

**United States Environmental Protection Agency
Region 5
Air Programs Branch
Air and Radiation Division
77 West Jackson Boulevard
Chicago, Illinois 60604**

AIR QUALITY CONSTRUCTION PERMIT

Permit Number: MIN-WE-27087R0001-2013-01

Issue Date: **APR 15 2014**

Effective Date: **MAY 15 2014**

In accordance with the provisions of the Clean Air Act and the Federal Minor New Source Review Program in Indian Country, 40 C.F.R. §§49.151 – 49.161,

White Earth Nation of the Minnesota Chippewa Tribe

is authorized to construct and operate air emissions units and to conduct other air pollutant emitting activities in accordance with the conditions listed in this permit.

This Permittee is authorized to construct in the following location(s):

**Shooting Star Casino and Event Center
777 South Casino Road
Mahnomen, Minnesota 56557**

Shooting Star Casino and Event Center is located on reservation lands held by the United States government in trust for the White Earth Nation of Minnesota Chippewa Tribe, a federally recognized Indian tribe with a reservation in Mahnomen County, Minnesota.

Terms and conditions not otherwise defined in this permit have the meaning assigned to them in 40 C.F.R. Part 49. All terms and conditions of the permit are enforceable by the U.S. Environmental Protection Agency and citizens under the Clean Air Act.



Susan Hedman
Regional Administrator
U.S. EPA, Region 5

4-15-2014

Date

Abbreviations and Acronyms

BTU	British thermal unit
CAA	Clean Air Act
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
EPA	U.S. Environmental Protection Agency
Facility	Shooting Star Casino and Event Center
HAP	Hazardous Air Pollutant
hr	Hour
lb	Pound
MMBTU	Millions of BTUs
NO _x	Nitrogen Oxides
NSR	New Source Review
Permittee	White Earth Nation of the Minnesota Chippewa Tribe
PM	Particulate Matter
PM ₁₀	Particulate Matter smaller than 10 microns
PM _{2.5}	Particulate Matter smaller than 2.5 microns
SO ₂	Sulfur Dioxide
SSC	Shooting Star Casino and Event Center
VOC	Volatile Organic Compound

Table of Contents

Abbreviations and Acronyms	2
Table of Contents.....	3
Section I: Facility Description	4
(A) General Source Information.....	4
(B) Emission Unit Description.....	4
Section II: Unit-Specific Requirements	6
(A) New Emission Unit Construction Authorization and Requirements	6
(B) Fuel Oil-Fired Boiler Limitations and Requirements	7
(C) Propane-Fired Boiler Limitations and Requirements	8
(D) Biomass-Fired Boiler Limitations and Requirements.....	10
Section III: Facility-Wide Requirements	12
(A) 40 C.F.R. Part 63, Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.....	12
Section IV: General Permit Requirements.....	17
(A) Definitions.....	17
(B) Issuance and Effective Date of Permit.....	17
(C) Construction Without a Permit	17
(D) Construction Approval.....	17
(E) Compliance with Permit Requirements	17
(F) Prohibition on Violation of National Ambient Air Quality Standards and Prevention of Significant Deterioration Increments.....	18
(G) Submittals	18
(H) Severability	18
(I) Entry and Inspection	18
(J) Circumvention.....	19
(K) Reservation	19
(L) Permit Revision, Reopening, Revocation and Reissuance, or Termination	19

SECTION I: FACILITY DESCRIPTION

(A) General Source Information

Owner: White Earth Nation of the Minnesota Chippewa Tribe
777 South Casino Road
Mahnomen, Minnesota 56557

Facility: Shooting Star Casino and Event Center
777 South Casino Road
Mahnomen, Minnesota 56557

County: Mahnomen

Reservation: White Earth Nation of Minnesota

SIC Code: 7011, Hotels and Motels

NAICS Code: 721120, Casino Hotels

This minor new source review (NSR) construction permit is being issued to the White Earth Nation of the Minnesota Chippewa Tribe to authorize construction at the Shooting Star Casino and Event Center in Mahnomen, Minnesota. The Shooting Star Casino and Event Center is located on the White Earth Nation of the Minnesota Chippewa Tribe's reservation. This minor NSR permit authorizes the construction of a new 5 MMBTU/hr SolaGen biomass-fired boiler and establishes federally-enforceable operating limitations on the new biomass-fired and existing propane- and fuel oil-fired boilers.

