

United States Environmental Protection Agency
Region 8
Air Program
1595 Wynkoop Street
Denver, Colorado 80202
December 22, 2010



Final
Air Pollution Control
Prevention of Significant Deterioration
Permit to Construct

PSD-SU-00027-01.00

Permittee:

Williams Four Corners, LLC
188 County Road 4900
Bloomfield, New Mexico 87413

Permitted Facility:

The following Units at the Ignacio Gas Plant in
La Plata County, Colorado:

2 - 10,700 hp Natural Gas Fired Turbine Re-Compressors

500 MMscfd Amine Natural Gas Treatment System
(Amine Treatment System)

Turbo-Expansion Gas Separation Unit
(Turbo-Expansion Unit)

500 MMscfd Natural Gas Dehydration Unit
(West Dehydrator)

120 MMscfd Natural Gas Dehydration Unit
(East Dehydrator)

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I. Introduction

This Federal permit has been issued under authority of 40 CFR 52.21, Prevention of Significant Deterioration (PSD) and reflects the incorporation of provisions of two Federal Consent Decrees (CDs), incorporation of requests in two PSD permit applications (submitted as required by the CDs) for approval of facility modifications that already occurred, and incorporation of a request in a third permit application, for approval of a further amendment to the PSD permit. The CDs and associated permit applications address historical compliance issues at the currently existing and operating gas plant for modifications that occurred at the facility in 1984, 1991, and 1992. The attainment of this permit was a required element of the Consent Decrees (CDs) dated March 28, 2001 and April 22, 2002.

This permit action did not authorize the construction of any new emission sources, or emission increases from existing units, nor did it otherwise authorize any other physical modifications to the facility or its operations. This permit is intended only to incorporate provisions of the following documents:

- A. A “Conditional Permit to Construct and Operate” issued by EPA Region 8 on February 24, 1984, pursuant to the Federal Prevention of Significant Deterioration (PSD) regulations at 40 CFR 52.21 for two 10,500 hp turbine re-compressors.
- B. A 1998 request by Williams to the Colorado Department of Public Health and Environment (CDPHE) to increase the horsepower of the two turbine re-compressors permitted by EPA in 1984 to 10,700 hp each. The requested increase was incorporated into the initial Part 71 Permit to Operate for the Ignacio Gas Plant until such time that a PSD permit was issued.
- C. A May 22, 2001 PSD application submitted by Williams as required by the Consent Decree in *United States of America and State of Colorado v. William Field Services Co, et al.*, Civil Action No. 01-S-0113, dated March 28, 2001. The application consisted of the August 7, 1998 submittal of additional data to the Colorado Department of Public Health and Environment (CDPHE) clarifying the fugitive volatile organic compound (VOC) emissions for the facility, and the August 18, 2000 application to CDPHE to modify the Thermal Oxidizer emissions based on compliance test results.
- D. A January 18, 2002 PSD application submitted by Williams as required by the CD in *United States of America v. Williams Field Services Company and Williams Gas Processing Company, Inc.*, Civil Action No. 02-B-0199, dated April 22, 2002.
- E. A September 15, 2003, application submitted by Williams requesting to amend SO₂ emission limits from the Thermal Oxidizer controlling the Amine Treatment system and the East Dehydrator emissions. In addition, Williams requested an amendment to the VOC emissions limit for the West Dehydrator. EPA required that Williams submit an application requesting an amendment to the emission limits set forth in the CDs, and the applications for part 71 and PSD permits EPA had received from Williams at that time.

Due to the historic nature of the facility, many of the requirements identified in this permit have already been met. These requirements are mentioned because of their applicability to the original installation and operation of the affected sources:

Condition # III.C.4 Turbines 1 & 2 - The required stack testing on Turbine Compressor No.1 and Turbine Compressor No. 2 occurred when the turbines were started on March 13-14, 1986.

Condition # III.D.5 Amine system - Compliance with both the monthly and yearly production limitations during the first 12 months of operation occurred with submittal of initial (2003) Annual Report as per Consent Decrees 01-S-0113 and 02-B-0199.

Condition # III.D.9 Amine system - The requirement that the Permittee shall submit to EPA Region 8 the record keeping format that outlines how it is maintaining compliance on an ongoing basis with the requirements for the Amine Treatment System occurred in support of fulfillment of the requirements for condition III.D.5 above.

