Permit #: **28.0501-44**

Effective Date: **May 19, 2014**

Expiration Date: **May 19, 2019**

SOUTH DAKOTA DEPARTMENT OF

ENVIRONMENT AND NATURAL RESOURCES

TITLE V AIR QUALITY OPERATING PERMIT

Steven M. Pirner, P.E., Secretary
Department of Environment and Natural Resources

Under the South Dakota Air Pollution
Control Regulations

Pursuant to Chapter 34A-1-21 of the South Dakota Codified Laws and the Air Pollution Control Regulations of the State of South Dakota and in reliance on statements made by the owner designated below, a permit to operate is hereby issued by the Secretary of the Department of Environment and Natural Resources. This permit authorizes such owner to operate the unit(s) at the location designated below and under the listed conditions:

A. Owner

1. Company Name and Address

Sioux River Ethanol, LLC d/b/a POET Biorefining - Hudson
29619 Spur Avenue
Hudson, South Dakota 57034

2. Actual Source Location and Mailing Address if Different from Above

29619 Spur Avenue
W1/3 of E1/2, Sec. 35, T-96-N, R-48-W, Lincoln County
Hudson, South Dakota 57034

3. Permit Contact

Jeremy Halgerson, Technical Manager
(605) 984-7203

4. Facility Contact

Bill Andersen, Environmental Health and Safety Specialist
(605) 984-7213

5. Responsible Official

Joel Jarman, General Manager
(605) 984-7201

B. Permit Revisions or Modifications

Not Applicable

C. Type of Operation

Sioux River Ethanol is an ethanol production facility.

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1.0 Standard Conditions

1.1 Operation of source

In accordance with Administrative Rules of South Dakota (ARSD) 74:36:05:16.01(8), the owner or operator shall operate the units, controls, and processes as described in Table 1-1 in accordance with the statements, representations, and supporting data contained in the complete permit application received February 5, 2013, unless modified by the conditions of this permit. Except as otherwise provided herein, the control equipment shall be operated at all times in accordance with the manufacturer's specification and in a manner that achieves compliance with the conditions of this permit. The application consists of the application forms, supporting data, and supplementary correspondence. If the owner or operator becomes aware it failed to submit any relevant facts in a permit application or submitted incorrect information in an application, such information shall be promptly submitted.

Table 1-1 – Description of Permitted Units, Operations, and Processes

Unit	Description	Maximum Operating Rate	Control Device
#1	Grain receiving, grain transfer via enclosed conveyor belt systems, and storage bin loading.	840 tons of grain per hour	2003 MAC baghouse
	Dried distiller grain and solubles rail load out system.	23 tons of dried distiller grain and solubles per hour	
#2	Grain cleaning. Elevator legs transport the grain from the storage bins to a 2003 Law-Marot grain scalper, Model #C4-1260. Elevator legs transport the cleaned grain to a surge bin.	140 tons of grain per hour	2003 MAC baghouse
#3	Grain milling. An elevator leg transports the grain from the surge bin to a 2003 Roskamp Champion hammer mill	22 tons of grain per hour	2003 MAC baghouse
#4	Grain milling. An elevator leg transports the grain from the surge bin to a 2003 Roskamp Champion hammer mill.	22 tons of grain per hour	2003 MAC baghouse
#5	Grain milling. An elevator leg transports the grain from the surge bin to a 2003 Roskamp Champion hammer mill.	22 tons of grain per hour	2003 MAC baghouse
#6	Pneumatic flour conveyor. A pneumatic conveyor transports the flour from the three hammer mills to the fermentation process.	72 tons of grain per hour	2003 MAC baghouse
#7	2003 Barr Rosin dried distiller grain and solubles fluid bed cooler.	23 tons of dried distiller grain and solubles per hour	2003 MAC baghouse
#8	2003 Laidig/SMI dried distiller grain and solubles silo.	23 tons of dried distiller grain and solubles per hour	2003 MAC baghouse

Unit	Description	Maximum Operating Rate	Control Device
#9	2003 MAC dried distiller grain and solubles silo bypass receiver.	23 tons of dried distiller grain and solubles per hour	2003 MAC baghouse
#10	Two Barr-Rosin ring dryers operated in series. Each dryer is fired with natural gas and has a multi cyclone to collect product.	60 million Btus per hour per dryer and 23 tons of dried distillers grain and solubles per hour.	2005 five chamber regenerative thermal oxidizer
	The thin stillage and solids fractions of the wet distiller grain and solubles are separated by five Westfalia centrifuges.	Each centrifuge processes 50 tons of whole stillage per hour.	
	The oil from the grain is separated by two Westfalia centrifuges	5,100 gallons of liquid per hour	
	Unit #11	See Unit #11.	
	Regenerative thermal oxidizer fired with natural gas and/or exhaust gases.	30 million Btus per hour heat input.	
#11	Fermentation process. The fermentation process occurs in five fermenters and the liquid beer is stored in one of two beer wells.	Process 207 tons of grain mash, yeast and water per hour.	2003 Koch Industries packed bed wet scrubber.
	Distillation process. The distillation process consists of the beer stripper, rectifier, side stripper, molecular sieve, and evaporator.	Process 40,000 gallons of beer per hour; and produce 62 million gallons of undenatured ethanol per year.	
#12	A submerged truck loading rack.	62 million gallons of undenatured ethanol per year.	2003 John-Zink flare
	Flare fired with natural gas.	0.7 million Btus per hour.	
#13	Boiler #1 – 2003 Erie Power/Keystone boiler equipped with a low NOx burner and fired with natural gas.	100 million Btus per hour heat input	Not applicable
#14	Two submerged rail car loading racks.	62 million gallons of undenatured ethanol per year.	Not applicable
#16	Grain milling. An elevator leg transports the grain from the surge bin to a 2005 Roskamp Champion hammer mill.	23 tons of grain per hour	2005 MAC baghouse
#17	Caterpillar emergency diesel generator fired with distillate oil.	10.58 million Btus per hou heat input	Not applicable
#18	Tank #1 – 2003 above ground storage tank equipped with an internal floating roof.	192,500 gallons	Not applicable
#19	Tank #2 – 2003 above ground storage tank equipped with an internal floating roof.	65,000 gallons	Not applicable

Unit	Description	Maximum Operating Rate	Control Device
#20	Tank #3 – 2003 above ground storage tank equipped with an internal floating roof.	2,000,000 gallons	Not applicable
#21	Tank #4 – 2003 above ground storage tank equipped with an internal floating roof.	2,000,000 gallons	Not applicable
#22	Tank #6 – 2003 above ground storage tank equipped with an internal floating roof.	192,500 gallons	Not applicable
#23	Boiler #2 – 2003 Erie Power/Keystone boiler equipped with a low NOx burner and fired with natural gas.	100 million Btus per hour heat input.	Not applicable

1.2 Duty to comply

In accordance with ARSD 74:36:05:16.01(12), the owner or operator shall comply with the conditions of this permit. An owner or operator who knowingly makes a false statement in any record or report or who falsifies, tampers with, or renders inaccurate, any monitoring device or method is in violation of this permit. A violation of any condition in this permit is grounds for enforcement, reopening this permit, permit termination, or denial of a permit renewal application. The owner or operator, in an enforcement action, cannot use the defense that it would have been necessary to cease or reduce the permitted activity to maintain compliance. The owner or operator shall provide any information requested by the Secretary to determine compliance or whether cause exists for reopening or terminating this permit.

1.3 Property rights or exclusive privileges

In accordance with ARSD 74:36:05:16.01(12), the State's issuance of this permit, adoption of design criteria, and approval of plans and specifications does not convey any property rights of any sort, any exclusive privileges, any authorization to damage, injure or use any private property, any authority to invade personal rights, any authority to violate federal, state or local laws or regulations, or any taking, condemnation or use of eminent domain against any property owned by third parties. The State does not warrant the owner's or operator's compliance with this permit, design criteria, approved plans and specifications, and operation under this permit, will not cause damage, injury or use of private property, an invasion of personal rights, or violation of federal, state or local laws or regulations. The owner or operator is solely and severally liable for all damage, injury or use of private property, invasion of personal rights, infringement of federal, state or local laws and regulations, or taking or condemnation of property owned by third parties, which may result from actions taken under the permit.

1.4 Penalty for violating a permit condition

In accordance with South Dakota Codified Laws (SDCL) 34A-1-39 and 34A-1-47, a violation of a permit condition may subject the owner or operator to civil or criminal prosecution, a state penalty of not more than $10,000 per day per violation, injunctive action, administrative permit action, and other remedies as provided by law.

1.5 Inspection and entry

In accordance with SDCL 34A-1-41, the owner or operator shall allow the Secretary, upon presentation of credentials, to:

1. Enter the premises where a regulated activity is located or where pertinent records are stored;
2. Have access to and copy any records required under this permit;
3. Inspect operations regulated under this permit; and/or
4. Sample or monitor any substances or parameters for the purpose of assuring compliance.

1.6 Severability

In accordance with ARSD 74:36:05:16.01(11), any portion of this permit that is void or challenged shall not affect the validity of the remaining permit requirements.

1.7 Permit termination, modification, or revocation

In accordance with ARSD 74:36:05:46, the Secretary may recommend the Board of Minerals and Environment terminate, modify, or revoke this permit for violations of SDCL 34A-1 or the federal Clean Air Act or for nonpayment of any outstanding fee or enforcement penalty.

1.8 Credible evidence

In accordance with ARSD 74:36:13:07, credible evidence may be used for the purpose of establishing whether the owner or operator has violated or is in violation of this permit. Credible evidence may consist of the following:

1. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred:
   a. A monitoring method approved pursuant to 40 CFR § 70.6(a)(3) and incorporated in this permit; or
   b. Compliance methods specified in an applicable plan;
2. The following testing, monitoring, or information gathering methods are presumptively credible testing, monitoring, or information-gathering methods:
   a. Any monitoring or testing methods approved in this permit, including those in 40 CFR Parts 51, 60, 61, and 75; or
   b. Other testing, monitoring, or information-gathering methods that produce information comparable to that produced by any method in paragraph (1) or (2)(a).

2.0 Permit Fees

2.1 Annual air fee required

In accordance with ARSD 74:36:05:06.01, the owner or operator shall submit an annual administrative fee and an annual fee. The fee is based on actual emissions in accordance with SDCL 34A-1-58.1.

2.2 Annual operational report

In accordance with SDCL 34A-1-58.1, the Secretary will supply the owner or operator with an annual operational report in January of each year. The owner or operator shall complete and submit the operational report to the Secretary by March 1 of each year. The responsible official shall sign the operational report in the presence of a notary public.

2.3 Annual air fee

In accordance with SDCL 34A-1-58.1, the Secretary will notify the owner or operator of the required annual air emission fee and administrative fee by June 1 of each year. The fees shall accrue on July 1 and are payable to the Department of Revenue by July 31 of each year.

3.0 Permit Amendments and Modifications

3.1 Permit flexibility

In accordance with ARSD 74:36:05:30, the owner or operator shall have the flexibility to make changes to the source during the term of this permit. The owner or operator shall provide the Secretary written notice at least seven days in advance of the proposed change (NOTE: The Secretary will forward a copy of the written notice to EPA). The written notice shall include a brief description of the change, the date on which the change is to occur, any change in emissions, the proposed changes to the permit, and whether the requested revisions are for an administrative permit amendment, minor permit amendment, or permit modification.

The Secretary will notify the owner or operator whether the change is an administrative permit amendment, a minor permit amendment, or a permit modification. A proposed change that is considered an administrative permit amendment or a minor permit amendment can be completed immediately after the Secretary receives the written notification. The owner or operator must comply with both the applicable requirements governing the change and the proposed permit terms and conditions until the Secretary takes final action on the proposed change.

A proposed change that is considered a modification cannot be implemented until the Secretary takes final action on the proposed change or the owner or operator was issued an air quality construction permit. Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except that the required review shall cover only the proposed changes.

3.2 Administrative permit amendment

In accordance with ARSD 74:36:05:33, the Secretary has 60 days from receipt of a written notice to verify the proposed change is an administrative permit amendment. As provided in ARSD 74:36:01:03, the Secretary considers a proposed change an administrative permit amendment if the proposed change accomplishes one of the following:

1. Corrects typographical errors;
2. Changes the name, address, or phone number of any person identified in this permit or provides a similar minor administrative change;

3. Requires more frequent monitoring or reporting;
4. The ownership or operational control changes and the Secretary determines no other change in this permit is necessary. However, the new owner must submit a certification of applicant form and a written statement specifying the date for transfer of operating permit responsibility, coverage, and liability; or
5. Any other changes the Secretary and the administrator of EPA determines to be similar to those requirements in this condition.

3.3 Minor permit amendment

In accordance with ARSD 74:36:05:38, the Secretary has 90 days from receipt of a written notice or 15 days after the end of EPA's 45-day review period, whichever is later, to take final action on a minor permit amendment. Final action consists of issuing or denying a minor permit amendment or determining the proposed change is a permit modification. As provided in ARSD 74:36:05:35, the Secretary considers a proposed change to be a minor permit amendment if the proposed change:

1. Does not violate any applicable requirements;
2. Does not involve significant changes to existing monitoring, reporting, or recordkeeping requirements;
3. Does not require or change a case-by-case determination of an emission limit or other standard, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; or
4. Does not seek to establish or change a permit term or condition for which the source has assumed to avoid an applicable requirement, a federally enforceable emission cap, or an alternative emission limit. An alternative emission limit is approved pursuant to regulations promulgated under section 112(i)(5) of the federal Clean Air Act.

3.4 Permit modification

In accordance with ARSD 74:36:05:39, an owner or operator may apply for a permit modification. A permit modification is defined in ARSD 74:36:01:10 as a physical change in or change in the operation of a source that results in at least one of the following:

1. An increase in the amount of an air pollutant emitted by the source or results in the emission of an air pollutant not previously emitted;
2. A significant change to existing monitoring, reporting, or recordkeeping requirements in the permit;
3. The change requires or changes a case-by-case determination of an emission limit or other standard, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; or
4. The change seeks to establish or change a permit term or condition for which there is a corresponding underlying applicable requirement that the source has assumed to avoid an applicable requirement, a federally enforceable emissions cap assumed to avoid classification as a modification under a provision of the Title I of the Clean Air Act, or an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Clean Air Act.

Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except the required review shall cover only the proposed changes.

