

Permit No. V-4005
Issued: XX/XX/23
Expires: XX/XX/28

IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

150 S. Ninth Street
El Centro, CA 92243
(760) 339 4606

TITLE V OPERATING PERMIT

Issued in Accordance with the Provisions of 40 CFR Part 70
and Rule 900 of the Imperial County Air Pollution Control District

Facility Name: Mesquite Mines
Company Name: Western Mesquite Mines, Inc.
Title V Permit Number: V-4005
SIC Code: 1041 (Gold Ores)
U.S. EPA Plant ID: To be determined (TBD)
Source Type: Gold Mining Facility
Mailing Address: 6502 E. Highway 78
Brawley, CA 92227
Facility Location: 6502 E. Highway 78
Brawley, CA 92227
Responsible Official: Bill Martinich,
Plant Site Contact: Ron Leiken,
(928) 341-4653

Issued by:

Belen Leon
Air Pollution Control Officer

Date

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Equipment/Source List

I. Combustion Emission Units

A. Carbon Regeneration Kiln (Propane Combustion Exhaust Only)

Equipment Manufacturer:

Refurbished Rabbit Creek Mining Inc. propane fired carbon regeneration kiln, 36" diameter and 17' 9" long. Serial number of the unit is 370-514-01.

Description and Primary Use:

Externally heats the kiln that is used to regenerate the carbon after stripping and washing.

Maximum Design Process Rate & Operating Schedule:

Unit has a capacity of 2.2 MMBtu/hr, with a maximum process rate of 450.0 lb/hr of carbon. The operating schedule for the unit is 24 hours per day, 8,760 hours per year.

Burners Design:

14 burners operating in a range between 900 to 1,500 degrees Fahrenheit.

Control Devices:

No control devices serve the combustion exhaust portion of the carbon regeneration kiln.

B. Hot Water Boiler

Equipment Manufacturer:

Superior Boiler Works, Inc. propane fired hot water boiler, Aztec Design, Model 5-5-1276. Serial number of the unit is 9470.

Description and Primary Use:

The boiler heats the water for stripping/washing the loaded carbon in the carbon desorption vessels.

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Maximum Design Process Rate & Operating Schedule:

The boiler has a maximum heat output of 10.5 MMBtu/hr. The operating schedule for the unit is 24 hours per day, 8,760 hours per year.

Burners Design:

12,000 pounds per hour at 150 psig.

Control Devices:

The emissions unit is equipped with a Cleaver Brooks ProFire Model NTH105GX-15S-4 low-NOx burner.

II. General Emission Units: Storage Tanks

A. Hydrochloric Acid (HCl) Tank

Equipment Details:

36% Hydrochloric Acid (HCl) Storage Tank. The tank has a 12 foot diameter, 9,000 gallon capacity, and is a plastic containment unit. The tank's delivery system is driven by a 100 gallon per minute HCl mechanical pump.

Maximum Design Process Rate & Operating Schedule:

The HCl tank has an annual throughput rate of 70,000 gallons.

Control Devices:

No emission control devices serve the HCl storage tank.

B. Acid/Water Mix Tank

Equipment Details:

36% HCl Acid-Water Mix Storage Tank. The tank has a 6 foot diameter, 5,000 gallon capacity, and is a steel containment unit.

Maximum Design Process Rate & Operating Schedule:

The acid-water mix tank has an annual throughput rate of 70,000 gallons.

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Control Devices:

No emission control devices serve the acid-water mix storage tank.

III. Carbon Processes with Mercury Retorts (Process Units)

A. Electrowinning Plating Process

Equipment Details:

Electrowinning cells system, manufactured by Kappes, Cassiday & Associates (KCA), Model No. EC-16SS-SLD. The serial number of the system is 995Q-0108.

Maximum Design Process Rate & Operating Schedule:

The maximum caustic solution flow for the electrowinning cells system is 180 gallons per minute (gpm). The operating schedule for the unit is 24 hours per day, 8,760 hours per year.