Condition # III.E.8 TXP Unit - The requirement that the Permittee shall submit to EPA Region 8 the record keeping format that outlines how it is maintaining compliance on an ongoing basis with the requirements for the Turbo-Expansion Unit occurred with the initial NSPS KKK periodic report submittal (2004).

Condition # III.F.9 West Dehy - The requirement that the Permittee shall submit to EPA Region 8 the record keeping format that outlines how it is maintaining compliance on an ongoing basis with the requirements for West Dehydrator occurred with submittal of initial (2003) Annual Report as per Consent Decrees 01-S-0113 and 02-B-0199.

Condition # III.G.4 East Dehy - The requirement that within 60 days of the date that the East Dehydrator commences operation, the Permittee shall perform a stack test occurred with the initial TO test done March 19, 2002 as per Consent Decrees 01-S-0113 and 02-B-0199.

Condition # III.G.10 East Dehy - The requirement that the Permittee shall submit to EPA Region 8 the record keeping format that outlines how it is maintaining compliance on an ongoing basis with the requirements for East Dehydrator occurred with submittal of initial (2003) Annual Report as per Consent Decrees 01-S-0113 and 02-B-0199.

II. Findings

On the basis of the information in the administrative record, EPA has determined that:

- A. The Permittee will meet all of the applicable requirements of the PSD regulations (40 CFR 52.21);
- B. No applicable emission standard, PSD increment, or national ambient air quality standard will be violated by the emissions from the permitted facility; and
- C. The Permittee can comply with the conditions of this permit.

By issuing this permit, EPA does not assume any risk of loss which may occur as a result of the operation of the permitted facility by the Permittee, if the conditions of this permit are not met by the Permittee.

III. Conditional Permit to Construct

A. General Information

Permit number: PSD-SU-00027-01.00
AFS number: 08-067-00006
SIC Code and SIC Description: 1311 – Crude Petroleum and Natural Gas

<u>Site Location:</u>	<u>Corporate Office Location</u>
Ignacio Gas Plant	Williams
3746 County Road 307	One Williams Center
La Plata County, Colorado	Tulsa, OK 74121

The equipment listed in this permit shall be operated by Williams Four Corners, LLC at the following location:

Ignacio Gas Plant
Latitude 37° 08.43' N, Longitude -107° 47.04' West
Approximately 10 miles south-southeast of Durango, Colorado

Process Description:

The Ignacio Gas Plant provides compression, dehydration, and natural gas liquids recovery for San Juan Gathering Systems, a 5300 mile pipeline system gathering gas from the San Juan Basin which spans the southwest corner of Colorado and the northwest corner of New Mexico.

The plant conditions approximately 500 to 650 million standard cubic feet (MMscfd) of field gas per day into saleable natural gas liquids and residue gas. The primary plant operations include inlet compression, dehydration, carbon dioxide removal, natural gas liquids removal, fractionation, and storage.

B. Affected Units

The approved installation shall consist of the following equipment:

Origin: February 24, 1984 EPA Issued Conditional Permit to Construct and Operate		
	General Electric GE M3142J A/T Turbine Re-Compressor; 10,700 hp; natural gas fired.	
Turbine Compressor No. 1	Installation Date: 1984	Control: None
	General Electric GE M3142J A/T Turbine Re-Compressor; 10,700 hp; natural gas fired.	
Turbine Compressor No. 2	Installation Date: 1984	Control: None
Origin: March 28, 2001 Consent Decree, Civil Action No. 01-S-0113		
	500 MMscfd Gas Sweetening System; steam heated amine regenerator still vent.	
	Installation Date: 1984	Control: Thermal Oxidizer
	Piping Component Fugitives: Valves, Pump seals, Pressure Relief Valves, Connectors, Open Ended Lines.	
Amine Treatment System	Installation Date: 1984	Control: LDAR Program
	Piping Component Fugitives: Valves, Pump seals, Pressure Relief Valves, Connectors, Open Ended Lines.	
Turbo-Expansion Unit	Installation Date: 1984	Control: LDAR Program
Origin: April 22, 2002 Consent Decree, Civil Action No. 02-B-0199		
	120 MMscfd Sivalls Tri-ethylene Glycol Dehydrator Still Vent; 0.75 MMBtu/hr natural gas fired glycol regenerator reboiler.	
East Dehydrator	Installation Date: 1991	Control: Thermal Oxidizer
	500 MMscfd Sivalls Tri-ethylene Glycol Dehydrator Still Vent; steam heated glycol regenerator reboiler.	
West Dehydrator	Installation Date: 1992	Control: Flare
Control Equipment		
	Callidus Technologies Thermal Oxidizer; 55.0 MMBtu/hr; control for Amine Treatment System and East Dehydrator emissions.	
Thermal Oxidizer	Installation Date: 1999	
	National Air Burner Smokeless Flare; 1.12 MMBtu/hr; control for West Dehydrator and various waste streams.	
Flare	Installation Date: 1975	

