



MAR 29 2013

Gilbert Rodriquez
J R Simplot Company
P.O. Box 128
Helm, CA 93627

**Re: Proposed Authority to Construct / Certificate of Conformity (Minor Mod)
District Facility # C-705
Project # C-1123368**

Dear Mr. Rodriquez:

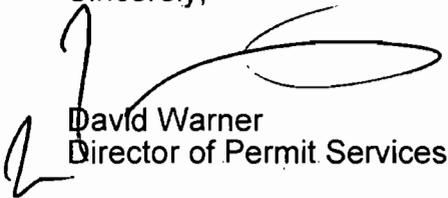
Enclosed for your review is the District's analysis of your application for Authority to Construct for the facility identified above. You have requested that a Certificate of Conformity with the procedural requirements of 40 CFR Part 70 be issued with this project. The applicant proposes to convert the NOx emission factor from a concentration limit to a mass limit.

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. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Thank you for your cooperation in this matter.

Sincerely,



David Warner
Director of Permit Services

Enclosures
cc: Jesse A. Garcia, Permit Services

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



MAR 29 2013

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 # C-705
Project # C-1123368

Dear Mr. Rios:

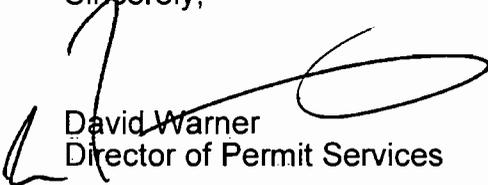
Enclosed for your review is the District's engineering evaluation of an application for Authority to Construct for J R Simplot Company, located at 12688 S. Colorado Ave in Helm, which has been issued a Title V permit. J R Simplot Company is requesting that a Certificate of Conformity, with the procedural requirements of 40 CFR Part 70, be issued with this project. The applicant proposes to convert the NOx emission factor from a concentration limit to a mass limit.

Enclosed is the engineering evaluation of this application, a copy of the current Title V permit, and proposed Authority to Construct # C-705-3-10 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. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Thank you for your cooperation in this matter.

Sincerely,



David Warner
Director of Permit Services

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San Joaquin Valley Air Pollution Control District
Authority to Construct
Application Review
Modification of Nitric Acid Production Plant

Facility Name: J R Simplot Company

Date: February 7, 2013

Mailing Address: P.O. Box 128

Engineer: Jesse A. Garcia

Helm, CA 93627

Lead Engineer: Joven Refuerzo

Location Address: 12688 S Colorado Ave

Helm, CA

Contact Person: Nathaniel Rutterbush

Telephone: (559) 829-7517

Fax: (559) 866-1507

Application #(s): C-705-3-10

Project #: C-1123368

Deemed Complete: December 27, 2012

I. Proposal

J R Simplot Company has requested an Authority to Construct permit for the modification of a nitric acid plant (permit C-705-3). The modification consists of changing the current NO_x emission factor listed on the permit (180 ppm three hour average) from a concentration limit to a mass limit to help alleviate emission exceedances associated with emergency/unscheduled shutdowns of the plant. During emergency/unscheduled shutdowns of the plant, the exhaust in the stack becomes stagnant resulting in concentration measurements exceeding the permit limits; however, there are no exceedances on a mass basis.

The applicant has stated the maximum air flow rate for the nitric acid plant stack is 26,000 dscfm. Converting the 180 ppm NO_x emission limit to a lb/ton-HNO₃ value is as follows:

$$180 \text{ scf-NO}_x/10^6 \text{ scf exhaust} \times \text{lb-mol}/379.5 \text{ scf-NO}_x \times 46 \text{ lb-NO}_x/\text{lb-mol} \times 26,000 \text{ scf-exhaust}/\text{min} \times 1440 \text{ min}/\text{day} = 816.9 \text{ lb-NO}_x/\text{day}$$

The applicant stated under project C-1080713, the maximum production rate is 280 ton-HNO₃/day; therefore,

$$816.9 \text{ lb-NO}_x/\text{day} \div 280 \text{ ton-HNO}_3/\text{day} = 2.9 \text{ lb-NO}_x/\text{ton-HNO}_3$$

2.9 lb-NO_x/ton-HNO₃ will be the nitric acid plant emission factor based on a three hour average and is equivalent to the current PTO limit of 180 ppm; therefore, the conversion of the emission factor from a concentration limit to a mass limit is not a modification per District Rule 2201.