Control Devices:

Electrowinning Process Carbon Column (Adsorption Unit), Model EWCS, with a serial number of 200-CS-01. The column is packed with 600 pounds of iodine impregnated-activated carbon which is used for abating mercury air emissions.

B. Electric Drying Oven

Equipment Details:

Lindberg Model 60-PR-1 electric drying oven, with a serial number of 25892.

Maximum Design Process Rate & Operating Schedule:

The electric drying oven processes a maximum of 12 tons of wet concentrate per year. The unit operates intermittently on a daily basis but has a maximum annual operation schedule of 1,152 hours per year.

Control Devices:

No emission control devices serve the electric drying oven.

C. Gold Furnace

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Equipment Details:

Inducto Therm Corp gold electric induction furnace, Model No. 750, with a serial number of 07J-224214-335-11.

Maximum Design Process Rate & Operating Schedule:

The gold furnace operates 24 hours per day and 365 days per year.

Control Devices:

The exhaust of the gold furnace is directed to a baghouse system. The control system is an Eastern Control Systems Inc., Model 360-10 baghouse, with a serial number of 4059. The unit has a flow rate of 4,000 scfm and utilizes a pulse cleaning system.

D. Carbon Regeneration Kiln (Kiln Exhaust Only)

Equipment Details:

Refurbished Rabbit Creek Mining Inc. carbon regeneration kiln. Serial number of the unit is 370-514-01. This emissions source covers only the kiln's drum emissions.

Maximum Design Process Rate & Operating Schedule:

Unit has a maximum process rate of 450.0 lb/hr of carbon. The operating schedule for the unit is 24 hours per day, 8,760 hours per year.

Control Devices:

1st Mercury Carbon Adsorption Bed/Scrubber, processing the exhaust from the carbon regenerating kiln. The system consists of a single unit divided into a series of six iodine (or sulfur) impregnated activated carbon chambers.

2nd Mercury Carbon Adsorption Bed/Scrubber, manufactured by Kappes, Cassidy & Associates, processing the exhaust from the carbon regenerating kiln. The carbon adsorption bed/scrubber has six trays each with 400 lbs (2,400 lbs total) of iodine (or sulfur) impregnated activated carbon.

E. Mercury Retort

Equipment Details:

Mercury Retort, manufactured by Summit Valley Equipment & Engineering, Model

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7.5MR1E. The unit has a material capacity of 7.5 cubic feet.

Maximum Design Process Rate & Operating Schedule:

The operating schedule for the unit is 24 hours per day, 8,760 hours per year.

Control Devices:

1st Mercury Vapor Carbon Adsorption Column, processing the exhaust from two (2) shell and tube condensers which serve the mercury retort system. Manufactured by Summit Valley Equipment & Engineering, model number 7.5MR1E, serial number 7333MR001, has a flow rate of 24 CFM, and outlet temperature of 103 °F, and contains 50 pounds of iodine- or sulfur-impregnated activated carbon.

2nd Mercury Vapor Carbon Adsorption Column/Scrubber, manufactured by Kappes, Cassidy & Associates, processing the exhaust from two (2) shell and tube condensers which serve the mercury retort system. The column is filled with 151 lbs. of an iodine (or sulfur) impregnated activated carbon.

F. Carbon Acid Wash Tank

Equipment Details:

Carbon Acid Wash Tank, with no identifiable model number or serial number. Carbon is treated in this tank for approximately 1.5 hours with diluted hydrochloric acid (1% HCl) to remove carbonates and other deleterious materials that have precipitated in the carbon.

Maximum Design Process Rate & Operating Schedule:

Tank has the capacity to hold up to 16,000 pounds of carbon which is treated with the 1% HCl. The emissions unit has an operating schedule of 6 hours per day, 1,095 hours per year.

Control Devices:

No emission control devices serve the carbon acid wash tank.

