

**PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR PROGRAM**

**33. N. Stone Avenue, Suite 700 • Tucson, AZ 85701 • Phone: (520) 724-7400**

**AIR QUALITY PERMIT**  
(As required by Title 17.11, Article II, Pima County Code)

**ISSUED TO**

**SILVER BELL MINING, L.L.C.  
25000 W. AVRA VALLEY ROAD  
MARANA, AZ 85653**

*This air quality permit does not relieve applicant for meeting all air pollution regulations*

**THIS PERMIT ISSUED SUBJECT TO THE GENERAL AND SPECIFIC  
TERMS AND CONDITIONS IN THIS PERMIT**

**PERMIT NUMBER: 2028**

**PERMIT CLASS: II**

**ISSUED: February 18, 2022**

**EXPIRES: February 17, 2027**



SIGNATURE

**Rupesh Patel, Air Permit Manager, PDEQ**

TITLE

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## **PERMIT SUMMARY**

*(Unless otherwise noted, references in this permit are to Title 17 of the Pima County Code (PCC), Arizona Revised Statutes (ARS), Arizona Administrative Code (AAC.), or the Pima County State Implementation Plan (SIP). Underlined text are hyperlinked references to either definitions in § 2 of this permit, Conditions within the permit, or to external websites containing the referenced provision.)*

### **Location Information**

This individual air quality permit is issued to Silver Bell Mining, LLC, the Permittee, for their mining operations near the town of Marana, 40 miles Northwest of Tucson, located on 25,000 W. Avra Valley Road, Marana, AZ. Silver Bell Mine (SBM) is a fully owned subsidiary of ASARCO, LLC. The Silver Bell Mine is managed by ASARCO, LLC under an Employee Leasing Agreement and a Management Services Agreement. SBM produces cathode copper from the mining and leaching of sulfide and oxide ores. This permit authorizes the construction or modification and operation of the facility and its operations as described in this permit and applications for permit or revision on file with the Control Officer.

### **Source Description**

The activities and operations covered by this permit are emission sources that fall under the following industrial classification: Copper Ore Mining – SIC code 1021 (NAICS 212230).

The mining operations of SBM include (4) open pits, with chalcocite and chrysocolla, as the principal copper-bearing mineral. Ore is mined at SBM in two ways: 1) by conventional open-pit mining i.e., blasting and hauling the ore to dump and heap leach fields, and 2) rubblizing ore by blasting and leaving the rubblized ore in inside the pits. The dumps and heaps are leached through the application of dilute sulfuric acid. Copper-laden leach solution, called pregnant leach solution (PLS), drains out of the base of each leach dump and heap into collection ponds.

The PLS is pumped from the collection ponds to the Solvent Extraction – Electrowinning (SX – EW) plant. The SX process utilizes two solvent extraction trains, each with three processing stages (two solvent extraction stages and one stripping stage). In solvent extraction (SX), copper from the PLS is selectively recovered and concentrated into a purified copper solution called rich electrolyte. The copper depleted aqueous solution leaving the solvent extraction circuit, called raffinate, is returned to the leaching operations and the rich electrolyte is pumped into the electro-winning (EW) tank house.

In the electro-winning tank house, the heated rich electrolyte undergoes electro-chemical reactions. This process produces a high purity, metallic copper cathode that can be sold directly on the world market. The copper-depleted aqueous solution leaving the EW tank house, called lean electrolyte is recycled back to the stripping state of the SX – EW process.

Current production averages 65 tons per day.

Air emissions from the facility consist primarily of fugitive particulate matter from its mining operations. These are controlled by applying adequate amounts of water, chemical stabilizer or dust suppressant. Air emissions in the SX-EW plant include acid mist emissions, which are produced in the electrowinning cells. Fugitive acid emissions in the tankhouse are controlled by brushes and acid mist suppressant on the cells.

In the source renewal application dated August 7, 2009, SBM applied for authority to construct a duplicate SX-EW tank-house or the addition of SX trains and EW cells to accommodate a potential 100% increase in the cathode copper production rate as an alternate operating scenario and included estimates of the potential emissions from the expansion of operations. This expansion would increase fugitive particulate emissions as a result of increases in mining activity, including drilling, blasting, loading, and hauling of ore to dumps. Other than the addition of two additional emergency generators, mobile mining equipment, and additional SX-EW components including two LPG boilers, there would be no other changes in the method of operation or products produced at the facility. This permit

### § 3: Permit Applicability

renewal incorporates the same proposed alternate operating scenario (new) installations that would result from the expansion of the facility's operations.

The facility as it is currently operated is not subject to NSPS, Subpart LL – Standards of Performance for Metallic Mineral Processing Plants, as there are no affected facilities that are subject to the subpart.

Stationary permitted emission units and operations covered by this permit, including (new) units authorized as part of an approved alternate operating scenario (AOS) to expand production operations are listed in the equipment list in Attachment 2.

### **Permit Revision**

To revise this permit the Permittee must submit a complete application to the Control Officer by mail, e-mail, facsimile, or hand delivery to the address listed in Condition 11 of this permit and upon completion of the revision pay the applicable fee pursuant to Condition 8. (See Condition 14 for the general requirements regarding facility changes and if permit revision is required).

### **Permit Termination**

Condition 6 of this permit addresses the Control Officers ability to revise, revoke and reissue, or terminate this permit. The Permittee may voluntarily request termination of this permit per PCC 17.13.060.

### **Emission Limitations**

This permit may impose limitations to ensure that the source remains a minor source with emission rates below the major source threshold for criteria pollutants, the area source threshold for hazardous air pollutants (HAPs), or to avoid other applicable requirements. The equipment list describes the covered equipment, operations, and/or activities and references applicable permit sections (§§) containing the specific terms and Conditions. The equipment list may contain corresponding operational limitations or parameters, and may reference additional equipment or operation specific attachments.

### **Permit Terms and Conditions**

All terms and Conditions in this permit that are **Federally Enforceable** or **Material Permit Conditions** are specifically indicated as such.

## **GENERAL CONDITIONS**

**§ 1: General Provisions** – (See Attachment 3 of this permit)

**§ 2: Definitions** – (See Attachment 3 of this permit)

## **SPECIFIC CONDITIONS**

### **§ 3: Permit Applicability**

30. Statutory Authority [PCC 17.11.010.B & D, PCC 17.11.090.A, PCC 17.13.010, and ARS § 49-480]

Emissions from the facility, specifically the emissions from the equipment and operations described in the equipment list which fall under SIC Code 1021 (NAICS 212230) are subject to enforceable limitations in this permit. This permit is issued pursuant to ARS § 49-480 and authorizes the construction or modification and operation of the equipment and operations enumerated in the equipment list. This authorization is based on the regulations in effect on the date of issuance of this permit, and a finding that the allowable emissions from the facility, specifically the emissions from the equipment and operations more fully described in the application for this permit, do not constitute a "major source" within the meaning defined in PCC 17.04.340.A.128. Notwithstanding the above findings, this permit shall not relieve the Permittee from compliance with all local, county, state and federal laws, statutes, and codes.

31. Permit Classification [PCC 17.04.340.A (30) (41), (134), (175), (221); and PCC 17.11.090]

Class II – True Minor Source: The permitted facility constitutes a minor source of conventional pollutants and an area source of HAPs, when considering the limitations in this permit, applicable attachments, and emissions from other sources at the facility aggregated under the same major group two digit SIC Code (10).

32. Permitted Sources & Sections [PCC 17.04.340.A (41), PCC Articles IV, VI, and VII of Chapter 17.16]

The specific Conditions contained in this permit apply to the facility, equipment and operations listed in the equipment list. Refer to Attachment 2 of the technical support document (TSD) for information relating the specific applicability to such sources. The specific Conditions and source categories are arranged into the following permit Sections (§§):

§ 3: Permit Applicability (This Section)

§ 4: Facility -Wide Operations

§ 5: Emissions from New and Existing Nonpoint Sources

§ 6: Mining Operations

§ 7: Fossil-Fuel Fired Industrial and Commercial Equipment (Boilers & Heaters)

§ 8: NSPS for Stationary Internal Combustion Engines ‘ICE’

§ 9: NESHAP for Stationary Reciprocating Internal Combustion Engines ‘RICE’

Attachments:

1: Applicable Regulations

2: Equipment list

3: General Conditions/Definitions

4: Summary of Monitoring, Recordkeeping, and Reporting Requirements

5: Ancillary Equipment

33. Applicability of more than one standard [PCC 17.16.010.B]  
**[Federally Enforceable Condition]**

If more than one emission limit or emission standard in this permit is applicable to the same source, the more stringent standard or emission limit shall apply.

34-39. [Reserved]

## § 4: Facility – Wide Operations

The following provisions apply to facility-wide operations and all sources of air contaminants located at the facility. See Attachment 2 of technical support document (TSD) for specific applicability and insignificant activities.

### Emission Limitations and Standards

[PCC 17.13.020.A.2]

#### 40. Facility-Wide Limits [Material Permit Conditions]

- a. When so indicated, the Permittee shall restrict or limit the operation of emission sources to the respective operating limitations in the equipment list of this permit.
- b. The Permittee shall monitor and keep records demonstrating that the emission rate of air pollutants from sources covered under this permit, and any other permitted sources located within the contiguous or adjacent areas under the common control of the same person, do not exceed the major source threshold.

#### 41. General Control Requirements

- a. The Permittee shall not cause or permit the planning, construction, installation, erection, modification, use, or operation of an emission source which will cause or contribute to a violation of a performance standard established in Title 17 of the Pima County Code. [PCC 17.11.020, PCC 17.16.020]  
**[Federally Enforceable Condition]**
- b. The Permittee shall keep complete records of the materials used as fuel for any stationary source or portable source of air pollution which burns any material except natural gas or propane. [PCC 17.16.010.C]
- c. The Permittee is prohibited from firing high sulfur oil in any stationary or portable source unless the applicant demonstrates to the satisfaction of the control officer both that sufficient quantities of low sulfur oil are not available for use by the source and that it has adequate facilities and contingency plans to insure that the sulfur dioxide ambient air quality standards set forth in PCC 17.08.020 will not be violated. Notwithstanding the prohibition to use high sulfur oil, other Conditions in this permit may require lower fuel sulfur content limits. [PCC Chapter 17.16 §§ 010, 140, 160.G, 165.G, 340.H]  
**[Federally Enforceable & Material Permit Condition]**
- d. Where a stack, vent or other outlet is at such a level that fumes, gas mist, odor, smoke, vapor or any combination thereof constituting air pollution are discharged to adjoining property, the Control Officer may require the installation of abatement equipment or the alteration of such stack, vent or other outlet by the Permittee to a degree that will adequately reduce or eliminate the discharge of air pollution to adjoining property. The alteration may be determined by use of good engineering practice (GEP) stack height or such other approved measures. [PCC 17.16.020.B, 17.11.150]
- e. The Permittee shall not construct, install, erect, use, replace, modify, or operate an emission source so as to conceal an emission which would otherwise be a violation of a standard in this permit. [PCC 17.20.040]
- f. Operation and Maintenance Requirements [PCC 17.13.020.A3.d, PCC 17.13.200.B.2, PCC 17.16.020.A]  
**[Federally Enforceable for NSPS and NESHAP sources]**
  - i. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall to extent practicable maintain and operate each source covered by this permit, including any associated APC or monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. [40 CFR 60.1(a) & 60.11(d)][40 CFR 63.6(a) & 63.6(e)]

§ 4: Facility – Wide Operations

- ii. Determination of whether acceptable operating and maintenance (O & M) procedures are being used will be based on information available to the Control Officer which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures (including the startup, shutdown, and malfunction plan, when required), review of operation and maintenance records, and inspection of the source. [40 CFR 60.11(d), 63.6(e)]
- iii. The Control Officer may require the Permittee to develop, submit and follow an O & M plan for permitted sources (including the startup, shutdown, or malfunction plan for NESHAP sources) prior to initial start up the source. Any monitoring or recordkeeping requirements in an approved O & M plan under this provision shall be enforceable as a practical matter. [PCC 17.13.020.A.3.d][40 CFR 63.6(e)]

