



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

Dirk Kempthorne, Governor  
C. Stephen Allred, Director

June 7, 2002

**CERTIFIED MAIL #7000 1530 0005 5348 6322**

Mr. Fred Hughes, General Manager  
BNFL, Inc.  
1970 E. 17th St., Suite 207  
Idaho Falls, ID 83402

RE: AIRS Facility No. 023-00001, INEEL, Idaho Falls  
(Final Permit to Construct, AMWTF)

Dear Mr. Hughes:

The Idaho Department of Environmental Quality (Department) is issuing Permit to Construct (PTC) No. 023-00001 for the Advanced Mixed Waste Treatment Facility (AMWTF) at the Idaho National Engineering and Environmental Laboratory (INEEL) in accordance with IDAPA 58.01.01.200 - .223, *Rules for the Control of Air Pollution in Idaho*. This PTC supersedes PTC No. 023-00001 issued for the AMWTF by DEQ on April 19, 2002. The enclosed PTC is effective immediately and is based on the requested changes received May 9, 2002.

The following changes were made to the PTC:

- Cover page, Section 8 - The following text was added: *"This permit supersedes Permit to Construct No. 023-00001 issued on April 19, 2002."*
- Permit Condition 1.1 - The following portion of the permit condition was removed: *"...nor shall radionuclide emissions from the AMWTF by themselves cause any member of the public at any off-site point where there is a residence, school, business, or office to receive an effective dose equivalent to greater than 0.1 mrem/yr."*

Subpart H of Title 40 of the Code of Federal Regulations (40 CFR), Part 61 establishes an emission standard for radionuclides for Department of Energy facilities. Therefore, the 10 millirem per year standard established in 40 CFR 61.92 applies to the entire INEEL facility. There are no other emission standards established in Subpart H.

- Permit Condition 1.3 - The fuel-burning equipment standard for particulate matter was changed from 0.050 grains per dry standard cubic foot (gr/dscf) for liquid fuel to 0.015 gr/dscf for gaseous fuel because propane is combusted as a gas.
- Permit Condition 1.5 was removed. The New Source Performance Standard (NSPS) listed in 40 CFR Part 60, Subpart Dc does not apply to the boilers at the facility.
- Permit Condition 2.2.4 - The throughput of the special-case waste glovebox system was changed from 0.025 drums per day to 3.64 drums per day per facility's request.
- Permit Condition 2.3 was removed. The Department determined this permit condition was a redundant requirement.

Mr. Fred Hughes  
June 7, 2002  
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- Permit Condition 2.4.3 was removed. The facility received data from propane suppliers indicating the sulfur content in supplied propane is negligible. The Department recommends the facility maintain documentation from the propane supplier regarding sulfur content.
- Permit Condition 2.8 was removed. The facility is required to determine radionuclide emissions in accordance with 40 CFR 61.93(a); therefore, Permit Condition 2.8 was a redundant permit condition.
- Permit Condition 3.3 - The requirement to monitor and record the sulfur content of the fuel burned in the boilers and water heater at the facility was removed because Permit Condition 2.4.3 was removed.
- Permit Condition 3.4 was removed. The NSPS listed in 40 CFR Part 60, Subpart Dc does not apply to the boilers at the facility.
- Permit Condition 3.6 was removed because it established monitoring and recordkeeping requirements for Permit Condition 2.8, which was also removed.
- Table A.2 was revised to reflect the slight increase in volatile organic compound emissions associated with the increase in throughput of the special case waste glovebox.

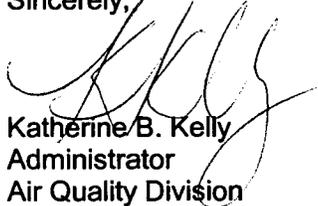
The technical memorandum was revised to reflect the changes to the PTC.

This permit does not release BNFL Inc. from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

Jorge Garcia of the Idaho Falls Regional Office will contact you regarding a meeting with the Department to discuss the permit terms and requirements. In addition to your facility's plant manager, the Department recommends the following representatives attend the meeting: your responsible official, environmental contact, and any operations staff responsible for day-to-day compliance with the permit conditions.

