



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT



HEALTHY AIR LIVING™

JUN 24 2010

Joel Lepoutre
Thermal Energy Development Partnership LP
14800 W Schulte Road
Tracy, CA 95304

**Re: Proposed Authority to Construct / Certificate of Conformity (Minor Mod)
District Facility # N-1026
Project # N-100943**

Dear Mr. Lepoutre:

Enclosed for your review is the District's analysis of your application for Authority to Construct for the facility identified above. You have requested that a Certificate of Conformity with the procedural requirements of 40 CFR Part 70 be issued with this project. This project is to amend the existing permit to allow receiving of "absorbent material" such as sodium carbonate, sodium bicarbonate, and other similar non-HAP materials for use as flue gas acid conditioner prior to the electrostatic precipitator serving the biomass-fired boiler.

After addressing any EPA comments made during the 45-day comment period, the Authority to Construct will be issued to the facility with a Certificate of Conformity. Prior to operating with modifications authorized by the Authority to Construct, the facility must submit an application to modify the Title V permit as an administrative amendment, in accordance with District Rule 2520, Section 11.5.

If you have any questions, please contact Mr. Rupl Gill, Permit Services Manager, at (209) 557-6400.

Thank you for your cooperation in this matter.

Sincerely,

David Warner
Director of Permit Services

DW:JK/dg

Enclosures

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

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



JUN 24 2010

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

Re: **Proposed Authority to Construct / Certificate of Conformity (Minor Mod)**
District Facility # N-1026
Project # N-100943

Dear Mr. Rios:

Enclosed for your review is the District's engineering evaluation of an application for Authority to Construct for Thermal Energy Development Partnership LP, located at 14800 Schulte Road, Tracy, California, which has been issued a Title V permit. Thermal Energy Development Partnership LP is requesting that a Certificate of Conformity, with the procedural requirements of 40 CFR Part 70, be issued with this project. This project is to amend the existing permit to allow receiving of "absorbent material" such as sodium carbonate, sodium bicarbonate, and other similar non-HAP materials for use as flue gas acid conditioner prior to the electrostatic precipitator serving the biomass-fired boiler.

Enclosed is the engineering evaluation of this application, a copy of the current Title V permit, and proposed Authority to Construct # N-1026-12-4 with Certificate of Conformity. After demonstrating compliance with the Authority to Construct, the conditions will be incorporated into the facility's Title V permit through an administrative amendment.

Please submit your written comments on this project within the 45-day comment period that begins on the date you receive this letter. If you have any questions, please contact Mr. Rupl Gill, Permit Services Manager, at (209) 557-6400.

Thank you for your cooperation in this matter.

Sincerely,

David Warner
Director of Permit Services

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Public Resources Code 21000-21177: California Environmental Quality Act (CEQA)
California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387: CEQA Guidelines

III. PROJECT LOCATION

The facility is located at 14800 W Schulte Rd in Tracy, California. There is no increase in hazardous air pollutants from this project. Therefore, school noticing pursuant to Section 42301.6 of the California Health and Safety Code is not required for this project.

IV. PROCESS DESCRIPTION

The material is received via pneumatic unloading trucks into a silo vented to a dust collector. This operation is similar to unloading cement into a cement storage silo, and, as such, will only involve point source PM₁₀ emissions from the bin vent filter serving the storage silo.

V. EQUIPMENT LISTING

RECEIVING AND STORAGE OPERATION USING 2020 CUBIC FOOT SILO SERVED BY AN ALANCO ENVIRONMENTAL MODEL 16AVS6 BIN VENT FILTER

VI. EMISSION CONTROL TECHNOLOGY EVALUATION

PM₁₀ is the only air contaminant emitted from the material receiving and storage operation. The proposed bin vent filter will control PM₁₀ emissions with an efficiency of at least 99%, as per manufacturer's guarantee. The proposed bin vent filter unit is equipped with a pulse jet filter media cleaning mechanism.