42. General Materials Handling Requirements

- a. The Permittee shall not transport or store VOC's without taking necessary and feasible measures to control evaporation, leakage, or other discharge into the atmosphere. For the purpose of this provision, VOC's shall be stored in closed containers when not in use. [PCC 17.16.400.A]
- b. Petroleum liquid storage tanks shall be equipped with a submerged filling device or acceptable equivalent for the control of hydrocarbon emissions. [PCC 17.16.230.B]  
**[Federally Enforceable Condition]**
- c. All pumps and compressors which handle volatile organic compounds shall be equipped with mechanical seals or other equipment of equal efficiency to prevent the release of organic contaminants into the atmosphere. [PCC 17.16.230.D]
- d. Materials including solvents or other volatile compounds, paints, acids, alkalies, pesticides, fertilizers and manure shall be processed, stored, used and transported in such a manner and by such means that they will not evaporate, leak, escape or be otherwise discharged into the ambient air so as to cause or contribute to air pollution. Where means are available to reduce effectively the contribution to air pollution from evaporation, leakage or discharge, the installation and use of such control methods, devices, or equipment shall be mandatory. [PCC 17.16.430.F]

43. Gaseous and Odorous Materials

The Permittee shall not emit gaseous or odorous materials from equipment, operations or premises under the Permittee's control in such quantities or concentrations as to cause air pollution. Malodorous matter shall include but not be limited to materials in Condition 42.d. [PCC 17.16.430.F, 17.16.030]  
**[Federally Enforceable Condition]**

44. Opacity

**[Federally Enforceable When Opacity Is Above 40%]**

- a. Except for open fires permitted pursuant to Condition 19.b and sources located within the boundaries of the Tohono O'odham, Pasqua Yaqui, and San Xavier Indian Reservations, the opacity of emissions from nonpoint sources shall not exceed the following: [PCC 17.16.050.B.& C]
  - i. 20% for such nonpoint sources in eastern Pima County, east of the eastern boundary of the Tohono O'odham Reservation.
  - ii. 40% for such nonpoint sources in all other areas of Pima County.
- b. The average optical density of plumes and effluents from a single point, multiple emission point, or fugitive emission source shall not exceed 20% opacity, unless otherwise specified in PCC Table 17.16.040 or this permit. [PCC 17.16.040 & Table 17.16.040, PCC 17.16.130.B.1]

§ 4: Facility – Wide Operations

- c. In accordance with the procedures in Condition 15.a.ii.(a), opacity (optical densities) of an effluent shall be measured by a certified visible emissions evaluator with his/her natural eyes or with certified equipment, approximately following the procedures which were used during his/her certification, or by an approved and precisely calibrated in-stack monitoring instrument. [PCC 17.16.040.A.1]
- d. A violation of an opacity standard shall be determined by measuring and recording a set of consecutive, instantaneous opacities, and calculating the arithmetic average of the measurements within the set unless otherwise provided in this permit. The measurements shall be made at approximately fifteen-second intervals for a period of at least six minutes, and the number of required measurements shall be as specified in PCC Table 17.16.040. Sets need not be consecutive in time, and in no case shall two sets overlap. If the average opacity of the set of instantaneous measurements exceeds the maximum allowed by any rule, this shall constitute a violation. [PCC 17.16.040.A.2]
- e. The use of air or other gaseous diluents solely for the purpose of achieving compliance with an opacity standard is prohibited. [PCC 17.16.040.A.3]
- f. When the presence of uncombined water is the only reason for failure of a source to otherwise meet the requirements as specified in Conditions 44 and 45.b, Conditions 44 and 45.b shall not apply. [PCC 17.16.040.B]

45. Visibility Limiting Standard

- a. The Permittee shall not cause, suffer, allow or permit operations or activities likely to result in excessive amounts of airborne dust without taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne. [PCC 17.16.050.A]
- b. The Permittee shall not cause, suffer, allow, or permit diffusion of visible emissions, including fugitive dust, beyond the property boundary line within which the emissions become airborne, without taking reasonably necessary and feasible precautions to control generation of airborne particulate matter in accordance with § 5 and any applicable attachment to this permit. Sources may be required to cease temporarily the activity or operation which is causing or contributing to the emissions until reasonably necessary and feasible precautions are taken. [PCC 17.16.050.D]

**[Federally Enforceable Condition]**

- i. Taking reasonably necessary and feasible precautions prescribed in § 5 of this permit and any applicable attachments shall be considered compliance with Condition 45.b.
- ii. Condition 45.b shall not apply when wind speeds exceed twenty-five (25) miles per hour (using the Beaufort Scale of Wind-Speed Equivalents, or as recorded by the National Weather Service). This exception does not apply if control measures have not been taken or were not commensurate with the size or scope of the emission source. [PCC 17.16.050.D.2]
- iii. Condition 45.b shall not apply to the generation of airborne particulate matter from undisturbed land. [PCC 17.16.050.D.3]

46. Authorization to Conduct Fugitive Dust Producing Activities

[PCC 17.14.040.F]

The Permittee is authorized to conduct fugitive dust producing activities on the premises without first obtaining an activity permit in accordance with PCC 17.14.040 subject to the following conditions:

- a. The Permittee is responsible for controlling windblown dust, dust from haul roads, and dust emitted from land clearing, earthmoving, demolition, trenching, blasting, road construction, mining, racing event, and other activities to ensure compliance with Conditions 44 and 45.

§ 4: Facility – Wide Operations

- i. Until the area becomes permanently stabilized by paving, landscaping, or otherwise, dust emissions shall be controlled by applying adequate amounts of water, chemical stabilizer, or other effective dust suppressant.
  - ii. The Permittee shall not leave land in such a state that fugitive dust emissions (including windblown dust or dust caused by vehicular traffic on the area) would violate Conditions 44 or 45.
- b. This authorization shall not relieve the Permittee, or its subcontractors, from compliance with all local, county, state, and federal laws, statutes, and codes or from obtaining permits for other operations or activities when required.

**Compliance Determination**

[PCC 17.13.020.A.3, 4, & 5]

47. All records required by, or generated to verify compliance with this Section shall be maintained in accordance with Condition 12 and shall include the following: [PCC 17.13.020.A.4]

- a. Unless otherwise indicated in this permit, the Permittee shall monitor each month the parameters identified as operating limitations in the equipment list for each source so indicated. The Permittee shall keep monthly and 12-consecutive month records of applicable operating limitations per Condition 40.
- b. If at any time, or while conducting an opacity check required by this permit, the Permittee sees any plume or effluent from an emission source at the facility, that on an instantaneous basis, appears to exceed the opacity limit, or if visible emissions including fugitive dust, diffuse beyond the property boundary line, the Permittee shall investigate the source of the emissions and, if required, take corrective action. If the plume persists, or the equipment, activity, operation, or conditions causing or contributing to the emissions cannot be corrected or halted, when practicable, the Permittee shall make a visual determination of the opacity in accordance with Condition 44 and maintain a record of the results. If the VE determination exceeds the applicable opacity limit, or if visible emissions, including fugitive dust, diffuse beyond the property boundary line, the Permittee shall report this as an excess emission in accordance with Condition 11. [PCC 17.16.040 & PCC 17.16.50.B]
- d. The Permittee shall keep and maintain records of any VE determinations made pursuant to Conditions 15.a.ii.(a) and 47.b.
- e. The Permittee shall document and keep records of all opacity checks required by this permit or attachment, or when requested by the Control Officer, including any investigation or corrective action taken to comply with the opacity and visibility standards pursuant to Conditions 44, 45, and 46.
- f. When requested by the Control Officer or required by this permit or attachment, the Permittee shall keep records pursuant to Condition 45.b of the necessary and reasonable precautions taken to control fugitive dust from operations at the facility.
- g. The Permittee shall keep copies of any required activity permits per Condition 19 obtained by the Permittee or subcontractors and associated records.

48. Additional Monitoring, Recordkeeping & Reporting Requirements [PCC 17.24.020, 17.24.050]

- a. See Attachment 4 for a summary of the monitoring, Recordkeeping, and reporting requirements. See Attachment 5 of the TSD for any sample forms or checklists that may be used to comply with the permit.
- b. Except as provided in Conditions 7, 9, 11, 12, 14, 15.e & h, 19, and 47 or otherwise in this permit, additional monitoring for compliance with this Section (§ 4) shall not be necessary.

§ 4: Facility – Wide Operations

- c. The Control Officer may request that the Permittee conduct additional monitoring if the Control Officer has reasonable cause to believe the Permittee may be in violation of the standards in this Section (§ 4).
  - d. The Permittee shall submit to the Control Officer the following Facility-Wide reports:
    - i. The Permittee shall submit a copy of facility changes pursuant to Condition 9.b.v including, if applicable a statement of effectiveness pursuant to Condition 53.a within 30 days of the anniversary of the permit issue date at the address in Condition 11.
      - (a) See the following Conditions which may require facility changes or revisions or which may not have otherwise triggered applicability: Conditions 62.b, 63.a, 63.e, 63.g.ii, 64.a, and 64.d
    - ii. Report to the Control Officer any excess emissions subject to this permit per Condition 11.
    - iii. If applicable, the Permittee shall submit a report and copy of the annual review of the effectiveness of control measures to control fugitive dust emissions from facility operations pursuant to Condition 53.a
49. [Reserved]

## § 5: Emissions from New and Existing Nonpoint Sources

The following provisions apply to existing and new nonpoint sources at the facility and all fugitive dust producing activities. See Attachment 2 of technical support document (TSD) for specific applicability and insignificant activities. [PCC 17.16.055; 17.16.070 – 120]

### Emission Limitations and Standards

[PCC 17.13.020.A.2]

#### 50. Fugitive Dust Controls

The Permittee shall comply with the nonpoint emission standards in Article III of Title 17 of the PCC as listed below:

- a. PCC 17.16.070 – Motor Vehicle Standards [Federally Enforceable Conditions]
- b. PCC 17.16.080 – Vacant Lots and Open Spaces [Federally Enforceable Conditions]
- c. PCC 17.16.090 – Roads and Streets [Federally Enforceable Conditions]
- d. PCC 17.16.100 – Particulate Materials [Federally Enforceable Conditions]
- e. PCC 17.16.110 – Storage Piles

### Compliance Determination

[PCC 17.13.020.A.3, 4, & 5]

51. The Permittee shall conduct VE checks and monitor facility operations as provided in Condition 47.b for compliance with the standards in Condition 50 at least monthly while operating. If necessary, the frequency of VE checks shall be adjusted based on the fugitive dust generating operation or activity, the existing forecasted meteorological conditions, and the surface characteristics of areas susceptible to entrainment of particulate matter in the ambient air. If excess emissions of fugitive dust are present or foreseeable, or there is a lack of controls being employed, the Permittee shall increase the frequency of VE checks and dust control measures commensurate with the size and scope of the source to assure and demonstrate compliance. The results of the VE checks and any investigations or corrective actions shall be used to determine if there is a need for additional control measures.