3.5 Permit revision

In accordance with ARSD 74:36:05:40, the Secretary may reopen and revise this permit to meet requirements of SDCL 34A-1 or the federal Clean Air Act. In accordance with ARSD 74:36:05:41, the Secretary shall notify the owner or operator at least 30 days before reopening this permit. The 30-day period may be less in the case of an emergency.

3.6 Testing new fuels or raw materials

In accordance with ARSD 74:36:11:04, an owner or operator may request permission to test a new fuel or raw material to determine if it is compatible with existing equipment before requesting a permit amendment or modification. A complete test proposal shall consist of the following:

1. A written proposal describing the new fuel or raw material, operating parameters, and parameters that will be monitored and any testing associated with air pollutant emissions during the test;
2. An estimate of the type and amount of regulated air pollutant emissions resulting from the proposed change; and
3. The proposed schedule for conducting the test. In most cases the owner or operator will be allowed to test for a maximum of one week. A request for a test period longer than one week will need additional justification. A test period shall not exceed 180 days.

The Secretary shall approve, conditionally approve, or deny in writing the test proposal within 45 days after receiving a complete proposal. Approval conditions may include changing the test schedule or pollutant sampling and analysis methods. Pollutant sampling and analysis methods may include, but are not limited to performance testing, visible emission evaluation, fuel analysis, dispersion modeling, and monitoring of raw material or fuel rates.

If the Secretary determines the proposed change will result in an increase in the emission of a regulated air pollutant or result in the emission of an additional regulated air pollutant, the Secretary shall give public notice of the proposed test for 30 days. The Secretary shall consider all comments received during the 30-day public comment period before making a final decision on the test.

The Secretary will not approve a test if the test would cause or contribute to a violation of a national ambient air quality standard.

4.0 Permit Renewal

4.1 Permit effective

In accordance with ARSD 74:36:05:07, this permit shall expire five years from date of issuance unless reopened or terminated for cause.

4.2 Permit renewal

In accordance with ARSD 74:36:05:08, the owner or operator shall submit an application for a permit renewal at least 180 days before the date of permit expiration if the owner or operator wishes to continue to operate an activity regulated by this permit. The current permit shall not expire and shall remain in effect until the Secretary takes final action on the timely permit renewal application.

4.3 Permit expiration

In accordance with ARSD 74:36:05:28, permit expiration terminates the owner's or operator's right to operate any unit covered by this permit.

5.0 Recordkeeping and Reporting

5.1 Recordkeeping and reporting

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall maintain all monitoring data, records, reports, and pertinent information specified by this permit for five years from the date of sample, measurement, report, or application unless otherwise specified in this permit. The records shall be maintained on site for the first two years and may be maintained off site for the last three years. All records must be made available to the Secretary for inspection. All notifications and reports shall be submitted to the following address:

South Dakota Department of Environment and Natural Resources
PMB 2020, Air Quality Program
523 E. Capitol, Joe Foss Building
Pierre, SD 57501-3182

5.2 Signatory requirements

In accordance with ARSD 74:36:05:12 and 74:36:05:16.01, all applications, reports, or other information submitted to the Secretary shall be signed and certified by a responsible official or a duly authorized representative. A responsible official for a corporation is a responsible corporate officer and for a partnership or sole proprietorship is a general partner or the proprietor, respectively. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Secretary; and
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager,

superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.

The duly authorized representative must be designated prior to or together with any reports or information to be signed by a duly authorized representative. The responsible official shall notify the Secretary if an authorization is no longer accurate.

5.3 Certification statement

In accordance with ARSD 74:36:05:16.01(14)(a), all documents required by this permit, including application forms, reports, and compliance certification, must be certified by a responsible official or a duly authorized representative. The certification shall include the following statement:

> "I certify that, based on information and belief formed after reasonable inquiry, the statements and information in this document and all attachments are true, accurate, and complete."

5.4 Monitoring log

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall maintain a monitoring log. The monitoring log shall contain the following information.

1. Maintenance schedule for each piece of control equipment listed in Table 1-1. At a minimum, the maintenance schedule shall meet the manufacturer's recommended schedule for maintenance. The following information shall be recorded for maintenance:
   a. Identify the unit;
   b. The date and time maintenance was performed;
   c. Description of the type of maintenance;
   d. Reason for performing maintenance; and
   e. Signature of person performing maintenance;
2. The following information shall be recorded for each visible emission reading required in permit condition 8.1 or 8.2:
   a. Identify the unit and if it operates on a monthly, quarterly, semiannual, or annual basis;
   b. The date and time the visible emission reading was performed;
   c. If visible emissions were observed;
   d. Description of maintenance performed to eliminate visible emissions;
   e. Visible emission evaluation if visible emissions are not eliminated; and
   f. Signature of person performing visible emission reading and/or visible emission evaluation;
3. The following information shall be recorded within two days of each emergency exceedance:
   a. The date of the emergency exceedance and the date the emergency exceedance was reported to the Secretary;
   b. The cause(s) of the emergency;
   c. The reasonable steps taken to minimize the emissions during the emergency; and

   d. A statement the permitted equipment was at the time being properly operated;
4. Documentation on the accuracy of the temperature monitoring device for the regenerative thermal oxidizer (Unit 10);
5. The temperature records for the regenerative thermal oxidizer and the following information pertaining to temperatures that deviate from the desired temperatures in permit condition 9.5:
   a. The date, time and duration the temperature fell below the desired temperature;
   b. The reason the temperature fell below the desired value; and
   c. The maintenance or procedures that were performed to bring the temperature back above the desired value;
6. The water flow and chemical additives rate for the wet scrubber associated with Unit #4 and the following information pertaining to water flow and/or chemical additives rate that deviate from the desired water flow and/or chemical additives rate identified in permit condition 9.6:
   a. The date, time and duration the water flow and/or chemical additives rate fell below the desired water flow and/or chemical additives rate;
   b. The reason the water flow and/or chemical additives rate fell below the desired value; and
   c. The maintenance or procedures that were performed to bring the water flow and/or chemical additives rate back above the desired value;
7. Document each incidence when the storage tank alarm warns the owner or operator that the liquid surface drops below the height of the support legs. The documentation shall include the following information:
   a. The tank involved;
   b. The date and time the storage tank alarm was activated; and
   c. The date and time it was deactivated.

   An activated storage tank alarm means the liquid surface drops below the height of the support legs in the tank. A deactivated storage tank alarm means the internal floating roof is in contact with the product being stored in the tank; and
8. A copy of the fuel supplier's certification as required in permit condition 9.4.
9. The percentage of ethanol in any E-85 loaded out of the facility.

5.5 Monthly records

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall calculate and record the following amounts each month:

1. The amount of particulate matter less than or equal to 10 microns in diameter (PM10), in tons, emitted into the ambient air from the permitted units during the month. A 12-month rolling total shall be calculated every month using that month's value and the previous 11 months' values. The amount of PM10 emitted to the ambient air from permitted units shall be calculated using the most recent performance test. If a performance test is not available, the amount of PM10 emitted to the ambient air from a permitted unit shall be based on the formulas, emission factors, and methods described in the statement of basis;
2. The amount of particulate matter less than or equal to 2.5 microns in diameter (PM2.5), in tons, emitted into the ambient air from the permitted units during the month. A 12-

month rolling total shall be calculated every month using that month's value and the previous 11 months' values. The amount of PM2.5 emitted to the ambient air from permitted units shall be calculated using the most recent performance test. If a performance test is not available, the amount of PM2.5 emitted to the ambient air from a permitted unit shall be based on the formulas, emission factors, and methods described in the statement of basis;

3. The amount of nitrogen oxide, in tons, emitted into the ambient air from the permitted units during the month. A 12-month rolling total shall be calculated every month using that month's value and the previous 11 months' values. The amount of nitrogen oxide emitted to the ambient air from permitted units shall be calculated using the continuous emission monitoring system(s) or the most recent performance test. If a continuous emission monitoring system or performance test is not available, the amount of nitrogen oxide emitted to the ambient air from a permitted unit shall be based on the formulas, emission factors, and methods described in the statement of basis;
4. The amount of carbon monoxide, in tons, emitted into the ambient air from the permitted units during the month. A 12-month rolling total shall be calculated every month using that month's value and the previous 11 months' values. The amount of carbon monoxide emitted to the ambient air from permitted units shall be calculated using the continuous emission monitoring system(s) or the most recent performance test. If a continuous emission monitoring system or performance test is not available, the amount of carbon monoxide emitted to the ambient air from a permitted unit shall be based on the formulas, emission factors, and methods described in the statement of basis;
5. The amount of volatile organic compounds, in tons, emitted into the ambient air from the permitted units and fugitive operations during the month. A 12-month rolling total shall be calculated every month using that month's value and the previous 11 months' values. The volatile organic compound emissions shall be based on the following:
   a. The amount of volatile organic compounds emitted to the ambient air from permitted units shall be calculated using the most recent performance test. If a performance test is not available, the amount of volatile organic compounds emitted to the ambient air from a permitted unit shall be based on the formulas, emission factors, and methods described in the statement of basis; and
   b. The fugitive emissions from leaking equipment such as valves, pumps, compressors, etc., shall be calculated by using the emission factors from Protocol for Equipment Leak Emissions Estimates, EPA-453/R-95-017 or another method approved by the Secretary. The amount of time a piece of equipment is considered leaking shall be the time between detecting the leak and the date the leak was fixed;
6. The amount of hazardous air pollutant, in tons, emitted into the ambient air from the permitted units and fugitive operations during the month. A 12-month rolling total shall be calculated every month using that month's value and the previous 11 months' values. The amount of hazardous air pollutants emitted to the ambient air from permitted units and fugitive operations shall be calculated using formulas, emission factors, and methods described in the statement of basis;
7. The number of gallons of undenatured ethanol produced from Unit #11 during the month and during the 12-month rolling period for that month; and

8. The amount of denatured ethanol and E-85, loaded out by truck and train, in gallons, during the month and during the 12-month rolling period for that month.

5.6 Quarterly reporting

In accordance with ARSD 74:36:06:16.01(9), the owner or operator shall submit a quarterly report to the Secretary by the end of each calendar quarter. The quarterly report shall contain the following information:

1. Name of facility, permit number, reference to this permit condition, identifying the submittal as a quarterly report, and calendar dates covered in the reporting period;
2. The quantity of particulate matter less than or equal to 10 microns in diameter, particulate matter 2.5 microns in diameter or less, nitrogen oxide, sulfur dioxide, volatile organic compounds, carbon monoxide, and hazardous air pollutants emitted, in tons, in each month and the 12-month rolling total for each month in the reporting period and supporting documentation;
3. The number of gallons of undenatured ethanol produced in each month and the 12-month rolling total for each month in the reporting period and supporting documentation;
4. The amount of grain processed, in tons, in each month and the 12-month rolling total for each month in the reporting period;
5. The amount of dried distiller grain and solubles produced, in tons, in each month and the 12-month rolling total for each month in the reporting period;
6. The following information pertaining to temperatures that deviate from the desired temperatures in permit condition 9.5:
   a. Identify the applicable unit;
   b. The date, time and duration the temperature fell below the desired temperature;
   c. The reason the temperature fell below the desired value; and
   d. The maintenance or procedures that were performed to bring the temperature back above the desired value;
7. The water flow and chemical additives rates for the wet scrubber associated with Unit #4 and the following information pertaining to water flow and/or chemical additives rates that deviate from the desired water flow and/or chemical additives rate in permit condition 9.6:
   a. The date, time and duration the water flow and/or chemical additives rate fell below the desired rate;
   b. The reason the water flow and/or chemical additives rate fell below the desired value; and
   c. The maintenance or procedures that were performed to bring the water flow and/or chemical additives rate back above the desired value.
8. The following information pertaining to each incidence when the storage tank alarm warns the owner or operator the liquid surface drops below the height of the support legs:
   a) The tank involved;
   b) The date and time that the storage tank alarm was activated; and
   c) The date and time it was deactivated.
9. Whether or not the amount of E-85 loaded out of the facility exceeds the 6.2 million gallon limit during any given 12 month rolling total.

10. Whether or not the ethanol content of the E-85 loaded out of the facility was not at a minimum 70 percent undenatured ethanol at any time.

The quarterly reports must be postmarked no later than 30 days after the end of the reporting period (i.e., April 30th, July 30th, October 30th, and January 30th).

5.7 Annual compliance certification

In accordance with ARSD 74:36:05:16.01(14), the owner or operator shall submit an annual compliance certification letter to the Secretary by March 1 of each year this permit is in effect (NOTE: The Secretary will forward a copy of the certification letter to EPA). The certification shall contain the following information:

1. Methods used to determine compliance, including: monitoring, recordkeeping, performance testing and reporting requirements;
2. The source is in compliance and will continue to demonstrate compliance with all applicable requirements;
3. In the event the source is in noncompliance, a compliance plan that indicates how the source has or will be brought into compliance; and
4. Certification statement required in permit condition 5.3.

5.8 Reporting permit violations

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall report all permit violations. A permit violation should be reported as soon as possible, but no later than the first business day following the day the violation was discovered. The permit violation may be reported by telephone to the South Dakota Department of Environment and Natural Resources at (605) 773-3151 or by FAX at (605) 773-4068.

A written report shall be submitted within five days of discovering the permit violation. Upon prior approval from the Secretary, the submittal deadline for the written report may be extended up to 30 days. The written report shall contain:

1. A description of the permit violation and its cause(s);
2. The duration of the permit violation, including exact dates and times; and
3. The steps taken or planned to reduce, eliminate, and prevent reoccurrence of the permit violation.

6.0 Control of Regulated Air Pollutants

6.1 Visibility limit

In accordance with ARSD 74:36:12:01, the owner or operator may not discharge into the ambient air an air contaminant of a density equal to or greater than that designated as 20 percent opacity from any permitted unit, operation, or process listed in Table 1-1, unless otherwise specified in this permit. The state visibility limit is not applicable to Unit #18 through #22. This

provision does not apply when the presence of uncombined water is the only reason for failure to meet the requirement.

6.2 Visibility exceedances

In accordance with ARSD 74:36:12:02, an exceedance of the opacity limit in permit condition 6.1 is not considered a violation during brief periods of soot blowing, start-up, shutdown, or malfunctions. Malfunction means any sudden and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. A failure caused entirely or in part by poor maintenance, careless operation, preventable equipment breakdown, or any other cause within the control of the owner or operator is not a malfunction and is considered a violation.

6.3 Total suspended particulate matter limits

In accordance with ARSD 74:36:06:02(1) and/or ARSD 74:36:06:03(1), the owner or operator shall not allow the emission of total suspended particulate matter in excess of the emission limit specified in Table 6-1 for the appropriate permitted unit, operation, and process.