Since bin vent filters are designed to filter the displaced air as a storage silo is being charged, these devices do not have active airflow across the filters. As such, filtering velocity calculations cannot be performed. Nevertheless, permit conditions limiting the visible emissions from the bin vent filter to less than 5% opacity will ensure that the filter unit is operating properly (i.e. achieving a control efficiency of at least 99%).

VII. EMISSION CALCULATIONS

A. Assumptions

- PM₁₀ is the only criteria pollutant associated with the material receiving and storage operation.

- The proposed dust collector serving the material receiving and storage operation will control at least 99% of the PM₁₀ emissions.
- All of the particulate matter exiting the dust collector is PM₁₀.
- All other assumptions will be stated as they are made.

B. Emission Factors (EF)

1. Pre-Project Emission Factor (EF1)

Per PTO N-1026-12-2,

$$EF1 = 0.0049 \text{ lb-PM}_{10}/\text{ton of Product}$$

2. Post-Project Emission Factor (EF2)

$$EF2 = 0.0049 \text{ lb-PM}_{10}/\text{ton of Product}$$

C. Potential to Emit (PE)

1. Pre-Project Potential to Emit (PE1):

Per PTO N-1026-12-2, this facility is limited to receive 48 tons of material. Thus,

$$\begin{aligned} PE1 &= 48 \text{ tons/day} \times 0.0049 \text{ lb-PM}_{10}/\text{ton of Product} \\ &= 0.2 \text{ lb-PM}_{10}/\text{day} \end{aligned}$$

Using worst-case receiving scenario of 365 days a year, the annual emissions are:

$$\begin{aligned} PE1 &= 0.2 \text{ lb-PM}_{10}/\text{day} \times 365 \text{ days/yr} \\ &= 73 \text{ lb-PM}_{10}/\text{yr} \end{aligned}$$

2. Post-Project Potential to Emit (PE2):

The applicant is not proposing any changes to the receiving rate or the emission factor. Thus,

$$PE2 = 0.2 \text{ lb-PM}_{10}/\text{day} \text{ (73 lb-PM}_{10}/\text{yr)}$$

3. Quarterly Emissions Changes (QEC)

This calculation is required for application's emission profile, which is used for the District's internal tracking purposes.

$$QEC = (PE2 - PE1)/4 = 0$$

4. Adjusted Increase in Permitted Emissions (AIPE)

AIPE is used to determine if BACT is required for emission units that are being modified. AIPE is calculated using the equations mentioned in Section 4.3 and 4.4 of Rule 2201.

$$AIPE = PE2 - \left(\frac{EF2}{EF1} \right) (PE1)$$

$$EF2 = EF1$$

$$PE2 = 0.2 \text{ lb-PM}_{10}/\text{day}$$

$$PE1 = 0.2 \text{ lb-PM}_{10}/\text{day}$$

$$AIPE = 0.2 \text{ lb-PM}_{10}/\text{day} - 0.2 \text{ lb-PM}_{10}/\text{day}$$

$$= 0.0 \text{ lb-PM}_{10}/\text{day}$$

D. Facility Emissions

1. Pre-Project Stationary Source Potential to Emit (SSPE1)

Pursuant to Section 4.9 of District Rule 2201, SSPE1 is the Potential to Emit from all units with valid Authorities to Construct (ATC) or Permits to Operate (PTO) at the Stationary Source and the quantity of emission reduction credits (ERCs) which have been banked since September 19, 1991 for Actual Emissions Reductions (AERs) that have occurred at the source, and which have not been used on-site.