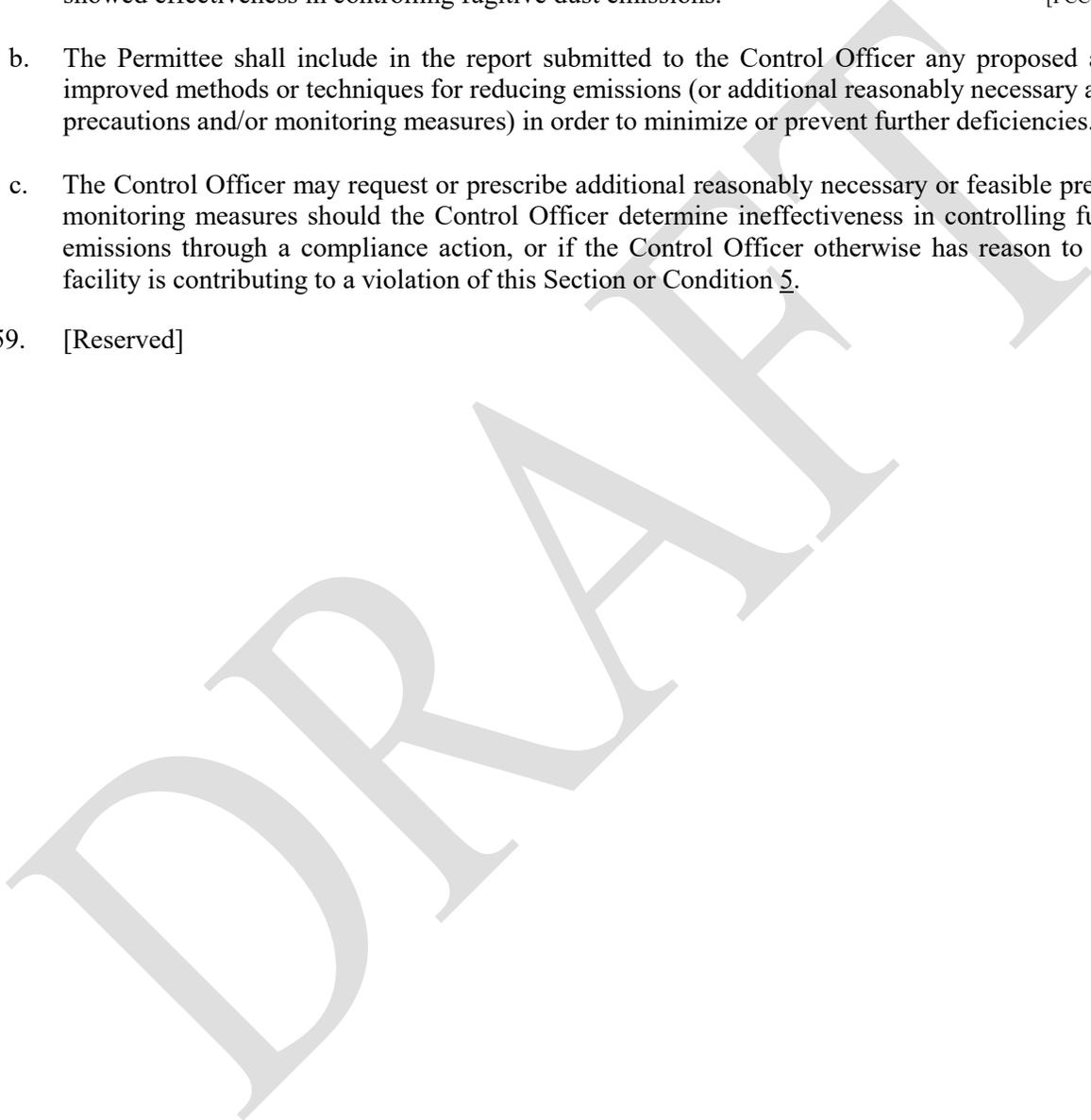
52. All records required by, or generated to verify compliance with this Section (§ 5) shall be recorded and maintained in accordance with Condition 12. The following shall be maintained for review by the Control Officer: [PCC 17.13.020.A.4]

- a. Monthly VE checks and corrective actions taken to comply with Conditions 50 and 51, or as otherwise required by the Control Officer.
- b. Dates on which fresh vegetation was introduced within the property.
- c. Dates on which clearing, leveling, or earthmoving take place and the type of control measures employed.
- d. Dates on which overburden is transported and the control measures employed.
- e. Records of annual reviews prescribed in Condition 53, including any reports or correspondence with the Control Officer, or Director regarding the need for additional reasonably necessary and feasible precautions to control fugitive dust emissions.

53. The Permittee shall conduct an annual review of the effectiveness of control measures to control fugitive dust emissions from facility operations. The annual review shall take into account past unresolved compliance issues, including validated complaints reported to the Control Officer. Pursuant to Condition 14.c, the Permittee or Control Officer may propose additional monitoring and control measures without a reopening of the permit. [PCC 17.13.020.A.5]

- a. If the review shows ineffectiveness, the Permittee shall send a report, including the review, to the Control Officer within 30 days after the anniversary of the permit issue date along with a copy of the submittal of facility changes required by Condition 9.b.v; otherwise the submittal shall state that the annual review showed effectiveness in controlling fugitive dust emissions. [PCC 17.13.020.A.5]
- b. The Permittee shall include in the report submitted to the Control Officer any proposed alternate or improved methods or techniques for reducing emissions (or additional reasonably necessary and feasible precautions and/or monitoring measures) in order to minimize or prevent further deficiencies.
- c. The Control Officer may request or prescribe additional reasonably necessary or feasible precautions or monitoring measures should the Control Officer determine ineffectiveness in controlling fugitive dust emissions through a compliance action, or if the Control Officer otherwise has reason to believe the facility is contributing to a violation of this Section or Condition 5.

54-59. [Reserved]



## § 6: Mining Operations

The provisions of this Section apply to the following activities and operations at the facility as listed in Attachment 2 and Tables 1-3 of this permit. See Attachment 2 of technical support document (TSD) for specific applicability and insignificant activities. [PCC 17.16.100.D, PCC 17.16.360.F, PCC 17.16.400.C, PCC 17.16.430.F, PCC 17.16.450, & PCC 17.16.470]

### Emission Limitations and Standards

[PCC 17.13.020.A.2]

#### 60. Electro-Winning Tank House Operations

[Material Permit Conditions]

- a. Cell Operations: The Permittee shall use and maintain poly-balls, foam, surfactants, or other similar measures of its choosing to control and reduce emissions of sulfuric acid mist generated in the electro-winning cells. [PCC 17.16.430.F]
- b. Cathode Stripping Machine: The Permittee shall use, operate, and maintain a demister located above the washing area for the cathode stripping machine to control mist and particulates, when the stripping machine is in use. [PCC 17.16.430.F]
- c. Stainless Steel Sheet Buffing Operations: The Permittee shall install, operate, and maintain a dust collector to control and reduce metal HAP emissions from the stainless steel sheet buffing operations building in accordance with the manufacturer's recommendations. [PCC 17.16.430.F]

#### 61. Petroleum Liquid or VOL Storage Tanks

[Federally Enforceable and Material Permit Conditions]

- a. No tank with a capacity equal to or greater than 151 m<sup>3</sup> (39,888 Gallons) shall contain a petroleum liquid or volatile organic liquid with a maximum true vapor pressure of 3.5 kilopascals (kPa) or greater. [40 CFR 110b(b)][PCC 17.13.020.B]
- b. No tank with a capacity equal to or greater than 75 m<sup>3</sup> (19,812 gallons) and less than 151 m<sup>3</sup> (39,888 gallons) shall contain a volatile organic liquid with a maximum true vapor pressure of 15.0 kPa or greater. [40 CFR 110b(b)][PCC 17.13.020.B]

#### 62. Portable Sources

- a. Disposition of Portable/Mobile/Transportable Non-Road Engines

Portable sources that are not required to obtain a permit pursuant to Title 17 of the PCC, including transportable internal combustion engine driven or fuel burning equipment, that have a cumulative potential to emit (PTE) in excess of the levels deemed by the Control Officer to be insignificant activities due to their size or production rate, may be required to demonstrate when the portable source was moved or relocated on the property to establish that the source is not subject to regulation as a stationary source. For the purpose of this provision, portable sources that can be moved by hand or have a combined potential to emit, without controls, less than 10% of the major source threshold (or 10 tons/year) shall be deemed to be insignificant activities. [PCC 17.04.340.A.(114.j & 129), PCC 17.11.090.B.3.a, & PCC 17.13.110.C.2]

b. Co-location

- i. The Permittee shall not allow the combined potential to emit (PTE) of the sources covered by this permit and co-located portable sources subject to Condition 62.b.ii, as stated below, to exceed the major source threshold, without first applying for a permit revision pursuant to Condition 14.a.iii.

[PCC 17.13.140.A.7]

- ii. The Permittee shall consider the emission rate of relocated portable sources that require a permit, pursuant to Title 17 of the PCC, in the emission limitations established by this permit, if the portable source is located on site for more than 6 months and meets either of the following conditions:

[PCC 17.04.340.A (41), PCC 17.11.100, PCC 17.11.110.C & E]

- (a) The portable source is considered a pollutant emitting activity belonging to the same industrial grouping as the Permittee's, is located on one or more contiguous or adjacent properties, and is under the control of the same person, or under the common control of the same person. For the purpose of this provision, pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group which has the same two-digit code, as described in the Standard Industrial Classification (SIC) Manual, 1972, as amended by the 1987 supplement; or
- (b) The portable source is located on one or more contiguous or adjacent properties and, while classified under a different two digit SIC code, may be considered an aggregated support facility under the common control of the Permittee.

c. Opacity Limits (Portable/Mobile)

- i. The Permittee shall not cause or permit the opacity of portable sources to exceed the facility-wide opacity limit in Condition 44.b, except as provided below.

- ii. Off-Road Machinery: The Permittee shall not cause, allow, or permit to be emitted into the atmosphere from any off-road machinery, smoke for any period greater than ten consecutive seconds, the opacity of which exceeds 40%. Visible emissions when starting cold equipment shall be exempt from this requirement for the first ten minutes. Off-road machinery shall include trucks, graders, scrapers, rollers, and other construction and mining machinery not normally driven on a completed public roadway.

[PCC 17.16.450]

- iii. Roadway and Site Cleaning Machinery: The Permittee shall not cause, allow or permit to be emitted into the atmosphere from any roadway and site cleaning machinery smoke or dust for any period greater than ten consecutive seconds, the opacity of which exceeds 40%. Visible emissions when starting cold equipment shall be exempt from this requirement for the first ten minutes. In addition, the Permittee shall not cause, allow or permit the cleaning of any site, roadway, or alley without taking reasonable precautions to prevent particulate matter from becoming airborne. Reasonable precautions may include applying dust suppressants. Earth or other material shall be removed from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water or by other means.

[PCC 17.16.470]

## Compliance Determination

[PCC 17.13.020.A.3, 4, & 5]

63. All records required by, or generated to monitor compliance with this Section (§ 6) shall be recorded and maintained in accordance with Condition 12. The following documentation shall be kept in a complete and consistent manner and the Permittee shall make them available for review without delay during normal business hours. [PCC 17.13.020.A.4]

a. Records of the daily process rates and hours of operations of the mine, materials handling facilities, and loaders in accordance with PCC 17.16.360.F. The Permittee shall notify the Control Officer pursuant to Condition 14.b.ii should the permittee proceed with a facility expansion and operate under the Alternate Operating Scenario (AOS).

b. Tank-house APC

Records demonstrating the use, operation, and maintenance of the controls employed for the following. When available, the APC shall be operated according to the manufacturer's specifications:

i. The electro-winning tank cells to control the generation of acid mist emissions.

ii. The cathode stripping machine to control acid mist and particulates.

ii. The stainless steel sheet buffing dust collector.

c. Records for each petroleum or volatile organic liquid storage tank with a capacity greater than 19,812 gallons showing the following:

i. The dimensions of each tank and analysis of the capacity, as applicable;

ii. The contents and manufacturer's Safety Data Sheets (SDS) for each product;

iii. If the tank contains a volatile organic liquid, the maximum true vapor pressure of those contents.

d. Portable/Mobile Sources

i. As needed,

(a) Records of the materials used as fuel for any portable sources on site that are not fueled by natural gas or propane;

(b) Non-road engine relocation logs to demonstrate that portable sources not required to obtain a permit, as provided in Condition 62.a, are not subject to regulation as a stationary source.

(c) Records demonstrating that the combined emission rate of the facility and any co-located portable sources that require a permit, as provided in Condition 62.b, do not exceed the major source threshold.

ii. Records of emission related maintenance activities and/or corrective actions taken to correct any observed deficiencies of the portable/mobile source opacity requirements in Condition 62.c.

64-69. [Reserved]

**§ 7: Ancillary Equipment and Operations**

Ancillary Equipment listed in Item 6 of the equipment list are covered under the PDEQ general permit (GP) 6205 for Fuel Burning Equipment. The Permittee shall comply with applicable GP sections and ATO attachments as provided in Attachment 5 of this permit.

[PCC 17.13.020.A.2, PCC 17.13 Article I]

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## **ATTACHMENT 1: APPLICABLE REGULATIONS**

### **40 CFR, Part 60 Standards of Performance for New Stationary Sources (PCC 17.16.490.A)**

- Subpart A General Provisions.
- Appendix A Test Methods.
- Subpart III Standards of Performance for Stationary Compression Ignition Engines

### **40 CFR, Part 63, National Emissions Standards for Hazardous Air Pollutants (PCC 17.16.530.B)**

- Subpart A General Provisions.
- Subpart CCCCC Source Category: Gasoline Dispensing Facilities (See Attachment 5).
- Subpart ZZZZ NESHAP for Stationary Reciprocating Internal Combustion Engines

### **Pima County Code Title 17, Chapter 17.11 – General Provisions for Permits**

- Article I – General Provisions**
  - 17.11.010 Statutory Authority.
  - 17.11.020 Planning, Constructing, or Operating Without a Permit.
- Article II – General Provisions for Stationary Source Permits**
  - 17.11.060 Permit Display or Posting.
  - 17.11.070 Public records – Confidentiality.
  - 17.11.090 Applicability – Classes of permits.
  - 17.11.100 Permits for State Delegated Emission Sources.
  - 17.11.110 Portable Sources.
  - 17.11.120 Material permit condition.
  - 17.11.150 Stack height limitation.
  - 17.11.160 Test methods and procedures.
  - 17.11.190 Permits containing synthetic emission limitations and standards.
  - 17.11.210 Performance tests.