The Shooting Star Casino and Event Center is an existing facility owned and operated by the White Earth Nation. It is composed of three main areas: the casino, the hotel, and the event center. The Permittee operates two 4.18 MMBTU/hr fuel oil-fired boilers to provide space heating for the casino complex and some of the hotel area and two 2.78 MMBTU/hr propane-fired boilers to heat the event center and remaining hotel space. The fuel oil boilers share the same exhaust stack behind the main casino. The propane boilers, located behind the event center, each has its own stack. The new SolaGen biomass boiler, once operational, will be used to provide space heating to the hotel, casino and event center while the existing four boilers will serve as a backup to the new biomass-fired boiler.

This permit, once issued, will be the first federally-enforceable air permit issued to the facility.

(B) Emission Unit Description

(1) The Permittee operates the following emission units at the facility:

- (a) Two 4.18 MMBTU/hr fuel oil-fired boilers; and
- (b) Two 2.78 MMBTU/hr propane-fired boilers.

(2) After issuance of this permit, the Permittee will be authorized to operate the following emission units at the facility:

- (a) One 5 MMBTU/hr SolaGen biomass-fired boiler with a 70% annual capacity factor.
- (b) Two 4.18 MMBTU/hr fuel oil-fired boilers, each with a 90% annual capacity factor.
- (c) Two 2.78 MMBTU/hr propane-fired boilers, each with a 90% annual capacity factor.

SECTION II: UNIT-SPECIFIC REQUIREMENTS

(A) New Emission Unit Construction Authorization and Requirements

(1) Definitions

- (a) For the purpose of this construction authorization, “construction commences” has the same definition as 40 C.F.R. § 52.21(b)(8) and (9).
- (b) For the purpose of this construction authorization, “operational” shall be defined as the first time an authorized replacement unit emits into the ambient air.

(2) New Unit Construction Authorization

- (a) The Permittee is authorized to construct the following emission units:
 - (i) One 5 MMBTU/hr SolaGen biomass-fired boiler and associated systems, including:
 - a. SolaGen Under Feed Stoker 5 MMBTU/hr biomass-fired boiler;
 - b. Biomass storage in an enclosed building with a footprint of less than 2,000 square feet;
 - c. A biomass conveyance system, including automated screw augers, flat conveyor belts, and inclined conveyor belts;
 - d. A biomass screening system;
 - e. A metering bin;
 - f. An ash removal system; and
 - g. Emission control devices, including an air heater and a high-efficiency multiclone.

(3) New Unit Emission Limitations and Requirements

- (a) Unless otherwise stated, the Permittee shall operate the new emission unit in accordance with the applicable unit-specific, facility-wide, and general requirements established in this permit.
- (b) The new emission unit shall meet all applicable requirements at all times, including during initial operation of the new emission unit.

(4) Construction Notification Requirements

- (a) The Permittee shall inform EPA, in writing, of the following:

- (i) The date construction commences for the authorized new emission unit; and
 - (ii) The date the new emission unit becomes operational.
 - (b) Unless directed otherwise, the Permittee shall send each required notification to the address listed in section IV, condition (G) of this permit.
- (5) Construction Authorization Limitations and Expiration
- (a) The authorization to construct a new emission unit shall apply only to the emission unit explicitly identified in the construction authorization.
 - (b) The authorization to construct the new emission unit shall become effective on the effective date of this permit.
 - (c) The authorization to construct the new emission unit shall become invalid if construction of the new emission unit does not commence within 18 months of the effective date of this permit, construction is discontinued for a period of 18 months or more, or if construction is not completed within 42 months of commencing construction.

(B) Fuel Oil-Fired Boiler Limitations and Requirements

(1) Operating Hour Limit

- (a) Each fuel oil-fired boiler shall operate for no more than 7,884 hours during any 12 consecutive month period. This is equivalent to a 90% annual capacity factor. Compliance with this limit is demonstrated according to condition (B)(3) of this section.
- (b) The operating hour limit in condition (B)(1)(a) of this section shall not take effect until the new biomass-fired boiler, authorized for construction in condition (A) of this section, is operational.