SSPE1 (lb/yr)	
Permit Number	PM₁₀
N-1026-1-9	76,650
N-1026-2-2	3,614
N-1026-4-3	9,417
N-1026-5-3	342
N-1026-6-3	510
N-1026-7-3	0
N-1026-8-3	1,005
N-1026-9-2	39
<i>N-1026-12-2</i>	<i>73</i>
N-1026-13-0	10,403
Total	102,053
Major Source Thresholds	140,000
Major Source?	No

2. Post-Project Stationary Source Potential Emissions (SSPE2)

Pursuant to Section 4.10 of District Rule 2201, the Post-Project Stationary Source Potential to Emit (SSPE2) is the Potential to Emit (PE) from all units with valid Authorities to Construct (ATC) or Permits to Operate (PTO) at the Stationary Source and the quantity of emission reduction credits (ERC) which have been banked since September 19, 1991 for Actual Emissions Reductions that have occurred at the source, and which have not been used on-site.

SSPE2 (lb/yr)	
Permit Number	PM₁₀
N-1026-1-10	76,650
N-1026-2-2	3,614
N-1026-4-3	9,417
N-1026-5-3	342
N-1026-6-3	510
N-1026-7-3	0
N-1026-8-3	1,005
N-1026-9-2	39
<i>N-1026-12-4</i>	73
N-1026-13-0	10,403
Total	102,053
Offset Thresholds	29,200
Offsets Triggered?	Yes
Major Source Thresholds	140,000
Major Source?	No

3. Stationary Source Increase in Permitted Emissions (SSIPE)

$$\text{SSIPE} = \text{SSPE2} - \text{SSPE1}$$

SSPE2 = SSPE1. Thus, SSIPE = 0.

4. District Major Modification

The purpose of Major Modification calculations is to determine the following:

- A. If Best Available Control Technology (BACT) is triggered for a new or modified emission unit that results in a Major Modification (District Rule 2201, §4.1.3); and
- B. If a public notification is triggered (District Rule 2201, §5.4.1).

This facility is not a Major Source for PM₁₀ emissions. Therefore, this project cannot trigger a Major Modification.

5. Federal Major Modification

The purpose of Federal Major Modification calculations is to determine the following:

- A. If a Rule-compliance project qualifies for District Rule 2201's Best Available Control Technology (BACT) and offset exemptions (District Rule 2201, §4.2.3.5); and
- B. If an Alternate Siting analysis must be performed (District Rule 2201, §4.15.1);
- C. If the applicant must provide certification that all California stationary sources owned, operated, or controlled by the applicant that are subject to emission limits are in compliance with those limits or are on a schedule for compliance with all applicable emission limits and standards; and
- D. If a public notification is triggered. (District Rule 2201, §5.4.1) Although the language in §5.4.1 states "Major Modifications", the District is taking a conservative approach by assuming this applies to both District Rule 2201 Major Modifications and Federal Major Modifications.

Since the proposed project is not a District Major Modification, it cannot be a Federal Major Modification.

VIII. COMPLIANCE

Rule 2201 New and Modified Stationary Source Review Rule

1. Best Available Control Technology (BACT)

BACT requirements shall be triggered on a pollutant-by-pollutant basis and on an emissions unit-by-emissions unit basis. Unless exempted pursuant to Section 4.2, BACT shall be required for the following actions:

- Any new emissions unit or relocation from one Stationary Source to another of an existing emissions unit with a Potential to Emit (PE2) exceeding 2.0 pounds in any one day;

- Modifications to an existing emissions unit with a valid Permit to Operate resulting in an Adjusted Increase in Permitted Emissions (AIPE) exceeding 2.0 pounds in any one day;
- Any new or modified emissions unit, in a stationary source project, which results in a Major Modification, as defined in this rule.

Per section VII.C.3, AIPE is not in excess of 2.0 lb-PM₁₀/day. Thus, BACT is not triggered for this operation.

2. Offsets

Offsets are examined on a pollutant-by-pollutant basis, and are triggered for any pollutant with an SSPE2 equal to or greater than the values in Section 4.5.3 of Rule 2201.

Per section VII.D.2 of this document, SSPE2 exceeds the offset threshold level of 29,200 lb/yr for PM₁₀. This means, offsets are triggered for PM₁₀.

