



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

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www.deq.idaho.gov

C.L. "Butch" Otter, Governor  
John H. Tippetts, Director

September 9, 2016

Matt Henschler, Senior Vice President – Tech Services  
Seneca Foods Corporation  
1811 E. Florida Ave.  
Nampa, ID 83686

RE: Facility ID No. 027-00072, Seneca Foods Corporation, Nampa  
Final Permit Letter

Dear Mr. Henschler:

The Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) No. P-2009.0110 Project 61778 to Seneca Foods Corporation located at Nampa to change the name of the facility from Seminis Vegetable Seeds to Seneca Foods Corporation. This PTC is issued in accordance with IDAPA 58.01.01.200 through 228 (Rules for the Control of Air Pollution in Idaho) and is based on the certified information provided in your PTC application received August 29, 2016.

This permit is effective immediately and replaces PTC No. P-2009.0110, issued on August 17, 2012. This permit does not release Seneca Food Corporation from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

Pursuant to IDAPA 58.01.23, you, as well as any other entity, may have the right to appeal this final agency action within 35 days of the date of this decision. However, prior to filing a petition for a contested case, I encourage you to contact Kelli Wetzel at (208) 373-0502 or [kelli.wetzel@deq.idaho.gov](mailto:kelli.wetzel@deq.idaho.gov) to address any questions or concerns you may have with the enclosed permit.

Sincerely,

A handwritten signature in black ink that reads "Mike Simon".

Mike Simon  
Stationary Source Program Manager  
Air Quality Division

MS\KW

Permit No. P-2009.0110 PROJ 61778

Enclosures

**AIR QUALITY**  
**PERMIT TO CONSTRUCT**

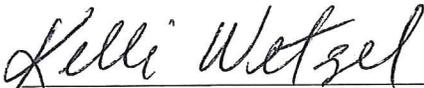
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**Permittee** Seneca Foods Corporation  
**Permit Number** P-2009.0110  
**Project ID** 61778  
**Facility ID** 027-00072  
**Facility Location** 1811 E. Florida Ave.  
Nampa, ID 83686

**Permit Authority**

This permit (a) is issued according to the "Rules for the Control of Air Pollution in Idaho" (Rules), IDAPA 58.01.01.200–228; (b) pertains only to emissions of air contaminants regulated by the State of Idaho and to the sources specifically allowed to be constructed or modified by this permit; (c) has been granted on the basis of design information presented with the application; (d) does not affect the title of the premises upon which the equipment is to be located; (e) does not release the permittee from any liability for any loss due to damage to person or property caused by, resulting from, or arising out of the design, installation, maintenance, or operation of the proposed equipment; (f) does not release the permittee from compliance with other applicable federal, state, tribal, or local laws, regulations, or ordinances; and (g) in no manner implies or suggests that the Idaho Department of Environmental Quality (DEQ) or its officers, agents, or employees assume any liability, directly or indirectly, for any loss due to damage to person or property caused by, resulting from, or arising out of design, installation, maintenance, or operation of the proposed equipment. Changes in design, equipment, or operations may be considered a modification subject to DEQ review in accordance with IDAPA 58.01.01.200–228.

**Date Issued** September 9, 2016

  
Kelli Wetzel, Permit Writer

  
Mike Simon, Stationary Source Manager

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# 1. PERMIT SCOPE

## Purpose

1.1 This permit is being revised to change the facility name from Seminis Vegetable Seeds to Seneca Foods Corporation. This revised PTC replaces PTC No. P-2009.0110 issued on August 17, 2012.