Title V Operating Permit Conditions

I. General Permit Conditions

1. The permittee shall obtain an Authority to Construct Permit prior to the modification or replacement of any equipment for which a Permit to Operate has been granted and prior to the installation and operation of any equipment for which an Authority to Construct Permit is required. **ICAPCD Rule 201, Permits Required, revised 10/10/06; ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition A.5.**
2. No air contaminant shall be released into the atmosphere which causes a public nuisance. **ICAPCD Rule 407, Nuisances, revised 09/14/99; ICAPCD Rule 201, Permits Required, revised 10/10/06; ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition B.1 {District Only}.**
3. All listed emissions units and control equipment shall be maintained and kept in good working conditions at all times. **ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition A.7.**
4. Opacity of emissions from any transfer or exhaust point, as well as any other area within the facility, shall not exceed 20% for a period or periods aggregating more than three minutes in any one hour, unless noted otherwise. **ICAPCD Rule 401, Opacity of Emissions, revised 11/19/85; ICAPCD Rule 207, New Source Review, revised 09/11/18, ATC Permit 4005A-8, Condition A.6.**
5. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82. **40 CFR Part 82, Protection of Stratospheric Ozone.**
6. The permittee shall comply with all applicable provisions of the National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category (40 CFR Part 63, Subparts EEEEEEE). **40 CFR §63.11641(a).**
7. Compliance with Permit Conditions
 - a. The permittee shall comply with all permit conditions;
 - b. This permit does not convey property rights or exclusive privilege of any

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sort;

- c. The non-compliance with any permit conditions is grounds for permit termination, revocation and reissuance, modification, enforcement action, or denial of permit renewal;
 - d. The permittee shall not use the “need to halt or reduce a permitted activity in order to maintain compliance” as a defense for non-compliance with any permit condition;
 - e. A pending permit action or notification of anticipated non-compliance does not stay any permit condition;
 - f. Within a reasonable time period, the permittee shall furnish any information requested by the air pollution control officer (APCO) of ICAPCD, in writing, for the purpose of determining: 1) compliance with the permit, or 2) whether or not cause exists for a permit or enforcement action. **ICAPCD Rule 900.F.2.k, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11; ICAPCD Rule 207, New Source Review, revised 09/11/18, ATC Permit 4005A-8, Condition A.1, A.2, A.3 and A.4.**
8. Compliance with the terms and conditions of the Operating Permit is considered compliance with all applicable requirements upon which those conditions are based, including those that have been subsumed. **ICAPCD Rule 900.D.2, Procedures for Issuing Permit to Operate for Sources subject to Title V of the Federal CAA, revised 12/20/11.**
 9. The permittee shall submit to the ICAPCD a standard District application no earlier than 18 months and no later than 6 months before the expiration date of the current Title V Operating Permit. Permits to Operate for all emissions units at a stationary source shall undergo simultaneous renewal. **ICAPCD Rule 900.D.3.b, Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.**

II. Emission Limits

A. Carbon Processes With Mercury Retorts

1. The facility shall emit no more than 2.2 pounds of mercury per ton of concentrate processed.
40 CFR §63.11645(b)

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B. Superior Aztec Boiler

1. The listed Superior Aztec boiler stack shall not emit NO_x emissions in excess of the following at 3% O₂:

ACF _{cu} ≤ 30%	ppmv
Gaseous Fuel	70
Liquid Fuel	70

ICAPCD Rule 400.2, Boilers, Process Heaters and Steam Generators, adopted 02/23/10; ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition D.2.

2. The Superior Aztec boiler shall be exempt from the NO_x emission limit stated in Condition II.B.1 during episodes of start-up, shutdown, or a change in load when bringing the combustion process up to operating levels, with each instance not exceeding six (6) hours in duration.

ICAPCD Rule 400.2, Boilers, Process Heaters and Steam Generators, adopted 02/23/10; ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition D.3.

