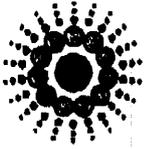


0005



**ANDALEX**  
**RESOURCES, INC.**  
 Tower Division

P.O. BOX 902  
 PRICE, UTAH 84501  
 PHONE (435) 637-5385  
 FAX (435) 637-8860

INCOMING  
 00070033

**CONFIDENTIALITY NOTICE:** The information contained in this facsimile message, and in any accompanying documents, constitutes confidential information which belongs to ANDALEX Resources, Inc. This information is intended only for the use of the individual or entity named below. If you are not the intended recipient of this information, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on this information is strictly prohibited. If you have received this facsimile message in error, please immediately notify us by telephone at (435) 637-5385 to arrange for its return. Thank you.

### FACSIMILE TRANSMITTAL SHEET

DATE: June 24, 2003

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Priscilla BurtonCOMPANY: WADSWORTH

FACSIMILE NUMBER: \_\_\_\_\_

FROM: M. GlasstonTOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 17

Per your request, I will send the  
 C-1, C-2 forms Thursday. I will be  
 gone tomorrow.

Regards,  
 Mike

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 JUN 24 2003  
 DIV. OF OIL, GAS & MINING



**State of Utah**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**DIVISION OF AIR QUALITY**

Michael O. Leavitt  
Governor  
Dianne R. Nelson, Ph.D.  
Executive Director  
Ursula Kramer  
Director

150 North 1950 West  
P.O. Box 144820  
Salt Lake City, Utah 84114-4820  
(801) 536-4000 Voice  
(801) 536-4099 Fax  
(801) 536-4414 T.D.D.  
Web: www.daq.state.ut.us

DAQE-005-00

January 5, 2000

Michael W. Glasson  
Andalex Resources Incorporated  
PO Box 902  
Price, UT 84501

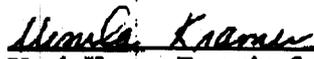
Dear Mr. Glasson:

Re: Approval Order Modification for DAQE-998-96 to Increase Stockpile Area and Diesel Consumption  
Carbon County, CDS-B, ATT; NSPS, Title V

The attached document is an Approval Order 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. M. Maung. He may be reached at (801) 536-4153.

Sincerely,

  
\_\_\_\_\_  
Ursula Kramer, Executive Secretary  
Utah Air Quality Board

UK:MM:re

cc: Southeastern Utah District Health Department

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JUN 24 2003

DIV. OF OIL, GAS & MINING

**STATE OF UTAH**  
**Department of Environmental Quality**  
**Division of Air Quality**

**APPROVAL ORDER MODIFICATION FOR DAQE-998-96 TO  
INCREASE STOCKPILE AREA AND DIESEL CONSUMPTION**

**Prepared By: M. Maung, Engineer**  
**(801) 536-4153**

**APPROVAL NUMBER**  
**DAQE-005-00**

**Date: January 5, 2000**

**Source Contact**

**Andalex Resources Incorporated**  
**Michael W. Glannon**  
**(435) 637-5385**

**Ursula Kramer**  
**Executive Secretary**  
**Utah Air Quality Board**

**RECEIVED**  
**JUN 24 2003**  
**DIV. OF OIL, GAS & MINING**

**Abstract**

**Andalex Resources Incorporated has proposed to modify its active Approval Order DAQE-998-96, dated October 25, 1996. The company requests to increase the stockpile area from 12.5 acres to 16.5 acres and the projected diesel fuel usage from 60 million gallons to 80 million gallons at its Wildcat Loadout facility located in Carbon County. Carbon County is an attainment area of the National Ambient Air Quality Standards (NAAQS) for all pollutants. The emissions, in tons per year, will increase as follows:  $PM_{10} = 3.84$ ,  $NO_x = 3.68$ ,  $SO_2 = 0.31$ ,  $CO = 1.53$ ,  $VOC = 0.34$ ,  $Aldehydes = 0.07$ . National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations do not apply to this source. New Source Performance Standards (NSPS) Subpart Y (Standards of Performance for Coal Preparation Plants) applies to this source. Therefore, Title V of the 1990 Clean Air Act applies to this source. The annual emissions, in tons per year, from this facility will be as follows:  $PM_{10} = 22.01$ ,  $NO_x = 14.72$ ,  $SO_2 = 1.24$ ,  $CO = 6.14$ ,  $VOC = 1.35$ ,  $Aldehydes = 0.27$ . It has been determined that the conditions of the Utah Administrative Code R307-401-6 have been met and the executive secretary will issue an Approval Order. Because there was an emissions increase, there was a 30-day public comment period prior to issuance of this Approval Order.**