[9/9/16]

## Regulated Sources

1.2 Table 1.1 lists all sources of regulated emissions in this permit.

Table 1.1 REGULATED SOURCES

Source Descriptions	Emission Controls
<u>Seed Processing Operations</u> 1. Seed Receiving (beans, peas, carrot, and onions) 2. Conditioning Line 1 3. Conditioning Line 2 4. Electric Sorting Line 5. Seed Treatment and Packaging Line 1 6. Seed Treatment and Packaging Line 2 7. Corn Sheller Line 8. Mini-pack Line	Baghouse No. 1 for Seed Receiving Baghouse No. 2 for Conditioning Line #1 and Electric Sorting Line Baghouse No. 3 for Conditioning Line #2 Baghouse No. 4 Seed Treatment and Packaging Line 2 Baghouse No. 5 for Seed Treatment and Packaging Line 1 Baghouse No. 6 for Corn Sheller Line Baghouse No. 7 for Mini-pack Line
<u>Corn and Seed Drying</u> Nine identical drying lines (tunnel A to tunnel I) with nine Maxon natural gas burners Total Heat Input Rating: 47 MMBtu/hr	None
<u>Fumigation Process</u> New Fumigation Chambers Building Fumigation (Building S) Building Fumigation (Building L) Building Fumigation (Building T) Pea Box Fumigation	None

[8/17/12]

## 2. SEED (BEAN, PEA, CORN, CARROT, AND ONION) PROCESSING OPERATION

### 2.1 Process Description

Raw beans, peas, and onion seeds are shipped to the facility via flat or hopper bottom trucks. The seeds are transferred from the trucks onto a receiving conveyor which transfers the seeds into a series of metal bins. The seeds are weighed, analyzed for moisture content and product quality, cleaned, and sorted.

At the end of the processes, the seeds are transferred to the seed storage building until product orders are received. Upon customer requests, the seeds are treated and packaged.

Corn is received on the cob. The corn is husked and dried. Then, the kernels are removed from the cob and incorporated into the cleaning and treatment process.

### 2.2 Control Device Descriptions

The PM<sub>10</sub> emissions from the seed processing operations are controlled by baghouses (Baghouse Nos. 1 through 7.)

Table 2.1 SEED PROCESSING OPERATION DESCRIPTION

Emissions Units / Processes	Control Devices	Emission Points
<u>Seed Processing Operations</u> 1. Seed and Corn Receiving 2. Conditioning Line 1 3. Conditioning Line 2 4. Electric Sorting Line 5. Seed Treatment and Packaging Line 1 6. Seed Treatment and Packaging Line 2 7. Corn Sheller Line 8. Mini-Pack Line	Baghouse Nos. 1 through 7	N/A

[8/17/12]

## **Emission Limits**

### 2.3 Emission Limits

The PM<sub>10</sub> and VOC emissions from the seed (beans, peas, corn, carrot, and onion) processing operation stack shall not exceed any corresponding emissions rate limits listed in the following table.

Table 2.3 SEED PROCESSING OPERATIONS EMISSION LIMITS<sup>a</sup>

Source Description	PM <sub>10</sub> <sup>(b)</sup>		VOC	
	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>	lb/hr <sup>(c)</sup>	T/yr <sup>(d)</sup>
Seed processing operation stacks	0.216	0.190	10.2	13.4

- In absence of any other credible evidence, compliance is assured by complying with permit operating, monitoring, and recordkeeping requirements.
- Particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference test method, continuous emission monitoring system (CEMS) data, or DEQ-approved alternative.
- Tons per any consecutive 12-calendar month period.

[10/16/09]

## 2.4 TAP Emission Limits

The Captan and LorsbanChlorpyrifos emissions from the seed (beans, peas, and corn) processing operation stack shall not exceed any corresponding emissions rate limits listed in the following table.

Table 2.3 SEED PROCESSING OPERATIONS TAPS EMISSION LIMITS<sup>a</sup>

Source Description	Captan		Chlorpyrifos	
	lb/hr	T/yr <sup>(b)</sup>	lb/hr	T/yr <sup>(b)</sup>
Seed processing operation stacks	5.83	7.91	0.52	2.28

- a) In absence of any other credible evidence, compliance is assured by complying with permit operating, monitoring, and recordkeeping requirements.  
b) Tons per any consecutive 12-calendar month period.