Table 6-1 – Total Suspended Particulate Matter Emission Limit

Unit	Description	Emission Limit
#2	Grain cleaning	54.7 pounds per hour
#3	Grain milling	32.5 pounds per hour
#4	Grain milling	32.5 pounds per hour
#5	Grain milling	32.5 pounds per hour
#6	Flour conveyor	48.2 pounds per hour
#7	Fluid bed cooler	33.5 pounds per hour
#8 [1]	DDGS storage silo	33.5 pounds per hour
#9 [1]	DDGS storage silo bypass	33.5 pounds per hour
#10	Dryer/RTO	33.5 pounds per hour
#13	Boiler #1	0.4 pounds per million Btus heat input
#16	Grain milling	33.5 pounds per hour
#17	Emergency generator	0.6 pounds per million Btus heat input
#23	Boiler #2	0.4 pounds per million Btus heat input

[1] – "DDGS" means dried distiller grain and solubles.

6.4 Sulfur dioxide limits

In accordance with ARSD 74:36:06:02(2) and/or ARSD 74:36:06:03(2), the owner or operator shall not allow the emission of sulfur dioxide in excess of the emission limit specified in Table 6-2 for the appropriate permitted unit, operations, and process.

Table 6-2 – Sulfur Dioxide Emission Limit

Unit	Description	Emission Limit
#10	Dryer/RTO	3.0 pounds per million Btu heat input
#13	Boiler #1	3.0 pounds per million Btu heat input
#17	Emergency generator	3.0 pounds per million Btu heat input

Unit	Description	Emission Limit
#23	Boiler #2	3.0 pounds per million Btu heat input

Compliance with the sulfur dioxide emission limit is based on a three-hour rolling average, which is the arithmetic average of three contiguous one-hour periods.

6.5 Air emission exceedances – emergency conditions

In accordance with ARSD 74:36:05:16.01(18), the Secretary will allow for an unavoidable emission exceedance of a technology-based emission limit if the exceedance is caused by an emergency condition and immediate action is taken by the owner or operator to restore the operations back to normal. An emergency condition is a situation arising from a sudden and reasonably unforeseeable event beyond the control of the owner or operator, including acts of God. An emergency shall not include an emission exceedance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error. The owner or operator shall notify the Secretary within two working days of the incident and take all steps possible to eliminate the excess emissions. The notification must provide a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. If the notification is submitted orally, a written report summarizing the information required by the notification shall be submitted and postmarked within 30 days of the oral notification

6.6 Circumvention not allowed

In accordance with ARSD 74:36:08:03, as referenced to 40 CFR § 63.4(b), no owner or operator shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to the use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere.

6.7 Minimizing emissions

In accordance with ARSD 74:36:08:03, as referenced to 40 CFR § 63.6(e)(1)(i), the owner or operator shall at all times, including periods of startup, shutdown, and malfunction, operate and maintain any permitted unit, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires the owner or operator to reduce emissions from the permitted unit to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Secretary which may include, but is not limited to, monitoring results, review of operation and maintenance

procedures (including a startup, shutdown, and malfunction plan, if required), review of operation and maintenance records, and inspection of the operation.

7.0 PSD AND Case-by-Case MACT Exemption

7.1 Plant wide limits

In accordance with ARSD 74:36:05:16.01(8), the owner or operator shall not emit into the ambient air greater than or equal to 238 tons per 12-month rolling period of any of the following pollutants:

1. Particulate matter less than or equal to 10 microns in diameter (PM10);
2. Particulate matter less than or equal to 2.5 microns in diameter (PM2.5);
3. Nitrogen Oxide (NOx);
4. Carbon Monoxide (CO);
5. Volatile Organic Compounds (VOCs); and
6. Sulfur Dioxide (SO_2)

In order to ensure compliance, Table 7-1 contains short term limits that will ensure the limit will not be exceed the 238 tons limit in any given 12 month period.

Table 7-1 Short Term Emission Limits

Unit	Description	PM10 (lbs/hr)	PM2.5 (lbs/hr)	NOx (lbs/hr)	VOC (lbs/hr)	CO (lbs/hr)
#1	Grain receiving	1.0	1.0			
#2	Grain cleaning	0.1	0.1			
#3	Hammer mill #1	0.4	0.4			
#4	Hammer mill #2	0.4	0.4			
#5	Hammer mill #3	0.4	0.4			
#6	Flour elevator	0.2	0.2			
#7	DDGS cooling system	1.5	1.5		6.0	
#8	DDGS storage silo	0.2	0.2			
#9	DDGS storage silo bypass	0.2	0.2			
#10	Regenerative thermal oxidizer	7.0	7.0	13.0	7.0	13.0
#11	Fermenter				17.5	
#13	Boiler #1	0.8	0.8	4.0	0.5	4.0
#16	Hammer mill #4	0.4	0.4			
#17	Emergency generator	0.9	0.9	32.2	0.9	7.4
#23	Boiler #2	0.8	0.8	4.0	0.5	4.0

7.2 Plant wide hazardous air pollutant limits

In accordance with ARSD 74:36:05:16.01(8), the owner or operator shall not emit greater than or equal to 9.5 tons of a single hazardous air pollutant or 23.8 tons of a combination of hazardous air pollutants from permitted units and fugitive sources per 12-month rolling period.

7.3 Plant wide undenatured ethanol production limit

In accordance with ARSD 74:36:05:16.01(8), the owner or operator shall not produce more than 62 million gallons of undenatured ethanol per 12-month rolling period.

7.4 Operational limit on ethanol used for E-85 production

In accordance with ARSD 74:36:05:16.01(8), the owner or operator shall not use more than 6.2 million gallons of undenatured ethanol for E-85 fuel production per 12-month rolling period.

7.5 E-85 compositional requirement

In accordance with ARSD 74:36:05:16.01(8), the owner or operator shall not produce E-85 unless it is at a minimum 70 percent ethanol by volume.

7.6 Prevention of significant deterioration review exemption

The owner or operator is exempt from a prevention of significant deterioration review for particulate matter less than or equal to 10 microns in diameter, particulate matter less than or equal to 2.5 microns in diameter, nitrogen oxide, volatile organic compounds, and carbon monoxide. Any relaxation in a permit condition that increases applicable emissions equal to or greater than 238 tons per 12-month rolling period may require a full prevention of significant deterioration review as though construction had not commenced on the source.

7.7 Case-by-Case exemption

The owner or operator is exempt from a Case-by-Case determination for hazardous air pollutants. Any relaxation in a permit condition that increases the hazardous air pollutant emissions equal to or greater than 9.5 tons per 12-month rolling period for a single hazardous air pollutant or 23.8 tons per 12-month rolling period for any combination of hazardous air pollutants may require a Case-by-Case MACT determination as though construction had not commenced on the source.

8.0 Performance Tests

8.1 Performance test may be required

In accordance with ARSD 74:36:11:02, the Secretary may request a performance test during the term of this permit. A performance test shall be conducted while operating the unit at or greater than 90 percent of its maximum design capacity, unless otherwise specified by the Secretary. A performance test conducted while operating less than 90 percent of its maximum design capacity will result in the operation being limited to the percent achieved during the performance test. The Secretary has the discretion to extend the deadline for completion of performance test required by the Secretary if circumstances reasonably warrant but will not extend the deadline past a federally required performance test deadline.

8.2 Test methods and procedures

In accordance with ARSD 74:36:11:01, the owner or operator shall conduct the performance test in accordance with 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M. The Secretary may approve an alternative method if a performance test

specified in 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M is not federally applicable or federally required.

8.3 Representative performance test

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.8(c), performance tests shall be conducted under such conditions as the Secretary shall specify to the owner or operator based on the representative performance of the unit being tested. The owner or operator shall make available to the Secretary such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in this permit.

8.4 Submittal of test plan

In accordance with ARSD 74:36:11:01, the owner or operator shall submit the proposed testing procedures to the Secretary at least 30 days prior to any performance test. The Secretary will notify the owner or operator if the proposed test procedures are approved or denied. If the proposed test procedures are denied, the Secretary will provide written notification outlining what needs to be completed for approval.

8.5 Notification of test

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.8(d), the owner or operator shall notify the Secretary at least 30 days prior to the start of a performance test to afford the Secretary the opportunity to have an observer present. If there is a delay in conducting the scheduled performance test, the owner or operator shall notify the Secretary as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Secretary by mutual agreement.

8.6 Performance test report

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall submit a performance test report to the Secretary within 60 days after completing the performance test or by a date designated by the Secretary. The performance test report shall contain the following information:

1. A brief description of the process and the air pollution control system being tested;
2. Sampling location description(s);
3. A description of sampling and analytical procedures and any modifications to standard procedures;
4. Test results represented in the same terminology as the permit limits;
5. Quality assurance procedures and results;
6. Records of operating conditions during the test necessary for demonstrating compliance with the permit limits, preparation of standards, and calibration procedures;
7. Raw data sheets for field sampling and field and laboratory analyses;
8. Documentation of calculations;

9. All data recorded and used to establish parameters for compliance monitoring; and
10. Any other information required by the test method.

8.7 Performance test methods for volatile organic compounds

In accordance with ARSD 74:36:07:01, the owner or operator shall conduct any performance tests required to determine volatile organic compound mass emission rates in accordance with 40 CFR Part 51, Appendix M; Method 207 and 40 CFR Part 60, Appendix A; Method 18. 2,3-Butanediol will be sampled through the chromatography column approximately 2.5 times faster than the maximum allowable sampling rate for the other volatile organic compounds in the sampling program (e.g. acetaldehyde, acrolein, and ethyl acetate) or analyzed in accordance with some other method approved in advance by EPA. This requirement applies only if the Method 207 results indicate that 2,3-Butanediol should be sampled as part of the Method 18 testing. When summing analytes per Method 18, non-detect data will be included in the total volatile organic compound mass as one half of the compound method detection limit; except that, if all three performance test runs result in a non-detect measurement and the method detection limit is less than or equal to 1.0 part per million by volume on a dry basis, then all such non-detect data will be treated as zero mass.

8.8 Performance test to verify compliance

In accordance with ARSD 74:36:11:02, the owner or operator shall conduct a stack performance test on the following units for the specified air pollutant:

1. Unit #10 and #13 for nitrogen oxides;
2. Unit #10 and #13 for carbon monoxide;
3. Unit #7, #10, and #11 for volatile organic compounds; and
4. Unit #7, #10, and #11 for hazardous air pollutants.

The stack performance tests shall be conducted within six months of the issuance of this permit. The water flow rate and any additives shall be monitored during the volatile organic compound and hazardous air pollutant tests, respectively, on Unit #11 to establish operational limits specified in permit condition 9.6. The temperature of the regenerative thermal oxidizer for Unit #10 shall be monitored during the volatile organic compound test to establish the operational limits specified in permit condition 9.5.

9.0 Monitoring

9.1 Periodic opacity monitoring for units operating on a monthly or more frequent basis

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall demonstrate compliance with the opacity limits in Chapter 6.0 on a periodic basis for the units identified in the monthly log required in permit condition 5.5 that operate on a monthly or more frequent basis. Periodic monitoring for units that operate on a monthly or more frequent basis shall be based on the following steps:

Step 1: Periodic monitoring shall consist of a visible emission reading. A visible emission reading shall consist of a visual survey of each unit over a two-minute period to identify if there are visible emissions. The visible emission reading must be conducted while the unit is in operation; but not during periods of startup, shutdown, or malfunctions. Visible emission readings shall be based on the following frequency:

a. The owner or operator shall conduct a visible emission reading once per calendar month;
b. If no visible emissions are observed from a unit in six consecutive monthly visible emission readings, the owner or operator may decrease the frequency of readings from monthly to semiannually for that unit; or
c. If no visible emissions are observed from a unit in two consecutive semiannual visible emission readings, the owner or operator may decrease the frequency of testing of readings from semiannually to annually for that unit.

Step 2: If visible emissions are observed from a unit at any time other than periods of startup, shutdown, or malfunction, periodic monitoring shall consist of a visible emission test to determine if the unit is in compliance with the opacity limit specified in Chapter 6.0. The visible emission test shall be for at least six minutes and conducted in accordance with 40 CFR Part 60, Appendix A, Method 9. The visible emission test must be conducted while the unit is in operation; but not during periods of startup, shutdown, or malfunctions. Visible emission tests shall be based on the following frequency:

a. The visible emission test must be conducted within one hour of witnessing a visible emission from a unit;
b. If the visible emission test required in Step 2(a) results in an opacity value less than or equal to 50 percent of the opacity limit for the unit, the owner or operator shall perform a visible emission test once per month;
c. If the opacity value of a visible emission test in Step 2(b) is less than five percent for three straight monthly tests, the owner or operator may revert back to monthly visible emission readings as required in Step 1;
d. If the visible emission test required in Step 2(a) results in an opacity value greater than 50 percent of the opacity limit but less than the opacity limit, the owner or operator shall perform a visible emission test once per week; or
e. If the visible emission test in Step 2(d) results in an opacity value less than or equal to 50 percent of the opacity limit for four straight weekly readings, the owner or operator may revert back to a monthly visible emission test as required in Step 2(b).

The person conducting the visible emission reading does not have to be certified in accordance with 40 CFR Part 60, Appendix A, Method 9. The person conducting the visible emission test must be certified in accordance with 40 CFR Part 60, Appendix A, Method 9. If a visible emission test is required before a person is certified in accordance with permit condition 8.3, the owner or operator shall notify the Secretary within 24 hours of observing the visible emissions to schedule a visible emission test performed by a state inspector.

9.2 Monitoring opacity limits for units operating periodically

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall demonstrate compliance with the opacity limits in Chapter 6.0 for the units identified in the monthly log required in permit condition 5.5 that operate on a quarterly, semiannual, or annual basis. Periodic monitoring shall be based on the following steps:

Step 1: For units that operate on a quarterly basis, monitoring shall consist of the following:

a. Monitoring shall consist of a visible emission reading once per quarter. A visible emission reading shall consist of a visual survey of the unit over a two-minute period to identify if there are visible emissions. The visible emission reading must be conducted while the unit is in operation; but not during periods of startup, shutdown, or malfunctions; or
b. If visible emissions are observed from a unit at any time other than periods of startup, shutdown, or malfunction, the owner or operator shall conduct a visible emission test on that unit to determine if the unit is in compliance with the opacity limit specified in Chapter 6.0. The visible emission test must be conducted within one hour of witnessing a visible emission from the unit. The visible emission test shall be for at least six minutes and conducted in accordance with 40 CFR Part 60, Appendix A, Method 9. The visible emission test must be conducted while the unit is in operation; but not during periods of startup, shutdown, or malfunctions.