You, as well as any other entity, may have the right to appeal this permit pursuant to IDAPA 58.01.23, *Rules of Administrative Procedure Before the Board of Environmental Quality*. A petition may be filed with the Hearings Coordinator, Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255 within 35 days of the date of this decision. However, prior to filing a petition for a contested case, the Department encourages you to contact Dan Salgado at (208) 373-0502 to address any questions or concerns you may have with the enclosed permit.

Sincerely,



Katherine B. Kelly  
Administrator  
Air Quality Division

KK/MJS Project No. P-020504 G:\AIR PERMITS\PTC\INEEL AMWTFP-020504 REV FINAL LETTER.DOC

Enclosures

cc: Jorge Garcia, Idaho Falls Regional Office  
Sherry Davis, Technical Services  
Laurie Kral, EPA - Region 10



**Air Quality  
PERMIT TO CONSTRUCT**  
  
State of Idaho  
Department of Environmental Quality

PERMIT NO.: 023-00001  
 AQCR: 061 CLASS: B  
 SIC: 9999 ZONE: 12  
 UTM COORDINATE (km): 335.3, 4817.8

1. **PERMITTEE**  
BNFL, Inc. / Department of Energy

2. **PROJECT**  
Advanced Mixed Waste Treatment Facility

3. <b>MAILING ADDRESS</b> 1970 E. 17 <sup>th</sup> St., Suite 207	<b>CITY</b> Idaho Falls	<b>STATE</b> ID	<b>ZIP</b> 83402
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4. <b>FACILITY CONTACT</b> Fred Hughes	<b>TITLE</b> General Manager	<b>TELEPHONE</b> (208) 524-8484
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5. <b>RESPONSIBLE OFFICIAL</b> Fred Hughes	<b>TITLE</b> General Manager	<b>TELEPHONE</b> (208) 524-8484
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6. <b>EXACT PLANT LOCATION</b> INEEL / Advanced Mixed Waste Treatment Facility	<b>COUNTY</b> Butte
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7. **GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS**  
Mixed Waste Treatment

8. **GENERAL CONDITIONS**

This permit is issued according to IDAPA 58.01.01.200, *Rules for the Control of Air Pollution in Idaho*, and pertains only to emissions of air contaminants regulated by the state of Idaho and to the sources specifically allowed to be constructed by this permit.

This permit (a) does not affect the title of the premises upon which the equipment is to be located; (b) does not release the permittee from any liability for any loss due to damage to person or property caused by, resulting from, or arising out of the design, installation, maintenance, or operation of the proposed equipment; (c) does not release the permittee from compliance with other applicable federal, state, tribal, or local laws, regulations, or ordinances; (d) in no manner implies or suggests that the Idaho Department of Environmental Quality or its officers, agents, or employees, assume any liability, directly or indirectly, for any loss due to damage to person or property caused by, resulting from, or arising out of design, installation, maintenance, or operation of the proposed equipment.

This permit is not transferable to another person, place, or piece or set of equipment. This permit will expire if construction has not begun within two years of its issue date or if construction is suspended for one year.

This permit has been granted on the basis of design information presented with its application. Changes of design or equipment may require Department approval pursuant to the *Rules for the Control of Air Pollution in Idaho*, IDAPA 58.01.01.200, et seq.

This permit supersedes Permit to Construct No. 023-00001, issued April 19, 2002.

  
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 KATHERINE B. KELLY, ADMINISTRATOR, AIR QUALITY DIVISION  
 DEPARTMENT OF ENVIRONMENTAL QUALITY

Date Issued: June 7, 2002

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## ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE LIST

AMWTF	Advanced Mixed Waste Treatment Facility
AQCR	Air Quality Control Region
ASME	American Society of Mechanical Engineers
BNFL	BNFL, Inc.
CFR	Code of Federal Regulations
CO	carbon monoxide
Department	Department of Environmental Quality
DWHE	Drummed Waste Handling Enclosure
DWPG	Drummed Waste Processing Glovebox
EPA	Environmental Protection Agency
gr/dscf	grains per dry standard cubic foot
HEPA	high-efficiency particulate air
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
INEEL	Idaho National Engineering and Environmental Laboratory
lb/hr	pound per hour
m <sup>3</sup>	cubic meter(s)
MMBtu/hr	million British thermal units per hour
mrem/yr	millirems per year
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO <sub>x</sub>	nitrogen oxides
O&M	operations and maintenance
PM	particulate matter
PM <sub>10</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
QA	quality assurance
SIC	Standard Industrial Classification
SO <sub>2</sub>	sulfur dioxide
T/yr	tons per year
UTM	universal transverse mercator
VOCs	volatile organic compounds