### **Pima County Code Title 17, Chapter 17.13 – Permits and Permit Revisions for Class II and III Permits**

- Article I – General Provisions**
  - 17.13.010 Application processing procedures.
  - 17.13.020 Permit contents.
- Article II – Permit Revisions, Renewals and Transfers for Class II and III Permits**
  - 17.13.100 Facility changes that require a permit revision.
  - 17.13.110 Procedures for certain changes that do not require a permit revision.
  - 17.13.120 Administrative amendments for Class II and Class III permits.
  - 17.13.130 Minor revisions.
  - 17.13.140 Significant revisions.
  - 17.13.150 Reopening, revocation, or termination.
- Article III – Emissions for Class II and Class III Sources**
  - 17.13.180 Annual Emissions inventory questionnaire.
  - 17.13.190 Excess emissions reporting requirements.
- Article IV - Public Participation for Class II and III permits (inclusive)**

**Article V – Fees for Class II and Class III Sources**

- 17.13.230 General Provisions.
- 17.13.240 Fees related to Class II and Class III permits.

**Pima County Code Title 17, Chapter 17.14 – Activity Permits**

**Article I – General Provisions**

- 17.14.060 Asbestos NESHAP activity permits.
- 17.14.080 Open burning permits.

**Pima County Code Title 17, Chapter 17.16 – Emission Limiting Standards**

**Article I – General Provisions**

- 17.16.010 Local rules and standards; Applicability of more than one standard.
- 17.16.020 Noncompliance with applicable standards.
- 17.16.030 Odor limiting standards.

**Article II – Visible Emission Standards**

- 17.16.040 Standards and applicability (includes NESHAP).
- 17.16.050 Visibility limiting standard.

**Article III – Emissions from Existing and Nonpoint Sources**

- 17.16.055 General.
- 17.16.070 Fugitive dust emissions standards for motor vehicle operation.
- 17.16.080 Vacant lots and open spaces.
- 17.16.090 Roads and streets.
- 17.16.100 Particulate materials.
- 17.16.110 Storage piles.
- 17.16.120 Mineral tailings.

**Article IV – New and Existing Stationary Source Performance Standards**

- 17.16.130 Applicability
- 17.16.165 Standards of performance for fossil-fuel fired industrial and commercial equipment
- 17.16.360 Standards of performance for nonferrous metals industry sources
- 17.16.400 Organic Solvents and other organic materials
- 17.16.430 Standards of performance for unclassified sources

**Article V – Emission from New and Existing Portable Sources**

- 17.16.450 Off-road Machinery
- 17.16.470 Road and site cleaning machinery

**Pima County Code Title 17, Chapter 17.20 – Emissions Source Testing and Monitoring**

**Article I – General Provisions**

- 17.20.010 Source sampling, monitoring and testing

**Article II – Concealment of Emissions**

- 17.20.040 Concealment of emissions

**Article III – Compliance Inspections**

- 17.20.050 Compliance Inspections

**Pima County Code Title 17, Chapter 17.24 – Emissions Source Recordkeeping and Reporting**

**Article I – Availability of Information**

17.24.010 Confidentiality of trade secrets, sales data, and proprietary information

**Article II – Recordkeeping Requirements**

17.24.020 Recordkeeping for compliance determination

**Article III – Reporting Requirements**

17.24.050 Reporting as a permit requirement

17.24.060 Reporting for emission inventories

**Article IV – Penalty for noncompliance (inclusive)**

**Pima County Code Title 17, Chapter 17.28 – Violations and Conditional Orders**

**Article I – Violations (inclusive)**

**Article II – Conditional Orders (inclusive)**

**Article III – Circumvention (inclusive)**

**ATTACHMENT 2: EQUIPMENT LIST**

Equipment and Operations for which emissions are allowed by this permit are as follows:

- 1) **Emissions from New and Existing Nonpoint Sources; (Ref. § 5.51)**
- 2) **Mining Operations: Mine, Materials Handling Facilities, and Loaders; (Ref. § 6.63.a)**
- 3) **Table 1 –Electro-winning tank-house operations ( Ref. § 6.63.b )**

Source ID Number	Description	MFR	Model	Serial Number Unique ID	Maximum Rated Capacity	Operating Limitations	Fuels Used	Date of MFR	Date Installed
01	Electro-winning 58 Cells Demisting Controls	N/A	N/A	N/A	N/A	Use brushes & surface tension additive, or other demonstrated system to minimize generation of sulfuric acid mist	N/A	N/A	Before 2016
02 (New, AOS)	Electro-winning Cells 58 Cells (additional) Demisting Controls	[Reserved]	[Reserved]	[Reserved]	[Reserved]	[Reserved]	[Reserved]	[Reserved]	[Reserved]
03	Stripping Machine Demisting/Particulate Controls	Industrial Plastics Fabricators	ME2400	S20172	2400 scfm	Operate during stripping operations & maintain according to O & M plan.	N/A	1994	1997
04 (New, AOS)	Stripping Machine	[Reserved]	[Reserved]	[Reserved]	[Reserved]	[Reserved]	[Reserved]	[Reserved]	[Reserved]
05	Stainless Steel Buffing Building Dust Collector	Industrial Air Solutions	SPC8D-1000	520285	1000 scfm	Operate during buffing operations & maintain according to manufacturer's recommendations	N/A	2011	December 2011

4) **Table 2 – Petroleum Liquid Storage Tanks (Ref. § 6.65.c):**

Source ID Number	Description	MFR	Model	Serial Number/ Unique ID	Maximum Rated Capacity	Operating Limitation	Fuels Used	Date of MFR	Date Installed
06	2 Extractor/Settler Trains	N/A	N/A	S20045-47 S20073-75	~ 370,000 gallons	N/A	N/A	1997	1997
07	Crud Storage Tank	N/A	N/A	S20122	27,000 gallons	N/A	Nat. Gas	11-2005	11-2005
08	Organic (loaded) Surge Tank	N/A	N/A	S20124	140 750 gallons	N/A	Nat. Gas	11-2005	11-2005
*	Any Other Tanks listed per application page 5	Various	Various	-	< 22, 560 gallons	N/A			

5) **Table 3 – Transportable Non-road Engines (Ref. § 6.63.d):**

Source ID Number	Description	MFR	Model	Serial Number/ Unique ID	Maximum Rated Capacity	Run Hour Limitation <sup>1</sup>	Fuels Used	Date of MFR	Date In Use
9	Portable/Mobile/Transportable Non-Emergency Generator	Caterpillar	Unknown	SBE207	185 hp	N/A	Diesel	Unknown	Unknown
10	Portable/Mobile/Transportable Non-Emergency Generator	Unknown	Unknown	SBE208	173 hp	N/A	Diesel	Unknown	Unknown
11	Portable/Mobile/Transportable Non-Emergency Pump	Caterpillar	C6.6 ACERT	SBE201	275 hp	N/A	Diesel	2011	2011
*	Portable/Mobile/Transportable Motivator – Exempt Equip	-	-	SBE210	1600 hp	N/A	Diesel	~1980	~1980
*	Portable/Mobile/Transportable Motivator – Exempt Equip	Caterpillar	3516CDITA	SBE230	2937 hp	N/A	Diesel	2009	2009

Note: The equipment listed in Table 3 is not covered by this permit due to their status as non-road engines. Depending on their use, the Permittee may need to establish the non-road status of these portable/mobile/or transportable sources in order to demonstrate they are not subject to regulation as a stationary source.

## 6) The following tables constitute an authorization under GP 6205 for ancillary equipment and operations:

Equipment, operations, and activities for which emissions are allowed as provided in Attachment 5 are as follows:

**Boilers & Heaters; GP 6205, Section 3**

Source ID	Description/ Location	MFR/ Model	Serial Number/ Unique ID	Maximum Rated Capacity	Date of MFR	Date Installed	Allowable Fuels and Annual Limits		Applicability <sup>1</sup>	
							Natural Gas / Propane Gas	Fuel Oil	NSPS Subpart Dc	NESHAP Subpart JJJJJ
							(MMcf, hours, CF)	(Gal., hours, CF)		
12	Boiler	Parker T4600	S20509	4.6 MMBtu/hr	2013	2014	Propane/ Unlimited	N/A	N/A	N/A
13	Boiler	Parker T4600	S20510	4.6 MMBtu/hr	2013	2014	Propane/ Unlimited	N/A	N/A	N/A
14 (New, AOS)	Boiler	[Reserved]	[Reserved]	4/6 MMBtu/hr	[Reserved]	[Reserved]	Propane/ Unlimited	N/A	N/A	N/A
15 (New, AOS)	Boiler	[Reserved]	[Reserved]	4.6 MMBtu/hr	[Reserved]	[Reserved]	Propane/ Unlimited	N/A	N/A	N/A

<sup>1</sup> The Permittee must submit a significant revision to revise this ATO and meet applicable NESHAP subpart JJJJJ work practices (tune-ups), notification, and reporting requirements for applicable boilers that switch to fuel oil use and become subject to Subpart JJJJJ in the oil firing subcategory as defined in 40 CFR 63.11237. The revision will be subject to a 5 day public comment period.

**NSPS for CI ICE (Emergency Designated Engines); GP 6205, Section 4C**

Source ID	Description/ Location	MFR/ Model	Serial Number/ Unique ID	Maximum Rated Capacity	Date of MFR	Date Installed	Run Hour Limitation <sup>1</sup>	Allowable Fuels
16	CI ICE	Generac/ SD060	Unknown/ SBE203	93 hp	April 2011	July 2011	100 hours	Diesel
17	CI ICE	Caterpillar/ C175-16	Unknown/ SBE211	3000 kw 4000 hp	2016	1/15/2017	100 hours	Diesel
18 (New AOS)	CI ICE	[Reserved]	[Reserved]	250 hp	[Reserved]	[Reserved]	100 hours	Diesel

<sup>1</sup> The run hours are limited to maintenance testing and readiness checks and non-emergency operation in accordance with the federal requirements. There is no limit on hours of operation during true emergencies.

**Supplemental Requirements; GP 6205, Section 4C**

Source ID	Applicable NSPS Emission Standard	NO <sub>x</sub> g/kw-hr (g/hp-hr)	NMHC g/kw-hr (g/hp-hr)	NMHC+NO <sub>x</sub> g/kw-hr (g/hp-hr)	CO g/kw-hr (g/hp-hr)	PM g/kw-hr (g/hp-hr)	Certified Emission Life (term, date)
16	Emergency Engine Post Model 2007 ≥ 2008	--	--	(3.5)	(3.7)	(0.30)	8,000 hours or 10 years, whichever comes first
17	Emergency Engine Post Model 2007	--	--	(6.4)	(3.5)	(0.20)	8,000 hours or 10 years, whichever comes first
18 (New, AOS)	Emergency Engine Post Model 2007	--	--	TBD	TBD	TBD	8,000 hours or 10 years, whichever comes first

**NESHAP for CI & SI RICE (Emergency Designated Engines); GP 6205, Section 4B**

Source ID	Description/ Location	MFR/ Model	Serial Number/ Unique ID	Maximum Rated Capacity	Date of MFR	Date Installed	Run Hour Limitation <sup>1</sup>	Allowable Fuels
19	CI RICE	Caterpillar D100P1	Unknown/ SBE225	250 hp	1999	Unknown	100 hours	Diesel

**Gasoline Fuel Storage and Dispensing Requirements; Attachment 3 to the ATO – GP 6205**

Source ID	Description	MFR	Model	Serial Number/ Unique ID	Maximum Rated Capacity	Operating Limitations <sup>1</sup>	Date of MFR	Date Installed
20	GDF-1 Gasoline Tank-1	Unknown	Unknown	TBD	6000 gallons	10,000 Gallons/month	Unknown	Unknown

**Surface Coating, Solvent Degreasing, and Abrasive Blasting Requirements; Attachment 4 to the ATO – GP 6205**

Source ID	Description	MFR	Model	Serial Number/ Unique ID	Maximum Rated Capacity	Operating Limitations	Date of MFR	Date Installed
21	General - Surface coating and solvent degreasing operations	N/A	N/A	N/A	N/A	833 gal/yr as a 12-consecutive month total	N/A	N/A
22	General - Abrasive blasting operations	N/A	N/A	N/A	N/A	300,000 lb/yr as a 12-consecutive month total	N/A	N/A

