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AIR POLLUTION CONTROL PERMIT TO CONSTRUCT

Permittee Name: Center Coal Company Division of General Industries, Inc. **Permittee Address**: P.O. Box 820 Dickinson, ND 58602	**Permit Number**: ACP-18368 v1.0 **Source Description**: Synthetic Minor Source: NDAC 33.1-15-14-03.1.e
Source Name & Location: Center Coal Company 2350 – 35th Avenue Southwest Center, ND 58530 Lat/Long: 47.0654, -101.235 SW ¼, Sec. 32, T142N, R83W Oliver County	**Source Type**: Coal Handling
Date of Application:	N/A

Pursuant to Chapter 23.1-06 of the North Dakota Century Code, the North Dakota Air Pollution Control Rules (North Dakota Administrative Code [NDAC] 33.1-15), and in reliance on statements and representations heretofore made by the permittee (i.e., owner) designated above, a Permit to Construct (PTC, also referred to as 'permit') is hereby issued authorizing such permittee to construct and initially operate the source unit(s) listed in Condition 1 at the location designated above. The source may be operated under this PTC until a Permit to Operate (PTO) is issued. This PTC is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Environmental Quality (Department), state and federal regulations, and to any conditions specified below:

Date: _____

James L. Semerad
Director
Division of Air Quality

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1. Project and Facility Emission Units:

ACP-18368 v1.0_AQEAMEMO describes the reason for this permit action. No equipment is being modified/added/removed with this permit action.

Table 1-1 lists all emission units associated with the facility.

Table 1-1: Facility Emission Units

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Secondary crusher rated at 100 tons/hr	2	2	None
6' x 16' yellow three-deck screen	3	3	None
Nine conveyors	4 through 12	4 through 12	None
Four 65-ton overhead	13 through 16	13 through 16	None
180-ton ground tank	19	19	None
17,000-gallon petroleum storage tank (used motor oil; cleaned out)	21	21	None
2,000-gallon petroleum storage tank (diesel for mobile equipment)	22	22	None
12,900-gallon petroleum storage tank (diesel for mobile equipment)	23	23	None
Burnham Model K808-HEP-L2 propane-fired boiler rated at 0.410 x 10^6 Btu/hr (installed 2016)	24	24	None
Fines screen	25	25	None
Long-AirDox Company, Serial No. 54-1978 primary feeder, drawbar breaker rated at 200 tons/hr (1985)	26	26	None

2. Applicable Standards, Restrictions and Miscellaneous Conditions:

A. New Source Performance Standards (NSPS):

The permittee must comply with all applicable requirements of the following NSPS subparts, in addition to Subpart A, as referenced in NDAC 33.1-15-12 and Title 40 of the Code of Federal Regulations (CFR) Part 60.

1) NSPS Y – Standards of Performance for New Stationary Sources: Coal Preparation Plants (EUs 2 through 16, 19, and 21 through 26).

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B. Production Restrictions:

Production of coal is limited to the following 12-month rolling total tons per year (tpy) throughputs for the units indicated.

1) The facility shall not process more than 1,200,000 tons of coal.

2) The permittee shall record the monthly coal production (ton/month) on the first day of every month and determine the total coal production (ton/yr) during the previous 12-month period. Anytime the total coal production (ton/yr) exceeds the allowable limit outlined in Condition 2.B., the permittee shall notify the Department within 10 working days.

3) The permittee shall maintain any compliance monitoring records required by this permit or applicable requirements. The permittee shall retain records of all required monitoring data and support information for a period of at least five years from the date of the monitoring sample, measurement, report or application. Support information may include all calibration and maintenance records and all original strip-chart recordings/computer printouts for continuous monitoring instrumentation, and copies of all reports required by the permit.

C. Fugitive Emissions:

1) The release of fugitive emissions shall comply with the applicable requirements in NDAC 33.1-15-17.

2) Fugitive Dust Control*: The permittee shall control fugitive dust as follows:

a) Control fugitive particulates from land clearing, topsoil and overburden removal, and other material handling operations using strategies such as watering, revegetation, delay of topsoil disturbance until necessary, surface compaction, and sealing unless natural moisture is sufficient to control emissions.

b) Use fugitive dust preventative measures such as watering, covering, shielding, or enclosing stockpiles, both active and inactive, as necessary to control emissions unless natural moisture is sufficient to control emissions.

c) Fugitive dust preventative measures such as frequent watering, addition of dust palliatives, detouring, paving, closure, speed control, or surface treatment shall be used for on-site haul roads unless natural moisture is sufficient to control emissions.

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d) Construct, protect, or treat all conveyors, transfer point, crushers, screens, and dryers to minimize particulate matter emissions.

*Additional requirements may apply if subject to New Source Performance Standard 40 CFR 60, Subpart Y, Standards of Performance for Coal Preparation and Processing Plants.

3. Emission Unit Limits:

Emission limits from the operation of the source unit(s) identified in Table 1-1 of this PTC are as follows in Table 3-1. Source units not listed are subject to the applicable emission limits specified in NDAC 33.1-15.