**AIR QUALITY PERMIT TO CONSTRUCT NUMBER: 023-00001**

**Permittee:** BNFL, Inc. /Department of Energy

**Location:** INEEL /AMWTF, Idaho Falls

**Date Issued:** June 7, 2002

**1. EMISSION LIMITS**

**1.1 Radionuclide Dose Impact Limit**

The Advanced Mixed Waste Treatment Facility (AMWTF) shall operate in accordance with the requirements of the EPA, NESHAPs, 40 CFR Part 61, Subparts A and H. Radionuclide emissions from the AMWTF shall not by themselves, or in combination with radionuclide emissions from all other facilities located at the Idaho National Engineering and Environmental Laboratory (INEEL) site, cause any member of the public at any off-site point where there is a residence, school, business, or office to receive an effective dose equivalent to greater than 10 mrem/yr.

**[40 CFR 61.92]**

**1.2 Criteria Pollutant Emission Limits**

Annual emissions of NO<sub>x</sub> from the three boilers at the AMWTF shall not exceed the limit listed in Appendix A.

**[IDAPA 58.01.01.211.01]**

**1.3 Fuel-burning Equipment Standard**

The permittee shall not discharge to the atmosphere from any fuel-burning equipment PM in excess of 0.015 gr/dscf corrected to 3% oxygen.

**[IDAPA 58.01.01.677]**

**1.4 Opacity Limit**

Emissions from any stack, vent, or functionally equivalent opening associated with the AMWTF, shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625, *Rules for the Control of Air Pollution in Idaho*. Opacity shall be determined by the procedures contained in IDAPA 58.01.01.625.

**[IDAPA 58.01.01.625]**

**AIR QUALITY PERMIT TO CONSTRUCT NUMBER: 023-00001**

**Permittee:** BNFL, Inc. /Department of Energy

**Location:** INEEL /AMWTF, Idaho Falls

**Date Issued:** June 7, 2002

**2. OPERATING REQUIREMENTS**

**2.1 Facility Waste Throughput Limit**

The permittee shall not process more than 85,000 m<sup>3</sup> of waste stored at INEEL without prior Department approval.

[IDAPA 58.01.01.211.01]

**2.2 Throughput Limits**

- The maximum combined daily throughput of the Drummed-waste Handling Enclosure (DWHE) and the Drummed-waste Processing Glovebox (DWPG) shall not exceed 43 drums per day.
- The maximum daily throughput of the facility box lines shall not exceed 10 boxes per day.
- The maximum daily throughput of the supercompactor gloveboxes shall not exceed 150 drums per day.
- The maximum daily throughput of the special case waste glovebox system shall not exceed 3.64 drums per day.

[IDAPA 58.01.01.211.01]

**2.3 Fuel Consumption Limitations**

- The permittee shall combust propane exclusively in the three 12.55 MMBtu/hr boilers and one 2.0 MMBtu/hr potable water heater at the facility.
- The aggregate fuel consumption for the three boilers at the AMWTF shall not exceed 322,084 gallons per consecutive 12-month period.

[IDAPA 58.01.01.211.01]

**2.4 Install Zone 3 Ventilation System Air Pollution Control Equipment**

The permittee shall install, calibrate, maintain, and operate, in accordance with General Provision 2 and manufacture specifications, three stages of HEPA filters to control emissions from the following process areas that exhaust into the Zone 3 ventilation system: the box line and the DWHE. Each HEPA filter stage shall contain a minimum of two HEPA filters constructed in parallel; one filter shall be used to control emissions while the second filter is used as a backup.