3. The permittee shall not release or discharge air contaminants into the atmosphere from any single processing unit source or other contrivance, in excess of 0.2 grains per cubic foot of gas at standard conditions. **ICAPCD Rule 403.B.3, General Limitations on the Discharge of Air Contaminants, revised 5/18/04.**

4. The permittee shall not release into the atmosphere from any single source of emission, sulfur compounds, calculated as sulfur dioxide (SO₂) in excess of 0.2 percent by volume, measured at the point of discharge. **ICAPCD Rule 405, Sulfur Compounds Emissions Standards, revised 5/18/04.**

5. The permittee shall not burn any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions. **ICAPCD Rule 405, Sulfur Compounds Emission Standards, revised 5/18/04.**

III. Operational Limits

A. Carbon Processes With Mercury Retorts

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1. The carbon granules shall be batch washed before carbon kiln regeneration.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.1; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
2. The maximum amount of wet concentrate processed shall be 26.8 tons per year.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.2; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
4. The listed Carbon Regeneration Kiln is permitted to operate 8,760 hours per year.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.3; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
5. The listed Gold Electric Induction Furnace is permitted to operate twenty-four (24) hours per day.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.4; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
6. The listed Gold Electric Induction Furnace is permitted to operate 8,760 hours per year.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.5; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
7. The electrowinning solution flow at the facility shall not exceed 180 gallons per minute.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.6; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
8. The permittee shall vent the carbon regeneration drum exhaust at all times to the listed activated carbon bed.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.7; ICAPCD Rule 900.F.2.a, Procedures for Issuing

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9. The listed Electrowinning Carbon Column shall operate at all times during which the electrowinning cells system is operating. **ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.8; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.**
10. The listed Mercury Retort shall process all gold concentrate prior to that gold concentrate being melted in the listed gold induction furnace. **ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.9; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.**
11. The permittee shall vent the Mercury Retort exhaust at all times to the listed Mercury Vapor Carbon Adsorption Column. **ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.10; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.**
12. The permittee shall conduct an initial sampling of the carbon in each listed carbon abatement unit for mercury ninety (90) days after the replacement of the carbon. A representative sample must be collected from the inlet and outlet of each carbon unit and analyzed using SW-846 Method 7471B. After the initial sampling, each carbon abatement unit must be sampled and analyzed for mercury on a quarterly basis. **ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.11; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.**
13. For each carbon abatement unit, once carbon loading reaches 50 percent of the design capacity, which is calculated by averaging the carbon loading from the inlet and outlet measurements of each abatement unit, monthly sampling must be performed until 90 percent of the carbon loading capacity is reached. **ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition C.12; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.**
14. For each carbon abatement unit, carbon must be removed and replaced with

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fresh carbon no later than 30 days after reaching 90 percent of the carbon loading capacity. The permittee shall notify the Air District of the carbon replacement within 30 days after the date of installation. **ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-13, Condition C.8; ICAPCD Rule 900.F.2.a, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.**

15. Prior to the issuance of a Permit to Operate (PTO), Western Mesquite Mines, Inc. (WMMI) shall relinquish ICAPCD PM10 Stationary Emission Reduction Credits (ERCs) equal to the amount of 1.68 tons. WMMI shall have the option of satisfying this offset requirement by relinquishing 2.80 tons of ICAPCD Agricultural PM10 ERCs prior to the issuance of a PTO, and prior to the start of each subsequent operating year. **ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition F.1 {District Only}.**

B. Hydrochloric Acid Trans-loading

1. All trans-loading equipment shall be maintained in good operating conditions and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition B.2.
2. The mechanical pump system, including the caustic bubbler, shall operate at all times during the transfer of hydrochloric acid from the delivery truck to the trans-loading tank.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition B.3.
3. The caustic bubbler must utilize a sparger system as hydrogen chloride (HCl) emissions are treated.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition B.4.
4. The pH of the caustic solution in the caustic bubbler unit shall be kept at a minimum of 8.0 at all times.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition B.5.
5. All hydrochloric acid receiving, storage and usage activities shall be limited to a maximum concentration of 36 wt% hydrochloric acid.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition B.6.

