

0029

2005 General

From: Karl Houskeeper
To: Priscilla Burton
Date: 6/29/2005 9:26:03 AM
Subject: Headwaters Info.

Priscilla,

Attached is the Headwaters information we discussed over the phone.

Thanks,
Karl



State of Utah

Department of
Environmental Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF AIR QUALITY
Richard W. Sprott
Director

April 25, 2005

DAQE-GN2952002-05

Keith Thompson
Chief Executive Officer
Covol Engineered Fuels, LC
10653 South Riverfront Parkway, Suite 300
Sandy, Utah 84095

Project code: N2952-002

RE: Notification of Company Name Change for the Approval Order (AO)

DAQE-AN2952001-03, dated for Carbon County, Approval Order: New Source – Coal Load-Out Plant

Dear Mr. Thompson:

This letter is in response to your March 30, 2005, submittal requesting the name change for the holder of the above referenced AO. The Division of Air Quality (DAQ) received the Name Change form, and the information submitted was complete. As you requested in your letter, we have noted in our records and from this date forward the holder of, and party responsible for complying with the terms, and conditions contained in the above referenced AO will be "Covol Engineered Fuels, LC," parent company, "Headwaters, Inc."

The charge for the review done in making this change is a flat fee, plus a filing fee as authorized by the legislature. Payment is due upon receipt of the invoice and payment should be sent to the Division of Air Quality. Thank you for informing DAQ of this process and in advance for your payment. If you have any questions on this matter, please contact Mr. Timothy DeJulis at (801) 536-4012.

Sincerely,

Richard W. Sprott, Executive Secretary
Utah Air Quality Board

C. C. Patel, P.E.
New Source Review Section

RWS:CCP:TD:dn



Adding Value to Energy™

March 15, 2005

Richard W. Sprott, Director
Division of Air Quality
150 North 1950 West
P.O. Box 144820
Salt Lake City, Utah 84114-4820

Re: Approval Order Number DAQE-AN2952001-03

Dear Mr. Sprott,

The purpose of this letter is to inform you that the Coal Loading/Blending Facility in Carbon County under DAQE-AN2952001-03 as issued to Terra Systems, Inc. is being transferred to and accepted by Covol Engineered Fuels, LC a subsidiary of Headwaters, Inc.

Covol Engineered Fuels, LC is intending to modify the proposed facility, covered under DAQE-AN2952001-03. The changes have been incorporated into an updated NOI recently submitted to your department.

If you have any questions, please contact me at 801-984-9400.

Very truly yours,

A handwritten signature in black ink that reads "Keith Thompson". The signature is written in a cursive style and is followed by a horizontal line.

Keith Thompson, Vice President
Covol Engineered Fuels, LC

BCC: Ron Sherbak, HES
Steve Van Ootegham, Headwaters

RSS/dr/RKT

10653 S. River Front Parkway
Suite 300
South Jordan, UT 84095
P: 801.984.9400
F: 801.984.9410



State of Utah
Department of
Environmental Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Acting Director

Water Quality Board
Ray M. Child, *Chair*
Douglas E. Thompson, *Vice-Chair*
Robert G. Adams
Paula Doughty
David F. Echols
Neil K. Kochenour
Dianne R. Nielson
Jay Ivan Olsen
Joe Piccolo
Ronald C. Sims
J. Ann Wechsler
Walter L. Baker
Acting Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

March 7, 2005

Keith Thompson, V.P.
Covol Engineered Fuels, LC
10653 S. Riverfront Parkway
South Jordan, UT 84095

Dear Mr. Thompson:

Subject: Utah Pollutant Discharge Elimination System (UPDES)
General Permit for Storm Water Discharges from Construction Activity,
Coverage Number **UTR101180**

Our office received your "notice of intent" (NOI) for Covol Engineered Fuels, LC to obtain coverage under the *UPDES General Permit for Storm Water Discharges From Construction Activity, General Permit No. UTR100000* on March 4, 2005. The received NOI is for the Covol Engineered Fuels Construction Project, 1865 West Ridge Road, Wellington, Carbon County. This letter confirms your coverage under the general permit; the coverage number for the project is **No. UTR101180**. Please use this number in any future correspondence associated with this project.

A copy of the general permit can be obtained from our website at www.waterquality.utah.gov/updes/stormwater.htm. Please review the permit if you have not already done so, to insure that the project is in compliance with all permit provisions.