[IDAPA 58.01.01.211.01]

**AIR QUALITY PERMIT TO CONSTRUCT NUMBER: 023-00001**

**Permittee:** BNFL, Inc. /Department of Energy

**Location:** INEEL /AMWTF, Idaho Falls

**Date Issued:** June 7, 2002

**2.5 Install Glovebox Ventilation System Air Pollution Control Equipment**

The permittee shall install, calibrate, maintain, and operate, in accordance with General Provision 2 and manufacture specification, three stages of HEPA filters to control emissions from the following areas that exhaust into the glovebox ventilation system: the special case waste gloveboxes, the supercompactor gloveboxes, and the DWPG.

Each HEPA filter stage shall contain a minimum of two HEPA filters constructed in parallel; one filter shall be used to control emissions while the second filter is used as a backup.

**[IDAPA 58.01.01.211.01]**

**2.6 Air Pollution Control Device Operating Requirements**

All HEPA filters operated within this facility shall follow the requirements specified in Appendix B.

**[IDAPA 58.01.01.211.01]**

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**Permittee:** BNFL, Inc. /Department of Energy

**Location:** INEEL /AMWTF, Idaho Falls

**Date Issued:** June 7, 2002

**3. MONITORING AND RECORDKEEPING REQUIREMENTS**

**3.1 Radionuclide Monitoring**

In accordance with 40 CFR 61.93, the permittee shall determine radionuclide emissions and calculate effective dose equivalent values to members of the public using EPA-approved sampling procedures.

**[40 CFR 61.93]**

**3.2 Throughput Monitoring**

The permittee shall monitor and record the following process throughput information. A compilation of the most recent two years of records shall be kept onsite and shall be made available to Department representatives upon request.

- The total monthly volume of waste processed at this facility.
- The daily throughputs of the DWHE, DWPG, box lines, supprecompactor gloveboxes, and special case waste gloveboxes.

**[IDAPA 58.01.01.211.01]**

**3.3 Fuel Burning Monitoring**

The permittee shall maintain documentation of the type of fuel burned in each boiler and the potable water heater at the AMWTF facility. The permittee shall also monitor the aggregate amount of fuel burned in the three boilers per any consecutive 12-month period. A compilation of the most recent two years of records shall be kept onsite and shall be made available to Department representatives upon request.

**[IDAPA 58.01.01.211.01]**

**3.4 Operations and Maintenance Manual Requirements**

Prior to facility startup, the permittee shall have developed, and submitted for Department approval, an O&M Manual, including all relevant manufacturer specification information for all air pollution control devices and associated monitoring equipment. The O&M manual shall, at a minimum, describe the procedures followed to comply with General Provision 2 of this permit and applicable manufacturer operating and maintenance specifications. A copy of this manual shall remain onsite at all times and shall be made available to Department representatives upon request.

**[IDAPA 58.01.01.211.01]**

**AIR QUALITY PERMIT TO CONSTRUCT NUMBER: 023-00001**

**Permittee:** BNFL, Inc. /Department of Energy

**Location:** INEEL /AMWTF, Idaho Falls

**Date Issued:** June 7, 2002

**4. REPORTING REQUIREMENTS**

**4.1 Initial Reporting**

Prior to facility startup, the permittee shall submit a copy of the following to the Department for approval:

- The O&M Manual required by Permit Condition 3.4.
- The O&M Manual required by Permit Condition 2.4 of Appendix B.

[IDAPA 58.01.01.211.01]

**4.2 Reporting Permit Deviations**

The permittee shall submit a report to the Department within 15 days of discovering a deviation of any term or condition of this permit. The report shall contain the date(s), duration and description of the deviation(s), and the procedures taken to remedy the cause of the deviation(s).

[IDAPA 58.01.01.211.01]

**4.3 NESHAP Annual Report**

The permittee shall submit a copy of the annual report required by 40 CFR 61.94 to the EPA and the Department no later than June 30 of each calendar year.

[40 CFR 61.94, IDAPA 58.01.01.121.01]

**4.4 Certification of Documents**

All documents, including, but not limited to, application forms for permits to construct, records, monitoring data, supporting information, requests for confidential treatment, testing reports, and compliance certifications submitted to the Department shall contain a certification by a responsible official in accordance with IDAPA 58.01.01.123. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the documents(s) are true, accurate, and complete.