Step 2: For units that operate on a semiannual or annual basis, monitoring shall consist of the following:

a. Monitoring shall consist of a visible emission reading once per year. A visible emission reading shall consist of a visual survey of the unit over a two-minute period to identify if there are visible emissions. The visible emission reading must be conducted while the unit is in operation; but not during periods of startup, shutdown, or malfunctions;
b. If visible emissions are observed from a unit at any time other than periods of startup, shutdown, or malfunction, the owner or operator shall conduct a visible emission test on that unit to determine if the unit is in compliance with the opacity limit specified in Chapter 6.0. The visible emission test must be conducted within one hour of witnessing a visible emission from the unit. The visible emission test shall be for at least six minutes and conducted in accordance with 40 CFR Part 60, Appendix A, Method 9. The visible emission test must be conducted while the unit is in operation; but not during periods of startup, shutdown, or malfunctions.

The person conducting the visible emission reading does not have to be certified in accordance with 40 CFR Part 60, Appendix A, Method 9. The person conducting the visible emission test must be certified in accordance with 40 CFR Part 60, Appendix A, Method 9. If a visible emission test is required before a person is certified in accordance with permit condition 8.3, the owner or operator shall notify the Secretary within 24 hours of observing the visible emissions to schedule a visible emission test performed by a state inspector.

9.3 Certified personnel – visible emission tests

In accordance with ARSD 74:36:13:07, the owner or operator shall retain a person that is certified to perform a visible emission test in accordance with 40 CFR Part 60, Appendix A, Method 9 throughout the term of this permit.

9.4 Monitoring sulfur content of distillate oil

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall obtain a fuel supplier certification for each load of distillate oil (diesel) purchased or received. The fuel supplier certification shall include the following information:

1. The name of the oil supplier;
2. A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil (diesel). Distillate oil (diesel) means fuel oil that complies with the specifications for fuel oil numbers 1 or 2. Residual oil means crude oil and is fuel oil that does not comply with the specifications under the definition of distillate oil and includes all fuel oil numbers 4, 5, and 6. Specifications for fuel oils are defined in the American Society for Testing and Materials in ASTM D396-78, "Standards Specifications for Fuel Oils"; and
3. A statement that the sulfur content of the oil does not exceed 0.5 weight percent sulfur.

In the case where a fuel supplier certification is not obtained, the owner or operator shall collect a grab sample from the storage tank within 30 days of receiving the shipment of distillate oil (diesel) but before another load is transferred into the storage tank. The grab sample shall be analyzed to determine the sulfur content of the distillate oil (diesel) in the storage tank. A copy of the results of the analysis shall be submitted with the quarterly report required in permit condition 5.6.

9.5 Monitoring temperature for Unit #10

In accordance with ARSD 74:36:05:16.01(9) and ARSD 74:36:13:08, as referenced to 40 CFR Part 64, the owner or operator shall install, calibrate, maintain, and operate a monitoring device which continuously measures and records the temperature of exhaust gases exiting the regenerative thermal oxidizer associated with Unit #10. The monitor shall record the temperature at a minimum of one-minute increments. The monitoring device shall have an accuracy greater of plus or minus 0.75 percent of the temperature being measured expressed in degrees Celsius or plus or minus 2.5 degrees Celsius. If the temperature falls below the desired temperature for the regenerative thermal oxidizer, the owner or operator must record the incident in the monitoring log required in permit condition 5.4.

The owner or operator shall maintain the temperature of the regenerative thermal oxidizer as follows:

1. The three hour average exhaust gas temperature exiting the regenerative thermal oxidizer combustion chamber shall be maintained equal to or greater than the average chamber temperature achieved during the most recent performance test that demonstrated compliance with the appropriate emission limits; and

2. If the temperature of the regenerative thermal oxidizer falls below the desired temperature by more than 25 degrees Fahrenheit for more than one three-hour period, the owner or operator shall perform the following steps:
    a. The owner or operator will only operate Unit #10 with the regenerative thermal oxidizer at or above the average temperature achieved during the most recent performance test that demonstrated compliance with the appropriate emission limits; and
    b. Conduct a performance test on the gases exiting the regenerative thermal oxidizer to determine compliance with the appropriate emission limits at the lower temperature. The performance test shall be conducted within 60 days after the date the temperature dropped below the desired temperature by more than 25 degrees Fahrenheit for more than one three-hour period.

If the performance test demonstrates compliance at the lower temperature, the regenerative thermal oxidizer shall be maintained equal to or greater than the average temperature achieved during the performance test.

9.6 Monitoring water flow and chemical additive rates for Unit #11

In accordance with ARSD 74:36:05:16.01(9) and ARSD 74:36:13:08, as referenced to 40 CFR Part 64, the owner or operator shall continuously monitor and record the water flow and chemical additives rate for the wet scrubber associated with Unit #11. The monitor shall record the water flow and chemical additives rate at a minimum of 15-minute increments. If the water flow and/or chemical additives rate fall below the desired flow rate for the wet scrubber, the owner or operator must record the incident in the monitoring log required in permit condition 5.4.

The owner or operator shall maintain the water flow and/or chemical additives rate of the wet scrubber associated with Unit #11 as follows:

1. The water flow and/or chemical additives rate shall be maintained equal to or greater than the three-hour average water flow and/or chemical additives rate achieved during the most recent performance test that demonstrated compliance with the appropriate emission limits; and
2. If the water flow and/or chemical additives rate falls below the desired flow rate by more than 10 percent in any three consecutive one hour periods, the owner or operator shall perform the following steps:
    a. The owner or operator will only operate the wet scrubber at or above the average water flow and/or chemical additives rate achieved during the most recent performance test that demonstrated compliance with the appropriate emission limits; and
    b. Conduct a performance test on the wet scrubber to determine compliance with the appropriate emission limits at the lower water flow and/or chemical additives rate. The performance test shall be conducted within 60 days after the date the flow rate dropped below the desired flow rate by more than 10 percent in any three consecutive one hour periods.

If the performance test demonstrates compliance at the lower water flow and/or chemical additives rate, the water flow and/or chemical additives rate shall be maintained equal to or greater than the average water flow and/or chemical additives rate achieved during that performance test.

10.0 Grain Elevator NSPS Requirements

10.1 Particulate limit for grain elevator operations

In accordance with 74:36:07:17, as referenced to 40 CFR § 60.302(b)(1), the owner or operator shall not cause to be discharged into the ambient air from Unit #1 the emissions of total suspended particulate matter in excess of 0.01 grains per dry standard cubic foot.

10.2 Visibility limit for grain elevator operations

In accordance with ARSD 74:36:07:17, as referenced to 40 CFR §§ 60.11(c) and 60.302(b)(2), the owner or operator may not discharge into the ambient air an air contaminant of a density greater than that designated as 0 percent opacity from Unit #1. The opacity limit shall apply at all times except during periods of startup, shutdown, and malfunctions.

10.3 Test methods and procedures for particulate limit

In accordance with ARSD 74:36:07:17, as referenced to 40 CFR § 60.303(b)(1) and (2) and (c), the owner or operator shall determine compliance with permit condition 10.1 as follows:

1. 40 CFR Part 60, Appendix A, Method 5 shall be used to determine the particulate matter concentration and volumetric flow rate of the effluent gas. The sampling time and sampling volume for each run shall be at least 60 minutes and 1.70 dry standard cubic meters (60 dry standard cubic feet), respectively. The probe and filter holder shall be operated without heaters;
2. 40 CFR Part 60, Appendix A, Method 2 shall be sued to determine the ventilation volumetric flow rate; and
3. The owner or operator may use 40 CFR Part 60, Appendix A, Method 17 instead of Method 5.

10.4 Test methods and procedures for visibility limit

In accordance with ARSD 74:36:07:17, as referenced to 40 CFR § 60.303(b)(3), the owner or operator shall determine compliance with permit condition 10.2 using 40 CFR Part 60, Appendix A, Method 9. The minimum total time of observations for the opacity performance test shall be 3 hours (30 6-minute averages).

11.0 Storage Tank Requirements

11.1 Internal floating roof specifications for tanks

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.112b(a)(1), the owner or operator shall install and maintain a fixed roof with an internal floating roof on Tank #1, #2, #3, #4, and #6. The internal floating roof shall meet the following specifications:

1. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside the storage vessel. The internal floating roof shall be floating on the liquid surface at all times except during initial fill and when the tank is completely emptied and subsequently refilled. The process of emptying and refilling when the cover is resting on the leg supports shall be continuous and accomplished as rapidly as possible;
2. The internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:
   a. A liquid mounted seal. A liquid mounted seal means a foam or liquid filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank;
   b. A double-seal system. A double-seal system is two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor mounted, but both seals must be continuous; or
   c. A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof;
3. Each opening in a non-contact internal floating roof, except for automatic bleeder vents and the rim space vents, is to provide a projection below the liquid surface;
4. Each opening in the internal floating roof, except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains, is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when in use;
5. Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the leg supports. Rim vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting;
6. Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening;
7. Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover; and

8. Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

11.2 Tank dimension records

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.116b(a) and (b), the owner or operator shall maintain records showing the dimension and an analysis showing the capacity of Tank #1, #2, #3, #4, and #6. These records must be maintained for the life of the tank.

11.3 Record of products stored in tanks

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.116b(a) and (c), the owner or operator shall maintain a record of the volatile organic liquid stored, the period of storage, and the maximum true vapor pressure of the liquid during the respective storage period for Tank #1, #2, #3, #4, and #6. These records must be maintained for at least two years from the date of such record.

11.4 Tank inspection record

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR §§ 60.115b(a)(2) and 60.116b(a), the owner or operator shall maintain records of each inspection performed as required by permit condition 11.7 and 11.8. Each record shall identify the tank on which the inspection was performed and shall contain the date the tank was inspected, and the observed condition of the seals, internal floating roof, and fittings. Each record must be maintained for at least two years from the date of such record.

11.5 Notification of visual tank inspections

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.113b(a)(5), the owner or operator shall notify the Secretary 30 days prior to conducting a visual inspection or periodic tank inspection of Tank #1, #2, #3, #4, and #6 as required in permit condition 11.7 and 11.8. If the visual inspection was not planned and the owner or operator could not have known about the inspection 30 days in advance, the owner or operator shall notify the Secretary at least seven days prior to conducting the inspection. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned.

11.6 Tank defect report

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR §§ 60.115b(a)(3) and (4) and 60.116b(a), if any defects described in permit condition 11.7 and 11.8 are detected during an inspection, a report shall be submitted to the Secretary within 30-days of the inspection. Each report shall identify the storage vessel, the nature of each defect, the date the storage vessel was emptied (if applicable), the date each defect was repaired, and a list of each repair made. A copy of this report must be maintained for at least two years.

11.7 Visual inspection prior to filling

In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.113b(a)(1), the owner or operator shall visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service) prior to filling Tank #1, #2, #3, #4, and #6 with volatile organic liquid. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric

or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

11.8 Periodic tank inspections

In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.113b(a)(2) through (4), the owner or operator shall visually inspect Tank #1, #2, #3, #4, and #6 on a periodic basis as specified below:

1. If the storage vessel is equipped with a liquid mounted primary seal, mechanical shoe primary seal, or double seal system, visually inspect the internal floating roof and the primary seal or secondary seal (if one is in service) at least once every 12 months after the initial fill. The visual inspection may be conducted through manholes and roof hatches on the fixed roof. A failure occurs if the internal roof is not resting on the surface of the volatile organic liquid inside the storage vessel, there is liquid accumulated on the roof, the seal is detached, or there are holes or tears in the seal fabric. The owner or operator shall either repair the internal floating roof and/or the primary seal or secondary seal or empty or remove the storage vessel from service within 45 days of discovering a failure. The owner or operator may request a 30-day extension if the tank cannot be repaired or emptied within 45 days of discovering a failure. The written request for the 30-day extension shall be included with the report required in permit condition 11.6. The Secretary will grant a 30-day extension if the extension request documents that alternate storage capacity is unavailable and specifies a schedule of actions the owner or operator will take that will assure that the equipment will be repaired or the vessel will be emptied as soon as possible; and
2. The owner or operator shall visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If a double seal system is installed, this type of visual inspection shall occur at intervals no greater than five years. A visual inspection of other seal systems shall occur at intervals no greater than 10 years. The owner or operator shall repair internal floating roof defects, holes, tears, or other openings in the primary or secondary seal or the seal fabric, gaskets that no longer close off the liquid surfaces from the atmosphere, or slotted membrane with more than 10 percent open area before refilling the storage vessel with volatile organic liquids.

11.9 Storage tank alarm

In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall install, operate, and maintain an alarm system on Tank #1, #2, #3, #4, and #6 ~~#5~~ that warns the owner or operator when the liquid surface drops below the height of the support legs.

12.0 Boiler NSPS Requirements

12.1 Changing boiler fuel

In accordance with ARSD 74:36:07:05, as referenced to 40 CFR § 60.40c, Unit #13 and #23 shall be fired with natural gas. If Unit #13 and #23 is fueled with other fuels such as coal, oil, or wood, additional standards and requirements in 40 CFR Part 60, Subpart Dc may apply. The owner or operator shall apply for and obtain approval from the Secretary before other fuels can be used as a fuel in Unit #13 and #23.

13.0 Synthetic Organic Chemical Manufacturing Requirements

13.1 Addition or replacement of equipment

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.480a(c), the addition or replacement of equipment subject to 40 CFR Part 60 Subpart VVa for the purpose of process improvement which is accomplished without a capital expenditure shall not by itself be considered a modification.

A. PUMPS IN LIGHT LIQUID SERVICE

13.2 Monitoring pumps in light liquid service

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-2a(a), (b) and (c), each pump in light liquid service shall be monitored according to the following:

1. A visual inspection shall occur each calendar week for indications of liquids dripping from the pump seal. A leak is detected if there is an indication of liquids dripping from the pump seal. If there are indications of liquids dripping from the pump seal, the owner or operator shall meet the following requirements:
   a. Monitor the pump within five days as specified in permit condition 13.39. If an instrument reading of 2,000 parts per million or greater is measured; a leak is detected; or
   b. Designate the visual indications of liquids dripping as a leak and repair the leak within 15 days of detection by eliminating the visual indications of liquids dripping;
2. An inspection shall occur monthly to detect leaks by the method specified in permit condition 13.39. A pump that begins operation in light liquid service after the issuance of this permit must be monitored for the first time within 30 days of operating in light liquid service, except for a pump that replaces a leaking pump. A leak is detected if an instrument reading of 2,000 parts per million or greater is measured.