Section 4.7.1 states that for pollutants with SSPE1 greater than the emission offset threshold levels, emission offsets shall be provided for all increases in Stationary Source emissions, calculated as the differences of post-project Potential to Emit (PE2) and the Baseline Emissions (BE) of all new and modified emissions units, plus all increases in Cargo Carrier emissions. Thus,

$EOQ = \Sigma(PE2 - BE) + ICCE$, where

PE2 = Post-Project Potential to Emit (lb/yr)

BE = Baseline Emissions (lb/yr)

ICCE = Increase in Cargo Carrier emissions (lb/yr)

There is no increase in Cargo Carrier emissions from this project. Thus,

$EOQ = \Sigma(PE2 - BE)$

This facility is not a Major Source for PM₁₀ emissions. Therefore, BE is equal to PE1.

$EOQ = \Sigma(PE2 - PE1)$

$EOQ = 73 \text{ lb/year} - 73 \text{ lb/year}$
 $= 0 \text{ lb/year}$

Therefore, no offsets are required for this project.

3. Public Notification

District Rule 2201, section 5.4, requires a public notification for the affected pollutants from the following types of projects:

- New Major Sources
- Major Modifications
- New emission units with a PE>100 lb/day of any one pollutant
- Modifications with SSPE1 below an Offset threshold and SSPE2 above an Offset threshold on a pollutant-by-pollutant basis
- New stationary sources with SSPE2 exceeding Offset thresholds
- Any permitting action with a SSIPE exceeding 20,000 lb/yr for any one pollutant

The proposed project will not exceed any of the thresholds stated in the above section. Therefore, public notice is not required.

4. Daily Emission Limits (DELs)

The daily emissions limitations (DELs) and other enforceable conditions are required by Section 3.17 to restrict a unit's maximum daily emissions.

- PM₁₀ emissions shall not exceed 0.0049 pounds ton of material received. [District Rule 2201]
- The amount of the material received shall not exceed 48 tons in any one day. [District Rule 2201]

5. Compliance Assurance

Source Testing

Source testing is not required to demonstrate compliance with Rule 2201.

Monitoring

Source testing is not required to demonstrate compliance with Rule 2201.

Recordkeeping

The permittee is required to keep records of the date, type of material, and amount of the material received. These records are required to be kept for a period of at least 5 years.

Reporting

Reporting is not required.

Compliance is expected with this Rule.

Rule 2520 Federally Mandated Operating Permits

TEDPLP possesses a Title V permit. The proposed project is considered a Minor Modification to the Title V permit since the facility is not proposing to relax any existing source testing, monitoring, recordkeeping and reporting requirements. The following condition will be included in the permit:

- This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District NSR Rule]
- Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4]

In accordance with Rule 2520, the application meets the procedural requirements of section 11.4 by including:

- A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs and
- The source's suggested draft permit (Appendix I of this document) and
- Certification by a responsible official that the proposed modification meets the criteria for use of major permit modification procedures and a request that such procedures be used (Appendix III of this document).

Section 5.3.4 of this rule requires the permittee shall file an application for administrative permit amendments prior to implementing the requested change except when allowed by the operational flexibility provisions of section 6.4 of this rule. TEDPLP is expected to notify the District by filing TV Form-008 upon implementing the ATC. The District Compliance Division is expected to submit a change order to implement ATC into Permit to Operate.

Compliance is expected with this Rule.

Rule 4101 Visible Emissions

Section 5.0, indicates that no air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour, which is dark or darker than Ringelmann 1 or equivalent to 20% opacity. The following condition will be placed on each permit:

- No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]

Compliance is expected with this Rule.

Rule 4102 Nuisance

Section 4.0 prohibits discharge of air contaminants, which could cause injury, detriment, nuisance or annoyance to the public. The following condition will be placed on each permit:

- No air contaminant shall be released into the atmosphere, which causes a public nuisance. [District Rule 4102]

California Health & Safety Code 41700 - Health Risk Assessment

District Policy APR 1905 - Risk Management Policy for Permitting New and Modified Sources specifies that for an increase in emissions associated with a proposed new source or modification, the District perform an analysis to determine the possible impact to the nearest resident or worksite.