C. Requirements for the 10,700 hp Turbine Re-Compressors

1. The requirements for Turbine Compressor No.1 and Turbine Compressor No. 2 shall supersede the requirements in the “Conditional Permit to Construct and Operate” issued to the Permittee by EPA Region 8 on February 24, 1984, pursuant to the Federal PSD regulations at 40 CFR 52.21.
2. Turbine Compressor No.1 and Turbine Compressor No. 2 shall each be limited to a maximum NO_x concentration in the exhaust of 138 parts per million (percent by volume at 15% oxygen and on a dry basis).
3. Turbine Compressor No.1 and Turbine Compressor No. 2 shall comply with the applicable requirements of 40 CFR 60, Subpart GG.
4. Stack testing, when required, shall be performed on Turbine Compressor No.1 and Turbine Compressor No. 2 according to Method 20 of 40 CFR 60, Appendix A to demonstrate compliance with the emission limits
5. A test protocol outlining a plan for compliance demonstration shall be submitted to EPA for approval 45 days in advance of any scheduled testing.
6. All performance testing required pursuant to this permit shall be conducted in accordance with the time schedules and procedures contained in 40 CFR 60.8. Performance test results shall be submitted to EPA not more than 45 days after the testing date.
7. At all times, including periods of startup, shutdown, and equipment malfunction, the Permittee shall maintain and operate Turbine Compressor No.1 and Turbine Compressor No. 2 in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator, which may include, but not be limited to, monitoring results, review of operating and maintenance procedures, and inspection of the permitted facility.
8. The Permittee shall notify EPA not more than 48 hours after discovery (or as soon as possible) of excess emissions during periods of startup, shutdown, equipment malfunctions, or process upset. Not more than 10 days after discovery, all of the following shall be provided to EPA in writing:
 - a. The identity of the stack or other emission points where excess emissions occurred;
 - b. The magnitude of excess emissions expressed in terms of the emission limits;
 - c. Pertinent operating data during the time of the upset;
 - d. The time and duration of the excess emissions;
 - e. The identity of the equipment or process causing the upset and the suspected reasons for the upset;
 - f. Steps and procedures taken during the upset period to minimize excess emissions; and
 - g. Steps and procedures taken or anticipated to be taken to prevent recurrence of the upset conditions.

9. If the Administrator determines that the information submitted for excess emissions does not evidence malfunction or upset conditions, failure to meet limitations described in this permit will be considered a violation of the permit.

D. Requirements for the Amine Treatment System

1. The Amine Treatment System is subject to the major modification of a major stationary source provision of the PSD regulation. BACT for the Amine Treatment System is as follows:
 - a. A Thermal Oxidizer with natural gas as supplemental fuel shall be operated such that it is capable of destroying VOCs emitted from the amine regenerator still vent by at least 99%; and
 - b. A Leak Detection and Repair (LDAR) program to control emissions from equipment leaks from various components (valves, seals, etc.). The LDAR program shall, at a minimum, conform to 40 CFR 60, Subpart KKK – Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas processing Plants (NSPS KKK). The Amine Treatment System is not specifically subject to these standards, but they are specified as part of the BACT requirements. These components shall be clearly marked, and identified as subject to BACT requirements.
2. The emission control devices shall be inspected, monitored, maintained, and operated as per the recommendations of the manufacturer to ensure on-going satisfactory performance. The operating and maintenance plan for all control equipment, control practices, and records of such inspection, monitoring, maintenance, and operation shall be maintained at the site, and made available for review upon request.
3. Visible emissions shall not exceed twenty percent (20%) opacity during normal operation of the Amine Treatment System. During periods of startup, process modification, or adjustment of control equipment, visible emissions shall not exceed 30% opacity for more than six (6) minutes in any sixty (60) consecutive minutes. Opacity shall be measured by EPA Method 9.
4. Volatile organic compound (VOC) emissions of air pollutants attributable to equipment leaks at the Amine Treatment System shall not exceed 0.72 tons per year (tpy). Compliance with the annual limits shall be determined on a rolling 12-month total. By the end of each month, a new twelve month total shall be calculated based on the previous 12 months' data. The Permittee shall calculate monthly emissions and keep a compliance record on site for review.
5. The Amine Treatment System shall be limited to the throughputs as listed below. During the first 12 months of operation, compliance with both the monthly and yearly production limitations shall be required. After the first 12 months of operation, compliance with only the yearly limitation shall be required. Compliance with the yearly production limits shall be determined on a rolling 12 month total. Monthly records shall be maintained by the Permittee and made available for inspection upon request:
 - a. Processing (inlet flow) of natural gas shall not exceed 15,208 MMscf per month;
 - b. Processing (inlet flow) of natural gas shall not exceed 182,500 MMscf per year; and
- c. MDEA (a mixture of alkanolamines, as absorbent to remove carbon dioxide from the