"In light liquid service" means the piece of equipment contains a liquid that meets the conditions specified in permit condition 13.42.

When a leak is detected, the first attempt at repairing a leak shall be made no later than five calendar days after each leak is detected. First attempts at repair include, but are not limited to

tightening the packing gland nuts and ensuring the seal flush is operating at design pressure and temperature where practicable. A leak shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in permit condition 13.27.

The owner or operator shall comply with this permit condition, except as provided in permit condition 13.3, 13.4, 13.5, 13.6, and 13.34.

13.3 Exemption for pumps equipped with a dual mechanical seal system

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-2a(d), each pump in light liquid service equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from permit condition 13.2 provided the following requirements are met:

1. Each dual mechanical seal system is:
   a. Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure;
   b. Equipped with a barrier fluid degassing reservoir that is connected by a closed vent system to a control device that complies with the requirements of permit condition 13.28 through 13.33, inclusive; or
   c. Equipped with a system that purges the barrier fluid into a process stream with zero volatile organic compound emissions to the atmosphere;
2. The barrier fluid system is in heavy liquid service or is not in volatile organic compound service;
3. Each barrier fluid system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both.
4. Each pump is checked by visual inspection, each calendar week, for indications of liquids dripping from the pump seals. If there are indications of liquids dripping from the pump seal, the owner or operator shall follow the procedures specified below prior to the next required inspection:
   a. Monitor the pump within five days as specified in permit condition 13.39 to determine if there is a leak of volatile organic compounds in the barrier fluid. If an instrument reading of 2,000 parts per million or greater is measured, a leak is detected. If a leak is detected, the first attempt at repairing a leak shall be made no later than five calendar days after detecting a leak. First attempts at repair include, but are not limited to tightening the packing gland nuts and ensuring the seal flush is operating at design pressure and temperature where practicable. The leak shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in permit condition 13.27; or
   b. Designate the visual indications of liquids dripping as a leak. If the owner or operator designates a leak, the leak shall be repaired with 15 days of detection by eliminating visual indications of liquids dripping; and
5. The owner or operator determines, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both. Each sensor described in subsection (3) of this permit condition shall be checked daily or equipped with an audible alarm. If a leak is detected, the owner or operator shall eliminate the conditions that activated the sensor within 15 days of detection.

13.4 Exemptions for pumps with no detectable emissions

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-2a(e), any pump in light liquid service that is designated by permit condition 13.50 for no detectable emissions, as indicated by an instrument reading of less than 500 parts per million above background, is exempt from permit condition 13.2 and 13.3 if the pump:

1. Has no externally actuated shaft penetrating the pump housing;
2. Is demonstrated to be operating with no detectable emissions as indicated by an instrument reading of less than 500 parts per million above background as measured by the methods specified in permit condition 13.40; and
3. Is tested for compliance with subsection (2) of this permit condition initially upon designation, annually, and at other times requested by the Secretary.

13.5 Exemption for pumps with a closed vent system

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-2a(f), any pump in light liquid service equipped with a closed vent system capable of capturing and transporting any leakage from the seal or seals to a process, fuel gas system, or control device that complies with the requirements in permit condition 13.28 through 13.33, inclusive, is exempt from permit condition 13.2, 13.3, and 13.4.

13.6 Exemption for pumps designated unsafe-to-monitor

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-2a(g), any pump in light liquid service that is designated, as described in permit condition 13.51 as an unsafe-to-monitor pump is exempt from the monitoring and inspection requirements in permit condition 13.2 and 13.3 if:

1. The owner or operator of the pump demonstrates the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with permit condition 13.2; and
2. The owner or operator of the pump has a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times but not more frequently than the periodic monitoring schedule otherwise applicable. When a leak is detected, the first attempt at repairing the leak shall be made no later than five calendar days after the leak is detected. First attempts at repair include, but are not limited to tightening the packing land nuts and ensuring the seal flush is operating at design pressure and temperature where practicable. A leak shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in permit condition 13.27.

B. COMPRESSORS

13.7 Compressor seal system

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-3a(a) through (g), inclusive, each compressor shall be equipped with a seal system that includes a barrier fluid system

and prevents leakage of volatile organic compounds to the atmosphere. Each compressor seal system and barrier fluid system shall meet the following requirements:

1. Each compressor seal system shall be:
   a. Operated with the barrier fluid at a pressure that is greater than the compressor stuffing box pressure;
   b. Equipped with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements in permit condition 13.28 through 13.33, inclusive; or
   c. Equipped with a system that purges the barrier fluid into a process stream with zero volatile organic compound emissions to the atmosphere;
2. The barrier fluid system shall be in heavy liquid service or shall not be in volatile organic compound service;
3. The barrier fluid system shall be equipped with a sensor that will detect failure of the seal system, barrier fluid system, or both;
4. Each sensor shall be checked daily or shall be equipped with an audible alarm;
5. The owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both;
6. A leak is detected if the sensor indicates failure of the seal system, the barrier system, or both based on the criterion determined in subsection (5) of this permit condition;
7. When a leak is detected, a first attempt at repairing a leak shall be made no later than five calendar days after each leak is detected. A leak shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in permit condition 13.27.

The owner or operator shall comply with this permit condition, except as provided in permit condition 13.8, 13.9, and 13.34.

13.8 Exemption for compressors equipped with a closed vent system

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-3a(h), a compressor equipped with a closed vent system capable of capturing and transporting leakage from the compressor drive shaft back to a process, fuel gas system, or control device that complies with the requirements in permit condition 13.28 through 13.33, inclusive, except as provided in permit condition 13.9, is exempt from permit condition 13.7.

13.9 Exemption for compressors with no detectable emissions

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-3a(i), a compressor that is designated, as described by permit condition 13.50 for no detectable emissions is exempt from permit condition 13.7 and 13.8 if the compressor:

1. Is demonstrated to be operating with no detectable emissions, as indicated by an instrument reading of less than 500 parts per million above background, as measured by the methods specified in permit condition 13.40; and

2. Is tested for compliance with subsection (1) of this permit condition initially upon designation, annually, and at other times requested by the Secretary.

C. PRESSURE RELIEF DEVICE IN GAS/VAPOR SERVICE

13.10 No detectable emissions from a pressure relief device in gas/vapor service

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-4a(a) and (b), except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 parts per million above background, as determined by the methods specified in permit condition 13.40. "In gas/vapor service" means the piece of equipment contains process fluid that is in the gaseous state at operating conditions.

No later than five calendar days after each pressure release, except as provided in permit condition 13.27, the pressure relief device shall be returned to a condition of no detectable emissions and monitored to confirm the condition of no detectable emissions.

The owner or operator shall comply with this permit condition, except as provided in permit condition 13.11 and 13.12.

13.11 Exemption for pressure relief device equipped with closed vent system

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-4a(c), any pressure relief device that is routed to a process or fuel gas system or equipped with a closed vent system capable of capturing and transporting leakage through the pressure relief device to a control device is exempt from permit condition 13.10. The control device must comply with the requirements of permit condition 13.28 through 13.33, inclusive.

13.12 Exemption for pressure relief device equipped with rupture disk

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-4a(d), any pressure relief device equipped with a rupture disk upstream of the pressure relief device is exempt from permit condition 13.10 provided the owner or operator installs a new rupture disk after each pressure release as soon as practicable, but no later than five calendar days after each pressure release, except as provide in permit condition 13.27.

D. SAMPLING CONNECTION SYSTEMS

13.13 Sampling connection system

In accordance with ARSD 74:36:07:22:01 as referenced to 40 CFR § 60.482-5a(a) and (b), each sampling connection system shall be equipped with a closed purged, closed loop, or closed vent system. Each closed-purged, closed-loop, or closed vent system shall comply with the following requirements:

1. Gases displaced during the filling of the sample container are not required to be collected or captured;

2. Containers that are part of the closed-purge system must be covered or closed when not being filled or emptied;
3. Gases remaining in the tubing or piping between the closed-purge system valve(s) and sample container valve(s) after the valves are closed and the sample container is disconnected are not required to be collected or captured;
4. Each closed-purge, closed-loop, or closed-vent system shall be designed and operated to meet one of the following requirements:
    a. Return the purged process fluid directly to the process line;
    b. Collect and recycle the purged process fluid to a process;
    c. Capture and transport all of the purged process fluid to a control device that complies with the requirements of permit condition 13.28 through 13.33, inclusive; or
    d. Collect, store, and transport the purged process fluid to any of the following systems or facilities:
        i. A waste management unit as defined in 40 CFR § 63.111, if the waste management unit is subject to and operated in compliance with the provisions of 40 CFR Part 63, Subpart G, applicable to Group 1 wastewater streams;
        ii. A treatment, storage, or disposal facility subject to regulation under 40 CFR Part 262, 264, 265, or 266;
        iii. A facility permitted, licensed, or registered by a state to manage municipal or industrial solid waste, if the process fluids are not hazardous waste as defined in 40 CFR Part 261;
        iv. A waste management unit subject to and operated in compliance with the treatment requirements of 40 CFR § 61.348(a), provided all waste management units that collect, store, or transport the purged process fluid to the treatment unit are subject to and operated in compliance with the management requirements of 40 CFR §§ 61.343 through 61.347, inclusive; or
        v. A device used to burn off-specification used oil for energy recovery in accordance with 40 CFR Part 279, Subpart G, provided the purged process fluid is not hazardous waste as defined in 40 CFR Part 261.

The owner or operator shall comply with this permit condition, except as provided in permit condition 13.14 and 13.34.

13.14 Exemption for in situ sampling systems and sampling systems without purges
In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-5a(c), in situ sampling systems and sampling systems without purges are exempt from permit condition 13.13. "In-situ sampling system" means non-extractive samplers or in-line samplers.

E. OPEN-ENDED VALVES OR LINES

13.15 Open-ended valves or lines
In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-6a(a) and (b), each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve. The cap, blind flange, plugs, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line. Each open-ended

valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.

The owner or operator shall comply with this permit condition, except as provided in permit condition 13.16, 13.17, 13.18, and 13.34.

13.16 Exemption for double block-and-bleed system

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-6a(c), when a double block-and-bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall comply with permit condition 13.15 at all other times.

13.17 Exemption for emergency shutdown

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-6a(d), open-ended valves or lines in an emergency shutdown system which are designed to open automatically in the event of a process upset are exempt from permit condition 13.15 and 13.16.

13.18 Exemption for safety hazards

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-6a(e), open-ended valves or lines containing materials which would auto catalytically polymerize or would present an explosion, serious overpressure, or other safety hazard if capped or equipped with a double block and bleed system are exempt from permit condition 13.15 and 13.16.

F. VALVES IN GAS/VAPOR SERVICE AND LIGHT LIQUID SERVICE

13.19 Monthly monitoring valves in gas/vapor and light liquid service

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-7a(a) through (e), inclusive, each valve shall be monitored monthly to detect leaks by the methods specified in permit condition 13.39. A valve that begins operation in gas/vapor service or light liquid service after the issuance of this permit must be monitored for the first time within 30 days after the valve begins operation in gas/vapor service or light liquid service, except for a valve that replaces a leaking valve. If the existing valves in the process unit are monitored in accordance with permit condition 13.23 or 13.24, count the new valve as leaking when calculating the percentage of valves leaking as described in permit condition 13.45. If less than 2.0 percent of the valves are leaking for that process unit, the valve must be monitored for the first time during the next scheduled monitoring event for existing valves in the process unit or within 90 days, whichever comes first. A leak is detected if an instrument reading of 500 parts per million or greater is measured.

Any valve for which a leak is not detected for two successive months may be monitored the first month of every quarter, beginning with the next quarter, until a leak is detected. Once a leak is detected, the valve shall be monitored monthly again until a leak is not detected for two successive months. As an alternative to monitoring all of the valves in the first month of a quarter, an owner or operator may elect to subdivide the process unit into 2 or 3 subgroups of valves and monitor each subgroup in a different month during the quarter, provided each

subgroup is monitored every 3 months. The owner or operator must keep records of the valves assigned to each subgroup.

A first attempt at repairing a leak shall be made no later than five calendar days after the leak is detected. The leak shall be repaired as soon as practicable, but not later than 15 calendar days after the leak is detected, except as provided in permit condition 13.27. First attempts at repair include, but are not limited to, the following best practices where practicable:

1. Tightening of bonnet bolts;
2. Replacement of bonnet bolts;
3. Tightening of packing gland nuts; and
4. Injection of lubricant into lubricated packing.

The owner or operator shall comply with this permit condition, except as provided in permit condition 13.20, 13.21, 13.22, 13.23, 13.25, and 13.34.

13.20 Exemption for monitoring valves with no detectable emissions

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-7a(f), any valve that is designated by permit condition 13.50 for no detectable emissions, as indicated by an instrument reading of less than 500 parts per million above background, is exempt from permit condition 13.19 if the valve:

1. Has no external actuating mechanism in contact with the process fluid;
2. Is operated with emissions less than 500 parts per million above background as measured by the methods specified in permit condition 13.40; and
3. Is tested for compliance with subsection (2) of this permit condition initially upon designation, annually, and at other times requested by the Secretary.

13.21 Exemption for unsafe-to-monitor valves

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-7a(g), any valve that is designated by permit condition 13.51 as an unsafe-to-monitor valve is exempt from permit condition 13.19 if:

1. The owner or operator of the valve demonstrates the valve is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with permit condition 13.19; and
2. The owner or operator of the valve adheres to a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times.

13.22 Exemption for difficult-to-monitor valves

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-7a(h), any valve that is designated by permit condition 13.51 as a difficult-to-monitor valve is exempt from permit condition 13.19 if:

1. The owner or operator of the valve demonstrates that the valve cannot be monitored without elevating the monitoring personnel more than two meters above a support surface;
2. The process unit within which the valve is located either becomes an affected facility through a modification or reconstruction or the owner or operator designates less than 3.0 percent of the total number of valves as difficult-to-monitor; and
3. The owner or operator of the valve follows a written plan that requires monitoring of the valve at least once per calendar year.