There is no HAP in the material (sodium carbonate, sodium bicarbonate). Thus, in accordance with the District's Risk Management Policy, the project is approved **without** Toxic Best Available Control Technology.

Rule 4201 Particulate Matter Concentration

Rule 4202 Particulate Matter – Emission Rate

There is no increase in potential emissions from this project. Thus, continued compliance is expected with these rules.

California Environmental Quality Act (CEQA)

The California Environmental Quality Act (CEQA) requires each public agency to adopt objectives, criteria, and specific procedures consistent with CEQA Statutes and the CEQA Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents. The San Joaquin Valley Unified Air Pollution Control District (District) adopted its *Environmental Review Guidelines* (ERG) in 2001. The basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.

- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Greenhouse Gas Significance Determination

It is determined that no other agency has or will prepare an environmental review document for the project. Thus, the District is the Lead Agency for this project.

The material receiving operation does not emit greenhouse gases such as carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), or perfluorocarbons (PFCs). Therefore, the proposed project is assumed to have a less than cumulatively significant impact on global climate change.

District CEQA Findings

The District is the Lead Agency for this project because there is no other agency with broader statutory authority over this project. The District performed an Engineering Evaluation (this document) for the proposed project and determined that the activity will occur at an existing facility and the project involves negligible expansion of the existing use. Furthermore, the District determined that the activity will not have a significant effect on the environment. The District finds that the activity is categorically exempt from the provisions of CEQA pursuant to CEQA Guideline § 15031 (Existing Facilities), and finds that the project is exempt per the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines §15061(b)(3)).

IX. RECOMMENDATION:

Issue Authority to Construct N-1026-12-4 after addressing comments from EPA and the applicant.

X. BILLING INFORMATION

Permit #	Fee Schedule	Description	Previous Fee Schedule
N-1026-12-4	999-99	Component: Power Generation Plant	999-99

APPENDICES

Appendix I: Draft ATC Permit
Appendix II: Permit to Operate
Appendix III: TV Form – 009

Appendix I
Draft ATC Permit

San Joaquin Valley
Air Pollution Control District

AUTHORITY TO CONSTRUCT

ISSUANCE DATE: DRAFT

PERMIT NO: N-1026-12-4

LEGAL OWNER OR OPERATOR: THERMAL ENERGY DEV PARTNERSHIP LP

MAILING ADDRESS: 14800 W SCHULTE RD
TRACY, CA 95377-8795

LOCATION: 14800 W SCHULTE RD
TRACY, CA 95377

EQUIPMENT DESCRIPTION:

MODIFICATION OF: 2020 CUBIC FOOT SODA ASH STORAGE SILO SERVED BY AN ALANCO ENVIRONMENTAL MODEL 16AVS6 BIN VENT FILTER; REVISE EQUIPMENT DESCRIPTION TO REFLECT THAT ABSORBENT NON-HAP MATERIALS SUCH AS SODIUM CARBONATE, SODIUM BICARBONATE CAN BE RECEIVED AND STORED IN THE SILO. THE POST-PROJECT EQUIPMENT DESCRIPTION WILL BECOME: RECEIVING AND STORAGE OPERATION USING 2020 CUBIC FOOT SILO SERVED BY AN ALANCO ENVIRONMENTAL MODEL 16AVS6 BIN VENT FILTER

CONDITIONS

1. {1830} This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District NSR Rule] Federally Enforceable Through Title V Permit
2. {1831} Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4] Federally Enforceable Through Title V Permit
3. This silo shall be used to store an absorbent material such as sodium carbonate, sodium bicarbonate, or other similar (non-HAP) material for use as a flue gas conditioner prior to the electrostatic precipitator. The material shall not contain any hazardous air pollutant (HAP). The most recent product data sheets or MSDSs shall be kept on-site and shall be presented to the District upon request. [District Rules 2201 and 4201] Federally Enforceable Through Title V Permit
4. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101, 5.0] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