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6. No more than 6,500 gallons of 36% hydrochloric acid per day shall be transferred to the listed hydrochloric acid storage tank.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition B.7.
7. No more than 70,000 gallons of 36% hydrochloric acid per year shall be transferred to the listed hydrochloric acid storage tank.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition B.8.
8. The 36% hydrochloric acid shall be diluted to a maximum concentration of 1% hydrochloric acid for use in the listed carbon acid wash tank. **ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition B.9.**

C. Superior Aztec Boiler

1. The listed Superior Aztec boiler shall not exceed the total annual fuel usage rate of 160,000 gallons per year (14,640 MMBtu per year).
ICAPCD Rule 400.2, Boilers, Process Heaters and Steam Generators, adopted 02/23/10; ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition D.1.
2. A fuel flow meter shall be installed to measure fuel consumption of the Superior Aztec Boiler. The fuel flow meter shall be kept in good working condition.
ICAPCD Rule 400.2, Boilers, Process Heaters and Steam Generators, adopted 02/23/10; ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition D.5.

IV. Testing Requirements

A. Carbon Processes With Mercury Retorts

1. The permittee must conduct a mercury compliance emission test within 180 days of the compliance date, February 17, 2014, for all process units at the existing sources according to the applicable requirements of 40 CFR §63.11646(a)(1) through §63.11646(a)(13). This compliance testing must be repeated annually thereafter, with no two consecutive annual compliance tests occurring less than 3 months apart or more than 15 months apart.
40 CFR §63.11646(a); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
2. A minimum of three test runs must be conducted for each performance test of

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each process unit. Each test run conducted with Method 29 must collect a minimum sample volume of 0.85 dry standard cubic meters (30 dry standard cubic feet). If conducted with Method 30B or ASTM D6784, sample time and volume is determined according to the testing criteria set forth in the relevant method.

40 CFR §63.11646(a)(2); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

3. Performance tests for each process unit shall be conducted under such conditions as determined by U.S. EPA, and specified to the owner or operator, that are based on representative performance of the affected source for the period being tested. Upon request, the owner or operator shall make available to U.S. EPA or ICAPCD such records as may be necessary to determine the conditions of performance tests. Performance tests must be conducted under operating conditions (including process or production throughputs) that are based on representative performance. For sources with multiple emission units ducted to a common control device and stack, compliance testing must be performed either by conducting a single compliance test with all affected emissions units in operation or by conducting a separate compliance test on each emissions unit.

40 CFR §63.11646(a)(3); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

4. The permittee shall calculate the mercury emission rate (lb/hr), based on the average of 3 test run values, for each process unit (or combination of units that are ducted to a common stack and are tested when all affected sources are operating pursuant to Permit Condition IV.3 using Equation (1) of 40 CFR §63.11646(a)(4). **40 CFR §63.11646(a)(4); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.**

5. For the initial compliance determination, total mercury emissions for all the full calendar months between the compliance date and the date of the initial compliance test shall be determined by the permittee by multiplying the emission rate in lb/hr for each process unit (or combination of units ducted to a common stack that are tested together) by the number of one-hour periods each process unit (or the unit that had the greatest total operating hours among the combination of multiple units with one stack that are tested together, or an alternative method approved by the ICAPCD, California Air Resources Board (CARB), or United States Environmental Protection Agency (U.S. EPA), pursuant to 40 CFR §63.11646(a)(3)) operated during those full calendar months prior to the initial compliance test. This initial period must include at least 1 full month of operations.