natural gas) circulation rate shall not exceed 2,500 gallons per minute.

6. At all times, including periods of startup, shutdown, and equipment malfunction, the Permittee shall maintain and operate the Amine Treatment System in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator, which may include, but not be limited to, monitoring results, review of operating and maintenance procedures, and inspection of the permitted facility.
7. The Permittee shall notify EPA not more than 48 hours after discovery (or as soon as possible) of excess emissions during periods of startup, shutdown, equipment malfunctions, or process upset. Not more than 10 days after discovery, all of the following shall be provided to EPA in writing:
 - a. The identity of the stack or other emission points where excess emissions occurred;
 - b. The magnitude of excess emissions expressed in terms of the emission limits;
 - c. Pertinent operating data during the time of the upset;
 - d. The time and duration of the excess emissions;
 - e. The identity of the equipment or process causing the upset and the suspected reasons for the upset;
 - f. Steps and procedures taken during the upset period to minimize excess emissions; and
 - g. Steps and procedures taken or anticipated to be taken to prevent recurrence of the upset conditions.
8. If the Administrator determines that the information submitted for excess emissions does not evidence malfunction or upset conditions, failure to meet limitations described in this permit will be considered a violation of the permit.
9. The Permittee shall submit to EPA Region 8 the record keeping format that outlines how it is maintaining compliance on an ongoing basis with the requirements for the Amine Treatment System.

E. Requirements for the Turbo-Expansion Unit

1. The Turbo-Expansion Unit is subject to the provisions of major modification of a major stationary source. A review under PSD regulations has determined that BACT for VOC equipment leaks from the Turbo-Expansion Unit is an LDAR program. The LDAR program shall, at a minimum, conform to NSPS KKK. An overall control efficiency of 50.2% is assessed for this LDAR program.
2. The Turbo-Expansion Unit is subject to NSPS KKK.
3. The emission control devices shall be inspected, monitored, maintained, and operated as per the recommendations of the manufacturer to ensure on-going satisfactory performance. The operating and maintenance plan for all control equipment, control practices, and records of such inspection, monitoring, maintenance, and operation shall be maintained at the site, and made available for review upon request.

4. At all times, including periods of startup, shutdown, and equipment malfunction, the Permittee shall maintain and operate the Turbo-Expansion Unit in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator, which may include, but not be limited to, monitoring results, review of operating and maintenance procedures, and inspection of the permitted facility.
5. Records of startups, shutdowns, and malfunctions shall be maintained, as required under §60.7.
6. Excess Emissions and Monitoring System Performance Reports shall be submitted as required under §60.7.
7. Performance tests shall be conducted as required under §60.8.
8. The Permittee shall submit to EPA Region 8 the record keeping format that outlines how it is maintaining compliance on an ongoing basis with the requirements for the Turbo-Expansion Unit.

F. Requirements for the West Dehydrator

1. The West Dehydrator is subject to the major modification of a major stationary source provision of the PSD regulation. A review under PSD regulations has determined that BACT for VOC emissions is a Flare with emissions not to exceed 6.7 tons per year.
2. The West Dehydrator shall be operated in accordance with the manufacturers' recommendations and specifications, except as otherwise provided in this permit.
3. The hours of operation of the West Dehydrator shall be recorded and used with other available information to quantify and report annual emissions.
4. A model run using the most recent version of GRI Gly-calc and a current extended gas analysis shall be performed annually to determine and report compliance with the allowable emission rate.
5. During any period when the Flare is not operational or when emissions from the West Dehydrator are not routed to the Flare, the Permittee shall record and report such operations to EPA. The requisite report shall be made on a semi-annual basis and shall describe the periods of time that the West Dehydrator operated and emissions were not controlled by the Flare, the reason why the Flare was not operating and the actions taken by the Permittee to allow it to resume operation of the Flare.
6. At all times, including periods of startup, shutdown, and equipment malfunction, the Permittee shall maintain and operate the West Dehydrator in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available

to the Administrator, which may include, but not be limited to, monitoring results, review of operating and maintenance procedures, and inspection of the permitted facility.