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

Seyed Sadredin, Executive Director, APCO

DAVID WARNER, Director of Permit Services

N-1026-12-4: May 20 2010 1:45PM - KAH/LDNJ : Joint Inspection NOT Required

5. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201, 3.0] Federally Enforceable Through Title V Permit
6. Visible emissions from the dust collector serving the soda ash silo shall not equal or exceed 5% opacity for a period or periods aggregating more than three minutes in any one hour. [District NSR Rule] Federally Enforceable Through Title V Permit
7. Replacement bags numbering at least 10% of the total number of bags in the dust collector shall be maintained on the premises. [District NSR Rule] Federally Enforceable Through Title V Permit
8. Material removed from dust collector shall be disposed of in a manner preventing entrainment into the atmosphere. [District NSR Rule] Federally Enforceable Through Title V Permit
9. The dust collector cleaning frequency and duration shall be adjusted to optimize the control efficiency. [District NSR Rule] Federally Enforceable Through Title V Permit
10. The amount of material received shall not exceed 48 tons in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit
11. PM10 emissions shall not exceed 0.0049 pounds per ton of material received. [District NSR Rule] Federally Enforceable Through Title V Permit
12. Records of the amount of material received into the storage silo shall be maintained and updated daily. [District NSR and 1070 Rules] Federally Enforceable Through Title V Permit
13. Visible emissions shall be inspected annual during operation. If visible emissions are observed, corrective action shall be taken to eliminate visible emissions. If visible emissions cannot be corrected within 24 hours, a visible emissions test using EPA Method 9 shall be conducted. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
14. Dust collection system shall be completely inspected annually while in operation for evidence of particulate matter leaks and repaired as needed. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
15. Dust collector filters shall be thoroughly inspected annually for tears, scuffs, abrasions, holes, or any evidence of particulate matter leaks and shall be replaced as needed. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
16. Records of dust collector maintenance, inspections, and repair shall be maintained. The records shall include identification of the equipment, date of inspection, corrective action taken, and identification of the individual performing the inspection. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
17. Particulate matter emissions shall not exceed the hourly rate as calculated in District Rule 4202 using the equation $E = 3.59 \times P^{0.62}$ if P is less than or equal to 30 tons per hour, or $E = 17.31 \times P^{0.16}$ if P is greater than 30 tons per hour. [District Rule 4202] Federally Enforceable Through Title V Permit
18. Permittee shall perform a complete vent filter inspection on an annual basis. Dust collector filters shall be inspected thoroughly for tears, scuffs, abrasions, holes, or any evidence of particulate matter leaks and shall be replaced as needed. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
19. Records of vent filter maintenance, inspections, and repair shall be maintained. The records shall include identification of the equipment, date of inspection, corrective action taken, and identification of the individual performing the inspection. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit

DRAFT

Appendix II
Permit to Operate

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-1026-12-2

EXPIRATION DATE: 07/31/2010

EQUIPMENT DESCRIPTION:

2020 CUBIC FOOT SODA ASH STORAGE SILO SERVED BY AN ALANCO ENVIRONMENTAL MODEL 16AVS6 BIN VENT FILTER

PERMIT UNIT REQUIREMENTS

1. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101, 5.0] Federally Enforceable Through Title V Permit
2. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201, 3.0] Federally Enforceable Through Title V Permit
3. Visible emissions from the dust collector serving the soda ash silo shall not equal or exceed 5% opacity for a period or periods aggregating more than three minutes in any one hour. [District NSR Rule] Federally Enforceable Through Title V Permit
4. Replacement bags numbering at least 10% of the total number of bags in the dust collector shall be maintained on the premises. [District NSR Rule] Federally Enforceable Through Title V Permit
5. Material removed from dust collector shall be disposed of in a manner preventing entrainment into the atmosphere. [District NSR Rule] Federally Enforceable Through Title V Permit
6. The dust collector cleaning frequency and duration shall be adjusted to optimize the control efficiency. [District NSR Rule] Federally Enforceable Through Title V Permit
7. The amount of material received shall not exceed 48 tons in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit
8. PM10 emissions shall not exceed 0.0049 pounds per ton of material received. [District NSR Rule] Federally Enforceable Through Title V Permit
9. Records of the amount of material received into the storage silo shall be maintained and updated daily. [District NSR and 1070 Rules] Federally Enforceable Through Title V Permit
10. Visible emissions shall be inspected annual during operation. If visible emissions are observed, corrective action shall be taken to eliminate visible emissions. If visible emissions cannot be corrected within 24 hours, a visible emissions test using EPA Method 9 shall be conducted. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
11. Dust collection system shall be completely inspected annually while in operation for evidence of particulate matter leaks and repaired as needed. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
12. Dust collector filters shall be thoroughly inspected annually for tears, scuffs, abrasions, holes, or any evidence of particulate matter leaks and shall be replaced as needed. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
13. Records of dust collector maintenance, inspections, and repair shall be maintained. The records shall include identification of the equipment, date of inspection, corrective action taken, and identification of the individual performing the inspection. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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

14. Particulate matter emissions shall not exceed the hourly rate as calculated in District Rule 4202 using the equation $E = 3.59 \times P^{0.62}$ if P is less than or equal to 30 tons per hour, or $E = 17.31 \times P^{0.16}$ if P is greater than 30 tons per hour. [District Rule 4202] Federally Enforceable Through Title V Permit
15. Permittee shall perform a complete vent filter inspection on an annual basis. Dust collector filters shall be inspected thoroughly for tears, scuffs, abrasions, holes, or any evidence of particulate matter leaks and shall be replaced as needed. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
16. Records of vent filter maintenance, inspections, and repair shall be maintained. The records shall include identification of the equipment, date of inspection, corrective action taken, and identification of the individual performing the inspection. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit

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

Appendix III
TV Form – 009

**San Joaquin Valley
Unified Air Pollution Control District**

TITLE V MODIFICATION - COMPLIANCE CERTIFICATION FORM

I. TYPE OF PERMIT ACTION (Check appropriate box)

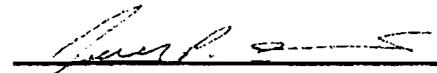
- SIGNIFICANT PERMIT MODIFICATION ADMINISTRATIVE AMENDMENT
 MINOR PERMIT MODIFICATION

COMPANY NAME: Thermal Energy Development Partnership LP (Tracy Biomass Facility)	FACILITY ID: N - 1026
1. Type of Organization: <input type="checkbox"/> Corporation <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Government <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Utility	
2. Owner's Name: Thermal Energy Development Partnership LP	
3. Agent to the Owner:	

II. COMPLIANCE CERTIFICATION (Read each statement carefully and initial all circles for confirmation):

- Based on information and belief formed after reasonable inquiry, the equipment identified in this application will continue to comply with the applicable federal requirement(s).
- Based on information and belief formed after reasonable inquiry, the equipment identified in this application will comply with applicable federal requirement(s) that will become effective during the permit term, on a timely basis.
- Corrected information will be provided to the District when I become aware that incorrect or incomplete information has been submitted.
- Based on information and belief formed after reasonable inquiry, information and statements in the submitted application package, including all accompanying reports, and required certifications are true accurate and complete.

I declare, under penalty of perjury under the laws of the state of California, that the forgoing is correct and true:


 Signature of Responsible Official

3/3/10
 Date

Joel Lepoutre
 Name of Responsible Official (please print)

Asset Manager
 Title of Responsible Official (please print)