**General Conditions:**

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

**Shipping Address**  
5496 West 3550 North  
Spring Glen, Utah 84526  
Phone: (435) 637-5385  
Fax: (435) 637-8860

**Corporate Office Location**  
Andalex Resources, Inc.  
PO Box 902  
Price, Utah 84501

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

**PLANT LOCATION:**

The site is located approximately 10 miles north-northwest of Price, Utah. Travel south from Helper 2.5 miles and turn right on to Consumers Road.

Universal Transverse Mercator (UTM) Coordinate System:  
4,389 kilometers Northing; 507 kilometers Easting; Zone 12

2. Definitions of terms, abbreviations, and references used in this AO conform to those used in the Utah Administrative Code Rule 307 (UAC R307), and Series 40 of the Code of Federal Regulations (40 CFR). These definitions take precedence, unless specifically defined otherwise herein.

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Page 3

3. Andalex Resources Incorporated, owner/operator, shall operate the Wildcat Loadout facility in accordance with the terms and conditions of this AO, which was written pursuant to the company's Notice of Intent submitted to the Division of Air Quality (DAQ) on May 14, 1999 and additional information submitted to the DAQ on October 22, 1999.
4. This AO shall replace the AO dated October 25, 1996 (DAQE-998-96).
5. The approved installations shall consist of the following equipment or their equivalent. Equivalency shall mean identical performance, including any emission discharge, if emissions are involved. It shall be verified and approved by the executive secretary before the equipment or the process is changed.
  - A. Three truck unloading facilities with below ground receiving hoppers and equipped with water sprays
  - B. Two coal crushers, each with a rated capacity of 250 tons per hour
  - C. Three sets of screens, each set of screens with a rated capacity of 500 tons per hour
  - D. Three radial stackers
  - E. Underpile reclaim system
  - F. Railcar loadout consisting of a tower and an extendable chute for loading railcars
  - G. Associated stockpiles
  - H. Associated conveyors
  - I. Associated mobile equipment

Any equipment change or process modification that may alter the requirements of this approval order shall be reviewed by the executive secretary and approved in accordance with R307-401-1, UAC.

6. Visible emissions from any emission point shall not exceed 20% opacity. Opacity observations of emissions from stationary sources shall be conducted according to 40 CFR 60, Appendix A, Method 9.

Visible fugitive dust emissions from haul-road traffic and mobile equipment in operational areas shall not exceed 20% opacity. Visible emissions determinations for traffic sources shall use procedures similar to Method 9. The normal requirement for observations to be made is at 15-second intervals over a six-minute period; however, shall not apply. Six points, distributed along the length of the haul road or in the operational area, shall be chosen by the executive secretary or the executive secretary's representative. An opacity reading shall be made at each point when a vehicle passes the selected points. Opacity readings shall be made  $\frac{1}{2}$  vehicle length or greater behind the vehicle and at approximately  $\frac{1}{2}$  the height of the vehicle or greater. The accumulated six readings shall be averaged for the compliance value.

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Page 4

7. The following production limit and fuel consumption limit shall not be exceeded without prior approval in accordance with R307-401, UAC:
- A. 5,000,000 tons of coal production throughput per rolling 12-month period
  - B. 80,000 gallons fuel consumption for on-site diesel equipment per rolling 12-month period

Compliance with the annual limitations shall be determined on a rolling 12-month total. The owner/operator shall calculate a new 12-month total based on the first day of each month using data from the previous 12 months. Records of production and fuel consumption shall be kept for all periods when the plant is in operation. Records of production and fuel consumption, including rolling 12-month totals shall be made available to the executive secretary or a representative upon request and shall include a period of two years ending with the date of the request. Production shall be determined by records of coal received and fuel consumption shall be determined by fuel bills. The records shall be kept on a daily basis.

**Roads and Fugitive Dust**

8. All radial stackers shall stack at the highest point of the stockpile to minimize drop distances.
9. All conveyors shall be covered and all crushers shall be enclosed.
10. 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 or 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

Records of treatment 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.

