

OCT 15 2019

Ms. Kristine Boyer
Badger Creek Limited
34759 Lencioni Ave., Suite A
Bakersfield, CA 93308

Re: Notice of Final Action - Title V Permit Renewal
Facility Number: S-1250
Project Number: S-1181428

Dear Ms. Boyer:

The District has issued the Final Renewed Title V Permit for Badger Creek Limited (see enclosure). The preliminary decision for this project was made on August 23rd, 2019. A summary of the comments and the District's response to each comment is included as an attachment to the engineering evaluation.

The public notice for issuance of the Final Title V Permit will be posted on the District's website (www.valleyair.org).

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Leonard Scandura, Permit Services Manager, at (661) 392-5500.

Sincerely,



Arnaud Marjollet
Director of Permit Services

Enclosures

cc: Courtney Graham, CARB (w/enclosure) via email
cc: Gerardo C. Rios, EPA (w/enclosure) via EPS

Samir Sheikh
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



Facility # S-1250
BADGER CREEK LIMITED
34759 LENCIONI AVE STE A
BAKERSFIELD, CA 93308

Notice of Permit Issuance

The enclosed permit unit requirements authorize the operation of the equipment as described. These permit unit requirements supersede any and all previous permits for the specified equipment.* Please insert these documents into the Facility Permit to Operate, and post copies on or near the equipment as required by District Rule 2010.

Please contact any of our Small Business Assistance (SBA) staff at the numbers below if you have any questions:

Modesto:	(209) 557-6446
Fresno:	(559) 230-5888
Bakersfield:	(661) 392-5665

*Failure to comply with the permit unit requirements may result in enforcement action.

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

Permit to Operate

FACILITY: S-1250

EXPIRATION DATE: 03/31/2024

LEGAL OWNER OR OPERATOR:

BADGER CREEK LIMITED

MAILING ADDRESS:

34759 LENCIONI AVE STE A
BAKERSFIELD, CA 93308

FACILITY LOCATION:

HEAVY OIL CENTRAL
535 FANO AVE
BAKERSFIELD, CA 93308

FACILITY DESCRIPTION:

GAS TURBINE ENGINE COGENERATION SYSTEM

The Facility's Permit to Operate may include Facility-wide Requirements as well as requirements that apply to specific permit units.

This Permit to Operate remains valid through the permit expiration date listed above, subject to payment of annual permit fees and compliance with permit conditions and all applicable local, state, and federal regulations. This permit is valid only at the location specified above, and becomes void upon any transfer of ownership or location. Any modification of the equipment or operation, as defined in District Rule 2201, will require prior District approval. This permit shall be posted as prescribed in District Rule 2010.

Samir Sheikh
Executive Director / APCO

Arnaud Marjollet
Director of Permit Services

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: S-1250-1-14

EXPIRATION DATE: 03/31/2024

SECTION: 23 **TOWNSHIP:** 28S **RANGE:** 27E

EQUIPMENT DESCRIPTION:

48.5 MW COGENERATION SYSTEM WITH SCR INCLUDING STEWART & STEVENSON GE MODEL 5000 GAS-FIRED TURBINE, HEAT RECOVERY STEAM GENERATOR, AND INLET AIR ABSORPTION CHILLER AND HEAT EXCHANGER