New Source Performance Standard from Subpart G, Part 60, Chapter 1, Title 40, Code of Federal Regulations is applicable to the Nitric Acid Production Plant. 40 CFR Part 60, Subpart G has a limit of 3.0 lb-NO_x/ton-HNO₃; the limit of 2.9 lb-NO_x/ton-HNO₃ (180 ppm) demonstrates

that the unit is in compliance with the requirement and will continue to be in compliance with the requirement. Further discussion will be provided in Section VIII below.

J R Simplot Company received their Title V Permit. This modification can be classified as a Title V minor modification pursuant to Rule 2520, and can be processed with a Certificate of Conformity (COC). Since the facility has specifically requested that this project be processed in that manner, the 45-day EPA comment period will be satisfied prior to the issuance of the Authority to Construct. J R Simplot Company must apply to administratively amend their Title V permit.

There is currently one unimplemented ATC, C-705-3-9; however, the unimplemented ATC has no bearing on the ATC issued in this project; therefore, no further discussion is required.

See Appendix A: Current Permit to Operate C-705-3-8
And Appendix B: Unimplemented Authority to Construct C-705-3-9

II. Applicable Rules

Rule 1080 Stack Monitoring (12/17/92)
Rule 2201 New and Modified Stationary Source Review Rule (4/21/11)
Rule 2410 Prevention of Significant Deterioration (11/26/12)
Rule 2520 Federally Mandated Operating Permits (6/21/01)
Rule 4001 New Source Performance Standards (4/14/99)
Rule 4002 National Emissions Standards for Hazardous Air Pollutants (5/20/04)
Rule 4101 Visible Emissions (2/17/05)
Rule 4102 Nuisance (12/17/92)
CH&SC 41700 Health Risk Assessment
CH&SC 42301.6 School Notice
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 project is located 12688 S. Colorado Ave in Helm, California. The District has verified that the equipment is not located within 1,000 feet of the outer boundary of a K-12 school. Therefore, the public notification requirement of California Health and Safety Code 42301.6 is not applicable to this project.

IV. Process Description

The nitric acid plant uses four storage tanks to store anything from weak acid to high strength acid. From the tanks, the product can be pumped to the truck loading station where the product is transferred to trucks. Any spills are collected by the drip pad and collected in a sump.

V. Equipment Listing

Pre-Project Equipment Description:

C-705-3-8: NITRIC ACID PLANT CONSISTS OF: ONE AMMONIA VAPORIZER WITH SUPERHEATER, ONE NH₃ TO NO CONVERTER, ONE 50.3 MMBTU/HR WASTE HEAT BOILER, ONE TAIL GAS HEATER, ONE STEAM TURBINE, ONE AIR COMPRESSOR, ONE NO TO HNO₃ ABSORBER, ONE 6.87 MMBTU/HR NATURAL GAS FIRED CATALYST PREHEATER, ONE NO₂ TO N₂ BUTANE FIRED COMBUSTOR FOR EMISSIONS, AND ONE 17,000 GALLON TANK FOR COLLECTION OF WEAK ACID

Proposed Modification:

C-705-3-10: MODIFICATION OF A NITRIC ACID PLANT CONSISTS OF: ONE AMMONIA VAPORIZER WITH SUPERHEATER, ONE NH₃ TO NO CONVERTER, ONE 50.3 MMBTU/HR WASTE HEAT BOILER, ONE TAIL GAS HEATER, ONE STEAM TURBINE, ONE AIR COMPRESSOR, ONE NO TO HNO₃ ABSORBER, ONE 6.87 MMBTU/HR NATURAL GAS FIRED CATALYST PREHEATER, ONE NO₂ TO N₂ BUTANE FIRED COMBUSTOR FOR EMISSIONS, AND ONE 17,000 GALLON TANK FOR COLLECTION OF WEAK ACID: CHANGE NOX EMISSION FACTOR FROM 180 PPM TO 2.9 LB/TON NITRIC ACID PRODUCED

Post Project Equipment Description:

C-705-3-10: NITRIC ACID PLANT CONSISTS OF: ONE AMMONIA VAPORIZER WITH SUPERHEATER, ONE NH₃ TO NO CONVERTER, ONE 50.3 MMBTU/HR WASTE HEAT BOILER, ONE TAIL GAS HEATER, ONE STEAM TURBINE, ONE AIR COMPRESSOR, ONE NO TO HNO₃ ABSORBER, ONE 6.87 MMBTU/HR NATURAL GAS FIRED CATALYST PREHEATER, ONE NO₂ TO N₂ BUTANE FIRED COMBUSTOR FOR EMISSIONS, AND ONE 17,000 GALLON TANK FOR COLLECTION OF WEAK ACID

VI. Emission Control Technology Evaluation

There are no changes in control methods proposed by the applicant. The emission control device is described in the engineering evaluation for project number C-1113102. No further discussion is necessary.