## **ATTACHMENT 3: GENERAL CONDITIONS**

### **§ 1: General Provisions**

#### **1. Application, Permit Expiration and Renewal**

[PCC 17.11.090.A, 17.13.010, 17.13.150, 17.13.160]

- a. The Permittee shall not commence construction of, operate, or make a modification to any source subject to regulation under Title 17 without first obtaining a permit or permit revision from the Control Officer except as provided in Conditions 14.a.ii and 14.b or otherwise provided in Title 17 of the PCC.
- b. This permit is valid for a period of five years from the date of issuance and applies to a source requiring a Class II or III permit or permit revision. The Permittee may operate under the Conditions of this permit until 30 days after receipt of a notice of expiration, termination, or revocation of this permit.
- c. The Permittee or applicant shall submit timely applications according to the following:
  - i. For a source applying for a permit for the first time, a timely application is one that is submitted within 12 months after the source becomes subject to the permit program.
  - ii. For purposes of permit renewal, a timely application is one that is submitted at least 6 months, but not greater than 18 months prior to the date of permit expiration. As a courtesy, the Control Officer shall provide the Permittee a written notice of the expiration date of this permit stating the source must submit a renewal application.
  - iii. If this source becomes subject to a standard promulgated by the Administrator pursuant to § 112(d) of the Act (Hazardous Air Pollutants) then the Permittee shall, within twelve months of the date on which the standard is promulgated, submit an application for a permit revision demonstrating how the source will comply with such standard.
- d. The renewal of this permit shall be subject to the same procedural requirements, including any for public participation, affected states and administrator review, as applicable, that would apply during initial permit issuance. Permit expiration terminates the source's right to operate unless a timely application for renewal that is sufficient under ARS § 41-1064 has been submitted to the Control Officer. Any testing that is required for renewal shall be completed before the proposed permit is issued by the control officer. The control officer shall act on an application for a permit renewal within the same time frames as on an initial permit.
- f. Except as provided in Conditions 14.a.ii and 14.b, no source may operate after the time required to submit a timely and complete application to the Control Officer at the address in Condition 16, except in compliance with a properly issued permit. However, an existing source that submits a timely and complete application for permit issuance, revision, or renewal, that is sufficient under ARS § 41-1064 is not in violation for failure to have a permit until the Control Officer takes final action on the application.

#### **2. Construction or Modification and Operation**

[PCC 17.11.090.A & 17.13.080]

The Permittee shall construct or modify and shall operate affected emissions units and any air pollution controls (APC) in compliance with this permit, Title 17 of the PCC, and all other applicable federal air quality regulations; and in a manner consistent with representations made by the Permittee in an application or notice required by Conditions 1 and 14, to the extent the Control Officer relies upon these representations in approving a facility change, or issuing a permit revision, or renewal of this permit.

#### **3. Location**

[PCC 17.04.340.A.41, 128,129 & 229]

This permit authorizes the construction or modification and operation of the source only in the location described in this permit unless designated as a portable source pursuant to PCC 17.11.110. Should the Permittee choose to operate a portable source covered by this permit in another part of the State, outside Pima County, the Permittee shall, if required for such source, obtain an authorization or permit from the Director or Control Officer who has jurisdiction over the geographic area that includes the new location, and provide notice to that jurisdiction as provided in Condition 9.b.iv.(a)-(d) before commencing operation of such source.

**4. Compliance with Permit Conditions**

[PCC 17.13.020.A.7.a & b]

- a. The Permittee shall comply with all Conditions of this permit including all requirements of Arizona air quality statutes, and Title 17 of the Pima County Code. Compliance with the Conditions of this permit shall be deemed to be compliant with any applicable requirements identified in this permit as of the date of permit issuance. Any permit noncompliance is grounds for enforcement action; for terminating this permit, for revocation and reissuance, for revision; or for denial of a renewal application. In addition, noncompliance with any federally enforceable requirement constitutes a violation of the Clean Air Act (CAA).
- b. 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 this permit.

**5. NAAQS & PSD Protection**

[PCC 17.08.010 – 17.08.150]

The permitted source must not cause or contribute to a National Ambient Air Quality Standards (NAAQS) violation or, in an attainment area, must not cause or contribute to a Prevention of Significant Deterioration (PSD) increment violation.

**6. Revision, Reopening, Revocation and Reissuance, or Termination for Cause**

[PCC 17.13.020.A.7.c]

- a. This permit may be revised reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a revision, revocation and reissuance, termination; or of a notification of planned changes or anticipated noncompliance does not stay any permit Condition.
- b. The permit shall be reopened and revised under any of the following circumstances:
  - i. Additional applicable requirements under the CAA become applicable to a major source. Such reopening shall only occur if there are three or more years remaining in the permit term. The reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and Conditions has been extended pursuant to Condition 1.d. Any permit reopening required pursuant to this paragraph shall comply with provisions in Condition 1.d for permit renewal and shall reset the five-year permit term.
  - ii. The Control Officer determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or Conditions of the permit.
  - iii. The Control Officer determines that the permit needs to be revised or revoked to assure compliance with the applicable requirements.
- c. Proceedings to reopen and issue a permit, including appeal of any final action relating to a permit reopening, shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopenings shall be made as expeditiously as practicable. Permit reopenings for reasons other than those stated in Condition 6.b.i shall not result in the resetting of the five-year permit term.

**7. Posting of Permit & Equipment Identification**

[A.R.S. § 49-485, PCC 17.11.060]

- a. The Permittee shall retain a copy of this permit, and any applicable attachments onsite for review by the Control Officer. If it is not feasible to maintain a copy of the permit onsite the Permittee may request in writing, to maintain a copy of the permit at an alternate location. Upon written approval by the Control Officer, the Permittee must maintain a complete copy of the permit at the approved alternative location.
- b. When practicable the machine(s), equipment, device(s), article(s) or operation(s) for which the permit has been issued shall be affixed with a unique, clearly visible, and accessible ID in order to facilitate inspection and coordination with required monitoring records.

**8. Fee Payment**

[PCC 17.13.020.A.8 & PCC 17.13.240]

The Permittee shall pay fees to the Control Officer pursuant to PCC 17.13.240.

**9. Reporting and Notifications**

[PCC 17.13.020.A.5]

a. The Permittee shall comply with all reporting requirements of this permit including reports required by Condition 11, Condition 15.h, and Condition 48.d. All notifications, reports, and applications required by this permit shall contain certification by a responsible official of truth, accuracy and completeness. The certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. [PCC 17.13.010.H]

b. Unless otherwise specified in the specific Conditions of this permit, the Permittee shall send the following reports and notifications, as applicable, to the Control Officer by mail, e-mail, facsimile, or hand delivery to the address in Condition 11:

i. Notifications for NSPS Affected Facilities

[40 CFR 60.7(a) & 60.19]

If the Permittee becomes subject to the NSPS standards in 40 CFR Part 60, unless otherwise specified in the applicable subpart, the Permittee shall submit an electronic notification as follows:

- (a) A notification of the date construction or reconstruction of an affected facility is commenced, postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form;
- (b) The date of initial startup under Condition 9.b.iii;
- (c) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted in 40 CFR Part 60. This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Control Officer may request additional relevant information subsequent to this notice.

ii. Notifications for NESHAP Affected Sources

[PCC 17.13.010.C.3, 40 CFR 63.5(b)(4) & 40 CFR 63.9(b)]

- (a) If this source becomes subject to a standard promulgated by the Administrator pursuant to section 112(d) of the CAA, then the Permittee shall, within 12 months of the date on which the standard is promulgated, submit an application for permit revision demonstrating how the source will comply with the standard.
- (b) After the date of any relevant NESHAP standard in 40 CFR Part 63, if the Permittee constructs a new affected source (or makes a process change) or reconstructs an affected source that is subject to such standard, or reconstructs a source such that the source becomes subject to the standard, the Permittee must notify the Control Officer of the intended construction or reconstruction in accordance to the requirements in 40 CFR § 63.9(b) and Condition 14.b.i as applicable.
- (c) Unless otherwise required in this permit, the Permittee shall provide the Control Officer a notification as required by 40 CFR § 63.9(j) of any change in the information already provided within 15 calendar days after the change.

iii. Startup Notifications

[40 CFR 60.7(a), 40 63.9(b)(5), & PCC 17.13.240.C & D]

The Permittee shall notify the Control Officer of the date of startup for the following:

- (a) New sources or facilities authorized by this permit that have not been constructed or undergone initial startup. The Permittee must send a notification of the actual date of startup delivered within 15 calendar days after that date; and
- (b) Inactive facilities paying a reduced fee that were shut-down the entire previous year in accordance with PCC 17.13.240.I.

iv. Transfers of Permitted Portable Sources

[PCC 17.11.110.E]

Before the transfer of a portable source permitted by the Control Officer to a new address in Pima County or before the transfer of a portable source permitted by the Director to a location in the County currently operating under a separate air quality permit, the Permittee and/or owner or operator of such source shall notify the Control Officer at least 5 days before the transfer. The notification shall include the following information:

- (a) The new address and/or the latitude and longitude of the location where the portable source is to be transferred.
- (b) The source permit or ATO # and list of covered equipment to be transferred to the new location.
- (c) The expected duration of operation of the portable source at the new location.
- (d) A statement of the compliance status of the source with respect to the recordkeeping requirement in Condition 12.c including a certification of truth accuracy and completeness as provided in Condition 9.a.

v. Facility Changes [PCC 17.13.110]

The Permittee shall notify the Control Officer of facility changes requiring advance notification as provided in Condition 14.b.ii. The Permittee shall submit a copy of all other facility changes subject to logging requirements per Condition 14.b.i within 30 days of the anniversary of the permit issue date at the address in Condition 11. If no changes were made at the source requiring logging, a statement to that effect shall be filed instead.

vi. Testing Notifications

The Permittee shall notify the Control Officer of any required testing per Condition 15.e.

vii. Emissions Inventory Reporting [PCC 17.13.180, 17.24.030 & ARS § 49-476.01]

- (a) When requested by the Control Officer, the Permittee shall complete and submit an annual emissions inventory questionnaire. The questionnaire is due by March 31<sup>st</sup> or ninety days after the Control Officer makes request and inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. The questionnaire shall be on a form provided by or approved by the Control Officer and shall include the information required by PCC 17.13.180.
- (b) As an alternative, when provided, the Permittee may be requested to complete and submit an attached annual emission report to the address in Condition 11.

viii. EPA Reporting

If the Permittee is required by this permit or an attachment to use the EPA Compliance and Emissions Data Reporting Interface (CEDRI) accessed through EPA's Central Data Exchange (CDX) ([www.epa.gov/cdx](http://www.epa.gov/cdx)) to submit information for permitted sources, the Permittee shall submit such reports and maintain such information for review per Condition 12.c.

**10. Inspection and Entry** [PCC 17.20.050]

Upon presentation of proper credentials, the Permittee must allow a representative of the reviewing authority to:

- a. Enter upon the premises where a permitted source is located or emissions-related activity is conducted or where records are required to be kept under the Conditions of the permit;
- b. Have access to and copy, at reasonable times, any records that are required to be kept under the Conditions of the permit;
- c. Inspect, during normal business hours or while the permitted source is in operation, any facilities, equipment (including monitoring and APC equipment), practices or operations regulated or required under the permit;
- d. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
- e. Record any inspection by use of written, electronic, magnetic and photographic media.

## 11. Excess Emissions & Emergency Reporting

[PCC 17.13.020.A.5, PCC 17.13.020.C & PCC 17.13.190]

### a. Excess Emissions Reporting

The Permittee shall report to the Control Officer any emissions in excess of the limits established by this permit. The report shall contain the information defined in § 2 and be in two parts as specified below:

- i. Notification by telephone or facsimile within 24 hours of the time the Permittee first learned of the occurrence of excess emission that includes all available information. The number to report excess emissions is **520-724-7400**. The facsimile number is **520-838-7432**.
- ii. Detailed written notification by submission of an excess emissions report within 72 hours of the notification under Condition 11.ai.

**Send to PDEQ 33 N. Stone Avenue, Suite 700, Tucson, Arizona 85701, or  
E-mail to [air.permits@pima.gov](mailto:air.permits@pima.gov).**

### b. Emergency Reporting

[PCC 17.13.020.C]

The Permittee shall, as soon as possible, telephone the Control Officer giving notice of the emergency and the Permittee shall submit a notice of the emergency to the Control Officer by certified mail, facsimile, hand delivery, or by e-mail within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken. An emergency constitutes an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the criteria described in § 2 are met.