PERMIT UNIT REQUIREMENTS

1. Compliance with permit conditions in the Title V permit shall be deemed compliance with following subsumed requirements: Rule 108 (San Joaquin), Rule 108.1 (San Joaquin), and Rule 407 (San Joaquin) as of the date of permit issuance. Compliance with permit conditions in the Title V permit shall be deemed compliance with the following applicable requirements: 40 CFR 60.332(a), (a)(1), (a)(2), (b), and (f); 60.333 (a) and (b); 60.334(a), (b)(2), and (c); and 60.335(b) and (c); 60.7 (b), 60.8, 60.13, and 64; District Rule 1080 (as amended December 17, 1992), Sections 6.3, 6.4, 6.5, 7.0, 7.1, 7.2, 7.3, 8.0, 9.0, 10.0, and 11.0; and District Rule 1081 (as amended December 16, 1993) as of the date of permit issuance. A permit shield is granted from these requirements. [District Rule 2520] Federally Enforceable Through Title V Permit
2. Operations during periods of startup and shutdown shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the emission limit shown in this permit during periods of startup and shutdown be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard. [40 CFR 60.8 (c)] Federally Enforceable Through Title V Permit
3. Start up time shall be defined as the period of time during which a unit is brought from a shutdown status to its operating temperature and pressure, including the time required by the unit's emission control system to reach full operation. Shut down shall be defined as the period of time during which a unit is taken from an operational to a non-operational status by allowing it to cool down from its operating temperature to ambient temperature as the fuel supply to the unit is completely turned off. The duration of start-up and shutdown shall not to exceed two hours per occurrence. [40 CFR Part 60.2; District Rules 2201 and 4703] Federally Enforceable Through Title V Permit
4. Gas-fired turbine shall be equipped with combustor steam injection and an SCR system utilizing ammonia as the reducing agent for NOx controls. [District Rules 2201 and 4703] Federally Enforceable Through Title V Permit
5. Gas-fired turbine shall be equipped with CO reactor of sufficient catalyst volume to meet CO and VOC emissions limits. [District Rules 2201 and 4703] Federally Enforceable Through Title V Permit
6. All gas turbine engine exhaust shall flow through catalyst bed. [40 CFR 60.7(c) and District Rule 2201] Federally Enforceable Through Title V Permit
7. Gas turbine combustor steam injection system shall be equipped with continuously recording steam-to-fuel injection rate monitoring system. [40 CFR 60.334(a); District Rules 2201 and 4703] Federally Enforceable Through Title V Permit
8. Turbine lube oil reservoir shall be equipped with mist collectors with return line to the turbine lube oil reservoir. [District Rule 2201] Federally Enforceable Through Title V Permit
9. Turbine air/oil separator shall be equipped with a heat exchanger and an air/oil final separator with return lines to turbine lube oil reservoir. [District Rule 2201] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

