AIR POLLUTION CONTROL
GENERAL PERMIT
OIL AND GAS PRODUCTION FACILITIES

Facility Permit Number: OGR-xxxxx v1.x	**Permit Description**: General Permit for Oil and Gas Production Facilities (GP-OG v1.0)
GPS Coordinates of Facility:	**Source Type**: Synthetic Minor Source Crude Petroleum and Natural Gas Production SIC: 1311 NAICS: 211120

Expiration Date: (5 Years from Issuance)

Pursuant to Chapter 23.1-06 of the North Dakota Century Code (NDCC), the Air Pollution Control Rules of the State of North Dakota, Article 33.1-15 of the North Dakota Administrative Code (NDAC), and in reliance on statements and representations made in the submitted oil and gas registration, a General Permit is hereby issued authorizing the permittee to construct and operate the source unit(s) (as described in Table 1-1) at the location designated above. This permit 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 within this General Permit.

The permittee of an oil and gas production facility will become eligible for coverage under this General Permit by submitting a satisfactory oil and gas registration form required per Sub section 33.1-15-20-02.1 to the Department through CERIS-ND, which includes the appropriate fee(s). An oil and gas production facility means all equipment, wells, flow lines, separators, treaters, tanks, flares, gathering lines, and auxiliary non transportation-related equipment used in the exploration, development, or subsequent production or handling of oil and gas from an oil or gas well or wells which are located on one or more contiguous or adjacent surface properties, and are under the control of the same person (or persons under common control) as defined in Subdivision 33.1-15-20-01.2.n of the NDAC.

Date: _____

James L. Semerad
Director
Division of Air Quality

1. Potential Onsite Emission Units:

Table 1-1 lists all potential emission units associated with upstream oil and gas (O&G) production which are covered by this General Permit (hereafter referred to as "permit").

Table 1-1: Potential Onsite Emission Units and Typical Control Equipment

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Wellhead	WELL	N/A	None
High pressure (HP) flare	HPFL	HPFL	--
Low pressure (LP) flare	LPFL	LPFL	--
Enclosed combustion devices (ECD)	ECD	ECD	--
Gas fired heaters (HTR)	HTR	HTR	None
Stationary reciprocating internal combustion engines (RICE)	RICE	RICE	Catalyst
Gas fired combustion turbines (CT)	CT [A]	CT	None
Centrifugal and reciprocating compressors	CMPR	CMPR	None
Hydrocarbon liquid storage vessel	HCTK	VRU/CD	VRU/combustion device (CD) [B]
Produced water storage vessel	PWTK	VRU/CD	VRU/CD
Hydrocarbon liquid loadout	HCL	HCL	Submerged loading arm
Produced water loadout	PWL	PWL	None
Methanol storage vessels and injection	MeTK	MeTK	None
Gas driven pneumatic/process controllers (GDPC)	GDPC	GDPC	None
Gas driven pneumatic pumps (GDPP)	GDPP	GDPP	None
Vapor recovery unit (VRU)	VRU	N/A [C]	--
Glycol dehydration unit (GDU)	GDU	VRU/CD [D]	VRU/CD [D]
Fugitive components	FUG-LDAR	FUG-LDAR	Leak detection and repair (LDAR)
Fugitive dust	FUG-A	FUG-A	None
Maintenance - other (Misc)	FUG-Misc [E]	FUG-Misc	None
Saltwater injection equipment	SALT [F]	N/A	None

[A] CT's shall have a heat input at peak load less than 10 million Btu per hour, based on the lower heating value of the fuel fired.

[B] CD's include units such as: HPFL, LPFL, ECD and other similar units.

[C] In the event the VRU is out of service, or not operational, the gases will be routed to a CD for emissions control.

[D] Or other allowable option under 40 CFR 63.771(f).

[E] Includes, but is not limited to: compressor blowdown venting, pig launcher/receiver blowdown, facility equipment blowdowns, well and liquid loadout activity, and well workovers.

[F] Consists of the onsite saltwater disposal well and equipment associated with the saltwater injection operations.