## 12. Recordkeeping Requirements

[PCC 17.13.020.A.4]

### a. Monitoring Information

The Permittee shall maintain records of monitoring information required by this permit. Records shall include at a minimum:

- i. The date, time, and permit Condition requiring the measurement, sampling, inspection, or procedure;
- ii. The name of the person conducting the measurement, sampling, inspection or procedure;
- iii. The particular piece of equipment, process, or area being monitored including a description of the operating conditions and monitoring procedure, technique, or methods used as applicable; and,
- iv. The results of the monitoring including any discrepancy or excess emissions. If there are any monitoring discrepancies or excess emissions, the records shall include the corrective actions taken.

### b. Record Retention

The Permittee shall retain records of all required monitoring and support information for at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records, and copies of all reports identified in Condition 9 required by this permit.

[PCC 17.13.020.4.b]

### c. Record Maintenance for Compliance Determination

[PCC 17.24.020.A]

The Permittee shall maintain all permit required monitoring records and support information onsite and shall be considered in compliance by demonstrating that sufficient information on the equipment and facility operations is periodically collected, recorded, and maintained to assure that the compliance status of any permit Condition can be readily ascertained at any time.

## 13. Duty to Provide Information

[PCC 17.13.010.G & PCC 17.13.020.A.7.e]

- a. The Permittee shall furnish to the Control Officer, within a reasonable time, any information that the Control Officer may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Control Officer copies of records required to be kept by the permit.

- b. For information claimed to be confidential, the Permittee shall furnish a copy of such records to the Control Officer along with a claim of confidentiality in accordance with PCC 17.11.070.B.

- c. If the Permittee has failed to submit any relevant facts or if the Permittee has submitted incorrect information in the permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.

#### 14. Permit Amendment, Revision, and Facility Changes

[PCC 17.13.100, PCC 17.13.110, PCC 17.13.120, PCC 17.13.130 & PCC 17.13.140]

- a. The Permittee shall apply for a permit amendment or revision for changes which do not qualify for a facility change under Condition 14.b as follows:
  - i. Administrative Permit Amendment per PCC 17.13.120;
  - ii. Minor Permit Revision per PCC 17.13.130;
  - iii. Significant Permit Revision per PCC 17.13.140;The applicability and requirements for the above permit actions are defined in the referenced regulations.
- b. Facility Changes
  - i. Except for a physical change or a change in the manner of operation of a source covered by this permit that requires a permit revision under PCC 17.13.100.A, or a facility change subject to logging or notice requirements under PCC 17.13.110, the Permittee shall not be required to revise this permit, provide advance notice, or log the facility or process change.
  - ii. For each facility change requiring advance notice, a written notice shall be sent to the address in Condition 11 and shall be received by the Control Officer the minimum amount of time in advance of the change. The written notice shall include: When the proposed change will occur, a description of the change, any change in emissions of regulated air pollutants, and any Conditions in this permit that are no longer applicable as a result of the change.
- c. No revision shall be required, under any approved economic incentives, marketable permits and other similar programs or processes for changes that are provided for in this permit.
- d. Notwithstanding Condition 14.b, the Control Officer may require the Permittee to revise a permit for any change that, when considered together with any other changes submitted by the Permittee over a 5 year term requires a revision or is required by Condition 14.b.i.

#### 15. Testing Requirements

[PCC 17.11.160, PCC 17.11.210, PCC 17.20.010, 17.20.040]

- a. Incorporated Methods and Procedures
  - i. Except as otherwise provided in this permit, the Permittee shall conduct performance tests and reduce data in accordance with the test methods and procedures contained in the Arizona Testing Manual, 40 CFR 52 - Appendices D and E, 40 CFR 60 - Appendices A through F, 40 CFR 60.17, and 40 CFR 61 - Appendices B and C unless modified by the Control Officer pursuant to PCC 17.11.210.B or by the Director pursuant to A.A.C. R18-2-312.B.
  - ii. Except as otherwise provided in this permit, the Permittee shall follow these general test methods and methodologies to determine compliance with emission limits:
    - (a) Opacity  
The opacity of visible emissions shall be determined by EPA Test Method 9, Appendix A, 40 CFR Part 60 or by EPA approved Alternate Method ALT-082. [PCC 17.11.160.B]
    - (b) Fuel Sulfur Limitations  
Documentation, such as tariff agreements or invoices or statements from the fuel supplier, showing the fuels delivered and verifying the fuel sulfur content is below applicable standards, shall be an acceptable means to demonstrate compliance with fuel sulfur limitations. If required or when requested by the Control Officer, the fuel sulfur content of fuels shall be determined using ASTM D129, D1266, D1552, D2622, D4294, D5453 or an equivalent for liquid fuels, and ASTM D1072, D3246, D4084, D4468, D4810, D6228, D6667, Gas Processors Association Standard 2377, or an equivalent for gaseous fuels.
    - (c) The heat content of solid fuel shall be determined according to ASTM Method D-3176-89, (Practice for Ultimate Analysis of Coal and Coke) and ASTM Method D-2015-91, (Test Method for Gross Calorific Value of Coal and Coke by the Adiabatic Bomb Calorimeter).
    - (d) Other testing and monitoring methods per PCC 17.11.210.H.

- iii. Nothing in Condition 15.a shall be construed to abrogate the Control Officer's authority to require the Permittee to conduct testing nor shall it be construed as to prevent the Permittee from utilizing measurements from emissions monitoring devices or techniques not designated as performance tests as evidence of compliance with Condition 41.f.
  - iv. Except as otherwise provided in this permit, should the Permittee desire to test or be required to test to demonstrate compliance with this permit or Title 17 of the PCC, the Permittee shall contact the Control Officer at the phone number and address in Condition 11 for acceptable test methods and guidelines.
- b. **Alternative Test Methods and Procedures**  
Except for ambient air monitoring or emissions testing of NSPS or NESHAP affected facilities and sources, the Permittee may submit an alternate and equivalent test method(s) listed in 40 CFR Subpart 60, Appendix A or is approved by the EPA as an alternative test method for approval by the Control Officer. (See EPA approved-alternative-test-methods for a listing of alternate test methods).
- c. **Source Testing Requirements**  
New sources required to conduct performance testing shall do so within 60 days after the source has achieved the capability to operate at its maximum production rate on a sustained basis but no later than 180 days after initial startup of such sources. The Permittee shall conduct performance testing as specified in this permit and at such other times as may be required by the Control Officer.
- d. **Representative Operational Conditions**  
Performance tests shall be conducted under such conditions as the Control Officer shall specify to the plant operator based on representative performance of the source unless other conditions are required by the applicable test method or Conditions in this permit. With prior written approval from the Control Officer, testing may be performed at a lower rate. Operations during start-up, shutdown, and malfunction (as defined in PCC 17.04.340.A) shall not constitute representative operational conditions unless otherwise specified in the applicable requirement or this permit.
- e. **Test Plan or Protocol**  
Except as provided in Condition 15.a.ii, at least 14 calendar days prior to performing any required testing, the Permittee shall submit a test plan to the Control Officer, in accordance with PCC 17.11.210.D. and the Arizona Testing Manual. The test plan requirement may be waived by the Control Officer if the Permittee is retesting a source according to a previously submitted test plan. Notwithstanding the requirement to submit a test plan, the Permittee shall be required to notify the Control Officer of any dates of scheduled testing and any departures from the previously submitted plan, methods, or procedures provided in the permit.
- f. **Stack Sampling Facilities**  
When required, the Permittee shall provide or cause to be provided, performance testing facilities as follows:
  - i. Sampling ports adequate for test methods applicable to the facility;
  - ii. Safe sampling platform(s);
  - iii. Safe access to sampling platform(s); and
  - iv. Utilities for sampling and testing equipment.
- g. **Interpretation of Final Results**  
Unless otherwise specified in this permit, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs is required to be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the Permittee's control, compliance may, upon the Control Officer's approval, be determined using the arithmetic mean of the results of the other two runs. If the Control Officer or the Control Officer's designee is present, tests may only be stopped with the Control Officer's or such designee's approval. If the Control Officer or the Control Officer's designee is not present, tests may only be stopped for good cause. Good cause includes: forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the Permittee's

control. Termination of any test without good cause after the first run is commenced shall constitute a failure of the test. Supporting documentation, which demonstrates good cause, must be submitted.

h. Report of Final Test Results

- i. A written report of the results of all performance tests required by this permit shall be submitted to the Control Officer within 30 days after the test is performed. The report shall be submitted in accordance with the Arizona Testing Manual and PCC 17.11.210.A. If additional time is needed to submit the results, the Permittee shall send a written request for an extension describing the circumstances and specifying the time needed to submit the report for approval by the control officer.

[AZ Testing Manual pg 8, 4 weeks ~ 30 days]

16. **Property Rights**

[PCC 17.13.020.A.7.d]

The permit does not convey any property rights of any sort, or any exclusive privilege to the permit holder.

17. **Liability**

This permit does not release the Permittee from any liability for compliance with other applicable federal, state, and local environmental laws and regulations, including the CAA.

18. **Severability Clause**

[PCC 17.13.020.A.6]

The provisions of this permit are severable. If any provision of this permit is held invalid, the remainder of this permit shall remain valid and in force.

19. **Requirement to Obtain Activity Permits**

- a. The Permittee shall not allow or commence demolition or renovation of any NESHAP facility, as defined in 40 CFR Part 61, Subpart M, National Emission Standards for Hazardous Air Pollutants – Asbestos, without first obtaining an activity permit from the Control Officer in accordance with PCC 17.14.060. Should this stationary source, pursuant to 40 CFR Part 61, Subpart M, become subject to asbestos regulations when conducting any renovation or demolition at this premises, then the Permittee or operator shall submit proper notification as described in 40 CFR Part 61, Subpart M and shall comply with all other applicable requirements of 40 CFR Part 61, Subpart M. The Permittee shall keep a record of all relevant paperwork on file.

[PCC 17.14.060 & 40 CFR 61, Subpart M]

- b. The Permittee shall not ignite, cause to be ignited, permit to be ignited, allow or maintain any open outdoor fire without first obtaining an activity permit from the Control Officer or delegated authority unless exempted under PCC 17.14.080.C.

[PCC 17.14.080]

20. **Credible Evidence**

For the purpose of establishing whether the Permittee violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a permitted source would have been in compliance with applicable requirements if the permittee had performed the appropriate performance or compliance test or procedure.

20 – 29. [Reserved]

## § 2: Definitions

The following definitions shall have the meaning as defined in the CAA or Title 17 of the Pima County Code per PCC 17.04.340.A, unless otherwise defined in this permit. If a term is not defined, it shall be interpreted in accordance with normal business use. Terms with an asterisk are terms defined elsewhere 40 CFR Parts 60 and 63 and/or its subparts.

**Administrator** means the administrator of the United States Environmental Protection Agency. Contact Information: Phone (415) 947-8715; [www.epa.gov/region9](http://www.epa.gov/region9)

**Air Pollution or Air Pollutant (Title 17)** means the presence in the outdoor atmosphere of one or more air contaminants or combination thereof, in sufficient quantities, which either alone or in connection with other substances, by reason of their concentration and duration are or tend to be injurious to human, plant, or animal life; or causes damage to property; or unreasonably interferes with the enjoyment of life or property of a substantial part of a community, or obscures visibility; or which in any way degrades the quality of the ambient air below the standards established by the board of supervisors.

**Air pollutant (CAA)\*** means any air pollution agent or combination of such agents, including any physical, chemical, biological, radioactive (including source material, special nuclear material, and byproduct material) substance or matter which is emitted into or otherwise enters the ambient air. Such term includes any precursors to the formation of any air pollutant to the extent the Administrator has identified such precursor or precursors for the particular purpose for which the term “air pollutant: is used.

**Appurtenance\*** (See also Facility maintenance) means any accessory to a stationary structure coated at the site of installation, whether installed or detached, including but not limited to bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating equipment, air conditioning equipment, and other fixed mechanical equipment or stationary tools; lamp posts; partitions; pipes and piping systems; rain gutters and downspouts; stairways, fixed ladders, catwalks, and fire escapes; and window screens.

