NOTICE OF INTENT TO ISSUE AN
AIR POLLUTION CONTROL
SYNTHETIC MINOR PERMIT TO OPERATE

Take notice that the North Dakota Department of Environmental Quality (NDDEQ) proposes to issue an Air Pollution Control Permit to Operate to Kindred School District for operation of the Emergency Generator in accordance with the ND Air Pollution Control Rules. The facility is located in Kindred, ND. The emergency generator is being used as a standby generator for the school district. The Kindred School District mailing address is:

55 First Ave South
Kindred, ND 58051

There are no changes to the facility in regard to this permit to operate renewal. A thirty-day public comment period for the draft permit will begin August 31, 2022, and end September 29, 2022. Direct comments in writing to the NDDEQ:

Division of Air Quality
4201 Normandy Street
Bismarck, ND 58503-1324

Alternatively, comments can be emailed to AirQuality@nd.gov, Re: Public Comment Permit Number AOP-27140 v5.0. Please note that, to be considered, comments submitted by email must be sent to the email address listed; comments sent to any other email address will not be considered. Comments must be received by 11:59 p.m. CDT on the last day of the public comment period to be considered in the final permit determination. A public hearing regarding issuance of the permit will be held if a significant degree of public interest exists as determined by the NDDEQ. Requests for a public hearing must be received in writing by the NDDEQ before the end of the public comment period.

The notice, draft permit, and application are available for review at the NDDEQ Division of Air Quality and on the Division of Air Quality website at https://deq.nd.gov/AQ/PublicCom.aspx. A copy of these documents may be obtained by writing to the Division of Air Quality or contacting Raina Cardwell at (701)328-1336 or emailing rcardwell@nd.gov.

The NDDEQ will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for people with disabilities, language interpretation for people with limited English proficiency (LEP), and translations of written material necessary to access programs and information. To request accommodations, contact Jennifer Skjod, Acting Non-discrimination Coordinator at (701)328-5226 or jskjod@nd.gov. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

Dated this 30TH day of August 2022.

James L. Semerad
Director
Division of Air Quality
August 31, 2022

Mr. Steve Hall
Superintendent
Kindred School District
255 Dakota Street
Kindred, ND 58051

Re: Air Quality
Minor (Synthetic)
Permit to Operate

Dear Mr. Hall:

Pursuant to the Air Pollution Control Rules of the State of North Dakota, the Department of Environmental Quality (Department) has reviewed your permit application dated June 27th, 2022, for the Kindred School District – Emergency Generator located in Cass County, North Dakota.

Enclosed is a copy of the Department's draft/proposed minor (synthetic) Permit to Operate for the facility. Before making final determinations on the permit application, the Department provides for public comment by means of the enclosed public notice and provides for a concurrent 30-day Environmental Protection Agency (EPA) review. As indicated in the notice, the public comment period will begin on August 31, 2022, and end on September 29, 2022.

All comments received will be considered in the final determination concerning issuance of the permit. The Department will take final action on the permit application following the public comment period and EPA review. You will be notified in writing of our final determination.

If you have any questions, please contact me at (701)328-1336 or email rlcardwell@nd.gov.

Sincerely,

Raina Cardwell
Environmental Scientist
Division of Air Quality

RLC:lc

Enc:
xc/enc: Dan Fagnant, EPA/R8 (email - fagnant.daniel@epa.gov)
Gail Fallon, EPA/R8 (email - fallon.gail@epa.gov)
AIR POLLUTION CONTROL
MINOR SOURCE
PERMIT TO OPERATE

Pursuant to Chapter 23.1-06 of the North Dakota Century Code (NDCC), and the Air Pollution Control Rules of the State of North Dakota, and in reliance on statements and representations heretofore made by the permittee designated below, a Permit to Operate is hereby issued authorizing such permittee to operate the source unit(s) at the location designated below. This Permit to Operate is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Environmental Quality (Department) and to any conditions specified below:

1. **Permittee:**
   A. **Name:**
      Kindred School District
   B. **Address:**
      255 Dakota Street
      Kindred, ND 58051

2. **A. Permit Number:**
   AOP-27140 v5.0
   **B. Permit Description:**
   Synthetic Minor Source:
   NDAC 33.1-15-14-03.1.e