Note: Many upstream O&G facilities operate multiple emission units (EUs) and emission points (EPs) which are identical, similar, or in the same service. For monitoring, recordkeeping, and reporting purposes, the permittee shall identify multiple EUs and EPs with "-1, -2, -3... etc.". For example: if multiple RICE exist, they should be identified as EU RICE-1 (EP RICE-1), EU RICE-2 (EP RICE-2) ...etc. This is to be done for all non-fugitive EUs and EPs.

2. Applicable Standards, Restrictions and Miscellaneous Conditions:

A. New Source Performance Standards (NSPS):

The permittee shall comply with all applicable requirements of the following NSPS subparts as referenced in Chapter 33.1-15-12 of the North Dakota Air Pollution Control Rules and 40 CFR 60.

The permittee shall maintain documentation outlining applicability to any of the following NSPS requirements:

1) 40 CFR 60, Subpart A – General Provisions.

2) 40 CFR 60, Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (EU RICE and multiples thereof).

3) 40 CFR 60, Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (EU RICE and multiples thereof).

4) 40 CFR 60, Subpart OOOO – Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and on or Before September 18, 2015. Potentially affected units include: EUs HPFL, LPFL, ECD, HCTK, PWTK, GDPC, based on the date(s) of applicability.

5) 40 CFR 60, Subpart OOOOa – Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015, and On or Before December 6, 2022. Potentially affected units include: EUs HPFL, LPFL, ECD, HCTK, PWTK, GDPC, GDPP, FUG-LDAR, based on the date(s) of applicability.

6) 40 CFR 60, Subpart OOOOb – Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022. Potentially affected units include: EUs WELL, HPFL, LPFL, ECD, CMPR, HCTK, PWTK, HCL, PWL, GDPC, GDPP, FUG-LDAR, based on the date(s) of applicability.

   a) For operators who have elected, in the registration for the facility, to take legally and practicably enforceable limits for storage vessels (EU HCTK and EU PWTK), the operator shall comply with the requirements of NSPS 60.5365b(e)(2)(i) to establish such limits. Once established, the storage vessels are not considered affected

facilities under this subpart.

7) 40 CFR 60, Subpart OOOOc – Emissions Guidelines for Greenhouse Gas Emissions From Existing Crude Oil and Natural Gas Facilities.

As required by 40 CFR 60.5362c, the Department is preparing to submit a state implementation plan that implements the emissions guidelines contained in this subpart. The Department is planning to submit by March 9, 2026, unless the rule is otherwise stayed or overturned. Until the Department receives an approved state implementation plan, or is issued a federal implementation plan, designated facilities shall comply with the overlapping provisions of Subpart OOOO and Subpart OOOOa, NDAC Chapter 33.1-15-07, and NDAC Chapter 33.1-15-20, as applicable.

B. National Emissions Standards for Hazardous Air Pollutants (NESHAP):

The permittee shall comply with all applicable requirements of the following NESHAP subparts as referenced in Chapter 33.1-15-22 of the North Dakota Air Pollution Control Rules and 40 CFR 63.

The permittee shall maintain documentation demonstrating the facility is an area source of hazardous air pollutants (HAP) emissions. If the facility becomes a major source of HAP emissions, the timeline outlined in Condition 4.B.2) is considered triggered and the permittee shall submit a timely Title V Permit to Operate application.

The permittee shall maintain documentation outlining applicability to any of the following NESHAP requirements:

1) 40 CFR 63, Subpart A – General Provisions.

2) 40 CFR 63, Subpart HH – National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities (EU GDU). The Department has not adopted the area source provisions of this subpart. Please send all required reports and documentation to EPA Region 8 at the address listed below.

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

3) 40 CFR 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (EU RICE and multiples thereof). The Department has not adopted the area source provisions of this subpart. Please send all required reports and documentation to EPA Region 8 at the address listed above.

C. Fuel Restrictions:

1) Gas fired process heaters, engines, and control device pilots (EUs HTR, RICE, CT, HPFL pilot, LPFL pilot, & ECD pilot, and multiples thereof) are restricted to combusting only gaseous fuel containing no more than 500 ppmv of H_2S (~31.3 grains per standard cubic foot).

2) Diesel fired engines (EU RICE and multiples thereof) are restricted to combusting only distillate oil containing no more than 0.0015 percent sulfur by weight.