VII. General Calculations

This project does not meet the criteria for a Rule 2201 Modification, as defined in Section 3.26, and is not subject to the requirements of Rule 2201. Therefore, formal calculations for Rule 2201 are not necessary and no further discussion is required.

This project converts a 180 ppm emission limit, over a 3 hour averaging period, to a 2.9 lb-NO_x/ton-HNO₃ limit, over a 3 hour averaging period, which are equivalent; therefore, there is no increase in hourly, daily, or annual emissions.

$$PE_{\text{Daily}} = 2.9 \text{ lb-NO}_x/\text{ton-HNO}_3 \times 280 \text{ ton-HNO}_3/\text{day} = 816.9 \text{ lb-NO}_x/\text{day}$$
$$PE_{\text{Annual}} = 816.9 \text{ lb-NO}_x/\text{day} \times 365 \text{ days/year} = 298,169 \text{ lb-NO}_x/\text{year}$$

VIII. Compliance

District Rule 1080 Stack Monitoring

This Rule grants the APCO the authority to request the installation and use of continuous emissions monitors (CEMs), and specifies performance standards for the equipment and administrative requirements for record keeping, reporting, and notification. The facility will be equipped with operational CEMs for NO_x.

The applicant is proposing to install, monitor and record hourly a stack flow meter to demonstrate compliance with the proposed mass limit stated above. Therefore, the following conditions will be including on the ATC to ensure compliance:

- The exhaust stack from the nitric acid plant shall be equipped with a District-approved monitor which shall measure and record the exhaust flow rate on an hourly basis. [District Rule 1080]

Compliance with the requirements of this Rule is anticipated.

District Rule 2201 New and Modified Stationary Source Review Rule

As noted in Section VII of this engineering evaluation, the proposed modification does not constitute an NSR modification; Pursuant to Section 3.25 of District Rule 2201, a modification is defined as:

- 3.25.1.1 Any change in hours of operation, production rate, or method of operation of an existing emissions unit, which would necessitate a change in permit conditions.

The proposed modification does not result in a change in the hour of operation, production rate or method of operation which necessitates a change in permit conditions.

- 3.25.1.2 Any structural change or addition to an existing emissions unit which would necessitate a change in permit conditions. Routine replacement shall not be considered to be a structural change.

The proposed modification does not constitute a structural change or addition to an existing emissions unit which necessitates a change in permit conditions.

- 3.25.1.3 An increase in emissions from an emissions unit caused by a modification of the Stationary Source when the emissions unit is not subject to a daily emissions limitation.

The proposed modification does not result in an increase in emissions from any emissions unit.

- 3.25.1.4 Addition of any new emissions unit which is subject to District permitting requirements.

The proposed modification does not result in the addition of any new emissions units.

- 3.25.1.5 A change in a permit term or condition proposed by an applicant to obtain an exemption from an applicable requirement to which the source would otherwise be subject.

The proposed modification does not change a permit term or condition to obtain an exemption from an applicable requirement.

As discussed above, the modification proposed to unit C-705-3-8 does not meet any of the criteria for a modification. Therefore, it is not subject to the requirements of District Rule 2201.

Rule 2410 Prevention of Significant Deterioration

The intent of this Rule is to incorporate the federal PSD rule requirements of Title 40 Code of Federal Regulations (40 CFR) Part 52.21 into the District's Rules and Regulations by incorporating the federal requirements by reference. The prevention of significant deterioration (PSD) program is a construction permitting program for new major stationary sources and major modifications to existing major stationary sources located in areas classified as attainment or in areas that are unclassifiable for any criteria air pollutant.

Section 4.0 states that an owner or operator must obtain a PSD permit pursuant to this Rule before beginning actual construction of a new major stationary source, a major modification, or a plantwide applicability limitation (PAL) major modification, as defined in 40 CFR 52.21(b).

As discussed above, J R Simplot Company is an existing stationary source. Pursuant to Section 52.21(2)(i), a major modification at an existing stationary source means any physical change in or change in the method of operation of a major stationary source that would result in: a significant emissions increase (as defined in paragraph (b)(40) of this section) of a regulated NSR pollutant (as defined in paragraph (b)(50) of this section); and a significant net emissions increase of that pollutant from the major stationary source.

