

MARICOPA COUNTY AIR QUALITY DEPARTMENT
Engineering and Permitting Division
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GENERAL PERMIT TO OPERATE AND/OR CONSTRUCT

*As required by Title 49, Chapter 3, Article 2, Section 49-480, Arizona Revised Statutes
and Maricopa County Air Pollution Control Regulations*

ARIZONA
for

CREMATORIES

*This air quality permit to operate and/or construct does not relieve the applicant of the
responsibility of meeting all air pollution regulations.*

THE PERMITTEE IS SUBJECT TO THE SPECIFIC AND GENERAL CONDITIONS IDENTIFIED IN THIS PERMIT.

ISSUANCE DATE: 03/01/2017

EXPIRATION DATE: 01/31/2027

Philip McNeely, Director, Maricopa County Air Quality Department

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Any cited regulatory paragraphs or section numbers refer to the version of the rules and regulations that were in effect on the first date of public notice of the applicable Permit Condition unless specified otherwise. However, in the event the rules and regulations are amended during the term of this Permit, the amended rules and regulations shall apply to this Permit. Whenever the term, Control Officer, is used in this Permit it shall be interpreted to mean, Control Officer or designated representative. Where the term "Rule" appears, it shall be construed to mean "Maricopa County Air Pollution Control Regulations" unless otherwise noted.

SPECIFIC CONDITIONS

RULE 313 – CREMATORIES

1. Operating Limits:

- a. The Permittee shall burn no more than 1,650 tons of material in the crematory units, facility-wide, per 12 consecutive-month period.
- b. Each crematory unit shall only be used for the cremation of remains (human or animal), body parts, and associated wrappings.
[SIP Rule 220 §302.2] [Rule 241 §§304, 305, 308]
- c. The Permittee shall not perform any operation or operate any equipment subject to an applicable requirement other than crematory units, associated monitoring equipment, and dust generating operations subject to Rule 310 without first obtaining an individual source permit.
[SIP Rule 220 §302.2][Rule 230 §311.1]
- d. The Permittee shall limit the weight of each body or charge cremated to no more than 200 pounds unless one of the following is met:
 - i. The performance test, required by Permit Condition 7, is performed when cremating a body or charge weighing more than 200 pounds; or,
 - ii. A Continuous Opacity Monitoring System (COMS) is operated in accordance with Permit Condition 6.a at all times during the cremation of bodies or charges weighing more than 200 pounds; or,
 - iii. An annual visible emissions (VE) test is performed by the Control Officer in accordance with Permit Condition 3 and the following, when cremating a body or charge weighing more than 200 pounds:
 - 1) The VE test shall be performed within 60 days after the permit issuance date or the next time a body/charge weighing more than 200 pounds is cremated, whichever occurs last.
The testing deadline may be extended by the Control Officer for good cause, but in no case shall the testing deadline, including test report submittal, extend beyond 180 days after the permit issuance date or 180 days after the crematory has achieved the capability to operate at its maximum capacity, whichever occurs last.
 - 2) Notice of Testing: The Permittee shall notify the Performance Test Supervisor at either of the following at least 1 county business day in advance of the actual date and time of cremating a body/charge weighing more than 200 pounds so that the Control Officer can schedule a representative to conduct the VE test:
Telephone: 602-618-9337
e-mail: AQPermits@mail.maricopa.gov
 - 3) Subsequent VE tests shall be conducted every year (no later than 14 months from the date of the previous test).
[SIP Rule 200 §310.1][SIP Rule 220 §302.5][Rule 241 §305][Rule 270 §403]

2. Controls:

- a. Crematory units shall consist of an incinerator with at least two chambers.
 - i. For crematory units constructed before 09/22/2004, the burner in the primary chamber shall not be ignited until the secondary chamber combustion zone temperature is equal to or greater than 800°F.

The secondary compartment or afterburner shall operate at a minimum temperature of at least 1400°F with a residence time of at least one (1) second during the period of combustion in order to destruct the combustion products.

If the manufacturer's optimum design specifications for the minimum temperature or residence time of a secondary chamber or afterburner at the crematory unit is different from the temperatures or residence times set forth in this Subsection, the manufacturer's specifications may be used if the Permittee demonstrates compliance with the emission standards of Permit Condition 4 by performance testing conducted in accordance with Permit Condition 7.