D. Flare and ECD Conditions and Restrictions (EUs HPFL, LPFL, & ECD):

The following conditions are applicable based on documented applicability under Condition 2.A. Additionally, Condition 2.D.5 shall apply if an ECD, flare, or VRU is used as the control device for small glycol dehydration units (EU GDU).

1) Each flare subject to a NSPS shall meet the requirements specified in 40 CFR 60.18(b).

2) Each flare shall be equipped and operated with an automatic ignitor or a continuous burning pilot which must be maintained and operated in good working order. This is required even if the flare is used for emergency purposes only. A continuous burning pilot is required if the Department determines that an automatic ignition system is ineffective due to production characteristics. The flare stack must be of sufficient height to allow for adequate dispersion of air contaminants as necessary to ensure that emissions comply with the ambient air quality standards of chapter 33.1-15-02 as required under NDAC 33.1-15-20-04.

3) When the flare is subject to an applicable NSPS, the permittee shall operate the flare with no visible emissions, except for periods not to exceed a total of 1-minute during any 15-minute period. A visible emissions test using section 11 of EPA Method 22, 40 CFR part 60, Appendix A, must be performed at least once every calendar month, separated by at least 15 days between each test. The observation period shall be 15-minutes.

a) Devices failing the visible emissions test must follow manufacturer's repair instructions, if available, or best combustion engineering practice as outlined in the flare inspection and maintenance plan, to return the flare to compliant operation.

b) All inspection, repair, and maintenance activities for each flare must be recorded in a maintenance and repair log and must be available for inspection upon Department request.

c) Immediately following return to operation from maintenance or repair activity, each flare must pass a Method 22, 40 CFR part 60, Appendix A, visual observation as described in Condition 2.D.3). Alternative methods, as approved by EPA and specified within the applicable

subpart[1] for the flare, can be used in lieu of Method 22.

4) When the flare is not subject to an applicable NSPS, the permittee shall observe the flare for proper operation.[2] The date and time of the observation shall be recorded. If the observation indicated improper operation, an investigation shall be completed while the permittee is on site. As necessary, the flare operation shall be corrected as soon as possible. Upon the flare returning to compliant operation after a corrective action is taken, an observation shall be performed and documented.

5) Glycol Dehydration Unit (EU GDU)

   a) ECDs shall meet the requirements of 40 CFR 63.771(f)(1)(i).

   b) VRUs shall meet the requirements of 40 CFR 63.771(f)(1)(ii).

   c) Flares (EU HPFL and/or LPFL) shall meet the requirements of 40 CFR 63.771(f)(1)(iii).

[1] NSPS OOOO, NSPS OOOOa, NSPS OOOOb, and/or NSPS OOOOc, for each flare.

[2] Such as no smoke emissions being observed. Smoke emissions means a pollutant generated by combustion in a flare and occurring immediately downstream of the flame. Smoke occurring within the flame, but not downstream of the flame, is not considered a smoke emission or improper operations.

3. Emission Unit Limits:

Table 3-1 lists all potential onsite emissions units, the applicable pollutant/parameter, and associated emissions limit or permit condition reference.

Conditions 4 and 4.B require notification and emissions reporting to the Department.

Condition 4.C addresses the prevention of significant deterioration of air quality rules under NDAC 33.1-15-15 and 40 CFR 52.21.

Table 3-1: Emission Unit Limts and Requirements

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Pollutant / Parameter	Emission Limit
High pressure (HP) flare	HPFL	HPFL	NSPS/NESHAP Requirements NDAC Requirements Opacity	Conditions 2.A/2.B Condition 6.D 0%/Condition 2.D
Low pressure (LP) flare	LPFL	LPFL	NSPS/NESHAP Requirements NDAC Requirements Opacity	Conditions 2.A/2.B Condition 6.D 0%/Condition 2.D
Enclosed combustion devices (ECD)	ECD	ECD	NSPS/NESHAP Requirements NDAC Requirements Opacity	Conditions 2.A/2.B Condition 6.D 0%/Condition 2.D