Within this project, J R Simplot Company is proposing to convert their current permit limit of 180 ppm into a mass limit of 2.9 lb-NO_x/ton-HNO₃.

Therefore, the proposed changes at this plant do not require the facility to make any physical changes to their equipment or changes in their method(s) of operation. Therefore, the proposed project cannot result in a major modification under PSD and the requirements of this rule are not applicable.

Rule 2520 Federally Mandated Operating Permits

This facility is subject to this Rule, and has received their Title V Operating Permit. The proposed modification is a Minor Modification to the Title V Permit pursuant to Section 3.20 of this rule:

In accordance with Rule 2520, 3.20, these modifications:

1. Do not violate requirements of any applicable federally enforceable local or federal requirement;
2. Do not relax monitoring, reporting, or recordkeeping requirements in the permit and are not significant changes in existing monitoring permit terms or conditions;
3. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
4. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:
 - a. A federally enforceable emission cap assumed to avoid classification as a modification under any provisions of Title I of the Federal Clean Air Act; and
 - b. An alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Federal Clean Air Act; and
5. Are not Title I modifications as defined in District Rule 2520 or modifications as defined in section 111 or 112 of the Federal Clean Air Act; and
6. Do not seek to consolidate overlapping applicable requirements.

As discussed above, the facility has applied for a Certificate of Conformity (COC); therefore, the facility must apply to modify their Title V permit with an administrative amendment, prior to operating with the proposed modifications. Continued compliance with this rule is expected. The facility may construct/operate under the ATC upon submittal of the Title V minor modification application.

Rule 4001 New Source Performance Standards (NSPS)

This rule incorporates NSPS from Part 60, Chapter 1, Title 40, Code of Federal Regulations (CFR); and applies to all new sources of air pollution and modifications of existing sources of air pollution listed in 40 CFR Part 60. 40 CFR Part 60, Subpart G applies to Nitric Acid Plants (construction, modification or, reconstruction post-8/17/71 and pre 10/14/11) since the conversion of the emission limit on the permit is not considered a modification pursuant to 40 CFR Part 60, Subpart A.

Section 60.72(a)(1) and (2) require that any gases discharged into the atmosphere from the nitric acid plant shall not contain nitrogen oxides (NO₂) in excess of 3.0 lb/ton of 100% nitric acid produced and shall not exhibit 10% opacity or greater. Compliance with these requirements is ensured by the following existing conditions:

- NO₂ emissions shall not exceed 2.9 lb/ton-HNO₃ three-hour average as determined by continuous monitor and recording equipment certified to 40 CFR 60, Appendix B Performance Specification 6. [District Rules 2201 and 1080, 40 CFR 60.72 (a), and 40 CFR 60.73]
- Except during periods of startup, shutdown, and malfunction, any gases discharged from this unit shall not exhibit 10% opacity, or greater. [40 CFR 60.72 (a) and 40 CFR 60.11 (c)]

Section 60.73(a) requires that a continuous monitoring system for measuring nitrogen oxides shall be installed, operated, and maintained. Compliance with these requirements is ensured by the following existing conditions:

- NO₂ emissions shall not exceed 2.9 lb/ton-HNO₃ three-hour average as determined by continuous monitor and recording equipment certified to 40 CFR 60, Appendix B Performance Specification 6. [District Rules 2201 and 1080, 40 CFR 60.72 (a), and 40 CFR 60.73]
- When the plant is operating, the monitors shall be inspected for zero drift and span drift per 40 CFR 60.13d. Reanalyze zero and span gases per 40 CFR 60.13d (July 1, 1977). [40 CFR 60.13 (d) and 60.73 (a)]

Section 60.73(b) requires the owner or operator to establish the conversion factor in order to convert monitoring data into unit of applicable standard. Compliance with this requirement is ensured by the following existing condition:

- The owner or operator shall establish a conversion factor for the purpose of converting monitoring data into units of applicable standard (lb/ton of 100% HNO₃ produced). The conversion factor shall be obtained according to procedures and methods specified in 40 CFR 60.73 (b) and shall be reestablished during any performance test under 40 CFR 60.8 or any continuous emission monitoring system performance evaluation under 40 CFR 60.13 (c). [40 CFR 60.73 (b)]

Section 60.73(c) requires that the daily production rate and hours of operation shall be recorded and kept for inspection. Compliance with this requirement is ensured by the following existing condition:

- Permittee shall record daily production rate and emission data. Records shall be retained and provided to the District upon request. [District Rule 2520, 9.4 and 40 CFR 60.73 (c)]

Section 60.73(e) defines the periods of excess emissions that shall be reported as any 3-hour period during which the average nitrogen oxides emissions (arithmetic average of three contiguous 1-hour periods) as measured by a continuous monitoring system that exceeds the standard under Section 60.72(a). Compliance with this requirement is ensured by the following existing condition:

- Permittee shall submit quarterly reports to the District and EPA, Region IX, no later than 30 days following the end of each calendar quarter, on excess emissions and monitor failures. The periods of excess emissions shall be defined in accordance with 40 CFR 60.73 (e). The report shall comply with all of the requirements of the District rules. [40 CFR 60.73 (e) and District Rule 1080]

Compliance with this subpart is expected.

Rule 4002 National Emission Standards for Hazardous Air Pollutants (NESHAPs)

This rule incorporates NESHAPs from Part 61, Chapter I, Subchapter C, Title 40, CFR and the NESHAPs from Part 63, Chapter I, Subchapter C, Title 40, CFR; and applies to all sources of hazardous air pollution listed in 40 CFR Part 61 or 40 CFR Part 63. However, no subparts of 40 CFR Part 61 or 40 CFR Part 63 apply to liquid (not granular) ammonium phosphate fertilizer manufacturing operation.

Rule 4101 Visible Emissions

Per Section 5.0, no person shall discharge into the atmosphere emissions of any air contaminant aggregating more than 3 minutes in any hour which is as dark as or darker than Ringelmann 1 or 20% opacity. The following condition will be listed on the permit to ensure compliance:

- {15} 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]

Rule 4102 Nuisance

Rule 4102 states that no air contaminant shall be released into the atmosphere which causes a public nuisance. Public nuisance conditions are not expected as a result of these operations, provided the equipment is well maintained. Therefore, the following condition will be listed on the permit to ensure compliance:

- {98} 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.

As demonstrated above, there are no increases in emissions associated with this project, therefore a health risk assessment is not necessary and no further risk analysis is required.

California Health & Safety Code 42301.6 (School Notice)

The District has verified that this site is not located within 1,000 feet of a school. Therefore, pursuant to California Health and Safety Code 42301.6, a school notice is not required.

California Environmental Quality Act (CEQA)

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 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; and
- 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.

The District performed an Engineering Evaluation (this document) for the proposed project and determined that all project specific emission unit(s) are exempt from Best Available Control Technology (BACT) requirements. Furthermore, the District has determined that potential emission increases would have a less than significant health impact on sensitive receptors.

Issuance of permits for emissions units not subject to BACT requirements and with health impact less than significant is a matter of ensuring conformity with applicable District rules and regulations and does not require discretionary judgment or deliberation. Thus, the District concludes that this permitting action constitutes a ministerial approval. Section 21080 of the Public Resources Code exempts from the application of CEQA those projects over which a public agency exercises only ministerial approval. Therefore, the District finds that this project is exempt from the provisions of CEQA.

IX. Recommendation

Compliance with all applicable rules and regulations is expected. Issue Authority to Construct C-705-3-10 subject to the permit conditions on the attached draft Authority to Construct in Appendix C.

X. Billing Information

Annual Permit Fees			
Permit Number	Fee Schedule	Fee Description	Annual Fee
C-705-3-10	3020-02-H	50.3 MMBtu/hr boiler	\$953.00

Appendixes

- A: Current Permit to Operate C-705-3-8
- B: Unimplemented Authority to Construct C-705-3-9
- C: Draft ATC

APPENDIX A

Current Permit to Operate C-705-3-8

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: C-705-3-8

EXPIRATION DATE: 11/30/2014

EQUIPMENT DESCRIPTION:

NITRIC ACID PLANT CONSISTS OF: ONE AMMONIA VAPORIZER WITH SUPERHEATER, ONE NH₃ TO NO CONVERTER, ONE 50.3 MMBTU/HR WASTE HEAT BOILER, ONE TAIL GAS HEATER, ONE STEAM TURBINE, ONE AIR COMPRESSOR, ONE NO TO HNO₃ ABSORBER, ONE 6.87 MMBTU/HR NATURAL GAS FIRED CATALYST PREHEATER, ONE NO₂ TO N₂ BUTANE FIRED COMBUSTOR FOR EMISSIONS, AND ONE 17,000 GALLON TANK FOR COLLECTION OF WEAK ACID