**Architectural Coating** means coating used commercially or industrially for residential, commercial, or industrial buildings and their appurtenances; structural steel; and other fabrications such as storage tanks, bridges, beams, and girders.

**Cause** means with respect to the Control Officer's ability to deny an application or to revise, reopen, revoke or terminate this permit, for the following reasons: [PCC 17.13.150]

- a. The Control Officer determines that the permit needs to be revised or revoked to assure compliance with the applicable requirements;
- b. The Permittee has not been or is not in compliance with the terms and Conditions of this permit;
- c. The Control Officer determines that the emissions resulting from the construction, modification, and operation of a source significantly contributes to a NAAQS or a PSD increment violation, which are not adequately addressed by the requirements in this permit;
- d. The Permittee failed to disclose a material fact required by the application or the regulations applicable to the source for which the applicant had or should have had knowledge at the time the application was submitted.
- e. The Control Officer has reason to believe that the permit was obtained by fraud or misrepresentation;

**Concealment** with regard to an emission source shall include:

- a. The use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gasses discharged to the atmosphere.
- b. Operating in a piecemeal fashion to avoid compliance with a standard that would otherwise apply to the source on the basis of its size; and
- c. Operating in a manner, under conditions, or during such times that emissions cannot be observed.

**Control Officer** means the director of Pima County Department of Environmental Quality who shall serve as the executive head of the Pima County air quality control district, or an authorized agent. Contact Information: Phone: (520) 724-7400; Website: [Pima County DEQ - air](http://Pima County DEQ - air); E-mail: [air.permits@pima.gov](mailto:air.permits@pima.gov)

**Deviation** means any instance in which an affected source, subject to this permit, or an owner or operator of such a source, fails to meet any requirement or obligation established by this permit, including but not limited to any emission limitation or work practice standard; or fails to meet any emission limitation, (including any operating limit), or work practice standard.

**Director** means the director of the Arizona Department of Environmental Quality. Contact Information: Phone: (602) 771-2285; [ADEQ - Air Quality Division](http://ADEQ - Air Quality Division)

**Emergency** means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, that require immediate corrective action to restore normal operation, and that cause the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [PCC 17.13.020.C]

- a. An emergency constitutes an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the following Conditions are met:
- b. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - i. An emergency occurred and that the Permittee can identify the cause or causes of the emergency;
  - ii. At the time of the emergency, the permitted facility was being properly operated;
  - iii. During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
  - iv. The Permittee submitted notice of the emergency as provided in Condition 16.b to the Control Officer by certified mail, facsimile, hand delivery, or by e-mail within two working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.
- c. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- d. This provision is in addition to an emergency or upset provision contained in any applicable requirement.

**Excess emission report** means:

- a. An excess emissions report shall contain the following information:
  - i. The identity of each stack or other emission point where the excess emissions occurred;
  - ii. The magnitude of the excess emissions expressed in the units of the applicable emission limitation and the operating data and calculations used in determining the magnitude of the excess emissions;
  - iii. The time and duration or expected duration of the excess emissions;
  - iv. The identity of the equipment from which the excess emissions emanated;
  - v. The nature and cause of the emissions;
  - vi. The steps taken, if the excess emissions were the result of a malfunction, to remedy the malfunction and the steps taken or planned to prevent the recurrence of the malfunctions;
  - vii. The steps that were or are being taken to limit the excess emissions; and
  - viii. If the source's permit contains procedures governing source operation during periods of startup or malfunction and the excess emissions resulted from startup or malfunction, a list of the steps taken to comply with the permit procedures.
- b. In the case of continuous or recurring excess emissions, the notification requirements of this Condition shall be satisfied if the source provides the required notification after excess emissions are first detected and includes in the notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period or changes in the nature of the emissions as originally reported shall require additional notification pursuant to Condition 11.a.

**Facility Changes Requiring a Permit Revision** means:

- a. Facility changes requiring the Permittee to apply for a permit revision per PCC 17.13.100:
  - i. A change that triggers a new applicable requirement not provided for in this permit or violates an existing applicable requirement or is a modification.
  - ii. Establishment of, or change in an emissions cap;
  - iii. A change that will require a case by case determination of an emission limitation or other standard, or a source specific determination of ambient impacts, or a visibility or increment analysis;
  - iv. A change that results in emissions that are subject to monitoring, recordkeeping or reporting under PCC 17.13.020.A.3, A.4, or A.5. If the emissions cannot be measured or otherwise adequately quantified by monitoring, recordkeeping, or reporting requirements already in the permit;
  - v. A change that will authorize or result in the burning of any fuel not currently authorized by the permit;
  - vi. Increasing operating or production rates, or operating hours over any limitations in the permit or establishing or revising a limit under PCC 17.11.190; or

- vii. Replacement of an item of APC listed in the equipment list of this permit with one with one that does not have the same or better efficiency for reducing air pollutants.
- viii. Relaxing monitoring, recordkeeping, or reporting requirements, except when the change results:
  - (a) From a change in an applicable requirement; or
  - (b) From removing equipment that results in a permanent decrease in actual emissions, if the source keeps on-site records of the change in a log that satisfies PCC 17.13.110.I.1 and I.2 and if the requirements that are relaxed are present in the permit solely for the equipment that was removed.
- ix. A change that requires the source to obtain a Class I permit pursuant to PCC 17.11.090.A.

**Facility Changes Subject to Logging or Notice Requirements** means:

- a. Facility Changes Requiring Logging per PCC 17.13.110.B & I:
  - i. Changing process equipment, operating procedures, or any other physical change so long as the Permittee does not exceed any threshold listed in Condition 40, or violate any applicable Condition in this permit.
  - ii. Implementing an alternative operating scenario, including raw material changes.
  - iii. Engaging in any new insignificant activity that is not listed in Attachment 2 of the technical support document (TSD) associated with this permit.
  - iv. Replacing an item of APC equipment listed in the permit with an identical (same model, different serial number) item. The Control Officer may require verification of efficiency of the new equipment by performance tests; and
  - v. A change that results in a decrease in actual emissions if the source wants to claim credit for the decrease in determining whether the source has a net emissions increase for any purpose. The logged information shall include a description of the change that will produce the decrease in actual emissions. A decrease that has not been logged is creditable only if the decrease is quantifiable, enforceable, and otherwise qualifies as a creditable decrease.
- b. Facility Changes Requiring Advance Notification per PCC 17.13.110.C & D:
  - i. The Permittee shall provide the Control Officer no less than 7 days advance notice before making a change in the method of operation that increases actual emissions by more than 10% of the major source threshold (10 tons per year) for any conventional pollutant but does not otherwise require a revision;
  - ii. The Permittee shall provide the Control Officer no less than 7 days advance notice for a change that amounts to reconstruction of the source or an affected facility: For purposes of this requirement, reconstruction of a source or an affected facility shall be presumed if the fixed capital cost of the new components exceeds fifty percent of the fixed capital cost of a comparable entirely new source and the changes to the components have occurred over the twelve consecutive months beginning with commencement of construction;
  - iii. The Permittee shall provide the Control Officer no less than 7 days advance notice before replacing a listed item of APC equipment with one that is not identical but that is substantially similar and has the same or better pollutant reduction efficiency;
  - iv. The Permittee shall provide the Control Officer no less than 30 days advance notice for a change that would trigger an applicable requirement that already exists in the permit, unless otherwise provided in the Conditions of this permit.
  - v. The Permittee shall provide the Control Officer no less than 30 days advance notice before replacing a listed item of APC equipment with one that is not substantially similar but that has the same or better pollutant removal efficiency.
  - vi. The Permittee shall provide the Control Officer no less than 30 days advance notice for a change that will result in the emissions of a new regulated air pollutant above an applicable regulatory threshold but that does not trigger a new applicable requirement for that source category. For purposes of this requirement, an applicable regulatory threshold for a regulated air pollutant shall be a significant increase in the net emissions of pollutants listed in PCC 17.04.340.A or ten percent of the applicable major source threshold (10 tons per year) for that pollutant, whichever is less.

**Facility Maintenance**\* means surface coating performed as part for the routine repair or renovation of the tools, equipment, machinery, and structures that comprise the infrastructure of the affected facility and that are necessary for the facility to function in its intended capacity. Facility maintenance also includes surface coating associated with the installation of new equipment or structures, and the application of any surface coating as part of the janitorial activities.

- a. Facility Maintenance includes the application of coatings to stationary sources or their appurtenances at the site of installation; portable buildings at the site of installation; and pavements or curbs.
- b. Facility Maintenance also includes the refinishing of mobile equipment in the field or at the site where they are used in services and at which they are intended to remain indefinitely after refinishing, including, but not limited to farm equipment and mining equipment, for which it is not practical or feasible to move to a dedicated mobile equipment refinishing facility. Such mobile equipment also includes items such as fork trucks that are used in a manufacturing facility and refinished in that same facility.
- c. Facility Maintenance does not include surface coating of motor vehicles, mobile equipment, or items that routinely leave and return to the facility, such as delivery trucks, rental equipment, or containers used to transport, deliver, distribute, or dispense commercial products to customers, such as compressed gas canisters.

**Federally enforceable** means:

- a. The requirements of the New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants contained in Articles VI and Article VII of Chapter 17.16.
- b. The requirements of such other state or county rules or regulations approved by the administrator, including the requirements of approved state and county operating and new source review permit programs that have been approved by the administrator.
- c. The requirements of any applicable implementation plan.
- d. Emissions limitations, controls, and other requirements, and any associated monitoring, recordkeeping and reporting requirements, which are entered into voluntarily by a source pursuant to PCC 17.11.190.

**Good engineering practice (GEP) stack height** means a stack height meeting the requirements described in PCC 17.11.150.

**HAP containing material** means a material that contains any volatile or nonvolatile HAP that is an Occupational Safety and Health Administration (OSHA)-defined carcinogen as specified in 29 CFR 1910.1200(d) at a concentration greater than 0.1 percent by mass, or greater than 1.0 percent by mass for any other HAP compound. For the purpose of determining whether materials used contain the HAP compounds, the Permittee may rely on formulation data provided by the manufacturer or supplier, such as the safety data sheet (SDS), as long as it represents HAP compound in the material that is present at 0.1 percent by mass or more for OSHA-defined carcinogens as specified in 29 CFR 1910.1200(d) and at 1.0 percent by mass or more for other HAP compounds.

**Hazardous Air Pollutant (HAP)** means a pollutant listed in § 112(b) of the CAA.

**High Sulfur Oil** means fuel oil containing 0.90 percent or more by weight of sulfur.

**Industrial coating source** means an industrial source that surface coats large farm machinery, such as harvesting, fertilizing, and planting machines, tractors, and combines; small farm machinery, such as lawn and garden tractors, lawn mowers, and rototillers; small appliances, such as fans, mixers, blenders, crock pots, dehumidifiers, and vacuum cleaners; commercial machinery, such as office equipment, computers and auxiliary equipment, typewriters, calculators, and vending machines; industrial machinery, such as pumps, compressors, conveyor components, fans, blowers, and transformers; fabricated metal products, such as metal covered doors and frames; any other industrial facility which coats metal parts or products under the standard industrial classification code (SIC Manual 1987) major groups 33, 34, 35, 36, 37, 38, and 39 categories **except all of the following**: automobiles and light duty trucks; metal cans; flat metal sheets and strips in the form of rolls or coils; magnet wire for use in electrical machinery; metal furniture; large appliances; exterior or airplanes; automobile refinishing; customized top coating of automobiles and trucks, if production is less than 35 vehicles per day; and the exterior of marine vessels.

**Indexed ID** means an indexed identification number or code used for log entry's to identify the use of a specific product and reference to a product or safety data sheet with a known VOC and HAP(s) content.

**Major source threshold** means the lowest applicable emissions rate for a pollutant that would cause the source to be a major source as defined in PCC 17.04.340.A.128.

**Malfunction** means any sudden and unavoidable failure of APC equipment, process equipment or a process to operate in a normal manner, but does not include failures that are caused by poor maintenance, careless operations or any other upset condition or equipment breakdown that could have been prevented by the exercise of reasonable care.

- a. The Permittee has an affirmative defense for excess emissions due to malfunction, startup, and shutdown as provided in PCC 17.13.200.
- b. For NESHAP sources listed in this permit: [40 CFR 63.6(e)]

During a period of startup, shutdown, or malfunction, the general duty to minimize emissions requires that the owner or operator reduce emissions from the affected source 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.