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Pollutant / Parameter	Emission Limit
Gas fired heaters (HTR)	HTR	HTR	Fuel Restriction Opacity	Condition 2.C 20% [A]
Stationary reciprocating internal combustion engines (RICE)	RICE	RICE	NSPS/NESHAP Requirements Fuel Restriction Opacity	Conditions 2.A/2.B Condition 2.C 20% [A]
Gas fired combustion turbines (CT)	CT	CT	Fuel Restriction Opacity	Condition 2.C 20% [A]
Centrifugal and reciprocating compressors	CMPR	CMPR	NSPS Requirements	Condition 2.A.6
Hydrocarbon liquid storage vessel	HCTK	VRU/CD	NSPS Requirements NDAC Requirements	Condition 2.A Condition 6.D
Produced water storage vessel	PWTK	VRU/CD	NSPS Requirements NDAC Requirements	Condition 2.A Condition 6.D
Hydrocarbon liquid loadout	HCL	HCL	NSPS Requirements NDAC Requirements	Condition 2.A Condition 6.D
Produced water loadout	PWL	PWL	NSPS Requirements	Condition 2.A
Gas driven pneumatic/process controllers (GDPC)	GDPC	GDPC	NSPS Requirements NDAC Requirements	Condition 2.A Condition 6.D

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Pollutant / Parameter	Emission Limit
Gas driven pneumatic pumps (GDPP)	GDPP	GDPP	NSPS Requirements NDAC Requirements	Condition 2.A.5 & 6 Condition 6.D
Vapor recovery unit (VRU)	VRU	N/A [B]	NSPS/NESHAP Requirements NDAC Requirements	Conditions 2.A/2.B Condition 6.A
Glycol dehydration unit (GDU)	GDU	VRU/CD [C]	NESHAP Requirements	Condition 2.B
Fugitive components	FUG-LDAR	FUG-LDAR	NSPS Requirements NDAC Requirements	Condition 2.A.5 & 6 Condition 6.D
Fugitive dust	FUG-A	FUG-A	NDAC Requirements	Condition 6.F
Maintenance - other (Misc)	FUG-Misc [D]	FUG-Misc	NDAC Requirements	Condition 6.A
Saltwater injection equipment	SALT	N/A	NDAC Requirements	Condition 6.A

[A] 40% opacity is permissible for not more than one six-minute period per hour.

[B] In the event the VRU is out of service, or not operational, the gases will be routed to a combustion device (CD) for emissions control. A CD includes units such as: HPFL, LPFL, ECD and other similar units.

[C] Or other allowable option under 40 CFR 63.771(f).

[D] Includes, but is not limited to compressor blowdown venting, pig launcher/receiver blowdown, facility equipment blowdowns, well and liquid loadout activity, and well workovers.

4. Recordkeeping and reporting requirements for criteria air pollutant (CAP) and HAP emissions:

A. From commencement of "separation flowback stage"[3] until "startup of production"[4] is achieved:

1) Notify the Department within 30 days following startup of production of the facility.

2) Determine the sitewide potential to emit (PTE) projection, including actual emissions that occurred during the separation flowback stage. Separation flowback emissions should be calculated using site specific factors (e.g., gas analysis, site specific sampling, production values), unless the following conditions are met:

a) Estimated maximum flowback emissions are included in the PTE submittal required by this Permit;

b) All flowback occurs through a separator and the separated gas is sold or is directed to a 40 CFR 60.18 compliant flare and/or combustor (i.e., there is not an "initial flowback stage");

c) Flowback gas routed to flares and/or combustors, used to control emissions, is recorded;

d) The actual emission calculations and compliance demonstrations required by this permit use the total recorded flow(s) to flares and/or combustors, including flows from flowback.

3) Any existing wells which are modified, expanded, or recompleted are required to quantify emissions during the separation flowback stage as outlined in Condition 4.A.2). Condition 4.A.2) does not apply to existing wells that are not modified, expanded, or recompleted.

4) New source review (NSR) pollutant[5] actual emissions and PTE are limited to below 250 tons per year (tpy).

a) Actual emissions are determined on a 12-month rolling average basis following the methodology of Condition 4.B.1).

b) If calculated PTE exceeds prevention of significant deterioration (PSD) thresholds, preconstruction approvals are required to be obtained as outlined in Condition 4.C and this permit is no longer valid.