[SIP Rule 313 §§206, 301.3.a, 301.3.c]

- ii. For crematory units constructed on or after 09/22/2004, the burner in the primary chamber shall not be ignited until the secondary chamber combustion zone temperature is equal to or greater than 1000°F. The secondary compartment or afterburner shall operate at a minimum temperature of at least 1600°F with a residence time of at least one (1) second during the period of combustion in order to destruct the combustion products.

[SIP Rule 313 §§206, 301.3.b]

- b. Cremating Large Bodies: If alternate operating temperatures and special procedures are required for the cremation of large bodies (over 300 lbs) that are different than the temperatures or residence times in the afterburner set forth above, the Permittee shall demonstrate compliance of these alternate times and temperatures with the test methods listed in Section 507 of Rule 313.

[SIP Rule 313 §301.3.d]

3. Opacity

- a. The Permittee shall not discharge into the ambient air from any single source of emissions any air contaminant, other than uncombined water, in excess of 20% opacity for a period aggregating more than 30 seconds in any 60-minute period.

[SIP Rule 313 §302]

- b. If any non-compliant visible emissions (excluding water vapor) are detected or reported, the Permittee shall determine the cause and/or the source of emissions. The Permittee shall then take immediate corrective actions and if necessary, shut down the applicable equipment. If visible emissions (excluding water vapor) exceed the above opacity standards subsequent to implementing corrective actions, the Permittee shall shut down the applicable equipment and institute repairs or changes necessary to ensure compliance prior to resuming operations.

[Rule 220 §302.2][Locally Enforceable Only]

- c. Compliance with the opacity requirement shall be determined by observations of visible emissions conducted in accordance with EPA Reference Method 9 as modified by EPA Reference Method 203B or by a COMS operating in accordance with Permit Condition 6.a.

[SIP Rule 313 §507.3]

- d. The presence or absence of visible emissions shall be detected using EPA Reference Method 22.

[SIP Rule 313 §507.4]

4. Emission Standards:

Particulates: The Permittee shall not allow or permit particulate matter (PM) into the atmosphere from the crematory unit which exceeds 0.080 grain per cubic foot of dry flue gas at standard conditions adjusted to 7 percent oxygen (O₂) in the exhaust gases and calculated as if no auxiliary fuel had been used.

[SIP Rule 313 §303]

5. Night Burning:

The Permittee shall not conduct any burning in the crematory units between sunset and the following sunrise unless a continuous opacity monitoring system (COMS) is operating at all times during nighttime combustion operations and meets the requirements of Permit Condition 6.

[SIP Rule 313 §304]

6. Continuous Opacity Monitoring System (COMS)

- a. The COMS shall be calibrated and maintained in accordance with one of the following:
- i. EPA Performance Specification # 1, described in Section 507.2 of Rule 313 and shall be calibrated at least once per day. The COMS shall be located downstream from all particulate control equipment, where condensed water is not present, free of interference from ambient light (applicable only if transmissometer is responsive to ambient light) and accessible in order to permit routine maintenance in accordance with the test method described in Section 507.2 of Rule 313.
 - ii. As an alternative to the procedure described in Subsection [a.i] of this permit condition, the Permittee shall calibrate and maintain the COMS in accordance with the following, provided the Permittee notifies the Maricopa County Air Quality Department (MCAQD) of its intentions by e-mail at: AQPermits@maricopa.gov
 - 1) The Permittee shall calibrate and maintain the COMS in accordance with manufacturer's specifications. Calibration shall occur either once per day or at the frequency specified by the manufacturer.
 - 2) The COMS shall be located downstream from all particulate control equipment, where condensed water is not present, free of interference from ambient light or shall be located in accordance with manufacturer's specifications.
 - 3) The COMS shall be accessible in order to permit routine maintenance in accordance with manufacturer's specifications.

[SIP Rule 313 §304.1.a] [Substantive Policy Statement SPS-2019-002]

- b. A properly trained COMS operator shall be present at all times during combustion operations required by Permit Conditions 5 or 1.d.ii. The operator shall be trained in the proper operation and maintenance of the COMS as well as the shutdown procedures of the incinerator, burn-off oven, or crematory. If the COMS registers opacity readings in excess of the limitations in Permit Condition 3, the operator shall have the authority and capability to shut down the operation.

[SIP Rule 313 §304.1.b]

- c. The COMS shall provide a permanent, uninterrupted record of opacity readings during nighttime burning and/or when used to comply with Permit Condition 1.d.ii while burning bodies or charges weighing more than 200 pounds.