[IDAPA 58.01.01.123]

All Department reporting required by this permit shall be sent to the following:

Air Quality Permit Compliance  
Department of Environmental Quality  
Idaho Falls Regional Office  
900 N. Skyline, Suite B  
Idaho Falls, ID 83402

**AIR QUALITY PERMIT TO CONSTRUCT NUMBER: 023-00001**

**Permittee:** BNFL, Inc. /Department of Energy

**Location:** INEEL /AMWTF, Idaho Falls

**Date Issued:** June 7, 2002

**5. APPENDIX A**

**Table A.1 EMISSIONS LIMITS**

<b>BNFL Inc. Advanced Mixed Waste Treatment Facility Emission Limits<sup>a</sup></b>	
<b>Source Description</b>	<b>NO<sub>x</sub> (T/yr)</b>
Aggregate emissions from three boilers.	3.1

<sup>a</sup> As determined by a pollutant-specific EPA reference method, a Department-approved alternative, or as determined by the Department's emissions estimation methods used in this permit analysis

**Table A.2 EMISSIONS INVENTORY <sup>a</sup>**

<b>Process Description</b>	<b>PM<sub>10</sub><sup>b</sup></b>		<b>SO<sub>2</sub></b>		<b>NO<sub>x</sub></b>		<b>CO</b>		<b>VOCs</b>	
	<b>lb/hr</b>	<b>T/yr</b>	<b>lb/hr</b>	<b>T/yr</b>	<b>lb/hr</b>	<b>T/yr</b>	<b>lb/hr</b>	<b>T/yr</b>	<b>lb/hr</b>	<b>T/yr</b>
Aggregate emissions from DWHE, DWPG, box lines, supercompactor gloveboxes, and special case waste glovebox system.	4.2E-08	1.8E-07	0	0	0	0	0	0	4.1E-03	1.8E-02
Boilers	1.7E-01	9.7E-02	4.2E-01	2.4E-01	5.3	3.1	8.9E-01	5.2E-01	1.4E-01	8.1E-02
Hot water heater	8.8E-03	1.9E-02	3.3E-02	7.3E-02	3.1E-01	6.8E-01	4.2E-02	9.2E-02	1.1E-02	2.4E-02
<b>FACILITY TOTALS</b>	<b>1.8E-01</b>	<b>1.2E-01</b>	<b>4.5E-01</b>	<b>3.1E-01</b>	<b>5.6</b>	<b>3.7</b>	<b>9.3E-01</b>	<b>6.1E-01</b>	<b>1.6E-01</b>	<b>1.2E-01</b>

<sup>a</sup> Emissions inventory is for air quality management purposes and does not represent emission limits

<sup>b</sup> Includes condensables

**AIR QUALITY PERMIT TO CONSTRUCT NUMBER: 023-00001**

**Permittee:** BNFL, Inc. /Department of Energy

**Location:** INEEL /AMWTF, Idaho Falls

**Date Issued:** June 7, 2002

**6. APPENDIX B: HEPA FILTER GENERAL REQUIREMENTS**

**1. MONITORING REQUIREMENTS**

- 1.1 The permittee shall conduct periodic in-place efficiency tests on each certified HEPA filter or HEPA filter bank, as applicable. The first test shall be conducted within 90 days of startup, and subsequent tests shall be conducted using guidelines of ASME N510, Section 10, "HEPA Filter Bank In-Place Test." In addition, after replacement or installation of a HEPA filter, an in-place efficiency test shall be conducted within 90 days of the date that the HEPA filter is placed in operation.
- 1.2 A pressure monitoring device shall be maintained to enable monitoring of the pressure drop across each certified HEPA filter bank. The pressure drop monitoring equipment shall be maintained in good working order. The pressure drop shall be recorded once on a daily basis when the HEPA filter bank is in use.

