

Statement of Basis

Tier I Operating Permit No. T1-060308

Project ID 60957

**Nu-West Industries, Inc. - Nu-West Conda Phosphate Operations
Soda Springs, Idaho**

Facility ID 029-00003

Final

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The purpose of this Statement of Basis is to set forth the legal and factual basis for the Tier I operating permit terms and conditions including references to the applicable statutory or regulatory provisions for the terms and conditions as required by IDAPA 58.01.01.362

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1. ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE

acfm	actual cubic feet per minute
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
BMP	best management practices
Btu	British thermal unit
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	continuous emission monitoring systems
cfm	cubic feet per minute
CFR	Code of Federal Regulations
CI	compression ignition
CMS	continuous monitoring systems
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	CO ₂ equivalent emissions
COMS	continuous opacity monitoring systems
DEQ	Department of Environmental Quality
dscf	dry standard cubic feet
EPA	U.S. Environmental Protection Agency
GHG	greenhouse gases
gph	gallons per hour
gpm	gallons per minute
gr	grains (1 lb = 7,000 grains)
HAP	hazardous air pollutants
HHV	higher heating value
hp	horsepower
hr/yr	hours per consecutive 12 calendar month period
ICE	internal combustion engines
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
iwg	inches of water gauge
km	kilometers
lb/hr	pounds per hour
m	meters
MACT	Maximum Achievable Control Technology
mg/dscm	milligrams per dry standard cubic meter
MMBtu	million British thermal units
MMscf	million standard cubic feet
MRRR	Monitoring, Recordkeeping and Reporting Requirements
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO ₂	nitrogen dioxide
NO _x	nitrogen oxides
NSPS	New Source Performance Standards
O&M	operation and maintenance
O ₂	oxygen
PC	permit condition
PM	particulate matter
PM _{2.5}	particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers

PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppm	parts per million
ppmw	parts per million by weight
PSD	Prevention of Significant Deterioration
psig	pounds per square inch gauge
PTC	permit to construct
PTE	potential to emit
PW	process weight rate
RICE	reciprocating internal combustion engines
<i>Rules</i>	<i>Rules for the Control of Air Pollution in Idaho</i>
scf	standard cubic feet
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SO _x	sulfur oxides
T/day	tons per calendar day
T/hr	tons per hour
T/yr	tons per consecutive 12-calendar month period
T1	Tier I operating permit
T2	Tier II operating permit
TAP	toxic air pollutants
T-RACT	Toxic Air Pollutant Reasonably Available Control Technology
ULSD	ultra-low sulfur diesel
U.S.C.	United States Code
VOC	volatile organic compound

2. INTRODUCTION AND APPLICABILITY

IDAPA 58.01.01.362 requires that as part of its review of the Tier I application, DEQ shall prepare a technical memorandum (i.e. statement of basis) that sets forth the legal and factual basis for the Tier I operating permit terms and conditions including reference to the applicable statutory provisions or the denial. This document provides the basis for this administrative amendment for the Tier I operating permit for Nu-West Industries, Inc., Soda Springs.

3. FACILITY INFORMATION

3.1 Facility Description

General Process Description

Phosphate fertilizers provide phosphorus, one of the three primary plant nutrients required by plant life. The other two primary nutrients are nitrogen and potassium. Phosphate fertilizer products, which are often made with ammonia, also provide nitrogen. The principal applications of phosphate fertilizers are in the production of corn, wheat, soybeans, barley, cotton, and other small grain crops, fruits, and vegetables. Phosphate rock, sulfur, and anhydrous ammonia are the primary raw materials used to produce ammonium phosphate fertilizers. Phosphate rock is combined with sulfuric acid to produce phosphoric acid, which is then either:

- Combined with anhydrous ammonia to produce various dry granular fertilizers that are differentiated by their NPK content (% nitrogen -% phosphorus -% potassium), including MAP (11-52-0) and APS (16-20-0), or
- Concentrated to produce liquid fertilizer products containing no nitrogen and 52%-72% P_2O_5 .

The Conda facility produces multiple products and alters its product mix to meet the changing requirements of its customers. The following is a brief description of the products manufactured at the Conda facility.