(2) Fuel Requirements

- (a) The Permittee shall use only fuel oil to fuel the fuel oil-fired boilers.

(3) Compliance Demonstration Requirements

(a) Recordkeeping

- (i) The Permittee shall record the number of hours each fuel-oil fired boiler operates each calendar month.

- (ii) During the first 12 months beginning with the date the new biomass-fired boiler becomes operational, the Permittee shall add the current month's hours of operation to the previous months' hours of operation for each boiler and record the sum. The Permittee shall record the total hours of operation for each fuel-oil fired boiler determined in this manner by the 15th day of each calendar month.
- (iii) Beginning with the 13th month and for each subsequent month following the date the new biomass-fired boiler becomes operational, the Permittee shall add the current month's hours of operation to the previous 11 months' hours of operation for each fuel oil-fired boiler. The Permittee shall record the total hours of operation for each fuel oil-fired boiler determined in this manner by the 15th day of each month.
- (iv) The Permittee shall maintain all records at the facility for no less than 5 years.

(b) Reporting

- (i) The Permittee shall submit to EPA a document certifying compliance with the 12 consecutive month operating hour limitation for each fuel oil-fired boiler.
- (ii) The certification document shall be submitted no later than January 31st of each calendar year.
- (iii) The certification document shall cover the 12-month period of the previous calendar year.
- (iv) The certification document shall contain, at a minimum, the total number of hours each boiler has operated during each 12 consecutive month period of the previous calendar year.

(C) Propane-Fired Boiler Limitations and Requirements

(1) Operating Hour Limit

- (a) Each propane-fired boiler shall operate for no more than 7,884 hours during any 12 consecutive month period. This is equivalent to a 90% annual capacity factor. Compliance with this limit is demonstrated according to condition (C)(3) of this section.

- (b) The operating hour limit in condition (C)(1)(a) of this section shall not take effect until the new biomass-fired boiler, authorized for construction in condition (A) of this section, is operational.

(2) Fuel Requirements

- (a) The Permittee shall use only propane fuel in the propane-fired boilers.

(3) Compliance Demonstration Requirements

(a) Recordkeeping

- (i) The Permittee shall record the number of hours each propane-fired boiler operates each month.
- (ii) During the first 12 months beginning with the date the new biomass-fired boiler becomes operational, the Permittee shall add the current month's hours of operation to the previous months' hours of operation for each propane-fired boiler and record the sum. The Permittee shall record the total hours of operation for each propane-fired boiler determined in this manner by 15th day of each month.
- (iii) Beginning with the 13th month and for each subsequent month following the date the new biomass-fired boiler becomes operational, the Permittee shall add the current month's hours of operation to the previous 11 months' hours of operation for each propane-fired boiler. The Permittee shall record the total hours of operation for each propane-fired boiler determined in this manner by the 15th day of each month.
- (iv) The Permittee shall maintain all records at the facility for no less than 5 years.

(b) Reporting

- (i) The Permittee shall submit to EPA a document certifying compliance with the 12 consecutive month operating hour limitation for each propane-fired boiler.
- (ii) The Permittee shall submit the certification document no later than January 31st of each calendar year.
- (iii) The certification document shall cover the 12-month period of the previous calendar year.

- (iv) The certification document shall contain, at a minimum, the total number of hours each boiler has operated during each 12 consecutive month period of the previous calendar year.

(D) Biomass-Fired Boiler Limitations and Requirements

(1) Operating Hour Limit

- (a) The biomass-fired boiler shall operate for no more than 6,132 hours during any 12 consecutive month period. This is equivalent to a 70% annual capacity factor. Compliance with this limit is demonstrated according to condition (D)(4) of this section.

(2) Fuel Requirements

- (a) The Permittee shall use biomass fuel comprising only wood chips from conifer or deciduous trees for the biomass boiler.
- (b) Biomass fuel shall not contain non-biomass material.
- (c) The moisture content of the biomass fuel shall be between 10-50%, wet basis.