11. The haul road limitations shall be:
- A. 0.21 miles in length
  - B. 5 miles per hour

These limitations shall not be exceeded without prior approval in accordance with R307-401, UAC. The haul road speed 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.

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12. Control of disturbed or stripped areas shall be required at all times (24 hours per day every day) for the duration of the project/operation until the area is reclaimed per R307-205, UAC.
13. Water sprays or chemical dust suppression sprays shall be installed at the following points to control fugitive emissions:
  - A. All truck unloading stations
  - B. All screens

The sprays shall operate whenever dry conditions warrant or as determined necessary by the executive secretary.

14. The moisture content of the material passing a #40 U.S. Standard Sieve shall be maintained at a minimum of 4.0% by weight. The moisture content shall be tested if directed by the executive secretary using the appropriate American Society of Testing and Methods (ASTM) method.
15. The storage piles shall be watered to minimize generation of fugitive dusts, as dry conditions warrant or as determined necessary by the executive secretary. Records of water and/or chemical treatment shall be kept for all periods when the plant is in operation. Records of water and/or chemical treatment 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. The total combined area of all storage piles shall not exceed 16.5 acres. The area shall be measured if directed by the executive secretary.

**Fuels**

16. The owner/operator shall use only #1 or #2 diesel oil as fuel. If any other fuel is to be used, an AO shall be required in accordance with R307-401, UAC.
17. The sulfur content of any diesel fuel burned shall not exceed 0.5 percent by weight. Sulfur content shall be decided by ASTM Method D2880-71 or D-4294-89, or approved equivalent. The sulfur content shall be tested if directed by the executive secretary. The percent by weight of the sulfur contained in the fuel can be obtained from the fuel oil certifications. Certification of fuels shall be either by Andalex Resources's own testing or test reports from the fuel marketer. Records of fuel supplier's test report on sulfur content shall be available on-site for each load delivered.

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**Federal Limitations and Requirements**

18. 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. A copy of the latest 40 CFR 60 Subpart Y (section 60.250-254) is attached to this document as Appendix A. However, to be in compliance, this facility must operate in accordance with the most current version of 40 CFR 60 applicable to this source.

**Records & Miscellaneous**

19. 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, and the records shall be maintained for a period of two years. Maintenance records 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.
20. The owner/operator shall comply with UAC, R307-150 Series, Inventories, Testing and Monitoring. This rule addresses regulated pollutant and hazardous air pollutant emission inventory reporting requirements, and emission statement inventory requirements. The full text of UAC R307-150 Series, Inventories, Testing and Monitoring is included as Appendix B. However, to be in compliance, this facility must operate in accordance with the most current version of the UAC, R307-150 series.
21. The owner/operator shall comply with R307-107, UAC. This rule addresses unavoidable breakdown reporting requirements. The full text of UAC R307-107 General Requirements, Unavoidable Breakdown, is included as Appendix C. However, to be in compliance, this facility must operate in accordance with the most current version of the UAC, R307-107.

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. All records shall be kept for a period of two years. Emission inventories shall be kept for a period of five years from the due date of each emission statement or until the next inventory is due, whichever is longer. A summary of those records that are required as part of this Approval Order is included herein. This

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summary shall not be considered an additional requirement, but is included for informational purposes only. The condition that requires that these records be kept as part of the compliance with this AO is listed following the individual record. Examples of records to be kept at this source shall include the following as applicable:

Production rate	Condition number 7
Fuel consumption	Condition number 7
Fugitive emission control	Condition number 10, 15
Maintenance records	Condition number 19
Emission inventory report	Condition number 20
Upset, breakdown episodes	Condition number 21

The list above may not be a complete list of all records that are required to be kept by Andalex Resources Incorporated. For a complete list of required records check all AO conditions, and all applicable Federal regulations, such as NSPS, that apply to this source.

Any future modifications to the equipment approved by this order must also be approved in accordance with R307-401, UAC.

The executive secretary shall be notified in writing if the company is sold or changes its name. The notification shall be submitted within 30 days of such action.

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 UAC R307.

