



JAN 1 9 2012

Mr. David Kandolha Merced Power LLC P.O. Box 298 Chowchilla, CA 93610

Final - Authority to Construct / COC (Significant Mod)

District Facility # N-4607 Project # N-1113811

Dear Mr. Kandolha:

The Air Pollution Control Officer has issued an Authority to Construct (N-4607-8-3) with a Certificate of Conformity to Merced Power LLC at 30 W Sandy Mush Road in El Nido. The applicant is proposing to modify the fluidized bed combustor permit N-4607-8 to change the SOx emission limit averaging period from 1 hour rolling average to 3 hour rolling average and to remove the 15minute averaging period for PM10 and VOC.

Enclosed is the Authority to Construct. The application and proposal were sent to US EPA Region IX on November 29, 2011. No comments were received following the District's preliminary decision on this project.

The notice of final decision for this project will be published approximately three days from the date of this letter.

Prior to operating with modifications authorized by the Authority to Construct, you must submit an application to modify the Title V permit as an administrative amendment in accordance with District Rule 2520, Section 11.5.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely.

David Warner

**Director of Permit Services** 

Enclosures

Seyed Sadredin

Executive Director/Air Pollution Control Officer

Northern Region

4800 Enterprise Way Modesto, CA 95356-8718 Tel: (209) 557-6400 FAX: (209) 557-6475 Central Region (Main Office)

1990 E. Gettysburg Avenue Fresno, CA 93726-0244

Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region

34946 Flyover Court Bakersfield, CA 93308-9725 Tel: 661-392-5500 FAX: 661-392-5585





JAN 1 9 2012

Mike Tollstrup, Chief **Project Assessment Branch** Air Resources Board P O Box 2815 Sacramento, CA 95812-2815

Re: Final - Authority to Construct / COC (Significant Mod)

District Facility # N-4607 Project # N-1113811

Dear Mr. Tollstrup:

The Air Pollution Control Officer has issued an Authority to Construct (N-4607-8-3) with a Certificate of Conformity to Merced Power LLC at 30 W Sandy Mush Road in El Nido. The applicant is proposing to modify the fluidized bed combustor permit N-4607-8 to change the SOx emission limit averaging period from 1 hour rolling average to 3 hour rolling average and to remove the 15minute averaging period for PM10 and VOC.

Enclosed is a copy of the Authority to Construct. The application and proposal were sent to US EPA Region IX on November 29, 2011. No comments were received following the District's preliminary decision on this project.

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JAN 1 9 2012

Gerardo C. Rios, Chief Permits Office Air Division U.S. EPA - Region IX 75 Hawthorne St San Francisco, CA 94105

Final - Authority to Construct / COC (Significant Mod)

District Facility # N-4607 Project # N-1113811

Dear Mr. Rios:

The Air Pollution Control Officer has issued an Authority to Construct (N-4607-8-3) with a Certificate of Conformity to Merced Power LLĆ at 30 W Sandy Mush Road in El Nido. The applicant is proposing to modify the fluidized bed combustor permit N-4607-8 to change the SOx emission limit averaging period from 1 hour rolling average to 3 hour rolling average and to remove the 15minute averaging period for PM10 and VOC.

Enclosed is a copy of the Authority to Construct. The application and proposal were sent to US EPA Region IX on November 29, 2011. No comments were received following the District's preliminary decision on this project.

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Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,

Director of Permit Services

**Enclosures** 

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# NOTICE OF FINAL DECISION FOR THE ISSUANCE OF AUTHORITY TO CONSTRUCT AND THE PROPOSED SIGNIFICANT MODIFICATION OF FEDERALLY MANDATED OPERATING PERMIT

NOTICE IS HEREBY GIVEN that the San Joaquin Valley Air Pollution Control District has made its final decision to issue an Authority to Construct to Merced Power LLC for biomass-fired power plant located at 30 W Sandy Mush Road in El Nido, California. The applicant is proposing to modify the fluidized bed combustor permit N-4607-8 to change the SOx emission limit averaging period from 1 hour rolling average to 3 hour rolling average and to remove the 15-minute averaging period for PM10 and VOC.

The District's analysis of the legal and factual basis for this proposed action, project #N-1113811, is available for public inspection at the District office at the address below. For additional information regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900, or contact David Warner, Director of Permit Services, in writing at SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, 1990 E. GETTYSBURG AVE, FRESNO, CA 93726-0244.