3. **Source Name & Location:**
   Emergency Generator
   55 First Avenue S
   Kindred, North Dakota
   Cass County

4. **Source Type:**
   Generator Set

5. **Expiration Date:**
   September 11, 2027

6. **Source Unit(s):**

<table>
<thead>
<tr>
<th>Emission Unit Description</th>
<th>Emission Unit (EU)</th>
<th>Emission Point (EP)</th>
<th>Air Pollution Control Equipment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caterpillar Model 3516B diesel engine-driven generator set rated at 2,628 bhp (pre-2002, Subpart ZZZZ)</td>
<td>1</td>
<td>1</td>
<td>Diesel Oxidation Catalyst</td>
</tr>
</tbody>
</table>

**CONDITIONS**

7. **A. Emission Limits:** Emission limits from the operation of the source unit(s) identified in Item 6 of this Permit to Operate (hereafter referred to as “permit”) are as follows. Source units not listed are subject to the applicable emission limits specified in the North Dakota Air Pollution Control Rules.
<table>
<thead>
<tr>
<th>Emission Unit Description</th>
<th>EU</th>
<th>EP</th>
<th>Pollutant/Parameter</th>
<th>Emission Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engine</td>
<td>1</td>
<td>1</td>
<td>NO\textsubscript{x}</td>
<td>62.0 lb/hr</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Opacity</td>
<td>20% \textsuperscript{A}</td>
</tr>
</tbody>
</table>

\textsuperscript{A} 40\% opacity is permissible for not more than one six-minute period per hour.

B. **Hours of Operation:** The permittee shall not exceed 1,941 hours of operation of the generator set (EU 1) in any 12-month period (12-month rolling total).

C. **Fuel Restriction:** The generator engine (EU 1) is restricted to combusting only distillate oil containing no more than 0.0015 percent sulfur by weight.

D. **Maximum Achievable Control Technology Standards (MACT):** The permittee shall comply with all applicable requirements of the following MACT subparts as referenced in Chapter 33-15-22 of the North Dakota Air Pollution Control Rules and 40 CFR 63.

1) 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (EU 1). The North Dakota Department of Environmental Quality has not adopted the area source provisions of this subpart. Please send all documentation to EPA at the following address:

   U.S. EPA Region 8  
   1595 Wynkoop Street  
   Mail Code 8ENF-AT  
   Denver, CO 80202-1129

E. **Emissions Testing:** Within 12 months after issuance of a renewal Permit to Operate, the permittee shall conduct emissions tests to determine the compliance status of the engine (EU 1) with respect to the NO\textsubscript{x} emission limit specified in Condition 7.A using EPA Reference Methods in 40 CFR 60, Appendix A or at a minimum a portable analyzer method approved by the Department. A test shall consist of at least three runs, with each run at least 20 minutes in length. Test methods other than those listed may be used upon approval by the Department.

   Note: This requirement may be satisfied if recurring testing is otherwise performed in accordance with requirements under 40 CFR 60, Subparts JJJJ or IIII, or 40 CFR 63, Subpart ZZZZ.

   The permittee shall notify the Department using the form in the Emission Testing Guideline, or its equivalent, at least 30 calendar days in advance of any tests of emissions of air contaminants required by the Department. If the permittee is unable to conduct the performance test on the scheduled date, the permittee shall notify the Department at least five days prior to the scheduled test date and coordinate a new test date with the Department.
F. **Recordkeeping:** 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.

1) The permittee shall record the number of hours of operation each month and determine the total number of hours the generator set was operated during the previous 12-month period. Any time the number of hours operated during the previous 12-month period exceeds 1,941, the permittee shall notify the Department within 10 working days. Records of the operation of the generator set shall be submitted to the Department upon request.

2) The sulfur content of the diesel fuel used shall be analyzed with each shipment using ASTM or Department approved methods. The sulfur analysis for the fuel oil may be conducted by the permittee or by the source where the fuel is purchased.

G. **Like-Kind Engine Replacement:** This permit allows the permittee to replace the existing engine with a like-kind engine. Replacement is subject to the following conditions:

1) The Department must be notified within 10 days after change-out of the engine.

2) The replacement engine shall operate in the same manner, provide no increase in throughput and have equal or less emissions than the engine it is replacing.