**Material permit condition** means a condition that satisfies all of the following:

- a. The condition is in a permit or permit revision issued by the Control Officer.
- b. The condition is identified within the permit as a material permit condition.
- c. The condition is one of the following:
  - i. An enforceable emission standard imposed to avoid classification as a major modification or major source or to avoid triggering any other applicable requirement.
  - ii. A requirement to install, operate or maintain a maximum achievable control technology or hazardous air pollutant reasonably available control technology required pursuant to the requirements of A.R.S. § 49-426.06.
  - iii. A requirement for the installation or certification of a monitoring device.
  - iv. A requirement for the installation of APC equipment.
  - v. A requirement for the operation of APC equipment.
  - vi. Any opacity standard required by Section 111 (Standards of Performance for New Stationary Sources) or Title I, Part C or D (Air Pollution Prevention and Control) of the Act.
- d. Violation of the condition is not covered by subsections A through F, or H through J of A.R.S. § 49-464 or subsections A through F, or H through J of A.R.S. § 49-514.

**Mobile equipment** means any device that may be drawn and/or driven on a roadway including, but not limited to, heavy-duty trucks, truck trailers, fleet delivery trucks, buses, mobile cranes, bulldozers, street cleaners, agriculture equipment, motor homes, and other recreational vehicles (including camping trailers and fifth wheels).

**Modification or modify** means a physical change in or change in the method of operation of a source that increases the emissions of any regulated air pollutant emitted by such source by more than any relevant de minimis amount or that results in the emission of any regulated air pollutant not previously emitted by more than such de minimis amount. An increase in emissions at a minor source shall be determined by comparing the source's potential to emit before and after the modification. The following exemptions apply:

- a. A physical or operational change does not include routine maintenance, repair or replacement.
- b. An increase in the hours of operation or if the production rate is not considered an operational change unless such increase is prohibited under any federally enforceable permit condition or other permit condition that is enforceable as a practical matter.
- c. A change in ownership at a source is not considered a modification.

**Motor vehicle** means any self-propelled vehicle, including, but not limited to, automobiles, light duty trucks, golf carts, vans, and motorcycles.

**Nonpoint Source** means, for the purpose of this permit, any source of air contaminants which due to a lack of an identifiable emission point or plume cannot be considered a point source, including fugitive dust producing activities. In applying this criteria, such items as air curtain destructors, heater planers, and conveyor transfer points shall be considered to have identifiable plumes.

**Off-Road Machinery** includes trucks, graders, and other construction or mining machinery not normally driven on a completed highway.

**Operation** means any physical or chemical action resulting in the change in location, form, physical properties or chemical character of a material.

**Partial Enclosure** means a confined area that has at least three sides at least 8 feet high meeting the requirements of Condition 63.b.i.

**Portable Source** means any building, structure, facility or installation subject to regulation under ARS § 49-426 that emits or may emit any air pollutant and is capable of being operated at more than one location.

**Petroleum liquids** means petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not mean Number 2 through Number 6 fuel oils as specified in ASTM D-396-90a (Specification for Fuel Oils), gas turbine fuel oils Numbers 2-GT through 4-GT as specified in ASTM D-2880-90a

(Specification for Gas Turbine Fuel Oils), or diesel fuel oils Numbers 2-D and 4-D as specified in ASTM D-975-90 (Specification for Diesel Fuel Oils).

**Regulated air pollutant** means any of the following:

- a. Any conventional pollutant defined in ARS § 49-401.01 – means any pollutant for which the Administrator has promulgated a primary or secondary national ambient air quality standard.
- b. Nitrogen Oxides and volatile organic compounds
- c. Any air contaminant that is subject to a standards contained in Chapter 17.16, Article VI
- d. Any Class I or II substance listed in Section 602 of the Act (Listing of Class I and Class II Substances)

**Solvent Degreasing** means the removal of loosely held uncured adhesives, uncured ink, uncured coatings and contaminants which include dirt, soil and grease from parts, products, tools, machinery, equipment, and general work areas using a solvent that contains two percent by weight or more of a regulated air pollutant.

**Source** means any building, structure, facility or installation that may cause or contribute to air pollution or the use of which may eliminate, reduce or control the emission of air pollution. Source may also mean the Permittee or facility as a facility-wide entity.

**Suitable Enclosure** means a confined area, completely enclosed (side curtains or small openings are allowed as long as the ventilation air maintains the enclosure under negative pressure such that air is drawn into the booth openings or side curtains, where all exhaust from the controls is controlled as described in Condition 63.b.ii.

**Target HAP\*** are compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd).

**VOC - Volatile Organic Compounds** means any compound of carbon, excluding carbon monoxide (CO), carbon dioxide (CO<sub>2</sub>), carbonic acid, metallic carbides, or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. This includes any organic compound other than those in the definition in PCC 17.04.340.A.250, which have been determined to have negligible photochemical reactivity.

**VOC Containing** means a material that contains two percent by weight or more VOC as determined by the manufacturer's safety data sheet (SDS) or technical product data sheet, or ASTM 2369, or methods set forth in 40 CFR 60, Appendix A. For the purpose of determining whether materials used contain the VOC compounds, the Permittee may rely on formulation data provided by the manufacturer or supplier, such as the safety data sheet (SDS).

**Volatile Organic Liquid (VOL)** means any organic liquid which can emit volatile organic compounds (as defined in 40 CFR 51.100) into the atmosphere.

**VHAP Containing** means a HAP containing material that contains volatile HAP constituents.

**Work practice standard** means any design, equipment, work practice, or operational standard, or combination thereof that is promulgated pursuant to § 112(h) of the Clean Air Act.

**ATTACHMENT 4: SUMMARY OF MONITORING, RECORDKEEPING AND REPORTING**

Reporting & Notification Requirements	
Section. Condition	Description
<b>§§ 1 - 3: General Provisions</b>	
§ 1.7	Permit Posting & Equipment Identification
§ 1.9;	General Reporting and Notifications
§ 1.11	Excess Emissions and Emergency Reporting
§ 1.12.a, b & c	General Recordkeeping
§ 1.14	Amendment, Revision, Facility Change
§ 1.19	Other Required Activity Permits
§ 1.15.e & 1.15.h	Testing Notifications and Reports (if applicable)
<b>§4: Facility Wide Operations</b>	
§ 4.47	Records of parameters/limitations when listed in equipment list; Visible emissions checks, VE investigations, VE determinations & corrective actions; If requested, by control officer necessary and reasonable precautions taken to control fugitive dust emissions; activity permits obtained during term of permit (open burn, Asbestos demolition-renovation).
§ 4.48.d	Facility-Wide Report within 30 days of the anniversary of permit issuance that includes annual review of effectiveness of control measures to control fugitive dust, per Condition 53.a
<b>§ 5: Emissions from New and Existing Nonpoint Sources</b>	
§ 5.51	Records of VE checks of facility operations at least monthly while the mine is operating. Investigate for plumes in excess 20% instantaneous, and visible emissions crossing property boundary line. Adjust increase VE check frequency based on activity, forecasted meteorological conditions, surface conditions, or if lack of controls being employed.
§ 5.52	Monthly VE checks and corrective actions; Dates on which fresh vegetation was introduced within the property; Dates on which clearing, leveling, or earthmoving take place and control measures employed; Records of annual review of effectiveness of control measures.
<b>§ 6: Mining Operations</b>	
§ 6.63.a	<b>Process Rates:</b> Records of the daily process rates and hours of operations of the mine, materials handling facilities, and loaders in accordance with PCC 17.16.360.F;
§ 6.63.a	Notification prior to facility change and expansion of the facility under AOS.
§ 6.63.b	<b>Tank-house APC:</b> Records demonstrating use, operation, and maintenance of controls employed: EW Cells to control acid mist emissions; The cathode stripping machine to control acid mist and particulates; stainless steel sheet buffing machine dust collector.
§ 6.63.c	<b>Petroleum or VOL storage tanks with capacity greater than 19,812 gallons:</b> Records showing: dimensions of each tank, contents and manufacturer's safety data sheet (SDS) for each product, maximum true vapor pressure of the contents.
§ 6.63.d	<b>Portable Sources (as applicable):</b> Records of the materials used as fuel for any portable sources on site that are not fueled by natural gas or propane; Non-road engine relocation logs; When required: collocated portable source emission rates do exceed major source threshold for the facility; Records of emission related maintenance activities or corrective action to correct portable/mobile source opacity deficiencies.

Section. Condition	Description
<b>§ 7: Ancillary Equipment and Operations</b>	
Condition 36	<b>Boilers &amp; Heaters; GP 6205, Section 3</b>
Conditions 49, 50	<b>CI &amp; SI RICE (<i>Emergency Designated Engines</i>); GP 6205, Section 4B</b>
Condition 51	<b>Annual Report (if applicable)</b>
Conditions 58 – 63	<b>NSPS for CI ICE (<i>Emergency Designated Engines</i>); GP 6205, Section 4C</b>
Condition 64	<b>Annual Report (if applicable)</b>
GP 6205 Attachment 3 Conditions 5 – 7  (See Attachment 5 of this permit)	<b>Gasoline Fuel Storage and Dispensing Requirements; Attachment 3 to the ATO, GP 6205</b>
GP 6205 Attachment 4 to ATO, Condition 4  (See Attachment 5 of this permit)	<p><b>Surface Coating, Solvent Degreasing, and Abrasive Blasting Requirements; Attachment 4 to the ATO – GP 6205 (if applicable)</b></p> <ul style="list-style-type: none"> <li>- Purchase records showing the volume (in gallons) of each surface coating material used each month and the facility totals for the current and previous year;</li> <li>- Enclosures, Solvent Degreasing Units, Waste storage areas; – Records of monthly inspection while in operation; Notifications (if applicable);</li> <li>- <u>VOC</u> or <u>HAP</u> containing surface coating materials usage:                         <ul style="list-style-type: none"> <li>- SDS sheets, name <i>Indexed ID</i> – List of coatings containing <u>target HAP</u> or <u>VHAP</u>; List of <u>Industrial Coatings</u>; list of <u>Architectural Coatings</u>; list of <u>Solvent Degreasing Solvents</u>;</li> <li>- Surface Coating Usage – purchase records showing the volume (in gallons) of each surface coating material purchased each month; For each suitable enclosure logs of the gallons of each VOC or VHAP containing material used each month with <i>Indexed ID</i>; as necessary.</li> <li>- Records of the total amounts (in pounds) of abrasive blasting media used each month by the facility and the resulting 12-consecutive month total; For unconfined abrasive blasting operations: Total amounts used each month, daily VE checks, date and location, certified blasting agent or controls employed.</li> </ul> </li> <li>-</li> </ul>
GP 6205 Attachment 4 to ATO, Condition 1 and 4.a.i(b)	Submit a Facility Change notification to the Control Officer if yearly usage of surface coatings & solvents exceeds 522 gallons/year; if usage exceeds 833 gallons per/yr.

**ATTACHMENT 5: ANCILARY EQUIPMENT**

**ADDITIONAL ATTACHMENTS (as applicable)**

**GP 6205 – Fuel Burning Equipment**

1) The following Sections of GP #6205 and Attachments apply to the facility and any ancillary sources listed in the equipment list:

- § 1 – General Provisions
- § 2 – Definitions
- § 3 – Permit Applicability
- § 4 – Permit-Wide Operations
- § 5 – Fossil Fuel Fired Industrial and Commercial Equipment
- § 6B – NESHAP Requirements for CI & SI RICE
- § 7A – NSPS Requirements for ‘CI’ ICE
- § 8 – Specific Source Applicability Provisions

**Attachment 3 to ATO** – Gasoline Fuel Storage and Dispensing Requirements

**Attachment 4 to ATO** – Surface Coating, Solvent Degreasing, and Abrasive Blasting Requirements

2) Specific Applicability for [Item 6](#) of the equipment list:

- |                     |   |
|---------------------|---|
| Condition 80:       | Permitted Source Applicability                                    |
| Condition 80.a:     | Permit-Wide Operations  |
| Condition 80.b:     | Fossil-Fuel Fired Industrial and Commercial Equipment             |
| Condition 80.e.ii:  | NESHAP for CI and SI RICE   |
| Condition 80.e.iii: | New Source Performance Standards for CI ICE                       |
| Condition 80.f.iii  | Attachment 3 – Gasoline Fuel Storage and Dispensing Requirements  |
| Condition 80.f.iv   | Attachment 4 – Surface Coating and Abrasive Blasting Requirements |
| Condition 81:       | Local (New and Existing) Stationary Source Performance Standards. |
| Condition 82:       | Exempt Sources.   |