This coverage is effective **March 4, 2005**, and expires at midnight, **March 3, 2006**.

A copy of the "fact sheet" for our online permitting system is enclosed. Please consider using this system for future NOI submittals under the general permit. The online system will effectively allow you to fill out an NOI, pay associated permit fees by credit card or e-check, and obtain permit coverage in about 20 minutes.

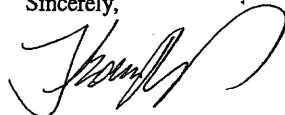
As the agency charged with the administration of issuing UPDES Permits, we are continuously looking for ways to improve our quality of service to you. Please take a few moments to complete the enclosed questionnaire, and return it in the enclosed, self-addressed, postage paid, envelope. The results

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will be used to improve our quality and responsiveness to our permittee's and give us feed back on customer satisfaction.

If you have any questions concerning this letter or your permit coverage please do not hesitate to contact me by phone at (801) 538-6951 or by e-mail at trushing@utah.gov. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Rushing', written in a cursive style.

Thomas Rushing, Environmental Scientist
Permits and Compliance Section

Enclosures: Fact Sheet, Questionnaire

**ENVIRONMENTAL INDUSTRIAL SERVICES**

435-472-3814 • 800-641-2927 • FAX 435-472-8780 • elsec@eisna.com • 31 NORTH MAIN STREET HELPER, UTAH 84526

February 17, 2005

Richard W. Sprott, Director
Division of Air Quality
150 North 1950 West
P.O. Box 144820
Salt Lake City, Utah 84114-4820

RE: Covol Engineered Fuels, LC (Covol)
New Coal Cleaning/Blending Facility
Notice of Intent

Dear Mr. Sprott:

Enclosed you will find a completed NOI application for a new coal cleaning/blending facility proposed by Covol in Carbon County. I have enclosed a disk containing this application, as specified in your NOI Guidelines. I have also enclosed a check in the amount of \$1,900 to cover the \$500 filing fee and \$1,400 DAQ review fee as suggested by Mr. Tim DeJulis. I have been working with Tim on this project. He has been very helpful with this NOI application.

Please direct any comments or changes required on the application to me at the above address. I also can be reached by phone at (435)-472-3814 and e-mailed at tompaluso@preciscom.net. I appreciate the Division's past help on this project and am looking forward to working with you and your staff to get a rapid approval for this project.

Sincerely,

J. T. Paluso, P. E.
Chief Engineer



State of Utah
Department of
Environmental Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF AIR QUALITY
Richard W. Sprott
Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

DAQE-AN2952001-03

December 18, 2003

Clayton Timothy
Terra Systems Incorporated
1865 West Ridge Rd
PO Box 1673
Price, Utah 84501

Dear Mr. Timothy:

Re: Approval Order: New Source – Coal Load-Out Plant, Carbon County, CDS B; ATT, NSPS, Title V-Minor. Project Code: N2952-001

The attached document is the Approval Order (AO) for the above-referenced project.

Future correspondence on this Approval Order should include the engineer's name as well as the DAQE number as shown on the upper right-hand corner of this letter. Please direct any technical questions you may have on this project to Mr. Tim De Julis. He may be reached at (801)536-4012.

Sincerely,

Richard W. Sprott, Executive Secretary
Utah Air Quality Board

RWS:TD:jc

cc: Southeastern Utah District Health Department

12/18/03
JONES 12/18/03

STATE OF UTAH

Department of Environmental Quality

Division of Air Quality

APPROVAL ORDER: New Source - Coal Load-Out Plant

Prepared By: Tim De Julis, Engineer
(801)536-4012
Email: tdejulis@utah.gov

APPROVAL ORDER NUMBER

DAQE-AN2952001-03

Date: December 18, 2003

Terra Systems Incorporated

Source Contact
Clayton Timothy
(435) 637-2470

Richard W. Sprott
Executive Secretary
Utah Air Quality Board

Abstract

Terra Systems, Inc. (TSI), owner and operator of the coal blending, load-out plant, located at 1865 West Ridge Rd., Price, Carbon County, has requested permission to process as much as 1,000,000 tons of blended coal per year. Coal is received from various local mines and blended together before it is loaded onto haul trucks for delivery to various customers. Equipment items in use at this location are feed hoppers, conveyors, storage silos, and front-end loaders. Levels of emissions are low enough to qualify for de minimis status; however, the small source exemption cannot be granted due to the fact that an NSPS applies to this plant. Carbon County is an attainment area of the National Ambient Air Quality Standards (NAAQS) for all pollutants. New Source Performance Standards (NSPS) apply to this source (40 CFR 60 – Subpart A and Subpart Y). National Emission Standards for Hazardous Air Pollutants (NESHAP) and Maximum Available Control Technology (MACT) regulations do not apply to this source. Title V of the 1990 Clean Air Act does not apply to this area source. The allowable potential emissions, in tons per year, will be as follows: $PM_{10} = 0.79$.