[SIP Rule 313 §204]

7. Performance Testing:

- a. Testing Requirements: The Permittee shall conduct performance tests on one (1) crematory unit chosen by the Control Officer as a representative sample as follows:
- i. For existing facilities that have previously conducted a Department-approved test on a crematory unit, testing shall be performed no later than 62 months after the previous test.
 - ii. For existing facilities that have not conducted a Department-approved test on a crematory unit, testing shall be performed within 60 days after the issuance date of this Permit. For new facilities, testing shall be performed within 60 days after the issuance date of this Permit or within 60 days after the new crematory has achieved the capability to operate at its maximum production rate on a sustained basis, whichever occurs last.
 - iii. The testing deadline may be extended by the Control Officer for good cause, but in no case shall the testing deadline, including test report submittal, extend beyond 180 days after the permit issuance date or 180 days after the new applicable equipment has achieved the capability to operate at its maximum capacity, whichever occurs last.
 - iv. Subsequent performance tests shall be performed every 5 years (no later than 62 months after the previous test).
 - v. Additional performance tests may be requested by the Control Officer. The unit to be tested will be

chosen by the Control Officer at the time of the request. The Permittee must test within 60 days of the request.

[Rule 200 §310.1][Rule 270 §401][SIP Rule 27 §A]

- b. The Permittee shall measure the PM concentration in the crematory exhaust stream to demonstrate compliance with the grain loading standard in Permit Condition 4 while operating at the minimum secondary chamber or afterburner temperature required under Permit Conditions 2.a.i or 2.a.ii, as applicable. A visible emissions evaluation shall demonstrate compliance with the opacity requirement. Compliance shall also be demonstrated with the one (1) second residence time requirement.

[Rule 200 §310.1][Rule 270 §401][SIP Rule 25 §§A, C]

- c. Testing Criteria: Performance tests shall be conducted and data reduced in accordance with the test methods and procedures specified in the Test Methods section of this permit condition unless otherwise specified by the Control Officer. The Control Officer may specify or approve minor changes in methodology to a reference method, approve the use of an equivalent test method, approve the use of an alternative method that has been determined to be acceptable for demonstrating compliance, or waive the requirement for performance tests because the Permittee has demonstrated by other means that the source is in compliance with the standard.

[Rule 270 §402][SIP Rule 27 §B][SIP Rule 25 §A]

- d. Test Methods: Sampling sites and velocity traverse points shall be selected in accordance with EPA Test Method 1 or 1A. Gas volumetric flow rate shall be measured in accordance with EPA Test Method 2, 2A, 2C, 2D, 2F, 2G or 19. Dry molecular weight shall be determined in accordance with EPA Test Method 3, 3A or 3B. Stack gas moisture shall be determined in accordance with EPA Test Method 4. These methods must be performed, as applicable, during each test run.

[Rule 270 §301.1][SIP Rule 27 §B][SIP Rule 25 §§A, C]

- i. PM testing shall be conducted in accordance with EPA Test Method 5. Both carbon dioxide and O₂ measurements shall be obtained simultaneously.
- ii. The visible emissions evaluation shall be conducted in accordance with EPA Test Method 9 as modified by EPA Reference Method 203B.

[SIP Rule 313 §507]

- e. Operating Conditions: Performance tests shall be conducted under representative operating conditions and all equipment shall be operated during testing in accordance with its operations manual. The Permittee shall make available to the Control Officer any records necessary to determine appropriate conditions for performance tests. Operations during periods of startup, shutdown, and equipment malfunction shall not constitute representative conditions for performance tests unless otherwise specified in the applicable standard or permit conditions.

[Rule 270 §403][SIP Rule 27 §B]

- f. Monitoring Requirements: The Permittee shall record all process and control equipment information that are necessary to document operating conditions during the test and explain why the conditions represent normal operation. Operational parameters shall be monitored and recorded at least once every 30 minutes during each of the required test runs and documented in the test report. The operational parameters monitored shall be capable of indicating that the equipment is operating within the permitted limits, both during and after the performance tests.

The Permittee shall record the charge weight, primary chamber temperature, afterburner chamber temperature and duration of burn cycle during the performance test.

[Rule 270 §301.1][SIP Rule 27 §B]

- g. Test Protocol Submittal: The Permittee shall submit a separate test protocol for each performance test to the Control Officer for review and approval at least 30 days prior to each performance test unless otherwise specified in the applicable standard or in this permit. The test protocol shall be prepared in accordance with the most recent version of the Department's "Air Quality Performance Test Guidelines for Compliance Determination in Maricopa County." A completed copy of the Department's "Test Protocol Submittal Form" shall accompany each test protocol. Test protocol(s) shall be submitted through

the AQD Online Portal. If the AQD Online Portal is not accessible, please contact the Control Officer for alternative means of submittal.