[10/16/09]

## 2.5 Opacity Limit

Emissions from the seed (beans, peas, corn, carrot, and onion) processing operation stacks, or any other stack, vent, or functionally equivalent opening associated with the seed (beans, peas, corn, carrot, and onion) processing operation, shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity shall be determined by the procedures contained in IDAPA 58.01.01.625.

## **Operating Requirements**

### 2.6 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent particulate matter (PM) from becoming airborne in accordance with IDAPA 58.01.01.650-651. In determining what is reasonable, considerations will be given to factors such as the proximity of dust-emitting operations to human habitations and/or activities and atmospheric conditions that might affect the movement of PM. Some of the reasonable precautions include, but are not limited to, the following:

- Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands.
- Application, where practical, of asphalt, oil, water, or suitable chemicals to, or covering of, dirt roads, material stockpiles, and other surfaces which can create dust.
- Installation and use, where practical, of hoods, fans, and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations.
- Covering, where practical, of open-bodied trucks transporting materials likely to give rise to airborne dusts. Paving of roadways and their maintenance in a clean condition, where practical.
- Prompt removal of earth or other stored material from streets, where practical.

### 2.7 Seed Throughput Limits

To demonstrate compliance with the Emissions Limits Permit Condition, the permittee shall not process more than 50,000 tons of seed per any consecutive 12-month period (50,000 T/yr).

[10/16/09]

### 2.8 Chemical Usage Limits

To demonstrate compliance with the TAPs Emissions Limits Permit Condition, the amount of chemicals, which contain captan and/or chlorpyrifos, used for seed treatment shall not exceed the hourly and annual usage limits listed in the following table.

**Table 2.4 HOURLY AND ANNUAL USAGE LIMITS OF CHEMICALS IN SEED PROCESSING**

Chemical Used for Seed Treatment	Chemical Usage Limit	
	(lb/hr)	(lb/yr) <sup>a</sup>
Captan 400	30.0	262,800
Lorsban	36.3	320,616

a) Tons per any consecutive 12- month period.

[9/9/10]

**2.9 Operations and Maintenance Manual**

Within 60 days of permit issuance, the permittee shall have developed an operations and maintenance (O&M) manual for the inspection and operation of each baghouse (Baghouse Nos. 1 through 7) which control emissions from the seed processing operation. The O&M manual shall be a permittee developed document independent of the manufacturer supplied operating manual but may include summaries of procedures included in the manufacturer supplied operating manual.

The manual shall describe the procedures that will be followed to comply with the Control Equipment Maintenance General Provision and shall contain requirements for monthly see-no-see visible emissions inspections of the baghouse.

The O&M manual shall also include a schedule and procedures for corrective action that will be taken if visible emissions are present from the baghouse at anytime. At a minimum the document shall include:

- procedures to determine if bags or cartridges are ruptured; and
- procedures to determine if bags or cartridges are not appropriately secured in place.

The O&M manual shall be submitted to DEQ within 60 days of permit issuance for review and comment and shall contain a certification by a responsible official. Any changes to the manual shall be submitted within 15 days of the change.

The operating and monitoring requirements specified in the O&M manual are incorporated by reference to this permit and are enforceable permit conditions.

The O&M manual shall also remain on site at all times and shall be made available to DEQ representatives upon request.

[10/16/09]

**2.10 Maintenance and Operation of the Baghouses**

The permittee shall maintain and operate the seed processing baghouses (Baghouse Nos. 1 through 7) according to manufacturer and the O&M manual specifications and recommendations to demonstrate compliance with the Emissions Limits Permit Condition and Opacity Limit Permit Condition.

[8/17/12]

**2.11 Baghouse Operations**

The seed processing baghouses (Baghouse Nos. 1 through 7) shall be operated whenever the respective seed processing lines are in operation. The filters associated with the baghouses shall have a minimum control efficiency of 99.0%.