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.eq.state.ut.us/eqair/eq\\_home.htm](http://www.eq.state.ut.us/eqair/eq_home.htm)

Annual emissions for this source (the entire Wildcat Loadout facility) are currently calculated at the following values:

	Pollutant	Tons/yr
A.	PM <sub>10</sub> .....	22.01
B.	SO <sub>2</sub> .....	1.24
C.	NO <sub>x</sub> .....	14.72
D.	CO .....	6.14
E.	VOC .....	1.35
F.	Aldehydes .....	0.27

The annual emission estimations above are for the purpose of determining the applicability of Prevention of Significant Deterioration, nonattainment area, maintenance area, and Title V source requirements of the UAC R307. They are not to be used for determining compliance.

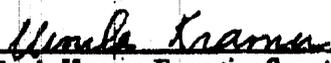
In accordance with the requirements of Title V of the 1990 Clean Air Act, the following pollutants may be subject to an operating permit fee. Emissions of the following pollutants from all sources, including pre-

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November 29, 1969 sources, may be subject to the operating permit fee. Both the fees rate and the class of pollutants are subject to change by State, the federal agencies, or both.

	<u>Pollutant</u>	<u>Tons/yr</u>
A.	PM <sub>10</sub> .....	20.5
B.	SO <sub>2</sub> .....	1.24
C.	NO <sub>x</sub> .....	14.72
D.	VOC .....	1.35
E.	Aldehydes .....	0.27

Approved By:

  
\_\_\_\_\_  
Ursula Kramer, Executive Secretary  
Utah Air Quality Board

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## Appendix A

### Andalex Resources - Wildcat Loadout

#### 40 CFR 60 Subpart Y - Standards of Performance for Coal Preparation Plants

##### Subpart Y-Standards of Performance for Coal Preparation Plants

###### § 60.250 Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to any of the following affected facilities in coal preparation plants which process more than 200 tons per day: Thermal dryers, pneumatic coal-cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, and coal transfer and loading systems.

(b) Any facility under paragraph (a) of this section that commences construction or modification after October 24, 1974, is subject to the requirements of this subpart.

[42 FR 37938, July 25, 1977; 42 FR 44812, Sept. 7, 1977]

###### § 60.251 Definitions.

As used in this subpart, all terms not defined herein have the meaning given them in the Act and in subpart A of this part.

(a) Coal preparation plant means any facility (excluding underground mining operations) which prepares coal by one or more of the following processes: breaking, crushing, screening, wet or dry cleaning, and thermal drying.

(b) Bituminous coal means solid fossil fuel classified as bituminous coal by ASTM Designation D388-77 (incorporated by reference-see § 60.17).

(c) Coal means all solid fossil fuels classified as anthracite, bituminous, subbituminous, or lignite by ASTM Designation D388-77 (incorporated by reference-see § 60.17).

(d) Cyclonic flow means a spiraling movement of exhaust gases within a duct or stack.

(e) Thermal dryer means any facility in which the moisture content of bituminous coal is reduced by contact with a heated gas stream which is exhausted to the atmosphere.

(f) Pneumatic coal-cleaning equipment means any facility which classifies bituminous coal by size or separates bituminous coal from refuse by application of air stream(s).

(g) Coal processing and conveying equipment means any machinery used to reduce the size of coal or to separate coal from refuse, and the equipment used to convey coal to or remove coal and refuse from the machinery. This includes, but is not limited to, breakers, crushers, screens, and conveyor belts.

(h) Coal storage system means any facility used to store coal except for open storage piles.

(i) Transfer and loading system means any facility used to transfer and load coal for shipment.

[41 FR 2234, Jan. 15, 1976, as amended at 48 FR 3738, Jan. 27, 1983]

###### § 60.252 Standards for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any thermal dryer gases which:

- (1) Contain particulate matter in excess of 0.070 g/dscm (0.031 gr/dscf).
- (2) Exhibit 20 percent opacity or greater.

(b) On and after the date on which the performance test required to be conducted by § 60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any pneumatic coal cleaning equipment, gases which:

- (1) Contain particulate matter in excess of 0.040 g/dscm (0.018 gr/dscf).
- (2) Exhibit 10 percent opacity or greater.

(c) On and after the date on which the performance test required to be conducted by § 60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater.

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[41 FR 2234, Jan. 15, 1976]

§ 60.253 Monitoring of operations.

(a) The owner or operator of any thermal dryer shall install, calibrate, maintain, and continuously operate monitoring devices as follows:  
(1) A monitoring device for the measurement of the temperature of the gas stream at the exit of the thermal dryer on a continuous basis. The monitoring device is to be certified by the manufacturer to be accurate within  $\pm 3^\circ$  Fahrenheit.