(3) Emission Control Device Requirements

- (a) The Permittee shall operate the multiclone at all times during the operation of the biomass-fired boiler.
- (b) The Permittee shall operate the air heater at all times during the operation of the biomass-fired boiler.

(4) Compliance Demonstration Requirements

(a) Recordkeeping

- (i) The Permittee shall record the number of hours each biomass-fired boiler operates each month.
- (ii) During the first 12 months of operation of the biomass-fired boiler, the Permittee shall add the current month's hours of operation to the previous months' hours of operation. The Permittee shall record the total hours of operation determined in this manner by the 15th day of each month.

- (iii) Beginning with the 13th month of operation and for each subsequent month, the Permittee shall add the current month's hours of operation to the previous 11 months hours of operation. The Permittee shall record the total hours of operation determined in this manner by the 15th day of the month.
- (iv) The Permittee shall record the composition and moisture content of the biomass fuel used in the biomass boiler each month.
- (v) The Permittee shall maintain all records at the facility for no less than 5 years.

(b) Reporting

- (i) The Permittee shall submit to EPA a document certifying compliance with the 12 consecutive month operating hour limitation for each biomass-fired boiler.
- (ii) The certification document shall be submitted no later than January 31st of each calendar year.
- (iii) The certification document shall cover the 12-month period of the previous calendar year.
- (iv) The certification document shall contain, at a minimum, the total number of hours each boiler has operated during each 12 consecutive month period of the previous calendar year and any periods of time that any pollution control equipment are not operating while the boiler is in operation.

SECTION III: FACILITY-WIDE REQUIREMENTS

(A) 40 C.F.R. Part 63, Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources

(1) Applicability of Subpart JJJJJ to the Facility

- (a) [Section 63.11237] All terms used in this subpart are defined in the Clean Air Act, in the General Provisions at 40 C.F.R. § 63.2, and in 40 C.F.R. § 63.11237.
- (b) [Section 63.11193] Shooting Star Casino and Event Center is subject to 40 C.F.R. Part 63, Subpart JJJJJ because the Permittee operates commercial boilers, as defined in Section 63.11237, and is an area source of hazardous air pollutants (HAPs), as defined in 40 C.F.R. § 63.2.

(2) General Requirements from Subpart JJJJJ

- (a) [Section 63.11205(a)] At all times, the Permittee must operate and maintain any affected new or existing source in a manner consistent with safety and good air pollution control practices for minimizing emissions.
- (b) [Section 63.11235] The Permittee shall comply with the applicable parts of the General Provisions, found in 40 C.F.R. §§ 63.1 through 63.15, as listed in Table 8 to 40 C.F.R. Part 63, Subpart JJJJJ.

(3) Tune-up Requirements

- (a) [Sections 63.11196(a)(1), 63.11210(c)] The Permittee must conduct and demonstrate initial compliance with the requirements to perform a tune-up for existing affected sources, including the fuel oil-fired boilers, by no later than March 21, 2014. Initial compliance must be demonstrated in accordance with the applicable provisions in Section 63.7(a)(2).
- (b) [Sections 63.11196(c), 63.11210(f)] The Permittee must achieve compliance with the provisions of Subpart JJJJJ upon startup of the new biomass-fueled boiler. For new affected boilers that must comply with a work practice, management practice, or emission reduction measure, the Permittee is not required to complete an initial performance tune-up.
- (c) [Section 63.11201] The following work practices, management practices, and emission reduction measures apply at all times to the affected sources at the facility:

- (i) [Table 2, Entry 4] The Permittee must conduct an initial tune-up of the fuel oil-fired boilers as specified in Section 63.11214, and conduct a tune-up of each boiler biennially as specified in Section 63.11223.
- (ii) [Table 2, Entry 7] The Permittee must conduct a tune-up of the biomass-fired boiler biennially as specified in Section 63.11223.
- (d) [Section 63.11214(b)] For the new biomass-fired and existing fuel oil-fired boilers, the Permittee must conduct a performance tune-up according to Section 63.11223(b). The Permittee must submit a signed statement in the Notification of Compliance Status report indicating that a tune-up of the boiler has been conducted.
- (e) [Sections 63.11210(f), 63.11223(a), (b)] Each biennial tune-up of the biomass-fired and fuel oil-fired boiler must be conducted no more than 25 months after the previous tune-up. For the new biomass-fired boiler, the first biennial tune-up must be no later than 25 months after the initial startup of the boiler. The Permittee shall conduct a tune-up to demonstrate continuous compliance as described below:
 - (i) Conduct the tune-up while burning the type of fuel or fuels that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up. To demonstrate continuous compliance, the Permittee shall keep records as required in Section 63.11225(c).
 - (ii) As applicable, inspect the burner, and clean or replace any components of the burner as necessary. This inspection may be delayed until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection.
 - (iii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.
 - (iv) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly. This inspection may be delayed until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection.
 - (v) Optimize total emissions of CO. The optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject.

- (vi) Measure the concentrations of the effluent stream of CO, in part per million, by volume, and oxygen in volume percent, before and after the adjustments are made. Measurements may be either on a dry or wet basis as long as it is the same basis before and after the adjustments are made. Measurements may be taken using a portable CO analyzer.
- (vii) Maintain on-site and submit, if requested by EPA, a report containing the following information:
 - a. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler.
 - b. A description of any corrective actions taken as a part of the tune-up of the boiler.
 - c. The type and amount of fuel used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit.
- (viii) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.

(4) Notification, Recordkeeping, and Reporting Requirements

- (a) [Section 63.11225(a)] The Permittee shall submit the following notifications to EPA:
 - (i) Notifications in Sections 63.7(b), 63.8(e) and (f), and 63.9(b) through (e), (g), and (h) that apply to the facility by the dates specified in those sections.
 - (ii) An Initial Notification must be submitted no later than January 20, 2014, or within 120 days after the source becomes subject to the standard.
 - (iii) The Notification of Compliance Status shall comply with the following requirements:

- a. The Notification of Compliance Status shall be submitted no later than 120 days after the applicable compliance date specified in Section 63.11196.
 - b. The Notification of Compliance Status shall be signed by a responsible official.
 - c. The Notification of Compliance shall include the following: "This facility complies with the requirements in Section 63.11214 to conduct an initial tune-up of the boiler."
 - d. The Notification of Compliance Status shall include the following: "No secondary materials that are solid waste were combusted in any affected unit."
 - e. The Notification of Compliance Status shall be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI), accessible online at www.epa.gov/cdx. However, if the reporting form is not available in CEDRI at the time that the report is due, the written Notification of Compliance Status must be submitted to EPA.
- (b) [Section 63.11225(b)] The Permittee shall prepare and submit to the EPA a biennial report by March 1st following each required tune-up. The compliance report shall contain the following:
- (i) Company name and address; and
 - (ii) A statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart. The compliance certification report shall be signed by the responsible official and certify the following:
 - a. "This facility complies with the requirements in Section 63.11223 to conduct a biennial or 5-year tune-up, as applicable, of each boiler."
 - b. "No secondary materials that are solid waste were combusted in any affected unit."
- (c) [Section 63.11225(c)] The Permittee shall maintain the following records:

- (i) A copy of each notification and report submitted to comply with this subpart and all documentation supporting any Initial Notification or Notification of Compliance Status the Permittee submitted.
 - (ii) Records documenting conformance with work practice, emission reduction measures, and management practice standards, including the following:
 - a. The identity of each boiler, the date of tune-up, the procedures followed for each tune-up, and the manufacturer's specification to which the boiler was tuned.
 - (iii) Records of the occurrence and duration of each malfunction of each affected boiler.
 - (iv) Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in Section 63.11205(a), including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation.
- (d) [Section 63.11225(d)] All records required to be kept must be in a form suitable and readily available for expeditious review. Each record shall be kept for 5 years following the date of each recorded action. Each record shall be maintained on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. Records may be kept off-site for the remaining 3 years.