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40 CFR §63.11646(a)(6); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

6. After the compliance determination after the initial compliance test, the permittee shall determine the mercury mass emissions for each process unit for the 12 full calendar months preceding the performance test by multiplying the emission rate in lb/hr for each process unit (or combination of units ducted to a common stack that are tested together) by the number of one-hour periods each process unit (or the unit that had the greatest total operating hours among the combination of multiple units with one stack that are tested together, or an alternative method approved by the ICAPCD, CARB, or U.S. EPA, pursuant to 40 CFR §63.11646(a)(3)) operated during the 12 full calendar months preceding the completion of the performance tests.

40 CFR §63.11646(a)(7); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

7. The permittee shall measure the weight of concentrate prior to being fed to the melt furnace before drying in any ovens. For facilities that ship concentrate offsite, measure the weight of concentrate as shipped offsite. Records must be maintained which include the weights of each batch of concentrate processed and the calculations and records for the total weight of concentrate processed each month.

40 CFR §63.11646(a)(9); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

8. All systems shall be maintained for measuring density, volumetric flow rate, and weight within ± 5 percent accuracy. The permittee shall describe the specific equipment used to make measurements and how that equipment is periodically calibrated. The permittee must document and maintain written procedures for determining the accuracy of the measurements and make these written procedures available to the ICAPCD upon request.

40 CFR §63.11646(a)(10); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

9. The permittee shall determine, record, and maintain a record of the accuracy of the measuring systems used in weighing concentrate before the beginning of the initial compliance test and during each subsequent quarter of affected source operation.

40 CFR §63.11646(a)(10); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

Amendments of 1990, revised 12/20/11.

10. The permittee shall calculate the total mercury emissions from all sources within the facility for all full months between the compliance date and the date of the initial compliance test in pounds of mercury per ton of process input to determine initial compliance with the emission standard of Permit Condition II.A.1. This calculation must include at least 1 full month of data. Emissions shall be determined in the following manner:
 - a. By dividing the sum of mercury mass emissions (in pounds) from all carbon kilns, preg tanks, electrowinning, mercury retorts, and melt furnaces during the initial number of full months between the compliance date and the initial compliance tests by the total amount of concentrate (in tons) processed in these process units during those same full months following the compliance date;
 - b. If a previous test is used to determine initial compliance, pursuant to 40 CFR §63.11646(a)(6), then the same 3 to 12 full months of production data (*i.e.*, tons of concentrate) and hours of operation referred to in 40 CFR §63.11646(a)(6) must be used to determine the emissions in pounds of mercury per tons of concentrate.
40 CFR §63.11646(a)(12); 40 CFR §63.11646(a)(12)(iii); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
11. After the initial compliance test, the permittee shall calculate the total mercury emissions from all sources within the facility for each 12-month period preceding each subsequent compliance test in pounds of mercury per ton of process input to determine compliance with the emission standard of Permit Condition II.A.1. This shall be determined by dividing the sum of mercury mass emissions (in pounds) from all carbon kilns, preg tanks, electrowinning, mercury retorts, and melt furnaces in the 12-month period preceding a compliance test by the total amount of concentrate (in tons) processed in these process units in that 12-month period.
40 CFR §63.11646(a)(13); 40 CFR §63.11646(a)(13)(iii); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
12. At all times, the permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the ICAPCD which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance

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records, and inspection of the source.

40 CFR §63.11646(b); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

B. Superior Aztec Boiler

1. On an annual basis, Western Mesquite Mine shall conduct a source test on the Superior Aztec Boiler at 80% capacity to determine compliance with the NOx emission limitation of Condition II.B.1. If the permittee demonstrates to the satisfaction to the APCO that this equipment cannot operate at 80% capacity, then the emission source test shall be performed at the highest achievable continuing rating. The Permittee shall submit for approval a source test protocol 30 days before commencing stack testing. Compliance with the NOx emission limits shall be determined using U.S. EPA Method 7, 7A, 7C, 7E, CARB Method 100, or any other applicable U.S. EPA approved test method.
ICAPCD Rule 400.2, Boilers, Process Heaters and Steam Generators, adopted 02/23/10; ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition D.4.