[3] 40 CFR 60.5430b "Separation flowback stage"
[4] 40 CFR 60.5430b "Startup of production"
[5] See https://www.ecfr.gov/current/title-40/part-52/section-52.21#p-52.21(b)(50) (Last visited June 11, 2024)

5) Emissions data must be submitted to the Department within 90 days following startup of production of the facility.

B. Steady State Production:

By April 30th of each calendar year, the permittee shall submit an annual emissions inventory report (AEIR) for all onsite equipment listed under Table 1-1 of Condition 1 for emissions which occurred in the previous calendar year. The permittee must submit an AEIR to the Department using an approved form or equivalent which allows the calculations to be verified for quality assurance.

1) For facilities that directly emit or have the potential to emit above 80%[6] of the Title V Permit to Operate major source thresholds, emissions shall be tracked monthly by the 25th day following the end of the previous month. The permittee shall maintain records of the emissions for a period of 5 years. The PTE projected under Condition 4.A.2) shall be used to determine the applicability to this condition.

2) When emissions are determined to be greater than the Title V Permit to Operate major source thresholds for any regulated air pollutant[7] the permittee must notify the Department within 60 days and a Title V Permit to Operate application[8] must be submitted within 12 months of the date the facility became subject to the Title V Permit to Operate program. The permittee will maintain coverage under this Synthetic Minor Permit until a Title V Permit to Operate is issued by the Department. If emissions fall below major source thresholds during the period in which the application is being prepared (i.e., within the 12 months of becoming a major source), the permittee must notify the Department that the facility is no longer a major source within 60 days. As a result, the permittee is no longer obligated to submit the timely application since the facility is no longer a major source. The permittee will be charged major source fees for the duration the facility operated as a major source.

3) See Condition 4.C if the facility emissions are determined to be greater than 250 tons per year for any regulated NSR pollutant.

4) The Department reserves the right to request emissions data at any time in the calendar year to verify the data. The facility shall respond within 90 days of the request.

C. Regulated New Source Review (NSR) pollutant emissions:

1) When emissions are calculated to be greater than the major stationary source

[6] Or 80 tpy for criteria air pollutants, 8 tpy for any hazardous air pollutant which has been listed pursuant to section 112(b) of the Act, and 20 tpy or more of any combination of such hazardous air pollutants.
[7] See https://www.ecfr.gov/current/title-40/part-70/section-70.2#p-70.2(Regulated%20air%20pollutant) (Last visited June 11, 2024)
[8] See https://www.deq.nd.gov/Forms/AQ/Title-V/SFN52858.pdf (Last visited June 11, 2024)

thresholds[9] for any regulated NSR pollutant, the facility must contact the Department the first business day following the date the exceedance was determined.

2) Immediate action must be taken at the facility to reduce emissions and shut in the facility until the necessary preconstruction approvals or permits[10] are received by the permittee from the Department. The Department will consider the information provided by the facility to determine if continued operation under this permit is acceptable.

3) The permittee will be subject to potential enforcement action when violating 40 CFR §52.21 Prevention of Significant Deterioration applicability procedures[11].

5. Emission Testing Requirements:

A. 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.[12]

6. General Conditions (Equipment):

A. Best Management Practices:

At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

B. 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.

[9] The major stationary source threshold for facilities covered by this permit is 250 tons per year.
[10] See https://www.ecfr.gov/current/title-40/part-52/section-52.21#p-52.21(b)(10) (Last visited June 11, 2024)
[11] See https://www.ecfr.gov/current/title-40/part-52/section-52.21#p-52.21(a)(2) (Last visited June 11, 2024)
[12] See February 7, 2020, North Dakota Department of Environmental Quality Division of Air Quality Emissions Testing Guidelines. Available at: https://www.deq.nd.gov/publications/AQ/policy/PC/Emission_Testing_Guide.pdf (Last visited June 11, 2024)

C. Equipment Inventory Updates:

Additional, modified, and new equipment is authorized by this permit to the extent that the equipment is included in Table 1-1. Operations and emissions from all on site equipment in Table 1-1 are to be quantified and reported to the Department following Condition 4.B. Additionally, the facility must comply with any applicable federal standards (e.g. NSPS, MACT) triggered by any new, reconstructed or modified equipment.