(2) For affected facilities that use venturi scrubber emission control equipment:

(i) A monitoring device for the continuous measurement of the pressure loss through the venturi constriction of the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within  $\pm 1$  inch water gage.

(ii) A monitoring device for the continuous measurement of the water supply pressure to the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within  $\pm 5$  percent of design water supply pressure. The pressure sensor or tap must be located close to the water discharge point. The Administrator may be consulted for approval of alternative locations.

(b) All monitoring devices under paragraph (a) of this section are to be recalibrated annually in accordance with procedures under § 60.13(b).

[41 FR 2234, Jan. 15, 1976, as amended at 54 FR 6671, Feb. 14, 1989]

§ 60.254 Test methods and procedures.

(a) In conducting the performance tests required in § 60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in § 60.8(b).

(b) The owner or operator shall determine compliance with the particular matter standards in § 60.252 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf). Sampling shall begin no less than 30 minutes after startup and shall terminate before shutdown procedures begin.

(2) Method 9 and the procedures in § 60.11 shall be used to determine opacity.

[54 FR 6671, Feb. 14, 1989]

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### Appendix B

#### Andalex Resources Incorporated - Wildcat Loadout facility

##### **R307-150 Series. Inventories, Testing and Monitoring.**

##### **R307. Environmental Quality, Air Quality.**

##### **R307-150. Emission Inventories.**

##### **R307-150-1. General Applicability.**

- (1) The following sources shall submit an emission inventory report:
  - (a) any Part 70 source;
  - (b) any source that emits or is allowed under R307 to emit 100 tons per year or more of any regulated air pollutant;
  - (c) any source located in Davis, Salt Lake, Utah or Weber County that emits or is allowed under R307 to emit 25 tons per year or more of a combination of PM10, sulfur oxides, or oxides of nitrogen;
  - (d) any source located in Davis, Salt Lake, Utah or Weber County that emits or is allowed under R307 to emit 10 tons per year or more of volatile organic compounds;
  - (e) any source that emits or is allowed under R307 to emit 5 tons per year or more of lead;
  - (f) any source that emits or is allowed under R307 to emit 10 tons or more per year of ammonia;
  - (g) any source that is allowed under R307 to emit between 90 and 100 tons per year of any regulated air pollutant;
  - (h) any source that the executive secretary requires to submit an inventory for any full or partial year on reasonable notice.

##### **R307-150-2. Definitions.**

The following additional definitions apply to R307-150:

"Acute Contaminant" means any noncarcinogenic air contaminant for which a threshold limit value - ceiling (TLV-C) has been adopted by the American Conference of Governmental Industrial Hygienists in its "Threshold Limit Values for Chemical Substances and Physical Agents - Biological Exposure Indices, pages 15 - 40 (1997)."

"Carcinogenic Contaminant" means any air contaminant that is classified as a known human carcinogen (A1) or suspected human carcinogen (A2) by the American Conference of Governmental Industrial Hygienists in its "Threshold Limit Values for Chemical Substances and Physical Agents - Biological Exposure Indices, pages 15 - 40 (1997)."

"Chronic Contaminant" means any noncarcinogenic air contaminant for which a threshold limit value - time weighted average (TLV-TWA) having no threshold limit value - ceiling (TLV-C) has been adopted by the American Conference of Governmental Industrial Hygienists in its "Threshold Limit Values for Chemical Substances and Physical Agents - Biological Exposure Indices, pages 15 - 40 (1997)."

"Dioxins" and "Furans" mean total tetra- through octachlorinated dibenzo-p-dioxins and dibenzofurans.