Super Phosphoric Acid (SPA)

The manufacture of liquid SPA accounts for approximately 50% of the facility's total production volume. It is produced by concentrating phosphoric acid to a level of 68-72% P_2O_5 . The use of liquid fertilizer as a percentage of total phosphate fertilizers applied in the domestic U.S. market has grown steadily over the past few years, due to its agronomic, economic, and ecological advantages. SPA is not an end-use fertilizer; rather, it is upgraded, mixed, or blended with other liquid nutrients, pesticides, and/or herbicides before it is applied. As a liquid, it allows for easy and precise application to crops, which makes more nutrients available to the plant. It can be injected below the soil in minimum-till or no-till programs to prevent leaching into waterways.

Merchant Grade Acid (MGA)

Merchant grade acid (MGA), is produced by concentrating phosphoric acid to a level of 50-58% P_2O_5 . Like SPA, MGA contains no nitrogen and is generally diluted and mixed with other nutrients before application.

Dilute Phosphoric Acid (DPA)

Dilute phosphoric acid (DPA) is the filter-grade acid product of the "wet-acid" phosphoric acid process. This product is the feedstock for MGA. It has a P_2O_5 content of approximately 28-30%.

Dry Granular Products (MAP and APS)

The dry granular fertilizer products manufactured by the company are:

- Mono-ammonium Phosphate ("MAP" or 11-52-0)
- Ammonium Phosphate Sulfate ("APS" or 16-20-0)

Manufacturing Process and Raw Materials

The facility benefits from its close proximity to sources of phosphate rock, sulfuric acid, and sulfur-the principal raw materials used in its manufacturing process. At the Phosphoric Acid Plant, phosphate rock ore is mixed with water, sulfuric acid, and recycle acid in a series of reactors and digesters. A chemical reaction takes place, forming a slurry of phosphoric acid (approximately 30% P₂O₅) and crystals of calcium sulfate (known as phosphogypsum). The slurry is fed to a combination of two belt filters and a circular pan filter, where the 30% acid is separated from the phosphogypsum. The acid is pumped to additional processing steps and the phosphogypsum is slurried by pipeline to an impoundment, commonly referred to as a "gyp stack." The slurry contains approximately 20% solids. The phosphoric acid is concentrated in steam evaporators and used as feedstock in the fertilizer production process. The phosphoric acid is then either:

- Combined with anhydrous ammonia to produce various dry granular fertilizers, or
- Further concentrated to produce liquid fertilizer products containing no ammonia.

Sulfuric acid used in the process is either manufactured by the facility from elemental sulfur or purchased from third party sources. Currently, approximately 50% of the sulfuric acid utilized at the Conda Plant is purchased from a third party source.

3.1 Facility Permitting History

Underlying Permit History – Includes every underlying permit issued to this facility

The following information is the comprehensive permitting history of all underlying applicable permits issued to this Tier I facility. This information was derived from a review of the permit files available to DEQ. Permit status is noted as active and in effect (A) or superseded (S).

March 4, 2011	T1-060308 for Tier I renewal. This permit supersedes Tier I No. T1-040321 (A)
October 14, 2010	PTC No. P-2009.0068 to reduce SPA production limit since changes under P-040320 were not completed, and revise SPA Oxidation monitoring, and revise existing PTC conditions to be consistent with the Tier I OP (A)
March 25, 2010	PTC No. P-2010.0002; modified PTC for the East Sulfuric Acid Plant. The No. 2 absorbing tower is replaced, cesium catalyst is added to the fourth bed of the converter, the final absorbing tower heat exchanger is replaced, the cold interpass heat exchanger is upgraded, the product cooler is replaced, and acid pumps are upgraded. (A)
February 20, 2009	PTC No. P-2009.0002 issued as a PTC revision for the West Gyp Stack II project; includes improved monitoring, lower pond size and emission limits (A)
December 19, 2007	PTC No. P-2007.0170 for the initial West Gyp Stack II project (S)
August 22, 2007	PTC No. P-060310, revised PTC SPA Oxidation Process changes and to incorporate granulation plant changes from PTC No. P-060324. This PTC is superseded by PTC No. P-2009.0068 (S).
December 21, 2006	PTC No. P-060324, revised PTC issued for drum replacement at the Granulation Plant. This PTC was superseded by PTC No. P-060310 (S).
April 28, 2006	Tier I No. T1-040321, amended permit to incorporate changes in PTC No. P-040320. This permit was superseded by Tier I No. T1-060308 (S).
April 28, 2006	PTC No. P-040320, production increase at SPA and improved monitoring for the SPA Oxidation Process. This PTC was superseded by PTC P-060310 (S).