13.23 Alternative standard for valves in gas/vapor and light liquid service

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.483-1a(a), (b), and (d), the owner or operator may elect to comply with permit condition 13.19 with an allowable percentage of valves leaking of equal to or less than 2.0 percent. This can be accomplished by following the requirements:

1. The owner or operator must notify the Secretary that the owner or operator has elected to comply with the allowable percentage of valves leaking before implementing this alternative standard, as specified in permit condition 13.57;
2. A performance test, as specified in permit condition 13.24, shall be conducted initially upon designation, annually, and at other times requested by the Secretary; and
3. If a valve leak is detected, it shall be repaired in accordance with the time frame specified in permit condition 13.19.

The owner or operator who elects to comply with this permit condition shall not have a leak percentage greater than 2.0 percent, determined as described in permit condition 13.45.

13.24 Performance test for valves using alternative standard

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.483-1a(c), if the owner or operator elects to use the alternative standard for valves in permit condition 13.23, a performance test shall be conducted in the following manner:

1. All valves in gas/vapor and light liquid service within the ethanol plant shall be monitored within one week by the methods specified in permit condition 13.39;
2. A leak is detected if an instrument reading of 500 parts per million or greater is measured; and
3. The leak percentage shall be determined by dividing the number of valves for which leaks are detected by the number of valves in gas/vapor and light liquid service.

13.25 Additional option for valves in gas/vapor and light liquid service

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.483-2a, after complying initially with permit condition 13.19, an owner or operator may elect to comply with one of the alternative work practices listed below after notifying the Secretary in accordance with permit condition 13.57:

1. After two consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip one of the quarterly leak detection periods for the valves in gas/vapor and light liquid service; or
2. After five consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip three of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.

The percent of valves leaking shall be determined by permit condition 13.45. If the percent of valves leaking is greater than 2.0, the owner or operator shall comply with permit condition 13.19 but can again elect to use this permit condition. The owner or operator shall keep a record of the percent of valves found leaking during each leak detection period.

A valve that begins operation in gas/vapor service or light liquid service after the initial startup of this facility must be monitored in accordance with permit condition 13.19 before the provisions of this permit condition can be applied to that valve.

G. OTHER PUMPS, VALVES, PRESSURE RELIEF DEVICES, AND CONNECTORS

13.26 Monitoring pumps, valves, pressure relief devices, and other connectors

In accordance with ARSD 74:36:07:22.01, as referenced to 40 CFR § 60.482-8a, if evidence of a potential leak is found by visual, audible, olfactory, or any other detection method at pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service, the owner or operator shall comply with one of the following procedures:

1. Monitor the equipment within five days by the method specified in permit condition 13.39. A leak is detected if a monitor reading of 10,000 parts per million or greater is measured. When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in permit condition 13.27. A first attempt at repairing a leak shall be made no later than five calendar days after each leak is detected. First attempts at repair include, but are not limited to the following best practices where practicable:
   a. Tightening of bonnet bolts;
   b. Replacement of bonnet bolts;
   c. Tightening of packing gland nuts;
   d. Ensuring the seal flush is operating at design pressure and temperature; and
   e. Injection of lubricant into lubricated packing; or
2. Eliminate the visual, audible, olfactory, or other indications of potential leak within five calendar days of detection.

H. DELAY OF REPAIR

13.27 Repair delay

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-9a, a delay of repair of equipment for which leaks have been detected will be allowed in the following circumstances:

1. Delay may occur if the repair within 15 days is technically infeasible without a process unit shutdown. Repair of this equipment shall occur before the end of the next process unit shutdown. Monitoring to verify repair must occur within 15 days after startup of the process unit;
2. Delay of repair of equipment will be allowed for equipment which is isolated from the process and which does not remain in volatile organic compound service;
3. Delay of repair for valves and connectors will be allowed if:
   a. The owner or operator demonstrates that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair; and
   b. When repair procedures are effected, the purged material is collected and destroyed or recovered using a control device complying with permit condition 13.28 through 13.33, inclusive;
4. Delay of repair for pumps will be allowed if:
   a. Repair requires the use of a dual mechanical seal system that includes a barrier fluid system; and
   b. Repair is completed as soon as practicable, but not later than six months after the leak was detected; and
5. Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown and valve assembly supplies had been sufficiently stocked and have been depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than six months after the first process unit shutdown.

When delay of repair is allowed for a leaking pump, valve, or connector that remains in service, the pump, valve, or connector may be considered to be repaired and no longer subject to this chapter if two consecutive monthly monitoring instrument readings are below the leak definition.

I. CLOSED VENT SYSTEMS AND CONTROL DEVICES

13.28 Standard for a closed vent system and control device

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-10a (a), (b), (c), (d), (e), (f), (g), and (m), the owner or operator of a closed vent system and control device used to comply with chapter 13.0 of this permit shall comply with the following:

1. Vapor recovery systems such as a condenser or adsorber shall be designed and operated to recover the volatile organic compound emissions vented to them with an efficiency of 95 percent or greater or to an exit concentration of 20 parts per million by volume, whichever is less stringent;
2. An enclosed combustion device shall be designed and operated to reduce volatile organic compound emissions vented to them with an efficiency of 95 percent or greater or to an exit concentration of 20 parts per million by volume, on a dry basis, corrected to 3 percent oxygen, whichever is less stringent or provide a minimum residence time of 0.75 seconds at a minimum temperature of 816 degrees Celsius (1,500 degrees Fahrenheit);
3. A flare shall comply with the requirements in 40 CFR § 60.18;

4. The control device shall be monitored to ensure the control device is operated and maintained in conformance with its design; and
5. Except as provided in permit condition 13.30, 13.31, and 13.32, each closed vent system shall be inspected according to the following procedures:
    a. If the vapor collection system or closed vent system is constructed of hard piping, the owner or operator shall conduct an initial inspection according to permit condition 13.39 and conduct an annual visual inspections for visible, audible, or olfactory indications of leaks; and
    b. If the vapor collection system or closed vent system is constructed of ductwork, the owner or operator shall conduct an initial and annual inspection according to permit condition 13.39.

Leaks as indicated by an instrument reading greater than 500 parts per million by volume above background or by visual inspections, shall be repaired as soon as practicable except as provided in permit condition 13.29. A first attempt at repair shall be made no later than five calendar days after the leak is detected. Repair shall be completed no later than 15 calendar days after the leak is detected.

A closed vent system and control device used to comply with this permit condition shall be operated at all times when emissions may be vented to them.

13.29 Delay in repairing leaks

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-10a(h), the owner or operator may delay the repair of a closed vent system for which leaks have been detected. The delay may occur if the repair is technically infeasible without a process unit shutdown or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. The leak shall be repaired by the end of the next process unit shutdown.

13.30 Exemption for vapor collection system or closed vent system under vacuum

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-10a(i), the owner or operator of a vapor collection system or closed vent system that is operated under a vacuum is exempt from subsection (5) of permit condition 13.28.

13.31 Exemption for unsafe to inspect closed vent system

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-10a(j), the owner or operator is exempt from subsection (5) of permit condition 13.28 for any part of the closed vent system that is designated as unsafe to inspect, as described in permit condition 13.33, if the owner or operator complies with the following:

1. The owner or operator determines the equipment is unsafe to inspect because inspection personnel would be exposed to an imminent or potential danger as a consequence of complying with subsection (5) of permit condition 13.28; and
2. The owner or operator has a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times.

13.32 Exemption for difficult to inspect closed vent system

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-10a(k), the owner or operator is exempt from inspecting any part of the closed vent system that is designated as difficult to inspect, as described in permit condition 13.33, if the owner or operator complies with the following:

1. The owner or operator determines the equipment cannot be inspected without elevating the inspection personnel more than two meters above a support surface;
2. The process unit within which the closed vent system is located becomes an affected facility through modification or reconstruction or the owner or operator designates less than 3.0 percent of the total number of closed vent system equipment as difficult to inspect; and
3. The owner or operator has a written plan that requires inspection of the equipment at least once every five years.

13.33 Identification of unsafe and difficult to inspect equipment

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-10a(l), the owner or operator shall record the following information to identify equipment unsafe or difficult to inspect:

1. Identification of all parts of the closed vent system that are designated as unsafe to inspect, an explanation of why the equipment is unsafe to inspect, and the plan for inspecting the equipment;
2. Identification of all parts of the closed vent system that are designated as difficult to inspect, an explanation of why the equipment is difficult to inspect, and the plan for inspecting the equipment;
3. For each inspection during which a leak is detected, a record of the information specified in permit condition 13.48;
4. For each inspection conducted in accordance with permit condition 13.39 during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected; and
5. For each annual visual inspection required in subsection (5)(b) of permit condition 13.28 during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

J. EQUIVALENT LIMITS AND EXEMPTIONS

13.34 Emission limit equivalence

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR §§ 60.482-1a(c) and 60.484a(a) and (d), the owner or operator may apply to the Administrator of EPA through the Secretary for determination of emission limit equivalence. Emission limit equivalence means the owner or operator shall achieve a reduction in emissions of volatile organic compounds at least equivalent to the reduction in emissions of volatile organic compounds achieved by the controls required in permit condition 13.2 through 13.9, 13.13 through 13.26 and 13.28 through 13.33, inclusive. An owner or operator may offer a unique approach to demonstrate the equivalence of

any equivalent means of emission limit. If the Administrator of EPA approves the determination of emission limit equivalence, the owner or operator shall comply with the requirements of that determination.

13.35 Determination of equivalence to equipment design and operation requirements

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.484a(b), determination of equivalence to the equipment, design, and operational requirements will be evaluated by the following guidelines:

1. Each owner or operator applying for an equivalence determination shall be responsible for collecting and verifying test data to demonstrate equivalence of means of emission limitation;
2. The Administrator of EPA will compare test data for the means of emission limitation to test data for the equipment, design, and operational requirements; and
3. The Administrator of EPA may condition the approval of equivalence on requirements that may be necessary to assure operation and maintenance to achieve the same emission reduction as the equipment, design, and operational requirements.

13.36 Determination of equivalence to work practices

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.484a(c), determination of equivalence to the required work practices will be evaluated by the following guidelines:

1. Each owner or operator applying for an equivalence determination shall be responsible for collecting and verifying test data to demonstrate equivalence of means of emission limitation;
2. The emission reduction achieved by the required work practice shall be demonstrated;
3. The emission reduction achieved by the equivalent means of emission limitation shall be demonstrated;
4. The owner or operator shall commit in writing to work practices that provide for emission reductions equal to or greater than the emission reductions achieved by the required work practice;
5. The Administrator of EPA will compare the demonstrated emission reduction for the equivalent means of emission limitation to the demonstrated emission reduction for the required work practices and will consider the commitment by the owner or operator; and
6. The Administrator of EPA may condition the approval of equivalence on requirement that may be necessary to assure operation and maintenance to achieve the same emission reduction as the required work practice.

13.37 In vacuum service equipment exemption

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR §§ 60.482-1a(d), equipment in vacuum service is exempt from the requirements of permit condition 13.28 through 13.33, inclusive, if the equipment is identified in accordance with subsection (5) of permit condition 13.50. "In vacuum service" means equipment is operating at an internal pressure which is at least five kilo Pascal below ambient pressure.

13.38 Temporarily in VOC service exemption

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-1a(e), equipment an owner or operator designates as being in volatile organic compound service less than 300 hours per year is excluded from the requirements of permit condition 13.2 through 13.33, inclusive, if it is identified as required in permit condition 13.50(6) and it meets any of the following specifications:

1. The equipment is in volatile organic compound service only during startup and shutdown, excluding startup and shutdown between batches of the same campaign for a batch process;
2. The equipment is in volatile organic compound service only during process malfunctions or other emergencies; or
3. The equipment is backup equipment that is in volatile organic compound service only when the primary equipment is out of service.

K. TEST METHODS FOR 40 CFR PART 60, SUBPART VVa

13.39 Determining presence of leaking equipment

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.485a(b), the owner or operator shall demonstrate compliance with permit condition 13.2 through 13.33, inclusive, by using 40 CFR Part 60, Appendix A, Method 21. Method 21 shall be used to determine the presence of leaking equipment. The instrument shall be calibrated by the procedures specified in Method 21 prior to each day's use. The following calibration gases shall be used:

1. Zero air (less than 10 parts per million of hydrocarbon in air); and
2. A mixture of methane or n-hexane and air at a concentration no more than 2,000 parts per million greater than the leak definition concentration of the equipment monitored. If the monitoring instrument's design allows for multiple calibration scales, then the lower scale shall be calibrated with a calibration gas that is no higher than 2,000 parts per million above the concentration specified as a leak, and the highest scale shall be calibrated with a calibration gas that is approximately equal to 10,000 parts per million. If only one scale on an instrument will be used during monitoring, the owner or operator need not calibrate the scales that will not be used during that day's monitoring.

A calibration drift assessment shall be performed, at a minimum, at the end of each monitoring day. Check the instrument using the same calibration gas or gases used to calibrate the instrument before use. Follow the procedures specified in 40 CFR Part 60, Appendix A, Method 21, except do not adjust the meter readout to correspond to the calibration gas value. Record the instrument reading for each scale used as specified in permit condition 13.50(7). Calculate the average algebraic difference between the three meter readings and the most recent calibration value. Divide this algebraic difference by the initial calibration value and multiply by 100 to express the calibration drift as a percentage. If any calibration drift assessment shows a negative drift of more than 10 percent from the initial calibration value, then all equipment monitored since the last calibration with instrument readings below the appropriate leak definition and above the leak definition multiplied by (100 minus the percent of negative drift/divided by 100) must be re-monitored. If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner's or operator's discretion, all equipment since the

last calibration with instrument readings above the appropriate leak definition and below the leak definition multiplied by (100 plus the percent of positive drift/divided by 100) may be re-monitored.

13.40 Compliance with no detectable emission standards

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.485a(c), the owner or operator shall demonstrate compliance with the no detectable emission standard in permit condition 13.3, 13.9, 13.10, 13.20, and 13.28 using 40 CFR Part 60, Appendix A, Method 21. Method 21 shall be used to determine the background level and the presence of leaking equipment. The instrument shall be calibrated by the procedures specified in permit condition 13.39. All potential leak interfaces shall be traversed as close to the interface as possible. The arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared with 500 parts per million for determining compliance.