PERMIT UNIT REQUIREMENTS

1. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District NSR Rule] Federally Enforceable Through Title V Permit
2. NO₂ emissions shall not exceed 180 ppm three-hour average as determined by continuous monitor and recording equipment certified to 40 CFR 60, Appendix B Performance Specification 2. [District NSR Rule, District Rule 1080, 40 CFR 60.72 (a), and 40 CFR 60.73] Federally Enforceable Through Title V Permit
3. When the plant is operating, the monitors shall be inspected for zero drift and span drift per 40 CFR 60.13d. Reanalyze zero and span gases per 40 CFR 60.13d (July 1, 1977). [40 CFR 60.13 (d) and 60.73 (a)] Federally Enforceable Through Title V Permit
4. Permittee shall record daily production rate and emission data. Records shall be retained and provided to the District upon request. [District Rule 2520, 9.4 and 40 CFR 60.73 (c)] Federally Enforceable Through Title V Permit
5. Permittee shall submit quarterly reports to the District and EPA, Region IX, no later than 30 days following the end of each calendar quarter, on excess emissions and monitor failures. The periods of excess emissions shall be defined in accordance with 40 CFR 60.73 (e). The report shall comply with all of the requirements of the District rules. [40 CFR 60.73 (e) and District Rule 1080, 8.0] Federally Enforceable Through Title V Permit
6. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
7. Sulfur compound emissions shall not exceed 0.2% by volume, 2000 ppmv, on a dry basis averaged over 15 consecutive minutes. [County Rule 406 (Fresno) and District Rule 4801] Federally Enforceable Through Title V Permit
8. Except during periods of startup, shutdown, and malfunction, any gases discharged from this unit shall not exhibit 10% opacity, or greater. [40 CFR 60.72 (a) and 40 CFR 60.11 (c)] Federally Enforceable Through Title V Permit
9. The owner or operator shall establish a conversion factor for the purpose of converting monitoring data into units of applicable standard (lb/ton of 100% HNO₃ produced). The conversion factor shall be obtained according to procedures and methods specified in 40 CFR 60.73 (b) and shall be reestablished during any performance test under 40 CFR 60.8 or any continuous emission monitoring system performance evaluation under 40 CFR 60.13 (c). [40 CFR 60.73 (b)] Federally Enforceable Through Title V Permit
10. A violation of emission standards of this permit, as shown by the stack-monitoring system, shall be reported to the district within 96 hours. [District Rule 1080, 9.0] 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.

11. The operator shall notify the district at least 24 hours prior to the shutting down of monitoring equipment. In the event of breakdown of monitoring equipment, the owner or the operator shall notify the district within 1 hour after the breakdown is detected. [District Rule 1080, 10.0] Federally Enforceable Through Title V Permit
12. The continuous NOx monitor shall meet the applicable performance specification requirements in 40 CFR Part 51, Appendix P, and Part 60, Appendix B or shall meet equivalent specifications established by mutual agreement of District, ARB, and the EPA. [District Rule 1080, 6.5] Federally Enforceable Through Title V Permit
13. Visible emission inspection shall be performed weekly. If visible emissions are observed, corrective action shall be taken to eliminate visible emissions. If visible emissions cannot be correct within 24 hours, a visible emissions test using USEPA Method 9 shall be conducted. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
14. Records of inspection shall be maintained, kept, and made available to the District upon request. The record shall at least include equipment description, date and time of inspection, any corrective action taken, and identification of the individual performing an inspection. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

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

APPENDIX B

Unimplemented Authority to Construct C-705-3-9



AUTHORITY TO CONSTRUCT

PERMIT NO: C-705-3-9

ISSUANCE DATE: 12/07/2012

LEGAL OWNER OR OPERATOR: J R SIMPLOT COMPANY

MAILING ADDRESS: PO BOX 128
HELM, CA 93627

LOCATION: 12688 S COLORADO AVE
HELM, CA 93627

EQUIPMENT DESCRIPTION:

MODIFICATION OF A NITRIC ACID PLANT CONSISTS OF ONE AMMONIA VAPORIZER WITH SUPERHEATER, ONE NH3 TO NO CONVERTER, ONE 50.3 MMBTU/HR WASTE HEAT BOILER, ONE TAIL GAS HEATER, ONE STEAM TURBINE, ONE AIR COMPRESSOR, ONE NO TO HNO3 ABSORBER, ONE 6.87 MMBTU/HR NATURAL GAS FIRED CATALYST PREHEATER, ONE NO2 TO N2 BUTANE FIRED COMBUSTOR FOR EMISSIONS, AND ONE 17,000 GALLON TANK FOR COLLECTION OF WEAK ACID. CORRECT EQUIPMENT DESCRIPTION TO INCLUDE A TOTAL OF 5 NITRIC ACID STORAGE TANKS, TRUCK LOADING STATION AND DRIP PAD SUMPS ALL SERVED BY A NEW PACKED BED SCRUBBER TO CONTROL NITRIC ACID FUGITIVE EMISSIONS/ODOR

CONDITIONS

1. The facility shall submit an application to modify the Title V permit in accordance with the timeframes and procedures of District Rule 2520. [District Rule 2520] Federally Enforceable Through Title V Permit
2. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201] Federally Enforceable Through Title V Permit
3. NO2 emissions shall not exceed 180 ppm three-hour average as determined by continuous monitor and recording equipment certified to 40 CFR 60, Appendix B Performance Specification 2. [District Rules 2201 and 1080, 40 CFR 60.72 (a), and 40 CFR 60.73] Federally Enforceable Through Title V Permit
4. When the plant is operating, the monitors shall be inspected for zero drift and span drift per 40 CFR 60.13d. Reanalyze zero and span gases per 40 CFR 60.13d (July 1, 1977). [40 CFR 60.13 (d) and 60.73 (a)] Federally Enforceable Through Title V Permit
5. Permittee shall record daily production rate and emission data. Records shall be retained and provided to the District upon request. [District Rule 2520, 9.4 and 40 CFR 60.73 (c)] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (559) 230-5950 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
E-705-3-9 Dec 7 2012 2:44PM - GARCIA Joint Inspection NOT Required

6. Permittee shall submit quarterly reports to the District and EPA, Region IX, no later than 30 days following the end of each calendar quarter, on excess emissions and monitor failures. The periods of excess emissions shall be defined in accordance with 40 CFR 60.73 (e). The report shall comply with all of the requirements of the District rules. [40 CFR 60.73 (e) and District Rule 1080, 8.0] Federally Enforceable Through Title V Permit
7. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
8. Sulfur compound emissions shall not exceed 0.2% by volume, 2000 ppmv, on a dry basis averaged over 15 consecutive minutes. [County Rule 406 (Fresno) and District Rule 4801] Federally Enforceable Through Title V Permit
9. Except during periods of startup, shutdown, and malfunction, any gases discharged from this unit shall not exhibit 10% opacity, or greater. [40 CFR 60.72 (a) and 40 CFR 60.11 (c)] Federally Enforceable Through Title V Permit
10. The owner or operator shall establish a conversion factor for the purpose of converting monitoring data into units of applicable standard (lb/ton of 100% HNO₃ produced). The conversion factor shall be obtained according to procedures and methods specified in 40 CFR 60.73 (b) and shall be reestablished during any performance test under 40 CFR 60.8 or any continuous emission monitoring system performance evaluation under 40 CFR 60.13 (c). [40 CFR 60.73 (b)] Federally Enforceable Through Title V Permit
11. A violation of emission standards of this permit, as shown by the stack-monitoring system, shall be reported to the district within 96 hours. [District Rule 1080, 9.0] Federally Enforceable Through Title V Permit
12. The operator shall notify the district at least 24 hours prior to the shutting down of monitoring equipment. In the event of breakdown of monitoring equipment, the owner or the operator shall notify the district within 1 hour after the breakdown is detected. [District Rule 1080, 10.0] Federally Enforceable Through Title V Permit
13. The continuous NO_x monitor shall meet the applicable performance specification requirements in 40 CFR Part 51, Appendix P, and Part 60, Appendix B or shall meet equivalent specifications established by mutual agreement of District, ARB, and the EPA. [District Rule 1080, 6.5] Federally Enforceable Through Title V Permit
14. Visible emission inspection shall be performed weekly. If visible emissions are observed, corrective action shall be taken to eliminate visible emissions. If visible emissions cannot be correct within 24 hours, a visible emissions test using USEPA Method 9 shall be conducted. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
15. Records of inspection shall be maintained, kept, and made available to the District upon request. The record shall at least include equipment description, date and time of inspection, any corrective action taken, and identification of the individual performing an inspection. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