7. The Permittee shall notify EPA not more than 48 hours after discovery (or as soon as possible) of excess emissions during periods of startup, shutdown, equipment malfunctions, or process upset. Not more than 10 days after discovery, all of the following shall be provided to EPA in writing:
 - a. The identity of the stack or other emission points where excess emissions occurred;
 - b. The magnitude of excess emissions expressed in terms of the emission limits;
 - c. Pertinent operating data during the time of the upset;
 - d. The time and duration of the excess emissions;
 - e. The identity of the equipment or process causing the upset and the suspected reasons for the upset;
 - f. Steps and procedures taken during the upset period to minimize excess emissions; and
 - g. Steps and procedures taken or anticipated to be taken to prevent recurrence of the upset conditions.
8. If the Administrator determines that the information submitted for excess emissions does not evidence malfunction or upset conditions, failure to meet limitations described in this permit will be considered a violation of the permit.
9. The Permittee shall submit to EPA Region 8 the record keeping format that outlines how it is maintaining compliance on an ongoing basis with the requirements for West Dehydrator.

G. Requirements for the East Dehydrator

1. The East Dehydrator is subject to the major modification of a major stationary source provision of the PSD regulation. A review under PSD regulations has determined that BACT for VOC emissions is with a Thermal Oxidizer that currently receives and controls the emissions from the Amine Treatment System. The emissions limits for the Thermal Oxidizer when both the Amine Treatment System and the East Dehydrator is operating shall not exceed the following:
 - a. VOCs.....1.16 lbs per hour and 5.1 tons per year
 - b. Oxides of Nitrogen (NOx).....8.8 lbs per hour and 38.52 tons per year
 - c. Carbon Monoxide (CO).....5.35 lbs per hour and 23.45 tons per year
 - d. Sulfur Oxides (SO₂).....16.0 lbs per hour and 37.1 tons per year
2. The fuel flow to the Thermal Oxidizer shall not exceed 55 MMBtu/hr and the flow shall be monitored by a continuous recording device.
3. The East Dehydrator shall be operated in accordance with the manufacturer's recommendations and specifications, except as otherwise provided in this permit.
4. Except as provided below, within 60 days of the date that the East Dehydrator commences operation, the Permittee shall perform a stack test to determine if the emissions from the Thermal Oxidizer meet the emission limits set forth.

- a. The stack test shall be performed using EPA-approved methods. The permittee shall submit a testing protocol to EPA for comment 30 days before the stack test. This protocol also shall serve as notification to EPA of the pending test in order to allow a representative to be present at the test.
 - b. If EPA objects to the test protocol or any part of it, the Permittee's obligation to conduct the stack test is suspended until EPA and the Permittee agree on the terms of a test protocol. Once agreement is reached, the Permittee shall conduct the stack test within 45 days.
 - c. The Amine Treatment System and the East Dehydrator shall operate at 90% or more of the permitted facility's current operation capacity for the test.
 - d. The results of the stack test shall be reported to EPA within 45 days of the date of the test.
5. A stack test shall be performed annually to determine the effectiveness of the Thermal Oxidizer in controlling VOC emissions. As part of the stack test, the Permittee shall measure the inlet flow and outlet flow of the Thermal Oxidizer in order to confirm the stated destruction of the control unit. The stack test also will be used to determine if the Thermal Oxidizer is controlling emissions at or below the permitted emission rate.

The results of this test shall be provided to EPA in an annual report. Thermal Oxidizer hours of operation shall be recorded and used with the results of the annual stack tests to quantify and report annual emissions to EPA.