V. Monitoring Requirements

1. The permittee shall monitor and record the number of one-hour periods each process unit operates during each month.
40 CFR §63.11646(a)(5); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
2. Each process unit that uses a carbon adsorber to control mercury emissions must be monitored by the permittee using one of the allowed the procedures in either Permit Condition V.3. A carbon adsorber may include a fixed carbon bed, carbon filter packs or modules, carbon columns, and other variations.
40 CFR §63.11647(f); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
3. The permittee shall monitor mercury emissions controlled by a carbon adsorber by utilizing one of the three procedures below:
 - a. Continuously sample and analyze the exhaust stream from the carbon adsorber for mercury using Method 30B (40 CFR Part 60, appendix A-8) for a duration of at least the minimum sampling time specified in Method 30B and up to one week that includes the period of the annual performance test.

- i. Establish an upper operating limit for the process as determined using the mercury concentration measurements from the sorbent trap (Method 30B) as calculated from Equation (3) of 40 CFR §63.11647(f)(1)(i).
 - ii. Sample and analyze the exhaust stream from the carbon adsorber for mercury at least once a month using Method 30B (40 CFR Part 60, appendix A–8). When the mercury concentration reaches 75 percent of the operating limit, begin weekly sampling and analysis. When the mercury concentration reaches 90 percent of the operating limit, replace the carbon in the carbon adsorber within 30 days. If mercury concentration exceeds the operating limit, change the carbon in the carbon adsorber within 30 days and report the deviation to U.S. EPA and ICAPCD.
- b. Conduct an initial sampling of the carbon in the carbon bed for mercury 90 days after the replacement of the carbon. A representative sample must be collected from the inlet of the bed and the exit of the bed and analyzed using SW-846 Method 7471B (see 40 CFR §63.14). The depth of the sampler insertion must be recorded. The design capacity is established by calculating the average carbon loading from the inlet and outlet measurements. Sample and analysis of the carbon bed for mercury must be performed quarterly thereafter. When the carbon loading reaches 50 percent of the design capacity of the carbon, monthly sampling must be performed until 90 percent of the carbon loading capacity is reached. The carbon must be removed and replaced with fresh carbon no later than 30 days after reaching 90 percent of capacity. For carbon designs where there may be multiple carbon columns or beds, a representative sample may be collected from the first and last column or bed instead of the inlet or outlet. If the carbon loading exceeds the design capacity of the carbon, the carbon must be changed within 30 days with the deviation reported to U.S. EPA and ICAPCD.
- c. The following procedure shall only be applicable for a carbon adsorber using Oxbow Activated Carbon OXPURE 612C-KI, as approved by U.S. EPA as an alternative monitoring procedure on May 1, 2017:
- i. Conduct an initial sampling of the carbon in the carbon bed for mercury 90 days after the replacement of the carbon. A representative sample must be collected from the inlet of the bed and the exit of the bed and analyzed using SW-846 Method 7471B (see 40 CFR §63.14). The depth of the sampler insertion must be recorded. The established design capacity of a carbon bed with Oxbow Activated Carbon OXPURE 612C-KI is 3%, based on the manufacturer's design capacity. Sample and analysis of the carbon bed for mercury must be performed quarterly thereafter.

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When the carbon loading reaches 50 percent of the design capacity of the carbon, monthly sampling must be performed until 90 percent of the carbon loading capacity is reached. The carbon must be removed and replaced with fresh carbon no later than 30 days after reaching 90 percent of capacity. For carbon designs where there may be multiple carbon columns or beds, a representative sample may be collected from the first and last column or bed instead of the inlet or outlet. If the carbon loading exceeds the design capacity of the carbon, the carbon must be changed within 30 days with the deviation reported to U.S. EPA and ICAPCD.