[Rule 270 §301.1][SIP Rule 27 §B]

- h. Notice of Testing: The Permittee shall notify the Control Officer in writing at least two weeks in advance of the actual date and time of each performance test unless otherwise specified in the applicable standard or in this permit so that the Control Officer may have a representative attend.

[Rule 270 §404][SIP Rule 27 §B]

- i. Testing Facilities Required: The Permittee shall install any and all sample ports or platforms necessary to conduct the performance tests, provide safe access to any platforms, and provide the necessary utilities for testing equipment.

[Rule 270 §405][SIP Rule 42]

- j. Minimum Testing Requirements: Each performance test shall consist of three separate test runs with each test run being at least one hour in duration unless otherwise specified in the applicable standard or in this permit. The same test methods shall be used simultaneously for both the inlet and outlet measurements, if applicable, or justification for any necessary exceptions shall be provided in the test protocol. Emissions rates, concentrations, grain loadings, and/or efficiencies shall be determined as the arithmetic average of the values determined for each individual test run. Performance tests may only be stopped for good cause, which includes forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the Permittee's control. Termination of a performance test without good cause after the first test run has commenced shall constitute a failure of the performance test.

[Rule 270 §406][SIP Rule 27 §B]

- k. Test Report Submittal: The Permittee shall complete and submit a separate test report for each performance test to the Control Officer within 30 days after the completion of testing unless otherwise specified in the applicable standard or in this permit. The test report shall be prepared in accordance with the most recent version of the Department's "Air Quality Performance Test Guidelines for Compliance Determination in Maricopa County." A completed copy of the Department's "Test Report Submittal Form" shall accompany each test report. Test reports(s) shall be submitted through the AQD Online Portal. If the AQD Online Portal is not accessible, please contact the Control Officer for alternative means of submittal.

[Rule 270 §301.1][SIP Rule 27 §B]

- l. Compliance with Emission Limits: Compliance with allowable emission limits and standards shall be determined by the performance tests specified in this permit. If test results do not demonstrate compliance with the requirements of these permit conditions, the Permittee shall make the necessary repairs and/or adjustments to the equipment and demonstrate compliance through retesting. This will not nullify the fact that test results did not demonstrate compliance with the requirements of the permit conditions or nullify any violations that may result from this noncompliance. In addition to compliance demonstrations, test results shall be used for annual emissions inventory purposes if the Permittee is required to complete an emissions inventory survey.

[Rule 270 §407] [Locally Enforceable Only]

- m. Correspondence: All test extension requests, test protocols, test date notifications, and test reports required by this permit shall be submitted through the AQD Online Portal.

[Rule 270 §301.1][SIP Rule 27 §B]

- n. Authority: The above testing requirements represent the minimum level of testing to monitor for compliance with the emission limits in this permit. Nothing in this section shall prevent the Control Officer from requiring additional performance testing as deemed necessary to ensure permit compliance and protection of the public health and welfare.

[Rule 200 §310][Rule 270 §402.5] [Locally Enforceable Only]

8. Recordkeeping:

The Permittee shall comply with the following recordkeeping requirements for each crematory unit. These

records shall be kept on-site in written or electronic format, in a complete and consistent manner and shall be retained for five years. Written or electronic copies shall be made available to the Control Officer upon request.