10. Generator lube oil reservoir shall be equipped with a mist collector and two vent breathers with collection piping from generator bearings and return piping to generator lube oil reservoir. [District Rule 2201] Federally Enforceable Through Title V Permit
11. VOC emissions at gas turbine exhaust shall not exceed 5.37 lbs/hour and 128.9 lbs/day, except during periods of startup and shutdown as defined in this permit. The maximum VOC emission rate from turbine lube oil cooler/accumulating vents shall not exceed 1.9 lbs/day. [District Rule 2201] Federally Enforceable Through Title V Permit
12. The maximum VOC emissions concentration (as CH₄) at turbine exhaust shall not exceed 5.33 ppmv dry at 15% O₂, except during periods of startup and shutdown, and as defined in this permit. [District Rule 2201] Federally Enforceable Through Title V Permit
13. The emission rate from the gas turbine exhaust shall not exceed the following: 79.0 lbs-PM₁₀/day, 147.9 lbs-NO_x /day (as NO₂), 7.0 lbs-SO_x/day (SO₂), and 264.0 lbs-CO/day. [District Rules 2201 and 4201] Federally Enforceable Through Title V Permit
14. The owner or operator shall not operate the gas turbine under load conditions, excluding start up, shut down, or reduced load period, which results in the measured NO_x emissions concentration exceeding 3.8 ppmv @ 15% O₂. [District Rules 2201 and 4703; 40 CFR 60.332(a)(1), (a)(2)] Federally Enforceable Through Title V Permit
15. The owner or operator shall not operate the gas turbine under load conditions, excluding start up, shut down, or reduced load period, which results in the measured CO emissions concentration exceeding 11 ppmv @ 15% O₂. [District Rule 2201 and 4703] Federally Enforceable Through Title V Permit
16. The total particulate matter (PM) emissions from the gas turbine exhaust shall not exceed 0.1 gr/dscf. Calculations done by the SJVUAPCD show that natural gas-fired turbine emissions do not exceed this standard. No monitoring of PM is required. [District Rule 4201] Federally Enforceable Through Title V Permit
17. Ammonia injection rate shall be controlled to maintain ammonia slip to less than 20 ppmv. Compliance with the ammonia slip (ppmv) emission limits shall be demonstrated by sample collection taken by independent testing laboratory annually within 60 days prior to permit anniversary date. The District shall be notified prior to the completion of any sampling event. Official test results and field data collection shall be submitted to the District within 60 days of testing. [District Rule 4102]
18. Compliance with NO_x (ppmv), CO (ppmv), VOC (hourly), and ammonia (ppmv) emissions limits shall be demonstrated by District witnessed sample collection by independent testing laboratory annually within 60 days prior to permit anniversary date. [District Rule 2201] Federally Enforceable Through Title V Permit
19. 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. Official test results and field data collected by source tests required by conditions on this permit shall be submitted to the District within 60 days of testing. [District Rules 1081 and 4703] Federally Enforceable Through Title V Permit
20. All CEMS data required to comply with the conditions in this permit shall be rounded to the same number of significant digits as the specified limits, but not less than two significant digits. [40 CFR 60.13 (h)] Federally Enforceable Through Title V Permit
21. Inlet gas temperature to catalyst bed shall be maintained within range recommended by catalyst manufacturer except during periods of startup and shutdown as defined in this permit. [District Rule 2201 and 40 CFR Part 64] Federally Enforceable Through Title V Permit
22. Gas turbine engine shall be fired exclusively with PUC regulated quality natural gas. The fuel gas sulfur content shall not exceed 0.25 gr H₂S/100 scf. [District Rules 2201 and 4801] Federally Enforceable Through Title V Permit
23. The gas turbine steam injection rate shall be maintained at a steam-to-fuel ratio that results in compliance with emissions limits except during periods of startup, shutdown, and malfunction as defined in this permit. Only malfunctions as defined in 40 CFR Part 60 qualify for this exemption. [40 CFR Part 60, Subpart A, and District Rules 2201 and 4001] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