3) The date of manufacture of the replacement engine must be included in the notification. The facility must comply with any applicable federal standards (e.g. NSPS, NESHAP, MACT) triggered by the replacement.

4) The replacement engine is subject to the same state emission limits as the existing engine in addition to any NSPS or MACT emission limit that is applicable. Testing shall be conducted to confirm compliance with the emission limits within 180 days after start-up of the new engine.

H. **Fugitive Emissions:** The release of fugitive emissions shall comply with the applicable requirements in NDAC 33.1-15-17.

I. **Annual Emission Inventory/Annual Production Reports:** The permittee shall submit an annual emission inventory report and/or an annual production report upon Department request, in a format provided or approved by the Department.

J. **Source Operations:** Operations at the facility shall be in accordance with statements, representations, procedures and supporting data contained in the initial application, and any supplemental information or renewal application(s) submitted thereafter. Any operations not listed in this permit are subject to all applicable North Dakota Air Pollution Control Rules.
K. **Alterations, Modifications or Changes:** Any alteration, repairing, expansion, or change in the method of 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, must be reviewed and approved by the Department prior to the start of such alteration, repairing, expansion or change in the method of operation.

L. **Air Pollution from Internal Combustion Engines:** The permittee shall comply with all applicable requirements of NDAC 33.1-15-08-01 – Internal Combustion Engine Emissions Restricted.

M. **Nuisance or Danger:** This permit shall in no way authorize the maintenance of a nuisance or a danger to public health or safety.

N. **Malfunction Notification:** The permittee shall notify the Department as soon as possible during normal working hours of any malfunction which can be expected to last longer than twenty-four hours and can cause the emission of air contaminants in violation of applicable rules and regulations. Immediate notification to the Department is required for any malfunction that would threaten health or welfare, or pose an imminent danger.

O. **Operation of Air Pollution Control Equipment:** The permittee shall maintain and operate all air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

P. **Permit Renewal and Invalidation:** This permit shall be effective from the date of its issuance until the date specified in Item 5 unless sooner suspended, revoked or surrendered. Upon suspension or revocation, the permit shall be returned to the Department. Application for renewal of this permit shall be submitted ninety days prior to such expiration date. The Department shall approve or disapprove the renewal of the permit within ninety days of receipt of the renewal application.

Q. **Change of Ownership:** This permit may not be transferred without prior approval from the Department.

R. **Right of Entry:** Any duly authorized officer, employee or agent of the North Dakota Department of Environmental Quality may enter and inspect any property, premise or place at which the source listed in Item 3 of this permit is located at any time for the purpose of ascertaining the state of compliance with the North Dakota Air Pollution Control Rules. The Department may conduct tests and take samples of air contaminants, fuel, processing material, and other materials which affect or may affect emissions of air contaminants from any source. The Department shall have the right to access and copy any records required by the Department’s rules and to inspect monitoring equipment located on the premises.

S. **Other Regulations:** The permittee of the source unit(s) described in Item 6 of this permit shall comply with all State and Federal environmental laws and rules. In addition, the permittee shall comply with all local burning, fire, zoning, and other applicable ordinances, codes, rules and regulations.
T. **Permit Issuance:** This permit is issued in reliance upon the accuracy and completeness of the information set forth in the application. The conditions of this permit herein become, upon the effective date of this permit, enforceable by the Department pursuant to any remedies it now has, or may in the future have, under the North Dakota Air Pollution Control Law, NDCC Chapter 23.1-06. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

U. **Odor Restrictions:** The permittee shall not discharge into the ambient air any objectionable odorous air contaminant which is in excess of the limits established in NDAC 33.1-15-16.

V. **Sampling and Testing:** The Department may require the permittee to conduct tests to determine the emission rate of air contaminants from the source. The Department may observe the testing and may specify testing methods to be used. A signed copy of the test results shall be furnished to the Department within 60 days of the test date. The basis for this condition is NDAC 33.1-15-01-12 which is hereby incorporated into this permit by reference. To facilitate preparing for and conducting such tests, and to facilitate reporting the test results to the Department, the permittee shall follow the procedures and formats in the Department’s Emission Testing Guideline.

FOR THE NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

Date ____________________________

By ________________________________

James L. Semerad
Director
Division of Air Quality