# **AUTHORITY TO CONSTRUCT**

PERMIT NO: N-4607-8-3 ISSUANCE DATE: 01/11/2012

LEGAL OWNER OR OPERATOR: MERCED POWER, LLC

MAILING ADDRESS: P O BOX 298

CHOWCHILLA, CA 93610

LOCATION: 30 W SANDY MUSH ROAD

EL NIDO, CA

#### **EQUIPMENT DESCRIPTION:**

MODIFICATION OF 185 MMBTU/HR ENERGY PRODUCTS OF IDAHO BIOMASS-FIRED BUBBLING FLUIDIZED BED COMBUSTOR WITH ONE 15 MMBTU/HR PROPANE-FIRED AUXILIARY BURNER POWERING A 13 MW STEAM TURBINE GENERATOR, SERVED BY A SELECTIVE NON-CATALYTIC REDUCTION SYSTEM WITH AN AUTOMATED AMMONIA INJECTION SYSTEM, A LIMESTONE INJECTION SYSTEM, AND A GENERAL ELECTRIC BAGHOUSE: CHANGE SOX EMISSION AVERAGING PERIOD FROM ONE HOUR ROLLING AVERAGE TO THREE HOUR ROLLING AVERAGE AND REMOVE PM10 AND VOC 15-MINUTE AVERAGING PERIOD

## CONDITIONS

- 1. This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District Rule 2201] Federally Enforceable Through Title V Permit
- 2. Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4] Federally Enforceable Through Title V Permit
- 3. Authority to Construct (ATC) N-4607-8-2 shall be implemented concurrently, or prior to the modification and startup of the equipment authorized by this Authority to Construct. [District Rule 2201]
- 4. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101] Federally Enforceable Through Title V Permit
- 5. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]

### CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director / APCO

DAVID WARNER, Director of Permit Services

- 6. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
- 7. Operating schedule shall not exceed 345 days per year. [District Rule 2201] Federally Enforceable Through Title V
  Permit
- 8. The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District Rule 2201] Federally Enforceable Through Title V Permit
- 9. The differential pressure gauge reading range shall be maintained between 2" and 8.5" water column. [District Rule 2201] Federally Enforceable Through Title V Permit
- 10. Differential operating pressure shall be monitored and recorded on each day that the baghouse operates. [District Rule 2201] Federally Enforceable Through Title V Permit
- 11. The baghouse shall be maintained and operated according to manufacturer's specifications. [District Rule 2201] Federally Enforceable Through Title V Permit
- 12. The baghouse cleaning frequency and duration shall be adjusted to optimize the control efficiency. [District Rule 2201] Federally Enforceable Through Title V Permit
- 13. Replacement bags numbering at least 10% of the total number of bags in the largest baghouse using each type of bag shall be maintained on the premises. [District Rule 2201] Federally Enforceable Through Title V Permit
- 14. Material removed from the baghouse shall be disposed of in a manner preventing entrainment into the atmosphere. [District Rule 2201] Federally Enforceable Through Title V Permit
- 15. The applicant shall install and maintain an operational ammonia volume flow-rate indicator for the selective non-catalytic reduction ammonia injection system. [District Rule 2201] Federally Enforceable Through Title V Permit
- 16. No later than 30 days following restart of the facility, the applicant shall install, maintain, and operate an automated ammonia injection system in the selective non-catalytic reduction (SNCR) system. The automated mode may be overridden by the facility operator as necessary to maintain compliance with the emission limits listed within this permit. [District Rule 1080 and US EPA and SJVUAPCD Consent Decree Case No. 1:11-cv-00241-LJO-SMS, Section V.13.b, issued February 14, 2011] Federally Enforceable Through Title V Permit
- 17. No later than 90 days following restart of the facility, the applicant shall install, maintain, and operate a stack gas flow monitoring system. [District Rule 1080 and US EPA and SJVUAPCD Consent Decree Case No. 1:11-cv-00241-LJO-SMS, Section V.13.a, issued February 14, 2011] Federally Enforceable Through Title V Permit
- 18. The permittee shall install, maintain, and operate a continuous emissions monitoring system (CEMS) to measure stack gas NOx, SOx, CO, and O2 concentrations and mass emission rates and shall meet the performance specification requirements in 40 CFR, Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the EPA. The CEMS systems shall also be operated, maintained, and calibrated pursuant to the requirements of 40 CFR 60.7(c) and 40 CFR 60.13. [District Rules 1080, 2201, and 4352] Federally Enforceable Through Title V Permit
- 19. The permittee shall install, maintain, and operate a continuous opacity monitor (COM) and shall meet the performance specification requirements in 40 CFR, Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the EPA. [District Rules 1080 and 2201] Federally Enforceable Through Title V Permit
- 20. The permittee shall install and maintain equipment, facilities, and systems compatible with the District's CEMS data polling software system and shall make CEMS data available to the District's automated polling system on a daily basis. [District Rule 1080] Federally Enforceable Through Title V Permit
- 21. Upon notice by the District that the facility's CEMS system is not providing polling data, the facility may continue to operate without providing automated data for a maximum of 30 days per calendar year provided the CEMS data is sent to the District by a District-approved alternative method. [District Rule 1080] Federally Enforceable Through Title V Permit