Off highway vehicles in use at this location generate the following potential emissions: $PM_{10} = 1.32$, $NO_x = 18.81$, $SO_2 = 1.24$, $CO = 4.05$, $VOC = 1.54$, $HAPs = 0.00$. These values are not included in the plant-wide allowable potential to emit totals, and are offered for informational purposes only.

The project has been evaluated and found to be consistent with the requirements of the Utah Administrative Code Rule 307 (UAC R307). A public comment period was held in accordance with UAC R307-401-4 and no comments were received. This air quality Approval Order (AO) authorizes the project with the following conditions, and failure to comply with any of the conditions may constitute a violation of this order.

General Conditions:

1. This Approval Order (AO) applies to the following company:

Site Office and Corporate Office Location

Terra Systems, Incorporated
2470 North 1660 West
Price, Utah

Phone Number and Fax Number (435) 637-2470

The equipment listed in this AO shall be operated at the following location:

2470 North 1660 West, Price, Carbon County

Universal Transverse Mercator (UTM) Coordinate System: UTM Datum NAD27
4,374.76 kilometers Northing, 520.10 kilometers Easting, Zone 12

2. All definitions, terms, abbreviations, and references used in this AO conform to those used in the Utah Administrative Code (UAC) Rule 307 (R307) and Title 40 of the Code of Federal Regulations (40 CFR). Unless noted otherwise, references cited in these AO conditions refer to those rules.

DAQE-AN2952001-03

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3. The limits set forth in this AO shall not be exceeded without prior approval in accordance with R307-401.
4. Modifications to the equipment or processes approved by this AO that could affect the emissions covered by this AO must be reviewed and approved in accordance with R307-401-1.
5. All records referenced in this AO or in applicable NSPS, which are required to be kept by the owner/operator, shall be made available to the Executive Secretary or Executive Secretary's representative upon request, and the records shall include the two-year period prior to the date of the request. Records shall be kept for the following minimum period:

All records Two years
6. TSI shall install and operate the equipment described below in condition number 7 and shall conduct its operations of the Price coal load-out plant in accordance with the terms and conditions of this AO, which was written pursuant to TSI's Notice of Intent submitted to the Division of Air Quality (DAQ) on August 22, 2003.
7. The approved installations shall consist of the following equipment (or equivalent*):
 - A. One (1) Enclosed Truck Dump (load-out) Station
 - B. One (1) Radial Stacking Conveyor
 - C. One (1) Feed Hopper
 - D. Various Enclosed Belt Conveyors
 - E. One (1) Storage Silo

Capacity: 200 ton
 - F. Various Off-Highway Equipment Items **

Front-end loaders

* Equivalency shall be determined by the Executive Secretary.

** This equipment is listed for informational purposes only.

Items B, C, D & E above are subject to 40 CFR 60 Subpart Y.
8. TSI shall notify the Executive Secretary in writing when the installation of the all the equipment items listed in Condition #7 has been completed and is operational, as an initial compliance inspection is required. To insure proper credit when notifying the Executive Secretary, send your correspondence to the Executive Secretary, attn: Compliance Section.

If construction and/or installation has not been completed within eighteen months from the date of this AO, the Executive Secretary shall be notified in writing on the status of the construction and/or installation. At that time, the Executive Secretary shall require documentation of the continuous construction and/or installation of the operation and may revoke the AO in accordance with R307-401-11.

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Limitations and Tests Procedures

9. Visible emissions from any stationary point or fugitive emission source associated with the source or with the control facilities shall not exceed 20% opacity. Opacity observations of emissions from stationary sources shall be conducted in accordance with 40 CFR 60, Appendix A, Method 9.

For sources that are subject to New Source Performance Standards (NSPS), opacity shall be determined by conducting observations in accordance with 40 CFR 60.11(b) and 40 CFR 60, Appendix A, Method 9. Remove this paragraph if your source is not an NSPS source.