- a. Times of operation.
[SIP Rule 313 §501.1]
- b. Chamber temperatures: Chamber temperatures shall include operating temperatures for the secondary chamber as well as secondary chamber temperature at the time of the ignition of the primary chamber.
[SIP Rule 313 §501.2]
- c. Human Crematories: Daily records of the number and weight of bodies cremated.
[SIP Rule 313 §501.3.b.(1)]
- d. Animal Crematories: Daily records of the number and type of remains charged or the weight of the animal(s) charged.
[SIP Rule 313 §501.3.b.(2)]
- e. If a crematory burns a large body (over 300 lbs), the approximate weight of the body and any alternate operating conditions including temperatures and residence times shall be recorded.
[SIP Rule 313 §501.3.b.(3)]
- f. Records of the 12-month rolling total weight of all remains burned in the crematory units to demonstrate compliance with Permit Condition 1.a.
[Rule 220 §302.7][Locally Enforceable Only]
- g. Night Burning: If night burning is conducted, the Permittee shall:
 - i. Maintain a continuous record of opacity readings generated by the COMS. Records shall include all times that the meter is running properly. Records shall also indicate when the instrument is inoperative or has been adjusted or repaired.
 - ii. Record the date and time identifying each period during which the COMS was inoperative, except zero and span checks, and the nature of system repair or adjustment shall be reported. The Control Officer may require proof of COMS performance whenever system repairs or adjustments, other than routine maintenance, have been made.
 - iii. Maintain a file of all data collected by the COMS or as necessary to convert monitoring data to the units of the applicable opacity standards.
 - iv. Records verifying COMS operator training.
[SIP Rule 313 §§304.1.b, 503]
- h. Preventative Maintenance Log: The Permittee shall maintain a log of equipment preventive maintenance activities performed on all equipment subject to this Permit Section.
[SIP Rule 313 §504]
- i. Alternate Operating Conditions: The Permittee shall keep records of any alternate operating conditions including temperatures and residence times, as required by Permit Conditions 2.a.i and 2.b.
[SIP Rule 313 §505]
- j. Performance Test and Opacity Observation Results: The Permittee shall maintain records of all exhaust stack performance tests and opacity observations. Such written records shall include the following information:
 - i. Date, start and end times, and location of all performance tests and opacity observations;
 - ii. Charge weight;
 - iii. Results of all tests; and
 - iv. Corrective action(s) taken, if necessary.
[SIP Rule 313 §§502, 506]

RULE 310: FUGITIVE DUST FROM DUST-GENERATING OPERATIONS**9. Applicability:**

- a. The provisions of this Permit Section apply to all dust-generating operations except for those dust-generating operations listed in the Condition below. Any person engaged in a dust-generating operation subject to this Permit Section shall be subject to the standards and/or requirements of this Permit Section before, after, and while conducting such dust-generating operation, including during weekends, after work hours, and on holidays.
- b. For the purpose of Rule 310, any control measure that is implemented must achieve the applicable standard(s) described in Rule 310, as determined by the corresponding test method(s), as applicable, and must achieve other applicable standard(s) set forth in Rule 310.
- c. Regardless of whether a dust-generating operation is in compliance with an approved Dust Control Plan or there is no approved Dust Control Plan, the owner and/or operator of a dust-generating operation shall be subject to all requirements of Rule 310 at all times.
- d. Failure to comply with the provisions of these requirements, as applicable, and/or of an approved Dust Control Plan, shall constitute a violation.

[SIP Rule 310 §§102, 301]

10. Exemptions:

The provisions of this Permit Section shall not apply to the following activities:

- a. Emergency activities that may disturb the soil conducted by any utility or government agency in order to prevent public injury or to restore critical utilities to functional status.
- b. Establishing of initial landscapes without the use of mechanized equipment or conducting landscape maintenance without the use of mechanized equipment. However, establishing initial landscapes without the use of mechanized equipment and conducting landscape maintenance without the use of mechanized equipment shall not include grading or trenching performed to establish initial landscapes or to redesign existing landscapes.

[SIP Rule 310 §103]

11. Dust Control Plan Requirements:

- a. The owner and/or operator of a dust-generating operation shall submit to the Control Officer a Dust Control Plan with any permit applications that involve dust-generating operations with a disturbed surface area that equals or exceeds 0.10 acre (4,356 square feet) before commencing any routine dust-generating operation. The Dust Control Plan shall be kept available onsite at all times.
- b. The Permittee shall comply with the requirements of the Dust Control Plan and the provisions of MCAQD Rule 310 Sections 301 – 310 at all times.

[SIP Rule 310 §§ 301-310, 409]

12. Visible Emission Requirements for Dust-Generating Operations:

- a. The Permittee shall not cause or allow visible fugitive dust emissions to exceed 20% opacity.
- b. The Permittee shall not cause or allow visible emissions of particulate matter, including fugitive dust, beyond the property line within which the emissions are generated. Visible emissions shall be determined by a standard of no visible emissions exceeding 30 seconds in duration in any six-minute period as determined by using EPA Reference Method 22. This requirement does not apply to dust-generating operations conducted within 25 feet of the property line.