APPENDIX C

Draft ATC

San Joaquin Valley
Air Pollution Control District

AUTHORITY TO CONSTRUCT

ISSUANCE DATE: DRAFT

PERMIT NO: C-705-3-10

LEGAL OWNER OR OPERATOR: J R SIMPLOT COMPANY
MAILING ADDRESS: RT 1100-0023
PO BOX 9168
BOISE, ID 83707

LOCATION: 12688 S COLORADO AVE
HELM, CA 93627

EQUIPMENT DESCRIPTION:

MODIFICATION OF A NITRIC ACID PLANT CONSISTS OF: ONE AMMONIA VAPORIZER WITH SUPERHEATER, ONE NH3 TO NO CONVERTER, ONE 50.3 MMBTU/HR WASTE HEAT BOILER, ONE TAIL GAS HEATER, ONE STEAM TURBINE, ONE AIR COMPRESSOR, ONE NO TO HNO3 ABSORBER, ONE 6.87 MMBTU/HR NATURAL GAS FIRED CATALYST PREHEATER, ONE NO2 TO N2 BUTANE FIRED COMBUSTOR FOR EMISSIONS, AND ONE 17,000 GALLON TANK FOR COLLECTION OF WEAK ACID: CHANGE NOX EMISSION FACTOR FROM 180 PPM TO 3.0 LB/TON NITRIC ACID PRODUCED

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 Rule 2201] 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. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201] Federally Enforceable Through Title V Permit
4. The exhaust stack from the nitric acid plant shall be equipped with a District-approved monitor which shall measure and record the exhaust flow rate on an hourly basis. [District Rule 1080] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

YOU **MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (559) 230-5950 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

C-705-3-10 : Feb 20 2013 8:51AM - GARCIAJ : Joint Inspection NOT Required

5. NO₂ emissions shall not exceed 2.9 lb/ton-HNO₃ three-hour average as determined by continuous monitor and recording equipment certified to 40 CFR 60, Appendix B Performance Specification 6. [District Rules 2201 and 1080, 40 CFR 60.72 (a), and 40 CFR 60.73] Federally Enforceable Through Title V Permit
6. When the plant is operating, the monitors shall be inspected for zero drift and span drift per 40 CFR 60.13d. Reanalyze zero and span gases per 40 CFR 60.13d (July 1, 1977). [40 CFR 60.13 (d) and 60.73 (a)] Federally Enforceable Through Title V Permit
7. Permittee shall record hourly production rate and emission data. Records shall be retained and provided to the District upon request. [District Rule 2520 and 40 CFR 60.73 (c)] Federally Enforceable Through Title V Permit
8. Permittee shall submit quarterly reports to the District and EPA, Region IX, no later than 30 days following the end of each calendar quarter, on excess emissions and monitor failures. The periods of excess emissions shall be defined in accordance with 40 CFR 60.73 (e). The report shall comply with all of the requirements of the District rules. [40 CFR 60.73 (e) and District Rule 1080] Federally Enforceable Through Title V Permit
9. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
10. Sulfur compound emissions shall not exceed 0.2% by volume, 2000 ppmv, on a dry basis averaged over 15 consecutive minutes. [County Rule 406 (Fresno) and District Rule 4801] Federally Enforceable Through Title V Permit
11. Except during periods of startup, shutdown, and malfunction, any gases discharged from this unit shall not exhibit 10% opacity, or greater. [40 CFR 60.72 (a) and 40 CFR 60.11 (c)] Federally Enforceable Through Title V Permit
12. The owner or operator shall establish a conversion factor for the purpose of converting monitoring data into units of applicable standard (lb/ton of 100% HNO₃ produced). The conversion factor shall be obtained according to procedures and methods specified in 40 CFR 60.73 (b) and shall be reestablished during any performance test under 40 CFR 60.8 or any continuous emission monitoring system performance evaluation under 40 CFR 60.13 (c). [40 CFR 60.73 (b)] Federally Enforceable Through Title V Permit
13. A violation of emission standards of this permit, as shown by the stack-monitoring system, shall be reported to the district within 96 hours. [District Rule 1080] Federally Enforceable Through Title V Permit
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16. Visible emission inspection shall be performed weekly. If visible emissions are observed, corrective action shall be taken to eliminate visible emissions. If visible emissions cannot be correct within 24 hours, a visible emissions test using USEPA Method 9 shall be conducted. [District Rule 2520] Federally Enforceable Through Title V Permit
17. Records of inspection shall be maintained, kept, and made available to the District upon request. The record shall at least include equipment description, date and time of inspection, any corrective action taken, and identification of the individual performing an inspection. [District Rule 2520] Federally Enforceable Through Title V Permit

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