24. The circular cross section exhaust stack (after SCR unit) shall be equipped with permanent provisions to allow collection of stack gas samples consistent with U.S. EPA test methods and equipped with flow straighteners, if necessary, to minimize turbulence. The facility shall comply with this and all applicable compliance testing procedures described in District Rule 1081 (amended December 17, 1992). [40 CFR Part 60, and District Rules 4703 and 1081]
25. Unfired heat recovery boiler shall be equipped with continuously recording NOx emissions monitors (CEMS) located ahead of SCR catalyst and continuously recording NOx, CO, and O2 emissions monitors located in boiler exhaust stack. CEMS shall meet the performance specification requirements in 40 CFR Part 60, Appendix B, 40 CFR Part 51, Appendix P, and Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the U.S. EPA. CEMS data can be used to determine compliance with emission limits. Continuous emission monitoring for NOx, CO, and O2 serving the exhaust gas stream shall conform to District Rule 1080. [District Rules 1080, 2201, and 4703; 40 CFR 60.13] Federally Enforceable Through Title V Permit
26. The facility shall comply with the applicable requirements for quality assurance testing and maintenance of the CEMS equipment in accordance with the procedures and guidance specified in 40 CFR Part 60, Appendix F. [District Rule 1080 and 40 CFR Part 60] Federally Enforceable Through Title V Permit
27. NOX concentrations from gas turbine exhaust shall be determined using U.S. EPA Method 7E or 20; O2 concentration shall be determined using U.S. EPA Method 3, 3A, or 20. CO emissions shall be determined using U.S. EPA Method 10 or 10B. Source test results will be provided to the District annually. U.S. EPA approved alternate test methods may also be used to address the source testing requirement of this permit. [District Rules 1081, 2520, and 4703; 40 CFR Part 60.335(b) and (c), and 60.8] Federally Enforceable Through Title V Permit
28. CEMS results shall be reduced according to the procedure established in 40 CFR, Part 51, Appendix P, paragraphs 5.0 through 5.1.3, or by other methods deemed equivalent by mutual agreement with the District, the ARB, and the U.S. EPA. [District Rule 1080]
29. Except NOX and CO emission data obtained for compliance demonstration purposes, CEMS data shall be averaged in accordance with the requirements specified under 40 CFR Part 60.13. Compliance results for NOX and CO shall be averaged over a three-hour period. [District Rule 4703 and 40 CFR 60.13] Federally Enforceable Through Title V Permit
30. On days of turbine engine startup/shutdown, permittee shall demonstrate compliance with NOx and CO daily emissions limits with CEMS data, fuel rate data, and daily hours of operation data. A written record of the compliance demonstration shall be maintained and made available for District inspection for a period of five years. [District Rule 1080, 2201, and 2520] Federally Enforceable Through Title V Permit
31. Except during system breakdowns, repairs and maintenance, calibration checks, and zero and span adjustments, the CEMS shall be in continuous operation while the turbine is operating. NOX emissions in ppmv (corrected to 15% O2) and CO and O2 concentrations must be recorded continuously (except as noted elsewhere) and data shall be reduced to 15-minute averages per 40 CFR Part 60.13 (e)(2). [District Rule 2201 and 40 CFR 60.486 (b), (c), & (d)] Federally Enforceable Through Title V Permit
32. Records shall be maintained and shall contain the occurrence and duration of any startup, shutdown, or malfunction; performance testing, evaluations, calibrations, checks, adjustments, any period during which a continuous monitoring system or monitoring device was inoperative, maintenance of any CEMS that have been installed pursuant to District Rule 1080; emission measurements; and daily actual local startup and stop time, length and reason for reduced load periods, daily and total hours of operation and quantity of fuel used. [District Rule 1080, 2201, and 4703; 40 CFR 60.332(a), (b); 60.7(b), and 64] Federally Enforceable Through Title V Permit
33. Compliance with the requirements for fuel gas sulfur content and PUC regulated quality gas shall be by fuel gas sample analysis by independent testing laboratory taken at time of annual stack gas sampling. [District Rule 2201]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

34. Operators of CEMS shall submit a written report for each calendar quarter to the APCO. The report is due on the 30th day following the end of the calendar quarter and shall include time intervals, data and magnitude of excess emissions, nature and cause of excess (if known), corrective actions taken, and preventive measures adopted; averaging period used for data reporting corresponding to the averaging period specified in the emission test period used to determine compliance with an emission standard; applicable time and date of each period during which the CEMS was inoperative (except for zero and span checks) and the nature of system repairs and adjustments; and a negative declaration when no excess emissions occurred. For clarification, operator shall use the same averaging periods as written into the permit for demonstrating compliance. [District Rule 1080 and 40 CFR 60.7(c) and 64] Federally Enforceable Through Title V Permit
35. Facility shall notify the APCO of a violation of any emission standards indicated by the CEMS within 96 hours of occurrence. The APCO shall be notified within eight hours after the detection of a breakdown of CEMS monitoring equipment and 24 hours prior to a planned shutdown of monitoring equipment greater than 4 hours in duration. [District Rules 1080 and 2520, and 40 CFR 60.334(c)] Federally Enforceable Through Title V Permit
36. Monitoring of the exhaust gas temperature at the inlet to the CO catalyst and the CO concentration measured by the CEMS shall be used as performance indicators of compliance with the VOC emissions limits. [40 CFR Part 64] Federally Enforceable Through Title V Permit
37. A computerized data acquisition system shall be used to collect temperature and CO concentration every 1 second, which will be reduced to a 1-hour average temperature and 1-hour average CO concentration, respectively. [40 CFR Part 64] Federally Enforceable Through Title V Permit
38. The exhaust gas temperature at the inlet of the CO catalyst shall be kept within the following range: between 760 F and 930 F. Any exceedance to this range shall trigger a, inspection, corrective action and reporting requirements. [40 CFR Part 64] Federally Enforceable Through Title V Permit
39. Gas temperature at SCR catalyst section inlet shall be monitored by an operational temperature probe located in the exhaust stack after the SCR catalyst at the oxidation catalyst inlet. [District Rule 2201 and 40 CFR Part 64] Federally Enforceable Through Title V Permit
40. The operator shall continuously monitor and record exhaust gas temperature at oxidation catalyst inlet. [District Rule 2201 and 40 CFR Part 64] Federally Enforceable Through Title V Permit
41. Ammonia injection grid shall be equipped with operational ammonia flow meter and injection pressure indicator. [District Rule 2201] Federally Enforceable Through Title V Permit
42. Any lube oil cooler/accumulating vent having visible emissions with an opacity of 5% or greater shall be tested to demonstrate compliance with VOC hourly emissions limit. Official test results/field data shall be submitted within 60 days of testing. [District Rule 2201] Federally Enforceable Through Title V Permit
43. Maximum heat input rating of General Electric LM-5000 gas-fired turbine engine shall not exceed 457.8 MMBtu/hr and nominal generator output shall not exceed 48.5 MW. [District Rule 2201] Federally Enforceable Through Title V Permit
44. Unfired heat recovery steam generator shall not be designed for supplementary firing. [District Rule 2201] Federally Enforceable Through Title V Permit
45. Gas turbine engine shall be equipped with continuously recording fuel gas flowmeter. [District Rule 2201] Federally Enforceable Through Title V Permit
46. Installed SCR unit shall provide space for additional catalyst if source operation cannot achieve sampling limits. [District Rule 2201] Federally Enforceable Through Title V Permit
47. Steam produced at this facility for use in oil production operations shall affect only wells connected to well vent vapor recovery systems approved by District. [District Rule 2201] Federally Enforceable Through Title V Permit
48. The facility shall install and maintain equipment, facilities, and systems compatible with the District's CEM data polling software system and shall make CEM data available to the District's automated polling system on a daily basis. [District Rules 1080 and 2520] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