**2. OPERATING REQUIREMENTS**

- 2.1 Certified HEPA filter efficiency shall be maintained at or above 99.97% removal efficiency as determined by the guideline as ASME N510, Section 10.
- 2.2 If the removal efficiency of a certified HEPA filter or HEPA filter bank, as applicable, falls below 99.97% as determined by ASME N510, Section 10, the permittee shall isolate the certified filters or replace the filters within 10 days.
- 2.3 Each certified HEPA filter shall be operated at a pressure drop that is limited to less than 5.0 inches water column, or the permittee shall isolate it or replace it within 10 days.
- 2.4 Prior to facility startup, the permittee shall have developed and submitted for Department approval an O&M Manual which describes the procedures that will be followed to assure compliance with conditions 1 and 2 of this permit appendix.
- 2.5 Prior to facility startup, the permittee shall have developed and submitted for Department approval a QA program based on ASME N510 guidelines. The program shall define methods and procedures that will be used to assure that quality and representative data are collected while performing in-place HEPA filter tests and measuring pressure drops across HEPA filters banks.

**3. REPORTING REQUIREMENTS**

- 3.1 The results of the initial in-place HEPA filter bank test conducted using the guideline of ASME N510, Section 10 shall be reported to the Department within 30 days of performing the test.

**AIR QUALITY PERMIT TO CONSTRUCT NUMBER: 023-00001**

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**Location:** INEEL /AMWTF, Idaho Falls

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3.2 The permittee shall submit a quarterly report to the Department based on a quarter calendar year and due 30 days after the end of each quarter containing the following information for Department review. A copy of these records shall also be kept onsite at all times and shall be made available to Department representatives upon request.

- The dates and results of all in-place efficiency tests using the guidelines of ASME N510, HEPA filter bank in-place test method.
- The replacement dates of HEPA filter elements.
- The dates when the HEPA filter pressure drop exceeded the requirements of condition 2.3 of this permit appendix.

**AIR QUALITY PERMIT TO CONSTRUCT NUMBER: 023-00001**

**Permittee:** BNFL, Inc. /Department of Energy

**Location:** INEEL /AMWTF, Idaho Falls

**Date Issued:** June 7, 2002

**7. PERMIT TO CONSTRUCT GENERAL PROVISIONS**

1. All emissions authorized herein shall be consistent with the terms and conditions of this permit and the *Rules for the Control of Air Pollution in Idaho*. The emissions of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, shall constitute a violation of this permit and the *Rules for the Control of Air Pollution in Idaho*, and the Environmental Protection and Health Act, Idaho Code §39-101, et seq.
2. The permittee shall at all times (except as provided in the *Rules for the Control of Air Pollution in Idaho*) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.
3. The permittee shall allow the Director, and/or the authorized representative(s), upon the presentation of credentials:
  - 3.1 To enter, at reasonable times, upon the premises where an emissions source is located, or in which any records are required to be kept under the terms and conditions of this permit.
  - 3.2 At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit, to inspect any monitoring methods required in this permit, and require stack emissions testing in conformance with IDAPA 58.01.01.157 when deemed appropriate by the Director.
4. Nothing in this permit is intended to relieve or exempt the permittee from compliance with any applicable federal, state, or local law or regulation, except as specifically provided herein.
5. The permittee shall notify the Department, in writing, of the required information for the following events within five working days after occurrence:
  - Initiation of Construction - Date
  - Completion/Cessation of Construction - Date
  - Actual Production Startup - Date
  - Initial Date of Achieving Maximum Production Rate - Production Rate and Date
6. If emissions testing is specified, the permittee must schedule such testing within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup. Such testing must **strictly** adhere to the procedures outlined in IDAPA 58.01.01.157 and shall not be conducted on weekends or state holidays without prior written approval from the Department. Testing procedures and specific time limitations may be modified by the Department by prior negotiation if conditions warrant adjustment. The Department shall be notified at least 15 days prior to the scheduled compliance test. Any records or data generated as a result of such compliance test shall be made available to the Department upon request.

The maximum allowable operating rate shall be limited to 120% of the average operating rate attained during any performance test period, for which a test protocol has been granted prior approval by the Department, unless (1) the test demonstrates noncompliance; (2) a more restrictive operating limit is specified elsewhere in this permit; or (3) at such an operating rate, emissions would exceed any emissions limit(s) set forth in this permit.
7. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.