13.41 Demonstrating a process unit is not in volatile organic compound service

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.485a(d), the owner or operator shall test each piece of equipment unless it is demonstrated that a process unit is not in volatile organic compound service. "Not in volatile organic compound service" would occur if the volatile organic compound content would never be reasonably expected to exceed 10 percent by weight. The following methods shall be followed to demonstrate a process unit is not in volatile organic compound service:

1. Procedures that conform to the general methods in ASTM E260-73, 91, or 96, E168-67, 77, or 92, E169-63, 77 or 93 shall be used to determine the percent volatile organic compound content in the process fluid that is contained in or contacts a piece of equipment;
2. Organic compounds that are considered to have negligible photochemical reactivity may be excluded from the total quantity of organic compounds in determining the volatile organic compound content of the process fluid; or
3. Engineering judgment may be used to estimate the volatile organic compound content, if a piece of equipment had not been shown previously to be in service. If the Secretary disagrees with the judgment, subsections (1) and (2) of this permit condition shall be used to resolve the disagreement.

13.42 Demonstrating equipment is light liquid service

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.485a(e), the owner or operator shall demonstrate equipment is in light liquid service by showing that all of the following conditions apply:

1. The vapor pressure of one or more of the components is greater than 0.3 kilo Pascal at 20 degrees Celsius (1.2 inches of water at 68 degrees Fahrenheit). Standard reference texts or ASTM D-2879-83, 96, or 97 shall be used to determine the vapor pressures;
2. The total concentration of the pure organic components having a vapor pressure greater than 0.3 kilo Pascal at 20 degrees Celsius (1.2 inches of water at 68 degrees Fahrenheit) is equal to or greater than 20 percent by weight; and
3. The fluid is a liquid at operating conditions.

13.43 Testing representative samples

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.485a(f), the samples used in conjunction with permit condition 13.41, 13.42, and 13.44 shall be representative of the process fluid that is contained in or contacts the equipment or the gas being combusted in a flare.

13.44 Determining compliance with standards for flares

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.485a(g), the owner or operator shall determine compliance with the standards of flares as follows:

1. 40 CFR Part 60, Appendix A, Method 22 shall be used to determine visible emissions;
2. A thermocouple or any other equivalent device shall be used to monitor the presence of a pilot flame in the flare;
3. The maximum permitted velocity for air assisted flares shall be computed using Equation 13-1;
4. The net heat value (H_T) of the gas being combusted in a flare shall be computed using Equation 13-2;
5. 40 CFR Part 60, Appendix A, Method 18 or ASTM D6420–99 (2004) (where the target compound(s) are those listed in Section 1.1 of ASTM D6420–99, and the target concentration is between 150 parts per billion by volume and 100 parts per million by volume) and ASTM D2504–67, 77 or 88 (Reapproved 1993) shall be used to determine the concentration of sample component "i";
6. ASTM D2382–76 or 88 or D4809 shall be used to determine the net heat of combustion of component "i" if published values are not available or cannot be calculated; and
7. 40 CFR Part 60, Appendix A, Method 2, 2A, 2C, or 2D, as appropriate, shall be used to determine the actual exit velocity of a flare. If needed, the unobstructed (free) cross-section area of the flare tip shall be used

Equation 13-1 – Maximum permitted velocity for air assisted flares

$$V_{max} = K_1 + K_2 H_T$$

Where:

- V_{max} = Maximum permitted velocity, meters per second (feet per second);
- H_T = Net heating value of the gas being combusted, mega Joules per standard cubic meter (Btus per standard cubic foot);
- K_1 = 8.706 meters per second (28.56 feet per second); and
- K_2 = 0.7084 m^4/ mega Joules-seconds (0.087 ft^4 per Btus-second).

Equation 13-2 – Net heating value of gas combusted in flare

$$H_T = K \sum_{i=1}^{n} C_i H_i$$

Where:

- H_T = Net heating value of the gas being combusted, mega Joules per standard cubic meter (Btus per standard cubic foot);

- K = Conversion constant, 1.740 x 10^{-7} (gram-mole)(mega Joules)/parts per million-standard cubic meter-kcal) (4.674 x 10^{-6} (gram-mole)(Btu)/parts per million-standard cubic feet-kcal)); and
- Ci = Concentration of sample component "i", parts per million; and
- Hi = Net heat of combustion of sample component "i" at 25 degrees Celsius and 760 millimeters Mercury (77 degrees Fahrenheit and 14.7 pounds per square inch), kcal/gram-mole.

13.45 Demonstrating compliance with alternative standards for valves

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.485a(h), the owner or operator shall determine compliance with permit condition 13.23 and 13.25 as follows:

1. The percent of valves leaking shall be determined using Equation 13-3;
2. The total number of valves monitored shall include difficult-to-monitor and unsafe-to-monitor valves only during the monitoring period in which those valves are monitored;
3. The number of valves leaking shall include valves for which repair has been delayed;
4. Any new valve that is not monitored within 30 days of being placed in service shall be included in the number of valves leaking and the total number of valves monitored for the monitoring period in which the valve is placed in service;
5. If the process unit has been subdivided in accordance with permit condition 13.19 related to alternative valve monitoring on a quarterly basis, the sum of valves found leaking during a monitoring period includes all subgroups; and
6. The total number of valves monitored does not include a valve monitored to verify repair.

Equation 13-3 – Percent of valves leaking

$$\%V_L = (V_L \div V_T) \times 100$$

Where:

- $\%V_L$ = Percent leaking valves;
- V_L = Number of valves found leaking; and
- V_T = The sum of the total number of valves monitored.

L. RECORDKEEPING FOR 40 CFR PART 60, SUBPART VVa

13.46 Monitoring event

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.486a(a)(3), the owner or operator shall record the following information for each monitoring event required in permit condition 13.2 through 13.9 and 13.19 through 13.26, inclusive:

1. Monitoring instrument identification;
2. Operator identification;
3. Equipment identification;
4. Date of monitoring; and
5. Instrument reading.

13.47 Labeling leaky equipment

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.486a(b), if a leak is detected as specified in permit condition 13.2 through 13.9 and 13.19 through 13.26, inclusive, the owner or operator shall attach a weatherproof and readily visible identification tag on the leaking equipment. The identification tag shall be marked with the equipment identification number. The identification tag for a valve may be removed after the valve has been monitored for two successive months, as specified in permit condition 13.19, and no leak has been detected during those two months. The identification on a connector may be removed after is as been monitored within 90 days after a repair is completed to confirm the connector is no longer leaking. The identification tag for equipment other than valves may be removed after the equipment has been repaired.

13.48 Maintaining a log of equipment leaks

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.486a(c), if a leak is detected as specified in permit condition 13.2 through 13.9 and 13.19 through 13.26, inclusive, the owner or operator shall record the following information in a log and shall be kept for two years in a readily accessible location:

1. The instrument and operator identification numbers and the equipment identification number, except when indications of liquids dripping from a pump are designated as a leak;
2. The date the leak was detected and the dates of each attempt to repair the leak;
3. The repair methods applied in each attempt to repair the leak;
4. Maximum instrument reading measured by 40 CFR Part 60, Appendix A, Method 21 at the time the leak is successfully repaired or determined to be non-repairable, except when a pump is repaired by eliminating indications of liquids dripping;
5. Record "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak;
6. The signature of the person whose decision it was that repair could not be completed without a process shutdown;
7. The expected date of successful repair of the leak if the leak is not repaired within 15 calendar days;
8. The dates of process unit shutdown that occur while the equipment is unrepaired; and
9. The date of successful repair of the leak.

13.49 Records for closed vents and control devices

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.486a(d), the owner or operator shall maintain the following information pertaining to the design requirements for closed vent systems and control devices described in permit condition 13.28 through 13.33, inclusive. The records shall be kept in a readily accessible location:

1. Detailed schematics, design specifications, and piping and instrumentation diagrams;
2. The dates and descriptions of any change in the design specifications;
3. A description of the parameter or parameters monitored, as required in permit condition 13.28 to ensure that control devices are operated and maintained in conformance with their

design and an explanation of why that parameter or parameters was selected for the monitoring;

4. Periods when the closed vent systems and control devices required in permit condition 13.2 through 13.14, inclusive, are not operated as designed, including periods when a flare pilot light does not have a flame; and
5. Dates of startups and shutdowns of the closed vent systems and control devices required in permit condition 13.2 through 13.14, inclusive.

13.50 Equipment log

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.486a(e), the owner or operator shall record the following information for equipment subject to the requirements in permit condition 13.2 through 13.33 and 13.58 through 13.62, inclusive. The records shall be kept in a readily accessible location:

1. A list of identification numbers for equipment subject to the requirements in permit condition 13.2 through 13.33, inclusive;
2. A list of identification numbers for equipment that are designated for no detectable emissions under the provisions of permit condition 13.3, 13.9, and 13.20. The designation of equipment for no detectable emissions shall be signed by the responsible official;
3. A list of equipment identification numbers for pressure relief devices required to comply with permit condition 13.10 through 13.12, inclusive;
4. The date of each compliance test as required in permit condition 13.3, 13.9, and 13.20. The background level measured during each compliance test and the maximum instrument reading measured at the equipment during the compliance test shall also be recorded;
5. A list of identification numbers for equipment in vacuum service;
6. A list of identification numbers for equipment the owner or operator designates as operating in volatile organic compound service less than 300 hours per year in accordance with permit condition 13.38, a description of the conditions under which the equipment is in volatile organic compound service, and rationale supporting the designation that it is in volatile organic compound service less than 300 hours per year;
7. The date and results of the weekly visual inspection for indications of liquids dripping from pumps in light liquid service;
8. Records of the following information for monitoring instrument calibrations conducted according to permit condition 13.39:
    a. Date of calibration and initials of operator performing calibrations;
    b. Calibration gas cylinder identification, certification date, and certified concentration;
    c. Instrument scale or scales used;
    d. A description of any corrective action taken if the meter readout could not be adjusted to correspond to the calibration gas value in accordance with 40 CFR Part 60, Appendix A, Method 21;
    e. Results of each calibration drift assessment required by permit condition 13.39 (e.g., instrument reading for calibration at end of monitoring day and the calculated percent difference from the initial calibration value);
    f. If an owner or operator makes their own calibration gas, a description of the procedures used; and

9. Records of each release from a pressure relief device subject to permit condition 13.7 through 13.9, inclusive; and
10. The connector monitoring schedule as noted in permit condition 13.59.

13.51 Exempt valve and pump log

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.486a(f), the owner or operator shall maintain a log readily accessible of the following information pertaining to all valves subject to the requirements in permit condition 13.21 and 13.22, all connectors subject to requirements of permit condition 13.61 and all pumps subject to the requirements of permit condition 13.6:

1. A list of identification numbers for valves and pumps that are designated as unsafe-to-monitor, an explanation for each valve or pump stating why the valve or pump is unsafe-to-monitor, and the plan for monitoring each valve or pump; and
2. A list of identification numbers for valves that are designated as difficult-to-monitor, an explanation for each valve stating why the valve is difficult-to-monitor, and the plan for monitoring each valve.

13.52 Valve log - alternative standards

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.486a(g), the owner or operator shall maintain the following information for valves complying with permit condition 13.25:

1. A schedule of monitoring; and
2. The percent of valves found leaking during each monitoring period.

13.53 Design criterion for determining leaks

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.486a(h), the owner or operator shall maintain the following information in a log that is kept in a readily accessible location:

1. Design criterion required in permit condition 13.2(5) and 13.7(5) and explanation of the design criterion; and
2. Any changes to this criterion and the reasons for the changes.

13.54 Log for equipment in VOC service

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.486a(j), the owner or operator shall maintain the information and data used to demonstrate that a piece of equipment is not in volatile organic compound service in a log that is kept in a readily accessible location.

M. REPORTING FOR PUMPS, VALVES, AND COMPRESSORS

13.55 Initial report for pumps, valves, and compressors

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.487a(a) and (b), the owner or operator shall submit an initial report to the Secretary within 180 days of the initial startup date of the facility. The initial report shall include a summary of the following information:

1. Name of facility, permit number, reference to this permit condition, and identifying the submittal as the initial report;
2. The number of valves subject to the requirements of permit condition 13.19 through 13.25, inclusive, excluding those valves designated for no detectable emissions under permit condition 13.20;
3. The number of pumps subject to the requirements of permit condition 13.2 through 13.6, inclusive, excluding those pumps designated for no detectable emissions under permit condition 13.4 and those pumps complying with permit condition 13.5;
4. The number of connectors subject to the requirements of permit conditions 13.58 and 13.59; and
5. The number of compressors subject to the requirements of permit condition 13.7 through 13.9, inclusive, excluding those compressors designated for no detectable emissions under permit condition 13.9 and those compressors complying with permit condition 13.8.

13.56 Semiannual report for pumps, valves, and compressors

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.487a(a) and (c), the owner or operator shall submit a semiannual report to the Secretary. The semiannual reports shall include a summary of the following information:

1. Name of facility, permit number, reference to this permit condition, identifying the submittal as a semiannual report, and calendar dates covered in the reporting period;
2. The number of valves for which leaks were detected as described in permit condition 13.19 or 13.25 and the number of valves for which leaks were not repaired as required in permit condition 13.19;
3. The number of pumps for which leaks were detected as described in permit condition 13.2 and 13.3 and the number of pumps for which leaks were not repaired as required in permit condition 13.2 and 13.3;
4. The number of compressors for which leaks were detected as described in permit condition 13.7 and the number of compressors for which leaks were not repaired as required in permit condition 13.7;
5. The number of connectors for which leaks were detected as described in permit condition 13.59 and the number of connectors for which leaks were not repaired as required in permit condition 13.59;
6. The facts which explain each delay of repair and where appropriate, why the fermenter shutdown was technically infeasible;
7. Dates the process unit(s) was shut down during the semiannual reporting period; and
8. Any changes which have occurred since the initial report or subsequent revisions to the initial report;

The semiannual reports must be postmarked no later than 30 days after the end of the reporting period (e.g., July 30th and January 30th).

13.57 Notification of alternative standards for valves

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.487a(d), the owner or operator shall notify the Secretary 90 days in advance of electing to implement permit condition 13.23 and/or 13.25.

N. CONNECTORS IN GAS/VAPOR SERVICE AND IN LIGHT LIQUID SERVICE

13.58 Initial monitoring for connectors

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-11a(a), (b), and (d) each connector shall be monitored within 12 months after initial startup date to detect leaks by the methods specified in permit conditions 13.39 and 13.40. A leak is detected if an instrument reading of 500 parts per million or greater is measured.

A first attempt at repairing a leak shall be made no later than five calendar days after the leak is detected. The leak shall be repaired as soon as practicable, but not later than 15 calendar days after the leak is detected, except as provided in permit condition 13.27. The leaking connector shall be re-monitored within 90 days after a repair is completed to confirm the connector is no longer leaking.