[9/9/10]

***Monitoring and Recordkeeping Requirements***

**2.12 Seed Throughput Monitoring**

The permittee shall monitor and record the monthly and annual seed throughput in tons from the seed (beans, peas, corn, carrot, and onion) processing operation in order to demonstrate compliance with the

Seed Throughput Limit Permit Condition. Annual seed throughput shall be determined by summing total monthly seed throughput over each previous consecutive 12-month period.

[8/17/12]

**2.13 Chemical Usage Monitoring**

To demonstrate compliance with the Chemical Usage Limits, the permittee shall monitor and record the daily and monthly amount of Captan 400 and Lorsban used for seed treatment. The hourly chemical usage rate shall be determined by dividing the daily amount of chemical used by the number of operational hours per day. The annual chemical usage rate shall be determined by summing monthly usage amounts total monthly usage rates over each previous consecutive 12-month period.

Records shall show that the amount of each chemical used does not exceed the corresponding hourly and yearly usage limits in Table 2.4.

[10/16/09]

**2.14 Material Purchase Records and Material Safety Data Sheets**

For each chemical used for seed treatment, that include Captan 400 and/or Lorsban, the permittee shall record and maintain the following records:

- Material purchase records
- Material Safety Data Sheets (MSDS)

[10/16/09]

**2.15 Responsible Control Measures**

The permittee shall conduct a monthly facility-wide inspection of potential sources of fugitive emissions, during daylight hours and under normal operating conditions, to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive emissions, and the date the corrective action was taken.

**2.16 Visible Emissions Monitoring**

The permittee shall conduct a monthly inspection of visible emissions from the seed processing baghouse stacks during daylight hours and under normal operating conditions. The inspection shall consist of a see/no see evaluation of visible emissions. If any visible emissions are present from the baghouse stacks, the permittee shall either take appropriate corrective action as expeditiously as practicable, or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each visible emissions inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

**2.17 Recordkeeping**

To The permittee shall comply with the requirements of the recordkeeping General Provision.

[10/16/09]

### **3. CORN AND SEED DRYING**

#### **3.1 Process Description**

All corn and some seeds (beans, peas, carrot, and onions) are dried using nine identical drying lines composed of nine Maxon natural gas burners. Each drying line uses centrifugal fans to pull large volumes of air across a gas burner, heating the air. During the summer months, the natural gas burners are not used to heat the air. Hot ambient air is simply pulled through the tunnels and is sufficient to dry the product. Hot air is then pushed through underground tunnels, which are equipped with horizontal vent slots at and above ground level

#### **3.2 Emission Control Description**

Emissions from fumigation process are uncontrolled.

#### ***Operating Requirements***

#### **3.3 Natural Gas Combustion Limit**

The maximum amount of natural gas combusted in the nine Maxon dryers shall not exceed 514 million standard cubic feet (MMsft<sup>3</sup>/yr) per any consecutive 12-month period.

#### ***Monitoring and Recordkeeping Requirements***

#### **3.4 Natural Gas Combustion Limit**

The permittee shall monitor and record monthly and annually the total amount, expressed in units of million cubic feet, of natural gas combusted in the nine Maxon dryers to demonstrate compliance with the natural gas combustion limit.

As an alternative to meeting the monthly and annual requirements, the permittee may elect to record and maintain records of the total amount of fuel delivered to the property during each calendar month.

[10/16/09]

#### **3.5 Recordkeeping**

The permittee shall comply with the requirements of the recordkeeping General Provision.

[10/16/09]

## 4. FUMIGATION PROCESS

### 4.1 Process Description

All Fumigation is performed by Seminis to eliminate infestation of boll weevils and other insects that may damage the seeds. Three types of fumigation with phosphine gas occur at the facility: new fumigation chambers, building fumigation, and pea box fumigation. A description of each type of fumigation follows.

#### **New Fumigation Chambers**

The new fumigation chambers are located west of the existing Building T. The new chambers are directly adjacent to each other and have a combined dimension of 40 feet x 30 feet x 14 feet that is divided length-wise equally into two separate chambers. Each chamber has its vertical stack from which phosphine emissions are vented to the atmosphere.