##### **R307-150-3. What to Report.**

- (1) The requirements of R307-150 replace any annual inventory reporting requirements in approval orders issued prior to April 1, 1998.
- (2) The emission inventory report shall include the information the Board deems necessary to determine whether the source is in compliance with R307 and federal regulations and standards. The data shall include emissions of ammonia and all regulated air pollutants not exempted in (3) below that are not hazardous air pollutants that are emitted at a source. Data shall include the rate and period of emission, excess or breakdown emissions, startup and shut down emissions, specific installation which is the source of the air pollution, composition of air contaminant, type and efficiency of the air pollution control equipment and other information necessary to quantify operation and emissions, and to evaluate pollution control. The emissions of a pollutant shall be calculated using the source's actual operating hours, production rates, and types of materials processed, stored, or combusted during the inventoried time period.
- (3) Regulated air pollutants that are not PM10, sulfur oxides, oxides of nitrogen, carbon monoxide, PM2.5, ozone, volatile organic compounds, dioxins, furans, or hazardous air pollutants are exempt from being reported if they are emitted in an amount less than the smaller of the following:
  - (a) 500 pounds per year; or
  - (b) an annual emission level calculated to be the applicable threshold limit value - time weighted average (TLV-TWA) or the threshold limit value - ceiling (TLV-C) multiplied by the appropriate emission threshold factor in cubic meter pounds per milligram year. For an acute contaminant, the factor is 15.81; for a chronic contaminant, the factor is 21.22; for a carcinogenic contaminant, the factor is 7.07.
- (4) In addition, any owner or operator of a source that is required by R307-150-1 to submit an inventory shall use appropriate emission factors and estimating techniques to estimate all emissions from each activity not required by R307-401 or R307-415 to be included in a notice of intent or operating permit application. The estimates shall be included in the inventory.

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**R307-150-4. Timing of Submittals.**

(1) A report is required for 1998, 1999, and for every third year after 1999 for any source which actually emits or is allowed under R307 to emit 10 tons or more per year of ammonia.

(2) Report Every Third Year. The owner or operator of each of the following sources is required to submit a report of emissions every third year. The first report shall be due in 2000 for calendar year 1999 for:

- (a) any Part 70 source located in Davis, Salt Lake, Utah or Weber Counties;
- (b) any Part 70 temporary source;
- (c) any Part 70 source located outside Davis, Salt Lake, Utah or Weber Counties with 25 tons per year or more of combined allowable emissions of PM10, sulfur oxides, oxides of nitrogen, volatile organic compounds or carbon monoxide; or
- (d) any stationary source:
  - (i) located in Davis, Salt Lake, Utah or Weber County that emits or is allowed under R307 to emit a combination of PM10, sulfur oxides, or oxides of nitrogen of 25 tons per year or more;
  - (ii) located in Davis, Salt Lake, Utah or Weber County that emits or is allowed under R307 to emit 10 tons per year or more of volatile organic compounds;
  - (iii) located in Davis, Salt Lake, Weber, or Utah County that emits or is allowed under R307 to emit 100 tons per year or more of carbon monoxide;

(iv) that emits 100 tons per year or more of any regulated air pollutant; or

(v) that emits or is allowed to emit 5 tons per year or more of lead;

(e) any source that is allowed under R307 to emit between 90 and 100 tons per year of any regulated air pollutant.

(3) Report Every Sixth Year. Any Part 70 source not included in R307-150-3(2) shall submit an emissions inventory every sixth year. The inventory for calendar year 1996 suffices as the first inventory.

(4) Additional Reports of Emissions Required Under Specified Circumstances. This subsection is applicable to all sources identified in R307-150-1.

(a) A source that initially achieves compliance at any time with any requirement of an applicable state implementation plan shall submit an inventory for the calendar year in which compliance is achieved.

(b) A source that emits or is allowed under R307 to emit 100 or more tons per year of any regulated air pollutant and whose emissions of any of these pollutants increase or decrease by five percent or more from the most recently submitted inventory shall submit an inventory for the calendar year in which the increase or decrease occurred.

(c) A source operating temporarily shall submit an inventory for the calendar year in which the source operated.

(d) A source that is not a temporary source, is required to submit an inventory, and ceases operations shall submit a report of emissions for the partial year and a report for the previous calendar year, if not already submitted.

(e) A new or modified source that is not a temporary source, is required to submit an inventory, and receives approval to construct or begins operating shall submit a report for the initial partial year of operation and a report for the subsequent calendar year.

(5) In addition to the required inventories, any source may choose to submit an inventory for any calendar year. The executive secretary may require at any time a full or partial year inventory on reasonable notice to affected sources.

(6) Due Date. Emission inventories shall be submitted on or before April 15 of each calendar year following any calendar year in which an inventory is required.

**R307-150-5. Recordkeeping Requirements.**

(1) Each owner or operator of a stationary source subject to this rule shall maintain a copy of the emission inventory submitted to the Division of Air Quality and records indicating how the information submitted in the inventory was determined, including any calculations, data, measurements, and estimates used. The records shall be kept for a period of at least five years from the due date of each emission assessment or until the next inventory is due, whichever is longer.