The owner or operator shall comply with this permit condition, except as provided in permit condition 13.28, 13.34, 13.61, or 13.62.

13.59 Subsequent monitoring for connectors

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-11a(b) and (d) each connector shall be monitored periodically according the following schedule:

1. If the percent of leaking connectors monitored during the current monitoring periods was greater than or equal to 0.5 percent, the owner or operator shall monitor each connector within one year from the end of the current monitoring period;
2. If the percent of leaking connectors monitored during the current monitoring period was greater than or equal to 0.25 percent but less than 0.5 percent, the owner or operator shall monitor each connector within four years from the end of the current monitoring period. An owner or operator may comply with this requirement by monitoring 40 percent of the connectors within two years from the end of the current monitoring period provided all connectors have been monitored within the four year period; or
3. If the percent of leaking connectors monitored during the current monitoring period was less than 0.25 percent, then monitor at least 50 percent of the connectors within four years from the end of the current monitoring period and follow one of the following schedules:
    a. If the percent of leaking connectors monitored during the current monitoring period was greater than or equal to 0.35 percent, then monitor the connectors that

have not been monitored during this current monitoring period within the next six months; or

b. If the percent of leaking connectors monitored during the current monitoring period was less than 0.35 percent, then monitor the connectors that have not been monitored within the next four years (i.e. within eight years from the beginning of the current monitoring period.

At the end of the current monitoring period, the percent of leaking connectors shall be determined by permit condition 13.60. The percent leaking connectors determine the timeline for the subsequent monitoring period. A leak is detected if an instrument reading of 500 parts per million or greater is measured.

A first attempt at repairing a leak shall be made no later than five calendar days after the leak is detected. The leak shall be repaired as soon as practicable, but not later than 15 calendar days after the leak is detected, except as provided in permit condition 13.27. The leaking connector shall be re-monitored within 90 days after a repair is completed to confirm the connector is no longer leaking.

The owner or operator shall comply with this permit condition, except as provided in permit condition 13.28, 13.34, 13.61, or 13.62.

13.60 Percent Leaking Connectors

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-11a(c), the owner or operator shall determine the percent leaking connectors for the current monitoring period by the equation 13-4.

Equation 13-4 – Percent of connectors leaking

$$\%C_L = (C_L \div C_T) \times 100$$

Where:

- $\%C_L$ = Percent leaking connectors;
- C_L = Number of connectors found leaking; and
- C_T = The sum of the total number of valves monitored during the monitoring period.

13.61 Exemption for unsafe-to-monitor connectors

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-11a(e), any connector that is designated by permit condition 13.51 as an unsafe-to-monitor valve is exempt from permit condition 13.58 and/or 13.59 if:

1. The owner or operator of the connector demonstrates the connector is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with permit condition 13.58 and/or 13.59; and
2. The owner or operator of the connector adheres to a written plan that requires monitoring of the connector as frequently as practicable during safe-to-monitor times.

13.62 Exemption for inaccessible, ceramic, or ceramic-lined connectors

In accordance with ARSD 74:36:07:22:01, as referenced to 40 CFR § 60.482-11a(f), any connector that is inaccessible or that is ceramic or ceramic-lined (e.g. porcelain, glass, or glass-line) is exempt from permit condition 13.58 and/or 13.59. An inaccessible connector is on that meets one of the following conditions:

1. Buried;
2. Insulated in a matter that prevents access to the connector by a monitor probe;
3. Obstructed by equipment or piping that prevents access to the connector by a monitor probe;
4. Unable to be reached from a wheeled scissor-lift or hydraulic-type scaffold that would allow access to connectors up to 7.6 meters (25 feet) above the ground;
5. Inaccessible because it would require elevating the monitoring personnel more than 2 meters (7 feet) above a permanent support surface or would require the erection of scaffold; or
6. Not able to be accessed at any time in a safe manner to perform monitoring. Unsafe access includes, but is not limited to, the use of a wheeled scissor-lift on unstable or uneven terrain, the use of a motorized man-lift basket in areas where an ignition potential exists, or access would require near proximity to hazards such as electrical lines, or would risk damage to equipment.

If an inaccessible, ceramic, or ceramic-lined connector is observed by visual, audible, olfactory, or other means to be leaking, the visual, audible, olfactory, or other indications of a leak to the atmosphere shall be eliminated as soon as practical.

14.0 MACT Requirements – Subpart ZZZZ

14.1 Date to comply with emergency engine requirements

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6595(a)(1), the owner or operator shall comply with the applicable requirements specified in this chapter on and after May 3, 2013.

14.2 Maintenance requirements for emergency engine

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6603(a), the owner or operator shall:

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

If the emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule or if performing the management practice on the required schedule would otherwise pose an

unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. The owner or operator shall report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

14.3 Minimizing emissions from emergency engine

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6605, the owner or operator shall be in compliance with the requirements in this chapter at all times. The owner or operator shall at all times operate and maintain the emergency engine, including associated monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if the requirements in this chapter have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on available information which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the emergency engine.

14.4 Operate emergency engine according to manufacturer's instructions

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR §§ 63.6625(e) and 63.6640(a), the owner or operator shall operate and maintain the emergency engine according to the manufacturer's emission-related written instructions or develop a maintenance plan which provides to the extent practicable for the maintenance and operation of the emergency engine in a manner consistent with good air pollution control practice for minimizing emissions.

14.5 Installation and operation of a non-resettable hour meter

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR §§ 63.6625(f) and 63.6635(a) and (b), the owner or operator shall install, operate, and maintain a non-resettable hour meter on the emergency engine. Except for a non-resettable hour meter malfunction and associated repairs, the non-resettable hour meter must monitor the operation of the emergency engine continuously at all times the engine is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the non-resettable hour meter. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

14.6 Minimizing startup time

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6625(h), the owner or operator shall minimize the emergency engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.

14.7 Alternative maintenance schedule

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6625(i), the owner or operator may utilize an oil analysis program in order to extend the specified oil change requirement in permit condition 14.2. The oil analysis must be performed at the same frequency

specified for changing the oil in permit condition 14.2. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows:

1. Total Base Number is less than 30 percent of the Total Base Number of the oil when new;
2. Viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or
3. Percent water content (by volume) is greater than 0.5.

If any of the condemning limits are exceeded, the owner or operator shall change the engine oil within 2 days of receiving the results of the analysis. If the engine is not in operation when the results of the analysis are received, the owner or operator shall change the oil within 2 days or before commencing operation, whichever is later. The owner or operator shall keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program shall be part of the maintenance plan for the engine.

14.8 Operation of emergency engine

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6640(f), the owner or operator shall operate the emergency engine according to the following:

1. There is no time limit on the use of the emergency engine during emergency situations;
2. The owner or operator may operate the emergency engine for any combination of the following purposes for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (3) of this permit condition counts as part of the 100 hours per calendar year allowed by this paragraph:
    a. The emergency engine may be operated for maintenance checks and readiness testing, provided the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Secretary for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating federal, state, or local standards require maintenance and testing of an emergency engine beyond 100 hours per calendar year;
    b. The emergency engine may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3; and
    c. The emergency engine may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency; and

3. The emergency engine may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response or to generate income for the owner or operator to an electric grid or otherwise supply power as part of a financial arrangement with another entity, except as provided below:
    a. Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for the owner or operator or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the owner or operator itself or to support the local distribution system; and
    b. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
        i. The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
        ii. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region;
        iii. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines;
        iv. The power is provided only to the owner or operator itself or to support the local transmission and distribution system; and
        v. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the owner or operator.

14.9 Recordkeeping for emergency engine

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR §§ 63.6655 and 63.6660, the owner or operator shall maintain the following records:

1. A copy of each annual report;
2. Records of all required maintenance performed on the engine and non-resettable hour meter;
3. Records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator shall document how many hours are spent for emergency operation; including what classified the operation as emergency and how many hours are spent for non-emergency operation. The owner or operator shall keep records of the notification of any emergency situation and the date, start time, and end time of engine operation for these purposes; and

4. Records of how the owner or operator complied with operating the emergency engine according to the manufacturer's emission-related instruction or the owner or operator's maintenance plan required in permit condition 14.4.

All records shall be maintained in a form suitable and readily available for expeditious review for 5 years following the date of each occurrence, measurement, maintenance, report or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site.

14.10 Annual report for engines greater than or equal to 100 horsepower

In accordance with ARSD 74:36:08:40, as referenced to 40 CFR § 63.6650(h), the owner or operator operates shall submit an annual report that contains the following information for each emergency engine greater than or equal to 100 horsepower:

1. Company name and address where the engine is located;
2. Date of the report and beginning and ending dates of the reporting period;
3. Engine site rating and model year;
4. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place;
5. Hours operated for the purposes specified in paragraph (2)(b) and (2)(c) of permit condition 14.8, including the date, start time, and end time for engine;
6. Number of hours the engine is contractually obligated to be available for the purposes specified in paragraph (2)(b) and (2)(c) of permit condition 14.8; and
7. Hours spent for operation for the purpose specified in paragraph (3)(b), including the date, start time, and end time for engine. The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

The first annual report shall cover the calendar year 2015 and submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

If available, the annual report shall be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) at the following website: http://www.epa.gov/cdx. However, if the reporting form specific to this subpart or the database is not available at the time the report is due or the owner or operator does not have access to the database, the written report shall be submitted to the Secretary.

14.11 Circumvention not allowed

In accordance with ARSD 74:36:08:03, as referenced to 40 CFR § 63.4(b), no owner or operator shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to the use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere.

15.0 Flare Operational Requirements

15.1 Flare operational limits

In accordance with ARSD 74:36:07:01, as reference to 40 CFR §§ 60.18(c) and 60.18(e), the owner or operator shall conduct the following for the flare associated with Unit #12 as follows:

1. Operate with no visible emissions except for periods not to exceed 5 minutes during any two consecutive hours as determine by permit condition 15.2;
2. Operate with a flame present at all times when the air emissions may be vented to the flare as determined by permit condition 15.3;
3. For a non-assisted flare, operate with a diameter of 3 inches or greater, have a hydrogen content of 8.0 percent or greater and are designed with an exit velocity less than 37.2 meters per second and less than the velocity of permitted maximum velocity. The permitted maximum velocity is determined by permit condition 15.7. The actual exit velocity is determined by permit condition 15.5;
4. For a non-assisted flare, operate only with the net heating value of the gas being combusted being 200 Btus per standard cubic foot or greater. The net heat value shall be determined by permit condition 15.4;
5. For a steam-assisted or air-assisted flare, operate only with the net heating value of the gas being combusted being 300 Btus per standard cubic foot or greater. The net heating value shall be determined by permit condition 15.4;
6. For a non-assisted or steam-assisted flare, operate with an exit velocity of 18.3 meters per second or greater as determined by permit condition 15.5 with the following two exceptions:
   a. The exit velocity is greater than 18.3 meters per second but less than 122 meters per second and the gas being burned is greater than 1,000 Btus per standard cubic foot.
   b. The exit velocity is less than the maximum permitted velocity as determined by permit condition 15.8 and less than 122 meters per second.
7. For an air-assisted flare, operate with an exit velocity as determined by permit condition 15.5 less than the maximum permitted velocity as determined by permit condition 15.6.

15.2 Monitoring visible emissions

In accordance with ARSD 74:36:07:01, as reference to 40 CFR § 60.18(f)(1), the owner or operator shall monitor the visible emissions in accordance with 40 CFR Part 60, Appendix A, Method 22.

15.3 Monitoring for a flame

In accordance with ARSD 74:36:07:01, as reference to 40 CFR § 60.18(f)(2), the owner or operator shall monitor the presence of a pilot flame using a thermocouple or any other equivalent device to detect the presence of a flame.

15.4 Monitoring net heating value

In accordance with ARSD 74:36:07:01, as reference to 40 CFR § 60.18(f)(3), the owner or operator shall monitor the net heating value of the gas being combusted by using Equation 15-1.

Equation 15-1 – Net Heating Value

$$Ht = K\sum_{i=1}^{n} CiHi$$

Where:

- Ht = net heating value of the sample in mega joules per standard cubic meters;
- Ci = concentration of sample component I in parts per million on a wet basis;
- Hi = Net heat of combustion of sample component I in kilocalories per gram mole at 25 degrees Celsius and 760 millimeters of mercury; and
- K = a constant of 0.000000174 gram mole-mega joules per part per million – standard cubic meters – kilocalorie.

15.5 Monitoring actual exit velocity

In accordance with ARSD 74:36:07:01, as reference to 40 CFR § 60.18(f)(4), the owner or operator shall monitor the actual exit velocity by dividing the volumetric flow rate as determined by 40 CFR Part 60, Appendix A, Method 2, 2A, 2C or 2D by the cross sectional area of the flare tip.

15.6 Monitoring maximum permit velocity for air-assisted flares

In accordance with ARSD 74:36:07:01, as reference to 40 CFR § 60.18(f)(6), the owner or operator shall monitor the maximum permit velocity for air-assisted flares using Equation 15-2.

Equation 15-2 – Maximum Permit Velocity for Air-Assisted Flares

$$V\max = 8.706 + (0.7084)(Ht)$$

Where:

- Vmax = maximum permit velocity; and
- Ht = the net heating value as determined by permit condition 15.4.

15.7 Monitoring maximum permit velocity for non-assisted flares

In accordance with ARSD 74:36:07:01, as reference to 40 CFR § 60.18(c)(3)(i)(A), the owner or operator shall monitor the maximum permit velocity for non-assisted flares using Equation 15-3.

Equation 15-3 – Maximum Permit Velocity for Non-Assisted Flares

$$V\max = (X - K1)(K2)$$

Where

- Vmax = maximum permit velocity;
- X = the volume percent of hydrogen on a wet basis as calculated by ASTM method D1946-77;
- K1 = constant of 6.0 volume percent hydrogen; and
- K2 = constant of 3.9 meters per second per volume percent hydrogen.

15.8 Monitoring maximum permit velocity for steam-assisted flares

In accordance with ARSD 74:36:07:01, as reference to 40 CFR § 60.18(c)(3)(i)(A), the owner or operator shall monitor the maximum permit velocity for steam-assisted flares using Equation 15-4.

Equation 15-4 – Maximum Permit Velocity for Steam-Assisted Flares

$$Log10(V\max) = (Ht + _28.8)/(31.7)$$

Where

- Vmax = maximum permit velocity; and
- Ht = the net heating value as determined by permit condition 15.4.