- 22. Results of continuous emissions monitoring shall be reduced according to the procedure established in 40 CFR, Part 51, Appendix P, paragraphs 5.0 through 5.3.3, or by other methods deemed equivalent by mutual agreement with the District, the ARB, and the EPA. [District Rule 1080] Federally Enforceable Through Title V Permit
- 23. Audits of continuous emission monitors shall be conducted quarterly, except during quarters in which relative accuracy and compliance source testing are both performed, in accordance with EPA guidelines. The District shall be notified prior to completion of the audits. Audit reports shall be submitted along with quarterly compliance reports to the District [District Rule 1080] Federally Enforceable Through Title V Permit
- 24. Permittee shall comply with the applicable requirements for quality assurance testing and maintenance of the continuous emission monitor equipment in accordance with the procedures and guidance specified in 40 CFR Part 60, Appendix F. [District Rule 1080] Federally Enforceable Through Title V Permit
- 25. Within 90 days following restart of the facility, the CEM system shall be operated and maintained in accordance with the operation and maintenance procedures identified in the continuous emission monitoring system quality assurance/quality control plan. [District Rule 1080 and US EPA and SJVUAPCD Consent Decree Case No. 1:11-cv-00241-LJO-SMS, Section V.13.c, issued February 14, 2011] Federally Enforceable Through Title V Permit
- 26. The plant shall only be fueled by biomass materials listed in the following conditions. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
- 27. Allowed fuels: Almond Prunings, Apple Prunings, Apricot Prunings, Cherry Prunings, Citrus Prunings, Fig Prunings, Generic Orchard Prunings, Grape Prunings, Nectarine Prunings, Olive Prunings, Peach Prunings, Pecan Prunings, Pistachio Prunings, Plum Prunings, Walnut Prunings, (continued); [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
- 28. Allowed fuels: Cedar Bark, Forest Slash/Cull, Hog Fuel (Mill Residue), Sawdust, Construction Wood Waste, Landfill Derived Wood, Landscape Tree Trimmings, Pallet/Bins Wood, Urban Development Clearing Trees, (continued); [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
- 29. Allowed fuels: Grape Pomace, Olive Pomace, Raisin Pomace, Tomato Pomace, Cherry Pits, Nectarine Pits, Olive Pits, Peach Pits, Prune Pits, Almond Shells, Peanut Shells, Pecan Shells, Pistachio Shells, Walnut Shells, Cotton Stalks, Coffee Grounds, Cotton Gin Trash, Turkey (Wood) Shavings, Ditchbank or Canal Weeds, Tumbleweeds, Alfalfa Straw, Barley Straw, Bean Straw/Stalks, Corn Stalks, Milo Sorghum, Rice Straw, Wheat Straw, Char, or other fuels as approved by the District. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
- 30. Urban wood waste (construction and landfill derived wood wastes) is approved as fuel provided the mixed urban wood waste fuel contains less than 1% by weight, of plastic, rubber, metals, roofing felt paper, and other non-wood contaminants (other than dirt or ash). No asbestos-containing materials are approved as fuel. [District Rule 4102] Federally Enforceable Through Title V Permit
- 31. If urban wood wastes have been burned during the 365 day period prior to October 31 of any year, fuel testing shall be conducted by December 31 of that year, as follows: equivalent of one truckload of mixed urban wood waste fuel prepared for combustion in the boiler shall be weighed, dumped, and all contaminants shall be sorted from the fuel, identified (plastic, rubber, metals, roofing felt paper, or other non-wood contaminants) and weighed. The report for this test shall be forwarded to the District by January 31 (one month after fuel testing deadline). [District Rule 4102] Federally Enforceable Through Title V Permit
- 32. The auxiliary burner shall be used during start-up to reach the solid fuel ignition temperature throughout the combustor before feeding any solid fuel. [District Rule 2201] Federally Enforceable Through Title V Permit
- 33. "Startup" is the period of time during which the boiler is heated to operating temperature at steady state load from a lower temperature, not to exceed 96 hours. If curing of the refractory is required after furnace repair or modification, startup time may be extended to no longer than 192 hours. "Shutdown" is the period of time during which the boiler is allowed to cool from its operating temperature at steady state load to a lower temperature, not to exceed 12 hours. [District Rule 4352] Federally Enforceable Through Title V Permit