6. During any period when the Thermal Oxidizer is not operational and the East Dehydrator and the Amine Treatment System continue to operate, the Permittee shall report such operations to EPA. The requisite report shall be made on a semi-annual basis and shall describe the periods of time that the East Dehydrator and the Amine Treatment System operated and emissions were not controlled by the Thermal Oxidizer, the reason why the Thermal Oxidizer was not operating and the actions taken by the Permittee to allow it to resume operation of the Thermal Oxidizer.
7. At all times, including periods of startup, shutdown, and equipment malfunction, the Permittee shall maintain and operate the East Dehydrator in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator, which may include, but not be limited to, monitoring results, review of operating and maintenance procedures, and inspection of the permitted facility.
8. The Permittee shall notify EPA not more than 48 hours after discovery (or as soon as possible) of excess emissions during periods of startup, shutdown, equipment malfunctions, or process upset. Not more than 10 days after discovery, all of the following shall be provided to EPA in writing:
- a. The identity of the stack or other emission points where excess emissions occurred;
 - b. The magnitude of excess emissions expressed in terms of the emission limits;
 - c. Pertinent operating data during the time of the upset;
 - d. The time and duration of the excess emissions;

- e. The identity of the equipment or process causing the upset and the suspected reasons for the upset;
 - f. Steps and procedures taken during the upset period to minimize excess emissions; and
 - g. Steps and procedures taken or anticipated to be taken to prevent recurrence of the upset conditions.
9. If the Administrator determines that the information submitted for excess emissions does not evidence malfunction or upset conditions, failure to meet limitations described in this permit will be considered a violation of the permit.
10. The Permittee shall submit to EPA Region 8 the record keeping format that outlines how it is maintaining compliance on an ongoing basis with the requirements for East Dehydrator.

IV. General Conditions

On the basis of the findings set forth in Section II above, and pursuant to the authority (as delegated by the Administrator) of 40 CFR 52.21(u), EPA hereby grants Williams Four corners, LLC a PSD permit for Ignacio Gas Plant. This authorization is expressly conditioned as follows:

- A. The Permittee shall abide by all representations, statements of intent and agreements contained in the applications submitted by the Permittee on May 22, 2001 and January 18, 2002. EPA shall be notified ten (10) days in advance of any significant deviation from the permit application as well as any plans, specifications or supporting data furnished. The issuance of this Permit to Construct may be suspended or revoked if EPA determines that a significant deviation from the permit application, specifications, and supporting data furnished has been or is to be made.
- B. The Permittee shall take all reasonable precautions to prevent and or minimize fugitive emissions during the construction period.
- C. The Permittee shall submit a notification of the anticipated date of initial startup of the Source to EPA not more than 60 days or less than 15 days prior to such date. A notification of the actual date of initial startup shall be submitted within 15 days after such date.
- D. The Permittee shall send all required notifications and reports to:


Air Program Director
Air Program (8P-AR)
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202
- E. This Permit to Construct allows the construction and initial operation of the permitted facility. The permitted facility may be operated under this Permit to Construct until the Title V Permit to Operate is issued unless this permit is suspended or revoked. Within twelve (12) months after commencing operation of the permitted facility, the Permittee shall submit an application for a Title V Permit to Operate in accordance with 40 CFR 71.
- F. Nothing in this authorization shall excuse the Permittee, the owner and/or the operator from complying with all other applicable Federal and Tribal rule, regulations, and orders now or hereafter in effect.
- G. Permit Transfers shall be made in accordance with 40 CFR part 122, subpart D. The Air Program Director shall be notified in writing if the company is sold or changes its name.
- H. EPA or its authorized representatives may inspect the permitted facility during normal business hours for the purpose of ascertaining compliance with all conditions of this permit.
- I. At such time that a new or modified source at the permitted facility or modification of the permitted facility becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the permitted facility otherwise to emit a pollutant, such as a restriction on hours

of operation, then the requirements or paragraphs (j) through (s) of 40 CFR 52.21 shall apply to the source or modification as though construction had not yet commenced on the source or modification.

- J. Approval to construct shall become invalid if construction is not commenced within 18 months after receipt of such approval, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Administrator may extend the 18-month period upon a satisfactory showing that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within 18 months of the projected and approved commencement date.
- K. This permit is issued in reliance upon the accuracy and completeness of the information set forth in the Permittee's applications and its addendums to EPA. On the effective date of this permit, the conditions herein become enforceable by EPA pursuant to any remedies it now has or may have in the future, under the Clean Air Act. Each and every condition of this permit is a material part thereof, and is not severable. This permit is effective thirty (30) days after receipt of the permit, unless the Permittee notifies this Regional Office, in writing, that this permit or a term or condition of it is rejected. Such notice should be made within thirty days of receipt of the permit, should include the reason or reasons for rejection, and should be sent to the Air Program Director at the address shown above.

Authorized By: United States Environmental Protection Agency, Region 8



 Stephen S. Tuber
Assistant Regional Administrator
Office of Partnerships and Regulatory Assistance



Date