- July 22, 2005 PTC No. P-050312 for the initial West Gyp Stack I project; public notice was per Section 209.05.a, so this PTC will be incorporated into the Tier I during renewal; this PTC was superseded by PTC No. P-2007.0170 (S).
- April 8, 2005 Tier I No. T1-040308, modified permit to incorporate changes in PTC No. P-040307. This Tier I permit was superseded by permit No. T1-040321 (S).
- December 10, 2004 PTC No. P-040307, for East Sulfuric Acid Plant SO2 monitoring changes. This PTC was superseded by PTC No. P-1010.0002 (S).
- September 23, 2003 Tier I No. 029-00003, amendment to remove the Experimental Silica Plant (S).

4. APPLICATION SCOPE AND APPLICATION CHRONOLOGY

4.1 Application Scope

The scope of the permit revision is to include the requirements of NESHAP Subpart ZZZZ, for IC engines. No other changes were requested.

4.2 Application Chronology

- November 2, 2011 Nu-West Industries, Inc. – Conda Phosphate Operations Facility requested that their current Tier I permit be modified by an Administrative Amendment to incorporate the requirements of NESHAP Subpart ZZZZ for IC engines.
- January 12, 2012 The permit was finalized and sent to the facility

5. EMISSIONS UNITS AND PROCESS DESCRIPTION

This section lists the emissions units and describes the production or manufacturing processes for the IC engine being added to the permit for this facility. The information presented was provided by the applicant in its permit application

5.2 Process No. 1 – PROCESS DESCRIPTION

Table 5.1 lists the emissions units and control devices associated with the emergency IC engine.

Table 5.1 EMISSIONS UNITS, CONTROL DEVICE, AND DISCHARGE POINT INFORMATION

Emissions Unit ID No.	Emissions Unit Description	Control Device (if applicable)	Emission Point ID No.
Emergency IC engine	Caterpillar model 3512 DITA 1,545 bhp diesel-fired emergency standby IC engine installed in 1995	N/A	IC engine stack

The diesel-fired emergency standby IC engine powers an electrical generator. The IC engine is used exclusively for emergency purposes, is operated less than 500 hours per year, and is fueled by diesel fuel. Therefore, the IC engine is only subject to generally applicable State of Idaho air permit requirements per IDAPA 58.01.01.222.01.d. In addition, the IC engine is subject to NESHAP Subpart ZZZZ.

6. REGULATORY REVIEW

6.1 Administrative Amendment

This permit is for an Administrative Amendment in accordance with IDAPA 58.01.01.381 to include the requirements of NESHAP Subpart ZZZZ which were added at the request of the permittee. The amendment date was added to the front page. No other changes have been made to the permit.

IDAPA 58.01.01.381.01.a was instituted include the Subpart ZZZZ requirements as requested by the permittee. The addition of NESPAP, subpart ZZZZ requirements was necessary as the emergency IC engine onsite cannot be considered an Insignificant Activity as defined in IDAPA 58.01.01.317.01. This is because no emissions unit or activity subject to an applicable requirement shall qualify as an insignificant emissions unit or activity. The IC engine is now subject to subpart ZZZZ and therefore cannot be considered insignificant. Therefore, requirements were added to the Tier I permit administratively through IDAPA 58.01.01.381.02(b).

6.2 NESHAP Applicability (40 CFR 61)

The Nu-West Industries, Inc. source is is subject to 40 CFR 61. Compliance with this subpart was addressed during the previous Tier I renewal and was not addressed during this administrative amendment project.

6.3 MACT Applicability (40 CFR 63)

The facility has a compression-ignited IC engine and the following NSPS requirements apply to this facility:

- 40 CFR 60, Subpart ZZZZ – National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

40 CFR 63, Subpart ZZZZ

National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

§ 63.6580

What is the purpose of subpart ZZZZ?