[SIP Rule 310 §303.1]

13. Exemptions from Dust-Generating Operation Opacity Limitation Requirement:

- a. If wind conditions cause fugitive dust emissions to exceed the opacity requirements in this permit, despite implementation of the Dust Control Plan, the Permittee shall:
 - i. Ensure that all control measures and requirements of the Dust Control Plan are implemented and the

subject violations cannot be prevented by better application, operation, or maintenance of these measures and requirements.

- ii. Cease dust-generating operations and stabilize any disturbed surface area consistent with the Stabilization Requirements of these conditions.
 - iii. Compile records consistent with the recordkeeping requirements of these Permit Conditions and document the control measure and other Dust Control Plan requirements implemented.
- b. Emergency Maintenance of Flood Control Channels and Water Retention Basins: The opacity limit shall not apply to emergency maintenance of flood control channels and water retention basins, provided that control measures are implemented.

[SIP Rule 310 §303.2]

14. Stabilization Requirements for Dust-Generating Operations:

- a. Unpaved Parking Lot: The owner and/or operator of any unpaved parking lot shall not allow visible fugitive dust emissions to exceed 20% opacity and shall not allow silt loading equal to or greater than 0.33 oz/ft². However, if silt loading is equal to or greater than 0.33 oz/ft², then the owner and/or operator shall not allow the silt content to exceed 8%. An unpaved parking lot includes any area that is not paved and that is used for parking, maneuvering, material handling, or storing motor vehicles and equipment
- b. Disturbed Surface Area: The owner and/or operator of any disturbed surface area on which no activity is occurring shall meet at least one of the standards described in MCAQD Rule 310 Section 304.

[SIP Rule 310 §§ 232, 304.1]

[SIP Rule 310 §304]

15. Control Measures for Dust-Generating Operations:

For dust-generating operations with a disturbed surface area less than 0.10 acre (4,356 square feet), the owner and/or operator shall install, maintain, and use control measures, as applicable. Control measures for specific dust-generating operations are described in MCAQD Rule 310 Section 305. The owner and/or operator of a dust-generating operation shall implement control measures before, after, and while conducting dust-generating operations, including during weekends, after work hours, and on holidays.

[SIP Rule 310 §305]

16. Trackout, Carry-Out, Spillage, and/or Erosion:

The owner and/or operator of a dust-generating operation shall prevent and control trackout, carry-out, spillage, and/or erosion in accordance with MCAQD Rule 310 Section 306.

[SIP Rule 310 §306.2]

17. Dust Control Plan Revisions:

For dust-generating operations with a disturbed surface area equal to or greater than 0.10 acre (4,356 square feet):

- a. If the Control Officer determines that an approved Dust Control Plan has been followed, yet fugitive dust emissions from any dust-generating operation still exceed the standards of this Permit, the Control Officer shall issue a written notice to the owner and/or operator of the dust-generating operation explaining such determination. The owner and/or operator of a dust-generating operation shall make written revisions to the Dust Control Plan and shall submit such revised Dust Control Plan to the Control Officer within three working days of receipt of the Control Officer's written notice, unless such time period is extended by the Control Officer, upon request, for good cause. During the time that such owner and/or operator is preparing revisions to the approved Dust Control Plan, such owner and/or operator must still comply with all requirements of this Permit.

[SIP Rule 310 §403.1]

- b. The Permittee shall request a Dust Control Plan revision with a submittal in the manner and form prescribed by the Control Officer if:
- i. The acreage of a project changes;

- ii. The permit holder changes;
- iii. The name(s), address(es), or phone numbers of person(s) responsible for the submittal and implementation of the Dust Control Plan and responsible for the dust-generating operation change; and
- iv. If the activities related to the purposes for which the Dust Control permit was obtained change.
[SIP Rule 310 §403.2]

18. Recordkeeping:

The Permittee shall maintain the following records for the time period specified in Condition 19 and make them available to the Control Officer upon request:

- a. For dust-generating operations with a disturbed surface area equal to or greater than 0.10 acre (4,356 square feet), the Permittee shall keep a written record of self-inspection on each day dust-generating operations are conducted. Self-inspection records shall include daily inspections for crusted or damp soil, trackout conditions and clean-up measures, daily water usage, and dust suppressant application. Such written record shall also include the following information:
 - i. Method, frequency, and intensity of application or implementation of the control measures;
 - ii. Method, frequency, and amount of water application to the site;
 - iii. Street sweeping frequency;
 - iv. Types of surface treatments applied to and maintenance of trackout control devices, gravel pads, fences, wind barriers, and tarps;
 - v. Types and results of test methods conducted;
 - vi. If contingency control measures are implemented, actual application or implementation of contingency control measures and why contingency control measures were implemented;
 - vii. List of subcontractors' names and registration numbers updated when changes are made; and
 - viii. Names of employee(s) who successfully completed dust control training class(es), date of the class(es) that such employee(s) successfully completed, and name of the agency/representative who conducted such class(es).
[SIP Rule 310 §502.1]
- b. For dust-generating operations with a disturbed surface area less than 0.10 acre (4,356 square feet), the Permittee shall compile and retain records (including records on any street sweeping, water applications, and maintenance of trackout control devices, gravel pads, fences, wind barriers, and tarps) that provide evidence of control measure application, by indicating the type of treatment or control measure, extent of coverage, and date applied.
[SIP Rule 310 §502.1]
- c. Upon verbal or written request by the Control Officer, the log or the records and supporting documentation shall be provided as soon as possible but no later than 48 hours after the request, excluding weekends. If the Control Officer is at the site where requested records are kept, records shall be provided without delay.
[SIP Rule 310 §§502.3]

19. Records Retention:

- a. For dust-generating operations with a disturbed surface area equal to or greater than 0.10 acre (4,356 square feet), the Permittee shall retain copies of approved Dust Control Plans, control measures implementation records, and all supporting documentation for at least six months following the termination of the dust-generating operation and for at least two years from the date such records were initiated.
[SIP Rule 310 §503]

- b. For dust-generating operations with a disturbed surface less than 0.10 acre (4,356 square feet), the Permittee shall retain records required by this rule for at least five years from the date such records are established.

[Rule 100 §504][Locally Enforceable Only]

GENERAL CONDITIONS

20. Coverage under the General Permit:

Any facility shall be eligible for coverage under this General Permit if the facility meets the requirements specified in the Specific Conditions Section of this Permit and completes an Application for the Authority to Operate and/or Construct. However, if the facility does not meet the provisions of the Specific Conditions Section, the operation will be considered ineligible for coverage and the applicant may be required by the Control Officer to obtain an individual source permit.

[Rule 230 §303][Locally Enforceable Only]

21. Revocation of the Authority to Operate under this General Permit:

If the Permittee is notified by the Control Officer of the revocation of the Authority to Operate under this General Permit because of expiration, termination, or cancellation, the Permittee must file an application for an individual source permit. The application for an individual source permit must be filed within 180 days of receiving the notice from the Control Officer. The Permittee may continue to operate under this General Permit until the earlier of either

- a. The date that it submits a complete application for an individual source permit, or
- b. The date 180 days after receipt of the notice of expiration, termination, or cancellation.

[Rule 230 §311][Locally Enforceable Only]

22. Posting of Permit:

This Permit shall be posted in a clearly visible and accessible location on the site where the equipment is installed.

[SIP Rule 200 §312]

23. Compliance:

- a. The issuance of any Permit or Permit revision shall not relieve the Permittee from compliance with any Federal laws, Arizona laws, or the County or SIP Rules, nor does any other law, regulation or permit relieve the Permittee from obtaining a Permit or Permit revision required under the County Rules.

[SIP Rules 200 §§309, 310.3, 220 §406.3]

- b. The Permittee shall comply with all conditions of this Permit including all applicable requirements of Federal laws, Arizona laws, and Maricopa County Air Pollution Control Rules and Regulations now in effect and as amended in the future. Any Permit noncompliance is grounds for enforcement action, Permit termination or revocation, or for denial of a renewal application. In addition, non-compliance with any federally enforceable requirements constitutes a violation of the Clean Air Act.

[SIP Rules 200 §310.4, 220 §302.24][A.A.C. R18-2-306.A.8.a]

- c. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with these Permit Conditions.

[SIP Rule 220 §302.10][A.A.C. R18-2-306.A.8.b]

- d. Rights and Privileges: This Permit does not convey any property rights or exclusive privilege of any sort.

[SIP Rule 220 §302.12]

- e. Fees: The Permittee shall pay all fees to the Control Officer in accordance with Rule 280. No permit or permit revision is valid until the applicable permit fee has been received and until the permit is issued by the Control Officer.

[SIP Rule 200 §409] [A.R.S. 49-480(D)][Rule 280 §302]

24. Malfunctions, Emergency Upsets, and Excess Emissions:

An affirmative defense of an emergency, excess emission, and/or during startup and shutdown shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence as outlined in Rule 130 for emergencies and Rule 140 for excess emissions.