D. Organic Compound Emissions:

The permittee shall comply with all applicable requirements of NDAC 33.1-15-07 – Control of Organic Compounds Emissions.

1) Organic compound gases and vapors which are unable to be routed to sales, used as onsite fuel, used for another useful purpose, reinjected into a well, or which contains hydrogen sulfide, are required to be controlled by a flare, or an equally effective control device as approved by the department. This provision does not apply to the following:

   a) Gases/vapors released from an emergency vapor blowdown system or emergency relief system.

   b) Gases/vapors released for safety reasons during start-up, shut-down, and maintenance activities, provided that estimated emissions are defined and included in the PTE submittal required by this permit, and any actual releases are included in the actual emission calculations and compliance demonstrations required by this permit.

2) The hydrocarbon liquid storage vessels (EU HCTK) and the produced water vessels (EU PWTK) shall be equipped and operated with a submerged fill pipe or meets the requirements contained in subsection 33.1-15-07-01.3. The permittee shall maintain records of material stored, period of storage, and maximum true vapor pressure of material stored for each hydrocarbon liquid storage vessel and produced water storage vessel.

3) Hydrocarbon liquid loadout (EU HCL) stations handling over 20,000 gallons per day (476 barrels per day) shall be equipped and operated with a submerged filling arm or other vapor emission control system in accordance with NDAC 33.1-15-07-01.4. Any emissions control system utilized must have a minimum control efficiency necessary to meet the requirements of chapters 33.1-15-02 and 33.1-15-16. The permittee shall maintain records of hydrocarbon liquids loadout on a daily basis to demonstrate compliance with this requirement.

4) All rotating pumps and compressors handling VOCs must be equipped and operated with properly maintained seals designed for their specific product service and operating conditions in accordance with NDAC 33.1-15-07-01.5.

5) Compliance with 40 CFR 60, Subparts OOOO, OOOOa, OOOOb, and/or

OOOOc shall be deemed compliance with subsection 33.1-15-07-02.1.

E. 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.

F. Fugitive Emissions:

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

7. General Conditions (Procedural):

A. Construction/Operation:

Construction and operation of the above-described facility shall be in accordance with information provided in the registration required under Subdivision 33.1-15-20-02 of the NDAC as well as any plans, specifications and supporting data submitted to the Department. The issuance of this permit may be suspended or revoked if the Department determines that a significant deviation from the plans and specifications furnished has been or is to be made.

Any violation of a condition issued as part of this permit as well as any construction or operation which proceeds in variance with any information submitted in the application, is regarded as a violation of authority and is subject to enforcement action.

B. Permit Renewal and Invalidation:

This permit shall be effective from the date of its issuance until the expiration date specified within this permit 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. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted.

C. Source Operations:

Operations at the facility shall be in accordance with statements, representations, procedures and supporting data contained in the registration, 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.

D. Malfunction Notification:

The permittee shall notify the Department 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.

E. 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 5 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.

F. Nuisance or Danger:

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

G. Change of Ownership:

The holder of this permit may not transfer such permit without prior approval from the Department. The Department shall be notified of the sale or transfer of ownership of this facility not later than 30 days following the change in ownership.

H. 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 listed in 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.

I. Other Regulations:

The permittee of the source unit(s) described in Table 1-1 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.

J. Permit Issuance:

This permit is issued in reliance upon the accuracy and completeness of the information set forth in the registration required under NDAC 33.1-15-20-02. 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.

8. State Enforceable Only Conditions (not Federally enforceable)

A. 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.

The permittee shall not discharge into the ambient air hydrogen sulfide (H_2S) in concentrations that would be objectionable on land owned or leased by the complainant or in areas normally accessed by the general public. For the purpose of complaint resolution, two samples with concentrations greater than 0.05 parts per million (50 parts per billion) sampled at least 15 minutes apart within a two-hour period and measured in accordance with Section 33.1-15-16-04 constitute a violation.