10. The following limit shall not be exceeded:

1,000,000 tons of blended coal products produced per rolling 12-month period

To determine compliance with a rolling 12-month total the owner/operator shall calculate a new 12-month total by the twentieth day of each month using data from the previous 12 months. Records of coal products production shall be kept for all periods when the plant is in operation. Raw coal supplier billing records and TSI customer billing records shall determine coal products production. The records of coal products production shall be kept on a daily basis.

Roads and Fugitive Dust

11. TSI shall abide by a fugitive dust control plan acceptable to the Executive Secretary for control of all dust sources associated with the Price coal load-out plant. TSI shall submit a fugitive dust control plan to the Executive Secretary, attention: Compliance Section, for approval within 30 days of the date of this AO.
12. The facility shall abide by all applicable requirements of R307- 205 for Fugitive Emission and Fugitive Dust sources.
13. All unpaved roads and other unpaved operational areas that are used by mobile equipment shall be water sprayed and/or chemically treated to control fugitive dust. The application of water or chemical treatment shall be used. Treatment shall be of sufficient frequency and quantity to maintain the surface material in a damp/moist condition unless it is below freezing. The opacity shall not exceed 20% during all times the areas are in use. If chemical treatment is to be used, the plan must be approved by the Executive Secretary. Records of water and/or chemical treatment shall be kept for all periods when the plant is in operation. The records shall include the following items:
 - A. Date
 - B. Number of treatments made, dilution ratio, and quantity
 - C. Rainfall received, if any, and approximate amount
 - D. Time of day treatments were made
 - E. Records of temperature if the temperature is below freezing.
14. The haul roads shall not exceed 1,950 feet in combined length and the vehicle speed along the haul road shall not exceed 15 miles per hour.

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These limitations shall not be exceeded. The vehicle speed on the haul road shall be posted, at a minimum, on site at the beginning of the haul road so that it is clearly visible from the haul road.

15. All in-plant haul roads shall be paved and shall be periodically swept or sprayed clean as material accumulates, as dry conditions warrant, or as determined necessary by the Executive Secretary. Records of cleaning paved roads shall be kept for periods the plant is in operation. The records shall include the following items:
 - A. Date of cleaning(s)
 - B. Time of day cleaning(s) were performed

16. Water sprays or chemical dust suppression shall be installed at the following point to control fugitive emissions:

All conveyor transfer points

Federal Limitations and Requirements

17. In addition to the requirements of this AO, all applicable provisions of 40 CFR 60, New Source Performance Standards (NSPS) Subpart A, 40 CFR 60.1 to 60.18 and Subpart Y, 40 CFR 60.250 to 60.254 (Standards of Performance for Coal Preparation Plants) apply to this installation.

Records & Miscellaneous

18. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any equipment approved under this Approval Order including associated air pollution control equipment 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 Executive Secretary which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. All maintenance performed on equipment authorized by this AO shall be recorded.
19. The owner/operator shall comply with R307-107. General Requirements: Unavoidable Breakdowns.

The Executive Secretary shall be notified in writing if the company is sold or changes its name.

Under R307-150-1, the Executive Secretary may require a source to submit an emission inventory for any full or partial year on reasonable notice.

This AO in no way releases the owner or operator from any liability for compliance with all other applicable federal, state, and local regulations including R307.

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A copy of the rules, regulations and/or attachments addressed in this AO may be obtained by contacting the Division of Air Quality. The Utah Administrative Code R307 rules used by DAQ, the Notice of Intent (NOI) guide, and other air quality documents and forms may also be obtained on the Internet at the following web site:

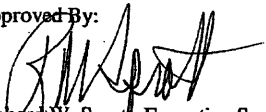
<http://www.airquality.utah.gov/>

The annual emissions estimations below include point source, fugitive dust, or road dust emissions, and do not include fugitive emissions, tail pipe emissions, or grandfathered emissions. These emissions are for the purpose of determining the applicability of Prevention of Significant Deterioration, non-attainment area, maintenance area, and Title V source requirements of the R307. They are not to be used for determining compliance.

The allowable Potential To Emit (PTE) emissions for TSI's Price Coal Load-Out Plant are currently calculated at the following values:

	<u>Pollutant</u>	<u>Tons/yr</u>
A.	PM ₁₀	0.79

Approved By:



Richard W. Sprot, Executive Secretary
Utah Air Quality Board