- 34. Emissions from the fluidized bed combustor unit, except during periods of startup and shutdown, shall not exceed any of the following limits: NOx 14.8 lb/hr or 0.08 lb/MMBtu; SOx 6.48 lb/hr or 0.035 lb/MMBtu; PM10 7.40 lb/hr or 0.04 lb/MMBtu; CO 10.55 lb/hr or 72 ppmv @ 3% O2 (equivalent to 0.057 lb/MMBtu); and VOC 0.93 lb/hr or 0.005 lb/MMBtu. NOx (as NO2) and CO emission limits are based on 24 hour rolling averages. SOx emission limits are based on 3 hour rolling averages. [District Rules 2201, 4352, and 4801]
- 35. The ammonia (NH3) emissions shall not exceed 85 ppmv @ 3% O2 (equivalent to 0.041 lb/MMBtu) over a 24 hour rolling average. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
- 36. Emissions from the auxiliary burner shall not exceed any of the following limits: NOx 0.202 lb/MMBtu; SOx 0.005 lb/MMBtu; PM10 0.006 lb/MMBtu; CO -0.038 lb/MMBtu; and VOC 0.003 lb/MMBtu. [District Rules 2201 and 4801] Federally Enforceable Through Title V Permit
- 37. The exhaust stack shall be equipped with permanent provisions to allow collection of stack gas samples consistent with EPA test methods and shall be equipped with safe permanent provisions to sample stack gases with a portable NOx, CO, and O2 analyzer during District inspections. The sampling ports shall be located in accordance with the ARB regulation titled California Air Resources Board Air Monitoring Quality Assurance Volume VI, Standard Operating Procedures for Stationary Emission Monitoring and Testing. [District Rule 1081] Federally Enforceable Through Title V Permit
- 38. Source testing to measure the NOx, SOx, PM10, CO, VOC, and NH3 emission rates (lb/hr and lb/MMBtu or ppmvd @ 3% O2) for the fluidized bubbling bed combustor shall be conducted at least once every twelve months. [District Rules 1081 and 4352] Federally Enforceable Through Title V Permit
- 39. All emission measurements shall be made with the unit operating at conditions representative of normal operations. No compliance determination shall be established within two hours after a continuous period in which fuel flow to the unit is zero, or is shut off for 30 minutes or longer. [District Rule 4352] Federally Enforceable Through Title V Permit
- 40. Compliance demonstration (source testing) shall be witnessed or authorized by the District, and samples shall be collected by a certified testing laboratory. Source testing shall be conducted using the methods and procedures approved by the District. The District must be notified 30 days prior to any compliance source test, and a source test plan must be submitted for approval 15 days prior to testing. The results of each source test shall be submitted to the District within 60 days thereafter. [District Rule 1081] Federally Enforceable Through Title V Permit
- 41. The following test methods shall be used: NOx (ppmv) EPA Method 7E or ARB Method 100; NOx (lb/MMBtu) EPA Method 19; SOx EPA Method 6 or ARB Method 100; PM10 EPA Method 5 (front half and back half) or 201 and 202a; CO (ppmv) EPA Method 10 or ARB Method 100; CO2 EPA Method 3 or ARB Method 100; VOC EPA Method 18 or 25 or ARB Method 100; stack gas oxygen EPA Method 3 or 3A or ARB Method 100; ammonia BAAQMD ST-1B; Stack Gas Flow Rate EPA Method 2; Moisture Content EPA Method 4; Fuel Heating Value ASTM Method D2015-96 or E711-87. EPA approved alternative test methods as approved by the District may also be used to address the source testing requirements of this permit. The request to utilize EPA approved alternative source testing methods must be submitted in writing, and written approval received from the District, prior to the submission of the source test plan. [District Rules 1081, 4001, and 4352] Federally Enforceable Through Title V Permit
- 42. Permittee shall project and use the proper mix of fuels to ensure that actual emissions from this boiler are offset with creditable biomass on a quarterly basis. [District Rule 2201] Federally Enforceable Through Title V Permit
- 43. Open-burning emission factors used to determine the quantity of offsets generated by the diversion of biomass from open-burning are listed in the attachment "Open Burn Emission Factors" (District policy SSP-2005). [District Rule 2201] Federally Enforceable Through Title V Permit
- 44. If quarterly actual NOx emissions from this boiler are greater than 5,000 lbs (e.g. 1/4 offset threshold), the emission reduction credit from creditable biomass fuel shall be calculated for NOx using the following formula: Pq = x \* [sum of j=1 to n for (Bj) \* (EFj) \* (HBFj) \* (QDFjq)] where: Pq= Pollutant offset credit in lb/qtr = sum of NOx emissions from ag waste credit < 15 miles + NOx emissions > 15 miles from facility; q = calendar quarter; x = 0.5 for biomass originating > 15 miles and 0.769 for < 15 miles; j = each creditable biomass type; B = tons of biomass type (j) used per quarter; EF = emission factor for particular biomass (from SSP-2005); HBFj = Historical Burn Fraction fraction of biomass type (j) that has been demonstrated to have historically been open field burned (a District approved HBF factor must be used); QDFjq = Quarterly Distribution Factor fraction of burning of biomass (j) which occurs in calendar quarter (q). [District Rule 2201] Federally Enforceable Through Title V Permit