Seed product is placed in the fumigation chambers. The chambers are closed and the seed is fumigated with phosphine for three days. At the end of the fumigation, the doors to the chambers are opened and fans draw the phosphine from the chambers and exhaust it out of the stacks. The chambers are then vented for one day.

The maximum fumigations per chamber are 91 (365/4) per year. Each chamber uses nine plates of phosphine per fume. Each plate contains 33 grams of phosphine. During fumigation the phosphine emissions to the atmosphere from each chamber are equal to 297 (9x33) grams (0.655 pounds).

[8/17/12]

#### **Building Fumigation**

Fumigation of the pea harvest occurs in three buildings (L, T, and S Buildings). A fumigant gas mixture containing 2.2% phosphine is used during the fumigation. Each building is sealed and fumigated for 3 days (72 hours). A fumigation contractor monitors the phosphine level to maintain the optimum application rate. Based on the contractor's past experience, approximately 30% of the fumigant is lost during the 3 day process. The remaining 70% of the fumigant is then vented for 24 hours following the 3 day process.

#### **Pea Box Fumigation**

Pea boxes are fumigated by placing into each box 6 tablets that each liberate 1 gram of phosphine. The box is then sealed for 7 days. At the end of 7 days, the lids are taken off the boxes by hand and allowed to vent for 4 hours. The maximum number of boxes the site can handle is approximately 4700 per month. However, in order to ensure compliance with the 24-hour average phosphine AAC, the facility is requesting a limit of removing no more than 8 box lids per hour over an 8 hour operating day (64 box lids per day).

[2/18/11]

### 4.2 Emission Control Description

Emissions from the fumigation process corn are uncontrolled.

### 4.3 Emission Limits

The phosphine emissions from the fumigation process shall not exceed any corresponding emissions rate limits listed in the following table.

**Table 4.1 FUMIGATION OPERATIONS of PHOSPHINE USAGE LIMITS<sup>a</sup>**

Source Description	Phosphine
	(lb/24-hr) <sup>b</sup>
Building fumigation (Building S)	46.2
Building Fumigation (Building L)	18.5
Building Fumigation (Building T)	13.9
Pea Box Fumigation	0.848
New Fumigation Chambers	1.31

- a) In absence of any other credible evidence, compliance is assured by complying with permit operating, monitoring, and record keeping requirements.  
 b) The maximum allowable amount of phosphine over any 24-hour period.

[8/17/12]

## **Reporting Requirements**

### **4.4 Simulation Fumigation**

When conducting any fumigation in one of buildings L, S, T or the Pea Box no other building fumigation may be performed. Only the new fumigation chambers may be performed in conjunction with any other fumigation process.

[2/18/11]

### **4.5 Maximum Annual Fumigation**

Fumigations occurring in Buildings L, S or T shall be performed a maximum of ten (10) times per building each consecutive 12-month period. Pea Box fumigation shall be performed a maximum of 180 days each consecutive 12-month period.

[2/18/11]

### **4.6 Temperature Restriction on Building S**

Ventilation of Building S shall only occur when the ambient temperature is above 39° F. The permittee shall install, calibrate, and operate an ambient temperature monitoring device to measure the temperature when Building S is ventilated.

[8/17/12]

## **Monitoring and Recordkeeping Requirements**

### **4.7 Phosphine Usage**

The maximum amount of phosphine emitted from the buildings or Pea Box (and concurrent New Fumigation Chambers) during a 24-hr period shall be recorded in pounds when fumigation is conducted.

[2/18/11]

### **4.8 Fumigation dates**

Each time fumigation of Buildings L, S or T or the Pea Box is performed, the date the fumigation process occurs shall be recorded.

[2/11/11]

### **4.9 Temperature Measurements**

The temperature shall be monitored and recorded in degrees of Fahrenheit at the beginning and end of the Building S ventilation cycle.