Table 3-1: Summary of Permit Emission Limits

EU Description	EU	EP	Pollutant / Parameter	Limit [A]
All coal handling equipment: crushers, screens, conveyors, hoppers, tank and breaker	2 through 16, 19, 25 and 26	2 through 16, 19, 25 and 26	Opacity	20%
Propane-fired boiler	24	24	Opacity	20% [B]

[A] Applies to each Emission Point (EP).

[B] 40% opacity is permissible for no more than one six-minute period per hour.

4. General Conditions (Action Required):

A. Modification:

Any alteration, repair, expansion, or change in the method or physical operation of the source which results in the emission of an additional type or greater amount of air contaminants, or which results in an increase in the ambient concentration of any air contaminant is considered a modification and must be reviewed and approved by the Department before implementation. The Department must be notified 10 days in advance of any significant deviations from the application. The issuance of this PTC may be suspended or revoked if the Department determines that a significant deviation has been or is to be made without the proper review or approval.

Applicable requirement: NDAC 33.1-15-14-02.9.d

B. Like-Kind Emission Unit Replacement:

This permit allows the permittee to replace an existing emission unit with a like-kind unit. Replacement is subject to the following conditions:

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1) The replacement unit is subject to the same emission limits and performance testing requirements—both state and federal—as the existing unit. The facility must comply with any additional federal standards (e.g. NSPS, MACT) triggered by the replacement.

2) The Department must be notified within 10 days of replacement. The date of manufacture of the replacement unit and any additional federal applicability must be included in the notification.

3) The replacement unit must operate in the same manner without increasing throughput and have equal or less emissions than the unit it is replacing.

4) Testing must be conducted to confirm compliance with emission limits within 180 days after start-up of the replacement unit. Emergency units must not be required to test if replaced by a like-kind unit.

Applicable requirement: NDAC 33.1-15-14-02.9.d

C. Annual Emission Inventory/Annual Production Reports:

The permittee must submit an annual emission inventory report and/or an annual production report upon Department request on forms approved by the Department.

Applicable requirement: NDAC 33.1-15-14-02.9.d

D. Malfunction Notification:

The permittee must notify the Department of any malfunction which can be expected to last longer than 24 hours and can cause the emission of air contaminants in violation of applicable rules and regulations. Using empirical estimates of emission rates, the permittee must conservatively estimate if the malfunction can cause noncompliance.

Applicable requirement: NDAC 33.1-15-01-13.2.a

E. Transfer of Permit to Construct:

The holder of a PTC may not transfer such permit without prior approval from the Department.

Applicable requirement: NDAC 33.1-15-14-02.11

5. General Conditions (Obligations):

A. Operation:

Operation of the facility must be in accordance with the permit application—which includes technical supplements, revisions, and supporting data. Any operations not listed in this permit are subject to all applicable NDAC 33.1-15 requirements. At all times, including periods of startup, shutdown, and malfunction, the permittee must, to the extent practicable, maintain and operate any

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affected facility—including associated air pollution control equipment—in a manner consistent with good practice for minimizing emissions.

Applicable requirements: NDAC 33.1-15-12, NDAC 33.1-15-22

B. Control of Organic Compound Emissions:

The permittee must comply with all applicable requirements of NDAC 33.1-15-07, which establishes requirements for the construction of organic compound facilities related to closed-vent systems, control devices, and seals and for the control of VOC vapors using a continuously burning pilot flare or other equally effective control device.

C. Internal Combustion Engine Emissions Restricted:

The permittee must comply with all applicable requirements of NDAC 33.1-15-08-01, which restricts the operation of internal combustion engines which emit, from any source, unreasonable and excessive smoke, obnoxious or noxious gas, fumes or vapor.

D. Restriction of Fugitive Emissions:

The release of fugitive emissions must comply with the applicable requirements in NDAC 33.1-15-17, which restricts particulate matter and gaseous fugitive emissions that would violate other regulations.

E. Permit Invalidation:

This permit must be effective from the date of its issuance unless suspended, revoked or surrendered. The violation of any condition of this permit may result in revocation or suspension of the permit or other appropriate enforcement action. If any provision or application of a provision of this permit is held invalid in any circumstance, the remainder of this permit must remain valid.

Applicable requirement: NDAC 33.1-15-14-02.9

F. Nuisance or Danger:

This permit must in no way authorize the maintenance of a nuisance or a danger to public health or safety.

Applicable requirements: NDAC 33.1-15-02-03, NDAC 33.1-15-14-02.9.c

G. Right of Entry:

Any duly authorized officer, employee, or agent of the Department may enter and inspect any property, premise, or place at which the source is located at any time for the purpose of ascertaining compliance with NDAC 33.1-15. The Department may inspect monitoring equipment, conduct tests, and take samples of air contaminants, fuel, processing material, and other materials, which affect or may affect the emission of air contaminants from any source. The Department must have the right to access and copy any records required by the Department.

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Applicable requirement: NDAC 33.1-15-01-06, NDCC 23.1-06-11

6. State Enforceable Conditions (Not Federally Enforceable):

A. Emissions of Odorous Substances Restricted:

The permittee must not discharge into the ambient air any objectionable odorous air contaminant which measures seven odor concentration units or greater.

Applicable requirement: NDAC 33.1-15-16

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