49. Trained personnel shall perform inspections, calibration, and maintenance of the temperature measurement system to ensure the continuing validity of the data. [40 CFR Part 64] Federally Enforceable Through Title V Permit
50. Upon notice by the District that the facility's CEM 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 CEM data is sent to the District by a District-approved alternative method. [District Rules 1080 and 2520] Federally Enforceable Through Title V Permit
51. Audits of monitors shall be conducted semi-annually by independent laboratory in accordance with EPA guidelines, witnessed by District, and reports shall be submitted to District within 30 days of such audit. [District Rule 2201] Federally Enforceable Through Title V Permit
52. A written record of the compliance demonstrations for NOx and CO daily emissions limits, as required in the condition above, shall be maintained and made available for District inspection for a period of two years. [District Rule 2201]
53. All records shall be retained for a period of at least 5 years and shall be made available for District inspection upon request. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

San Joaquin Valley Air Pollution Control District

FACILITY: S-1250-0-5

EXPIRATION DATE: 03/31/2024

FACILITY-WIDE REQUIREMENTS

1. The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
2. The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
3. The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (12/20/07). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
5. The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.13.1] Federally Enforceable Through Title V Permit
6. A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
9. The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: BADGER CREEK LIMITED

Location: HEAVY OIL CENTRAL, 535 FANO AVE, BAKERSFIELD, CA 93308

S-1250-0-5: Oct 14 2019 4 41PM - PROCOPIS

10. The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
11. Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
12. If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit
13. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
14. The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
15. The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
16. The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
17. The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit
18. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1] Federally Enforceable Through Title V Permit
19. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2] Federally Enforceable Through Title V Permit
20. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit
21. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit
22. No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (02/17/05). If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101, and County Rules 401 (in all eight counties in the San Joaquin Valley)] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

23. No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in Table of Standards 1 effective until 12/30/10 or Table of Standards 2 effective on and after 1/1/11 of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
24. All VOC-containing materials subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
25. The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit
26. With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
27. If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR Part 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
28. If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit
29. Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8021] Federally Enforceable Through Title V Permit
30. Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8031] Federally Enforceable Through Title V Permit
31. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8041] Federally Enforceable Through Title V Permit
32. Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8051] Federally Enforceable Through Title V Permit
33. Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8061] Federally Enforceable Through Title V Permit
34. Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8071] Federally Enforceable Through Title V Permit
35. Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit

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36. The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit
37. The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
38. When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
39. Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following outdated SIP requirements: Rule 401 (Madera, Fresno, Kern, Kings, San Joaquin, Stanislaus, Tulare and Merced), Rule 110 (Fresno, Stanislaus, San Joaquin), Rule 109 (Merced), Rule 113 (Madera), Rule 111 (Kern, Tulare, Kings), and Rule 202 (Fresno, Kern, Tulare, Kings, Madera, Stanislaus, Merced, San Joaquin). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
40. Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4101 (2/17/05); 4601 (12/17/09); 8021 (8/19/2004); 8031 (8/19/2004); 8041 (8/19/2004); 8051 (8/19/2004); 8061 (8/19/2004); and 8071 (9/16/2004). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
41. No air contaminant shall be released into the atmosphere that causes a public nuisance. [District Rule 4102]
42. The facility shall comply with all applicable requirements of Rule 4663 (9/20/07). [District Rule 4663]
43. The owners and operators of each affected source and each affected unit at the source shall: (i) Operate the unit in compliance with a complete Acid Rain permit application or a superceding Acid Rain permit issued by the permitting authority; and (ii) have an Acid Rain permit. [40 CFR 72] Federally Enforceable Through Title V Permit
44. The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75. [40 CFR 75] Federally Enforceable Through Title V Permit
45. The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program. [40 CFR 75] Federally Enforceable Through Title V Permit
46. The owners and operators of each source and each affected unit at the source shall: (i) hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and (ii) comply with the applicable Acid Rain emissions limitations for sulfur dioxide. [40 CFR 73] Federally Enforceable Through Title V Permit
47. Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act. [40 CFR 77] Federally Enforceable Through Title V Permit
48. An affected unit shall be subject to the sulfur dioxide requirements starting on the later of January 1, 2000, or the deadline for monitoring certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3) that is not a substitution or compensating unit. [40 CFR 72, 40 CFR 75] Federally Enforceable Through Title V Permit
49. Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program. [40 CFR 72] Federally Enforceable Through Title V Permit

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50. An allowance shall not be deducted in order to comply with the requirements under 40 CFR part 73, prior to the calendar year for which the allowance was allocated. [40 CFR 73] Federally Enforceable Through Title V Permit
51. An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization. [40 CFR 72] Federally Enforceable Through Title V Permit
52. An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right. [40 CFR 72] Federally Enforceable Through Title V Permit
53. The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides. [40 CFR 72] Federally Enforceable Through Title V Permit
54. The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77. [40 CFR 77] Federally Enforceable Through Title V Permit
55. The owners and operators of an affected unit that has excess emissions in any calendar year shall: (i) pay without demand the penalty required, and pay up on demand the interest on that penalty; and (ii) comply with the terms of an approved offset plan, as required by 40 CFR part 77. [40 CFR 77] Federally Enforceable Through Title V Permit
56. The owners and operators of the each affected unit at the source shall keep on site the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years, in writing by the Administrator or permitting authority: (i) The certificate of representation for the designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site beyond such five-year period until such documents are superceded because of the submission of a new certificate of representation changing the designated representative. [40 CFR 72] Federally Enforceable Through Title V Permit
57. The owners and operators of each affected unit at the source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years, in writing by the Administrator or permitting authority; (ii) All emissions monitoring information, in accordance with 40 CFR part 75; (iii) Copies of all reports, compliance certifications and other submissions and all records made or required under the Acid Rain Program; (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission that demonstrates compliance with the requirements of the Acid Rain Program. [40 CFR 72, 40 CFR 75] Federally Enforceable Through Title V Permit
58. The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 75 Subpart I. [40 CFR 75] Federally Enforceable Through Title V Permit
59. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report begin January 1 of every year, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520] Federally Enforceable Through Title V Permit

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