[2/18/11]

### **4.10 Recordkeeping**

The permittee shall comply with the requirements of the Monitoring and Recordkeeping General Provision.

[2/18/11]

- 4.11** Prior to starting operations of the new fumigation chambers, the permittee shall decommission and cease operation of the existing box fumigation chamber.

[8/17/12]

## 5. GENERAL PROVISIONS

### **General Compliance**

5.1 The permittee has a continuing duty to comply with all terms and conditions of this permit. All emissions authorized herein shall be consistent with the terms and conditions of this permit and the *Rules for the Control of Air Pollution in Idaho*. The emissions of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, shall constitute a violation of this permit and the *Rules for the Control of Air Pollution in Idaho*, and the Environmental Protection and Health Act, Idaho Code §39-101, et seq.

[Idaho Code §39-101, et seq.]

5.2 The permittee shall at all times (except as provided in the *Rules for the Control of Air Pollution in Idaho*) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.

[IDAPA 58.01.01.211, 5/1/94]

5.3 Nothing in this permit is intended to relieve or exempt the permittee from the responsibility to comply with all applicable local, state, or federal statutes, rules and regulations.

[IDAPA 58.01.01.212.01, 5/1/94]

### **Inspection and Entry**

5.4 Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:

- Enter upon the permittee's premises where an emissions source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;
- Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
- As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

[Idaho Code §39-108]

### **Construction and Operation Notification**

5.5 This permit shall expire if construction has not begun within two years of its issue date, or if construction is suspended for one year.

[IDAPA 58.01.01.211.02, 5/1/94]

5.6 The permittee shall furnish DEQ written notifications as follows:

- A notification of the date of initiation of construction, within five working days after occurrence; except in the case where pre-permit construction approval has been granted then notification shall be made within five working days after occurrence or within five working days after permit issuance whichever is later;

- A notification of the date of any suspension of construction, if such suspension lasts for one year or more;
- A notification of the anticipated date of initial start-up of the stationary source or facility not more than sixty days or less than thirty days prior to such date; and
- A notification of the actual date of initial start-up of the stationary source or facility within fifteen days after such date; and
- A notification of the initial date of achieving the maximum production rate, within five working days after occurrence - production rate and date.

[IDAPA 58.01.01.211.03, 5/1/94]

### ***Performance Testing***

- 5.7 If performance testing (air emissions source test) is required by this permit, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test date or shorter time period as approved by DEQ. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests that such testing not be performed on weekends or state holidays.
- 5.8 All performance testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, at least 30 days prior to conducting any performance test, the permittee is encouraged to submit a performance test protocol to DEQ for approval. The written protocol shall include a description of the test method(s) to be used, an explanation of any or unusual circumstances regarding the proposed test, and the proposed test schedule for conducting and reporting the test.
- 5.9 Within 30 days following the date in which a performance test required by this permit is concluded, the permittee shall submit to DEQ a performance test report. The written report shall include a description of the process, identification of the test method(s) used, equipment used, all process operating data collected during the test period, and test results, as well as raw test data and associated documentation, including any approved test protocol.

[IDAPA 58.01.01.157, 4/5/00]

### ***Monitoring and Recordkeeping***

- 5.10 The permittee shall maintain sufficient records to ensure compliance with all of the terms and conditions of this permit. Records of monitoring information shall include, but not be limited to the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.211, 5/1/94]

### ***Excess Emissions***

- 5.11 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions due to startup, shutdown, scheduled maintenance, safety measures, upsets and breakdowns.

**Certification**

5.12 All documents submitted to DEQ, including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certification shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

[IDAPA 58.01.01.123, 5/1/94]

**False Statements**

5.13 No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.125, 3/23/98]

**Tampering**

5.14 No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.126, 3/23/98]

**Transferability**

5.15 This permit is transferable in accordance with procedures listed in IDAPA 58.01.01.209.06.

[IDAPA 58.01.01.209.06, 4/11/06]

**Severability**

5.16 The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

[IDAPA 58.01.01.211, 5/1/94]