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

§ 63.6585

Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) An area source of HAP emissions is a source that is not a major source.

(d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

(e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.

This facility is major source for HAPs emissions. Therefore, the IC engine at this facility may be subject to the requirements of Subpart ZZZZ.

§ 63.6590 What parts of my plant does this subpart cover?

This subpart applies to each affected source.

Section (a) defines an affected source as any **existing, new, or reconstructed stationary RICE** located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

Sections (1)(i) through (1)(iv) defines **existing** stationary RICE as the following:

For stationary RICE with a site rating of more than 500 brake horsepower (bhp) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

For stationary RICE with a site rating of less than or equal to 500 brake bhp located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

Sections (2)(i) through (2)(iii) defines **new** stationary RICE as the following:

A stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

A stationary RICE with a site rating of equal to or less than 500 bhp located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

Section (3)(i) through (2)(iii) defines **reconstructed** stationary RICE as the following:

A stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after December 19, 2002.

A stationary RICE with a site rating of equal to or less than 500 bhp located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.

A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.

Section (b) specifies which stationary RICE are subject to limited requirements of this subpart. An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of §63.6645(f). The requirements of (b)(1)(i) through (ii) are as follows:

The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions.

The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions.

Section (2) specifies that a new or reconstructed stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10% or more of the gross heat input on an annual basis must meet the initial notification requirements of §63.6645(f) and the requirements of §§63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

Section (3) allows that the following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:

Existing spark ignition 2-stroke lean-burn (2SLB) stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions;

Existing spark ignition 4-stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions;

Existing emergency stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions;

Existing limited use stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions;

Existing stationary RICE with a site rating of more than 500 bhp located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10% or more of the gross heat input on an annual basis;

Existing residential emergency stationary RICE located at an area source of HAP emissions;

Existing commercial emergency stationary RICE located at an area source of HAP emissions; or

Existing institutional emergency stationary RICE located at an area source of HAP emissions.

As presented previously in the Emissions Units and Control Devices Section previously, the IC engine at this facility is a compression ignition stationary RICE. The IC engine has a site rating of more than 500 bhp and is located at a major source of HAP emissions (as stated by the Applicant). Therefore, the IC engine is an existing stationary source RICE subject to the requirements of Subpart ZZZZ. However, this stationary RICE does not have to meet the emission limitations and operating limitations of this subpart.

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations and operating limitations?

Section (a) specifies that you must demonstrate continuous compliance with each emission limitation and operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

Section (b) specifies that you must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

Section (d) requires that for new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).

Section (e) specifies that you must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

Section (f) requires that for emergency stationary RICE. (1) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that was installed on or after June 12, 2006, or an existing emergency stationary RICE located at an area source of HAP emissions, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1)(i) through (iii) of this section. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1)(i) through (iii) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1)(i) through (iii) of this section, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.

(iii) You may operate your emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (f)(1)(iii), as long as the power provided by the financial arrangement is limited to emergency power.

Section (2) specifies that you if you own or operate an emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that was installed prior to June 12, 2006, you must operate the engine according to the conditions described in paragraphs (f)(2)(i) through (iii) of this section. If you do not operate the engine according to the requirements in paragraphs (f)(2)(i) through (iii) of this section, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance.

(iii) You may operate your emergency stationary RICE for an additional 50 hours per year in non-emergency situations. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

The engine is an existing stationary CI RICE located at a major source of HAP emissions. Therefore, the permittee must comply with the requirements of Section (2) of this subpart. Permit Condition 9.2 includes the requirements of this section.

6.4 CAM Applicability (40 CFR 64)

CAM requirements wer addressed during the previous Tier I permit renewal and were not addressed during this administrative amendment permitting action.

6.5 Acid Rain Permit (40 CFR 72-75)

The Nu-West Industries, Inc. source is not an affected source subject to the Acid Rain Permit program in 40 CFR 72-75.

7. PUBLIC COMMENT

Public notice is not required for this administrative amendment in accordance with IDAPA 58.01.01 381.c.

8. EPA REVIEW OF PROPOSED PERMIT

EPA review is not required for this administrative amendment in accordance with IDAPA 58.01.01.381.c. A copy of the revised permit is being submitted to EPA.