- 45. Permittee shall submit a written report to the APCO for each calendar quarter, within 30 days of the end of the quarter, including: time intervals; data and magnitude of excess emissions; nature and cause of excess emission (averaging period used for data reporting shall correspond to the averaging period for each respective emission standard); corrective actions taken and preventive measures adopted; applicable time and date of each period during which a CEM was inoperative (except for zero and span checks) and the nature of system repairs and adjustments; a negative declaration when no excess emissions occurred, and reports on opacity monitors giving the number of three minute periods during which the average opacity exceeded the standard for each hour of operation. The average may be obtained by integration over the averaging period or by arithmetically averaging a minimum of four equally spaced instantaneous opacity measurements per minute. Any time exempted shall be considered before determining the excess averages of opacity. [District Rule 1080] Federally Enforceable Through Title V Permit
- 46. Permittee shall maintain accurate records of continuous emissions monitoring (CEM) results, dates of occurrences and duration of start-up, shutdown, malfunction, performance testing, evaluations, calibrations, checks, adjustments, and maintenance, and daily records of propane fuel usage. [District Rules 1080 and 2201] Federally Enforceable Through Title V Permit
- 47. Daily records for each load of creditable biomass received shall be maintained which include the geographic origin (for applicability of distance offset ratio), date, weigh ticket number, supplier name, fuel type, tons received, the distance offset ratio for the load of biomass, and the amount of offset credit (in pounds of NOx) attributable to each load of biomass. Records shall include certifications that any creditable biomass for which offset credit is claimed has historically been open burned in the San Joaquin Valley air basin. [District Rule 2201] Federally Enforceable Through Title V Permit
- 48. Any fuel which is not combusted in the boiler within 12 months of delivery to the site shall not have any value for emission credits purposes. [District Rule 2201] Federally Enforceable Through Title V Permit
- 49. Permittee shall submit to the District a quarterly report accounting for the tonnage of agricultural waste eliminated from open field burning and used as plant fuel. [District Rule 2201] Federally Enforceable Through Title V Permit
- 50. Quarterly report of agricultural waste eliminated from open field burning (to offset NOx emissions) used as fuel at facility shall document the following: historical burn fraction (HBF) and quarterly distribution factor (QDF) for each biomass fuel used to calculate credit; creditable ag waste fuel receipt quantities; if fuel originates > 15 miles from facility, offset credit ratios; emission factors used; and summary of the resultant emissions offsets provided using the calculation above. The report shall be submitted to the District within 30 days of the end of the quarter. [District Rule 2201] Federally Enforceable Through Title V Permit
- 51. The owner/operator shall maintain an operating log that includes the type and quantity of fuel used and the hhv of each fuel as determined by District Rule 4352, section 6.4 (as amended 10/19/95), or as certified by a third party fuel supplier. [District Rule 4352] Federally Enforceable Through Title V Permit
- 52. Records of all maintenance of the baghouse, including all change outs of filter media, shall be maintained. [District Rule 2201] Federally Enforceable Through Title V Permit
- 53. All records shall be maintained for a period of at least five years and made available for District, ARB, or EPA inspection upon request. [District Rules 1070 and 4352] Federally Enforceable Through Title V Permit