SECTION IV: GENERAL PERMIT REQUIREMENTS

(A) Definitions

- (1) Terms and conditions in this permit have the meaning assigned to them in 40 C.F.R. § 49.152 unless other regulations or statutes are referenced or applicable.

(B) Issuance and Effective Date of Permit

- (1) This permit is being issued pursuant to 40 C.F.R. §§ 49.151 - 49.161.
- (2) This permit shall become effective on the date of signature by the Regional Administrator.

(C) Construction Without a Permit

- (1) If the Permittee constructs or operates any source or modification not in accordance with the terms of any approval to construct then the Permittee shall be subject to appropriate enforcement actions.

(D) Construction Approval

- (1) Nothing in this permit shall alter the requirement for the Permittee to obtain a construction permit before commencement of construction or modification of an emission unit.
- (2) Approval for construction or installation shall not relieve the Permittee of the responsibility to comply fully with the applicable provisions of any other requirements of federal law or regulation, including Title V of the CAA.

(E) Compliance with Permit Requirements

- (1) The Permittee shall comply with each term and condition in this permit. Failure to comply with any term or condition of this permit constitutes a violation of the permit, and may constitute a violation of the CAA and serve as grounds for:
 - (a) An enforcement action under Section 113 of the CAA;
 - (b) Termination, revocation and reissuance, or modification of the permit; or
 - (c) Denial of a federal operating permit application under 40 C.F.R. Part 71.
- (2) It is not a defense in an enforcement action for violation of this permit that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(F) Prohibition on Violation of National Ambient Air Quality Standards and Prevention of Significant Deterioration Increments

- (1) The emission units subject to this construction permit must not cause or contribute to a violation of any National Ambient Air Quality Standard or to a violation of a Prevention of Significant Deterioration increment.

(G) Submittals

- (1) Unless otherwise directed by EPA or this permit, the Permittee shall submit a copy of all test plans, reports, certifications, notifications, and other information pertaining to compliance with this permit to:

Air Enforcement and Compliance
Assurance Branch (AE-17J)
Air and Radiation Division
EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

- (2) The Permittee shall submit permit applications, applications for permit amendments, and other applicable permit information, which includes but is not limited to applications and information regarding installation of control equipment, replacement of an emissions unit, and requests for changes that contravene permit terms, to:

Air Permits Section
Air Programs Branch (AR-18J)
EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

(H) Severability

- (1) The terms and conditions in this permit are distinct and severable. Each permit term and condition is independent of the permit as a whole and remains valid regardless of a challenge to any other part of this permit. If any term or condition in this permit is held invalid, such invalidity shall not affect the validity or application of other terms or conditions.

(I) Entry and Inspection

- (1) The Permittee shall allow an EPA-authorized representative, upon presentation of credentials, to:

- (a) Have a right of entry to, upon, or through any premises where a source subject to this permit is located or where records required by this permit are kept;
- (b) Have access to any records required by this permit and to make copies of any records;
- (c) Inspect, during normal business hours or while the source is in operation, the emission units and processes that are the subject of this permit and any monitoring equipment required by or referenced in this permit;
- (d) Record any inspection by use of written, electronic, magnetic, and photographic media; and
- (e) Sample or monitor any emissions or parameters to assure compliance with this permit or other applicable requirements.

(J) Circumvention

- (1) The Permittee shall not build, erect, install, or use any article, machine, equipment, or process, the use of which conceals any emission which would otherwise constitute a violation of an applicable standard.

(K) Reservation

- (1) This permit does not convey any property rights or any sort of exclusive privilege.

(L) Permit Revision, Reopening, Revocation and Reissuance, or Termination

- (1) EPA may revise, reopen, revoke and reissue, or terminate this permit for cause.
- (2) The filing by the Permittee of a request for a permit revision, revocation and reissuance, or termination or of a notification of planned changes or anticipated noncompliance does not stay any permit conditions.
- (3) The Permittee shall furnish, within a reasonable time, any information that EPA may request in writing to determine whether cause for revising, revoking and reissuing, or terminating the permit or to determine compliance with the permit. For any such information claimed to be confidential, the Permittee must also submit a claim of confidentiality in accordance with 40 C.F.R. Part 2, Subpart B.