(2) Upon the request of the executive secretary, the owner or operator of the stationary source shall make these records available at the stationary source for inspection by any representative of the Division of Air Quality during normal business hours.

**R307. Environmental Quality, Air Quality.**

**R307-155. Hazardous Air Pollutant Inventory.**

**R307-155-1. General Applicability.**

(1) The owner or operator of a Part 70 stationary source, either "major source" or "area source" as defined in the Clean Air Act Section 112 (42 U.S.C. 7412), that emits one or more hazardous air pollutants shall submit a hazardous air pollutant inventory.

(2) The owner or operator of a source which is not a Part 70 stationary source or a "major source" as defined in the Clean Air Act Section 112 (42 U.S.C. 7412) that emits one or more hazardous air pollutants shall submit a hazardous air pollutant inventory at the request of the executive secretary but not more often than once per year.

(3) Inventory data is not required for each hazardous air pollutant that has a threshold limit value and is emitted in an amount less than the smaller of the following:

- (a) 300 pounds per year; or

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(b) an annual emission level calculated to be the applicable threshold limit value - time weighted average (TLV-TWA) expressed in milligrams per cubic meter, or the threshold limit value - ceiling (TLV-C) expressed in milligrams per cubic meter multiplied by the appropriate emission threshold factor in cubic meter pounds per milligram year in Table 1 below.

TABLE 1

CONTAMINANT (in cubic meter pounds)	FACTOR per milligram year)
Arsenic	21.22
Benzene	21.22
Beryllium	21.22
Ethylene oxide	21.22
Formaldehyde	15.81
All other acute hazardous air pollutants	15.81
All other chronic hazardous air pollutants	21.22
All other carcinogenic hazardous air pollutants	7.07

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### Appendix C

#### Andalex Resources Incorporated - Wildcat Loadout facility

##### **R307. Environmental Quality, Air Quality.**

##### **R307-107. General Requirements: Unavoidable Breakdown.**

##### **R307-107-1. Application.**

R307-107 applies to all regulated pollutants including those for which there are National Ambient Air Quality Standards. Except as otherwise provided in R307-107, emissions resulting from an unavoidable breakdown will not be deemed a violation of these regulations. If excess emissions are predictable, they must be authorized under the variance procedure in R307-102-4. Breakdowns that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered unavoidable breakdown.

##### **R307-107-2. Reporting.**

A breakdown for any period longer than 2 hours must be reported to the executive secretary within 3 hours of the beginning of the breakdown if reasonable, but in no case longer than 18 hours after the beginning of the breakdown. During times other than normal office hours, breakdowns for any period longer than 2 hours shall be initially reported to the Environmental Health Emergency Response Coordinator, Telephone (801) 536-4123. Within 7 calendar days of the beginning of any breakdown of longer than 2 hours, a written report shall be submitted to the executive secretary which shall include the cause and nature of the event, estimated quantity of pollutant (total and excess), time of emissions and steps taken to control the emissions and to prevent recurrence. The submittal of such information shall be used by the executive secretary in determining whether a violation has occurred and/or the need of further enforcement action.

##### **R307-107-3. Penalties.**

Failure to comply with the reporting procedures of R307-107-2 will constitute a violation of these regulations.

##### **R307-107-4. Procedures.**

The owner or operator of an installation suffering an unavoidable breakdown shall assure that emission limitations and visible emission limitations are exceeded for only as short a period of time as reasonable. The owner or operator shall take all reasonable measures which may include but are not limited to the immediate curtailment of production, operations, or activities at all installations of the source if necessary to limit the total aggregate emissions from the source to no greater than the aggregate allowable emissions averaged over the periods provided in the source's approval orders or R307. In the event that production, operations or activities cannot be curtailed so as to so limit the total aggregate emissions without jeopardizing equipment or safety or measures taken would result in even greater excess emissions, the owner or operator of the source shall use the most rapid, reasonable procedure to reduce emissions. The owner or operator of any installation subject to a SIP emission limitation pursuant to these rules shall be deemed to have complied with the provisions of R307-107 if the emission limitation has not been exceeded.

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**R307-107-5. Violation.**

Failure to comply with curtailment actions required by R307-107-4 will constitute a violation of R307-107.

**R307-107-6. Emissions Standards.**

Other provisions of R307 may require more stringent controls than listed herein, in which case those requirements must be met.