[SIP Rule 140][Rule 130 §§201, 400]

25. Revision / Reopening / Revocation:

The Permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any Permit Condition.

[SIP Rule 220 §302.11]

26. Reporting:

Upon request of the Control Officer and as directed by the Control Officer, the Permittee shall complete and shall submit to the Control Officer an annual emissions inventory report. The report is due by April 30 or 90 days after the Control Officer makes the inventory forms available, whichever occurs later. The annual emissions inventory report shall be in the format provided by the Control Officer. The Control Officer may require submittal of supplemental emissions inventory information forms for air contaminants under ARS §49-476.01, and ARS §49-480.03.

[Rule 100 §505] [SIP Rule 40]

27. Records:

a. The Permittee shall furnish information that the Control Officer may request in writing to determine whether cause exists for revising, revoking and reissuing this permit, or terminating this permit, or to determine compliance with this permit. The information shall be provided in a timeframe specified by the Control Officer. Upon request, the Permittee shall also furnish to the Control Officer copies of records required to be kept by this Permit. For information claimed to be confidential, the Permittee shall furnish a copy of such records directly to the Administrator along with a claim of confidentiality.

[SIP Rules 100§106, 220 §302.13]

b. If the Permittee fails to submit any relevant facts or has submitted incorrect information in a permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, the Permittee shall provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application is filed but prior to release of a proposed permit. Willful misrepresentation of facts in a permit application is cause for revocation or denial of a permit.

[SIP Rule 220 §§301.5, 301.6]

28. Certification of Truth, Accuracy, and Completeness:

Any document that is required to be submitted by this General Permit, including reports, shall contain a certification by the facility owner, or other responsible official as defined in County Rule 100 §200.110, of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[SIP Rules 100 §401, 220 §302.14]

29. Facility Changes Requiring an Individual Source Permit:

a. The following changes shall only be made after the Permittee obtains an individual source permit:

- i. A change that triggers a new applicable requirement, violates an existing applicable requirement, or violates any of the Specific Conditions of this Permit.
- ii. A change that will require a case-by-case determination of an emissions limitation.
- iii. A change that will result in the burning of any fuel that is not currently authorized by this permit.

[SIP Rule 200 §301]

b. Coverage under this General Permit shall terminate on the date the individual source permit is issued.

[Rule 230 §307][Locally Enforceable Only]

30. Facility Changes Allowed:

- a. The Permittee may make the following changes at the facility only after providing written notification to the Control Officer at least 30 days before the change and only if such changes do not require the Permittee to obtain an individual source permit:
 - i. Adding new emissions units.
 - ii. Installing a replacement emissions unit.
 - iii. Adding or replacing air pollution control equipment.
- b. The written notification shall include the following:
 - i. When the proposed change will occur;
 - ii. A description of the change; and
 - iii. Any change in emissions of regulated air pollutants.
- c. The Permittee shall keep a record of any physical change or change in the method of operation that could affect emissions. The record shall include a description of the change and date the change occurred.

[Rule 230 §312][Locally Enforceable Only]

31. Right to Entry:

- a. The Control Officer during reasonable hours, for the purpose of enforcing and administering County or SIP Rules or the Clean Air Act, or any provision of the Arizona Revised Statutes relating to the emission or control prescribed pursuant thereto, may enter every building, premises, or other place, except the interior of structures used as private residences. Every person is guilty of a petty offense under A.R.S. 49-488 who in any way denies, obstructs or hampers such entrance or inspection that is lawfully authorized by warrant.
- b. The Permittee shall allow the Control Officer or his designated representatives, upon presentation of proper credentials (e.g., Maricopa County Air Quality Department identification) and other documents as may be required by law, to:
 - i. Enter upon the Permittee's premises where a source is located, or emissions-related activity is conducted, or where records are required to be kept pursuant to the conditions of the permit;
 - ii. Have access to and copy, at reasonable times, any records that are required to be kept pursuant to the conditions of the permit;
 - iii. Inspect, at reasonable times, any sources, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required pursuant to this permit;
 - iv. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the Permit or other applicable requirements; and
 - v. Record any inspection by use of written, electronic, magnetic, and photographic media.

[SIP Rules 100 §105, 220 §302.17-21]

32. Severability:

The rules, paragraphs, clauses, provisions, and/or sections of this Permit are severable, and, if any rule, paragraph, clause, provision, and/or section of this Permit is held invalid, the remainder of this Permit shall not be affected thereby.

[SIP Rule 220 §302.9]