Regulations; and any other requirements specified by the Department.
3. YELP shall continue air monitoring for a minimum of 2 years after maximum production has been achieved. At that time, the air monitoring data will be reviewed by the Department and the Department will determine if continued monitoring or additional monitoring is warranted. The Department may require continued air monitoring to track long-term impacts of emissions from the facility or require additional ambient air monitoring if any changes take place in regard to quality and/or quantity of emissions or the area of impact from the emissions.
4. YELP shall monitor the following parameters at the sites and frequencies described below:

AIRS Number	Site Name	UTM Coordinates (All Zone 12)	Parameter	Frequency
30-111-2006	Johnson Lane	E 701010 N 5076000	SO ₂ ¹ , Wind Speed and Direction, Temperature, Sigma Theta ²	Continuous
¹ SO ₂ = sulfur dioxide ² Sigma Theta = Standard Deviation of Horizontal Wind Direction				

5. Data recovery for all parameters shall be at least 80 percent computed on a quarterly and annual basis. The Department may require continued monitoring if this condition is not met.
6. Any ambient air monitoring changes proposed by YELP must be approved in writing by the Department.
7. YELP shall utilize air monitoring and quality assurance procedures which are equal to or exceed the requirements described in the Montana Ambient Air Monitoring Program Quality Assurance Project Plan, including revisions; the EPA Quality Assurance Manual, including revisions; the EPA Ambient Monitoring Guidelines for Prevention of Significant Deterioration (PSD), including revisions (EPA-450/4-87-007); 40 CFR Parts 53 and 58 of the Code of Federal Regulations; and any other requirements specified by the Department.

8. YELP shall submit quarterly data reports within 45 days after the end of the calendar quarter and an annual data report within 90 days after the end of the calendar year. The annual report may be substituted for the fourth quarterly report if all information in paragraph 9 below is included in the annual report.
9. The quarterly report shall consist of a narrative data summary and a data submittal of all data points in Air Quality System (AQS) format. This data must be submitted in an AQS compatible format. The narrative data summary shall include:
 - a. A topographic map of appropriate scale, with UTM coordinates and a true north arrow, showing the air monitoring site locations in relation to the YELP facility and the general Billings area;
 - b. A hard copy of the individual data points;
 - c. The quarterly and monthly means for SO₂, wind speed and direction;
 - d. The first and second highest hourly concentrations for SO₂;
 - e. The first and second highest, rolling three-hour concentrations for SO₂;
 - f. The first and second highest, rolling 24-hour concentrations for SO₂;
 - g. The quarterly and monthly wind roses;
 - h. A summary of the data collection efficiency;
 - i. A summary of the reasons for missing data;
 - j. A precision and accuracy (audit) summary;
 - k. A summary of any ambient air standard or PSD increment exceedances; and
 - l. Calibration information.
10. The annual data report shall consist of a narrative data summary containing:
 - a. A topographic map of appropriate scale, with UTM coordinates and a true north arrow, showing the air monitoring site locations in relation to the YELP facility and the general Billings area;
 - b. A pollution trend analysis;
 - c. The annual means for SO₂, wind speed and direction;
 - d. The first and second highest hourly concentrations for SO₂;
 - e. The first and second highest, rolling three-hour concentrations for SO₂;
 - f. The first and second highest, rolling 24-hour concentrations for SO₂;
 - g. The annual wind rose;

- h. An annual summary of data collection efficiency;
- i. An annual summary of precision and accuracy (audit) data, including the results from EPA's National Performance Audit for SO₂;
- j. An annual summary of any ambient standard or PSD increment exceedance; and
- k. Recommendations for future monitoring.

The Department may audit, or may require YELP to contract with an independent firm to audit the air monitoring network, the laboratory performing associated analyses, and any data handling procedures at unspecified times. On the basis of the audits and subsequent reports, the Department may recommend or require changes in the air monitoring network and associated activities in order to improve precision, accuracy and data completeness.

Appendix G CAM Plan - PM₁₀ Control from Circulating Bed Boilers (2)

Monitoring Approach -- ESP	
I. Indicator	Triboelectric Signal (Baghouse Leak Detector)
II. Measurement Approach	A triboelectric monitor will be used at the baghouse exhaust stack. An alarm will sound when the signal stays over a pre-set level for more than 30 seconds. This is an indication of a broken bag.
III. Indicator Value	An excursion is defined as an event in which the triboelectric signal exceeds a yet to be determined percentage of full scale for 30 seconds. The indicator value will be established during a source test (see Stack Test below). An excursion triggers an inspection and, if necessary, corrective action.
IV. Performance Criteria	
A. Data Representativeness	The probe is placed inside the baghouse exhaust stack. The triboelectric output signal is a function of the amount of particulate in the stack. The function is linear provided particle size and velocity remain relatively constant. This is a reasonable assumption for this unit.
B. Verification of Operational Status	The baghouse leak detector will be monitored by the control room operators daily.
C. QA/QC Practices and Criteria	Calibration of the unit is automatically done via internal electronics. The unit itself will be inspected once a month.
D. Monitoring Frequency	The unit monitors particulate on a continuous basis.
E. Data Collection Procedures	There is no on-going data collection. The unit contains an alarm. When the alarm sounds as described above, action will be taken.
F. Averaging period	5-minute
G. Stack Test	After Department approval of the CAM Plan, YELP will schedule and conduct testing to establish a suitable indicator value. The indicator value shall be established as expeditiously as practicable after Department approval (Department Decision on OP 2650-01) but in no case shall the establishment of the indicator value prevent monitoring from beginning within 180 days after Department approval (ARM 17.8.1508(4)).

Although the complete hard copy of Appendix G is not included in the permit, the contents of Appendix G, YELP's CAM plan remain as applicable requirements as stated in the Title V Operating Permit #OP2650-02. To receive a hard copy of this appendix, please contact one of the following:

The Department of Environmental Quality
Permitting and Compliance Division
Air Resources Management Bureau
1520 E. Sixth Ave.
P.O. Box 200901
Helena, Montana 59620-0901
Bureau Phone (406) 444-3490

OR

Yellowstone Energy Limited Partnership
2215 North Frontage Road
Billings, MT 59101
Phone (406) 256-5296

Appendix H CAM Plan – SO₂ Control from Circulating Bed Boilers (2)

Monitoring Approach -- ESP	
I. Indicator	Exit stream SO ₂ concentration.
II. Measurement Approach	A CEMS on the boiler exit stream includes continuous SO ₂ concentration readings which are used to control the amount of limestone that is added.
III. Indicator Value	The exit stream concentration is maintained at 0.59 lbs SO ₂ /MMBtu heat input.
IV. Performance Criteria	
A. Data Representativeness	Same direct SO ₂ measurement as used to meet emission limits.
B. Verification of Operational Status	CEMS data is monitored by operators.
C. QA/QC Practices and Criteria	As required by 40 CFR 60 Subpart Da, Appendix B and Appendix F, operation of the SO ₂ CEMS is regulated by a daily calibration drift check of CEMS, a quarterly cylinder gas audit and an annual RATA on system.
D. Monitoring Frequency	Continuous.
E. Data Collection Procedures	CEMS automatically records exit stream SO ₂ concentrations.
F. Averaging period	1 hour.

Although the complete hard copy of Appendix H is not included in the permit, the contents of Appendix H, YELP's CAM plan remain as applicable requirements as stated in the Title V Operating Permit #OP2650-02. To receive a hard copy of this appendix, please contact one of the following:

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