40 CFR §63.11647(f); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11; ATC Permit 4005A-8, Conditions C.10 – C.12.

4. The gas stream temperature at the inlet to the carbon adsorber shall be monitored for each process unit equipped with a carbon adsorber. A maximum value for the inlet temperature must be established either during the annual performance test, according to the manufacturer's specifications, or as approved by ICAPCD. If the permittee chooses to establish the temperature operating limit during the performance test, the basis for establishment shall be either the highest reading during the test or at 10°F higher than the average temperature measured during the performance test.

40 CFR §63.11647(g); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

5. The gas stream inlet temperature to the carbon adsorber shall be monitored once per shift, in accordance with Permit Condition V.4. If an inlet temperature exceeds the temperature operating limit, the permittee shall take corrective actions to get the temperature back within the parameter operating limit within 48 hours. If the exceedance persists, within 144 hours of the exceedance, the permittee must sample and analyze the exhaust stream from the carbon adsorber using Method 30B (40 CFR Part 60, appendix A-8) and compare to an operating limit (calculated pursuant to 40 CFR §63.11647(f)(1)(i) or you must conduct carbon sampling pursuant to 40 CFR §63.11647(f)(2). If the concentration measured with Method 30B is below 90 percent of the operating limit or the carbon sampling results are below 90 percent of the carbon loading capacity, a new temperature operating limit may be set 10°F above the previous operating limit or at an alternative level approved by ICAPCD. If the concentration is above 90 percent of the operating limit or above 90 percent of the carbon loading capacity, the permittee must change the carbon in the bed within 30 days and report the event to ICAPCD, and re-establish an appropriate maximum temperature limit based on the approval of ICAPCD.

40 CFR §63.11647(g); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit

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6. The permittee may conduct additional compliance tests according to the procedures in §63.11646 and re-establish the operating limits required in Permit Conditions V.3 through V.5. The permittee must submit a request to U.S. EPA for approval to re-establish the operating limits, with the permittee demonstrating that the proposed change to the operating limit detects changes in levels of mercury emission control. An approved change to the operating limit under this permit condition only applies until a new operating limit is established.

40 CFR §63.11647(i); ICAPCD Rule 900.F.2.e, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

VI. Recordkeeping Requirements

1. The permittee shall record the weight in tons for concentrate for carbon processes with mercury retorts on a daily and monthly basis.

40 CFR §63.11646(a)(11); ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

2. The permittee shall maintain the following records, being consistent with the requirements of §63.10(b)(1) of the General Provisions [**40 CFR §63.11648(e)**]:

a. As required in §63.10(b)(2)(xiv), the permittee must keep a copy of each notification that is submitted to comply with this subpart and all documentation supporting any Initial Notification, Notification of Compliance Status, and semiannual compliance certifications that are submitted. **40 CFR §63.11648(e)(1)**

b. Records of all performance tests, measurements, monitoring data, and corrective actions required by §63.11646 and §63.11647, and the information identified in Permit Condition VI.2.b.i through VI.2.b.v below for each corrective action required by §63.11647 [**40 CFR §63.11648(e)(2)**]:

- i. The date, place, and time of the monitoring event requiring corrective action;
- ii. Technique or method used for monitoring;
- iii. Operating conditions during the activity;
- iv. Results, including the date, time, and duration of the period from the time the monitoring indicated a problem to the time that monitoring indicated proper operation; and
- v. Maintenance or corrective action taken (if applicable).

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40 CFR §63.11648(e)(2)(i) - 40 CFR §63.11648(e)(2)(i)(vi); ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

3. The permittee shall keep records of operating hours for each process as required by Permit Condition V.1 and records of the monthly quantity of concentrate processed or produced as required by Permit Condition VI.1.

40 CFR §63.11648(e)(3); ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

4. The permittee must maintain all required records in a form suitable and readily available for expeditious review, according to §63.10(b)(1). As specified in §63.10(b)(1), the permittee must keep each record for 5 years following the date of each recorded action. Each record must be kept onsite for at least 2 years after the date of each recorded action according to §63.10(b)(1), after which time the permittee may keep the records offsite for the remaining 3 years.

40 CFR §63.11648(f); ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

5. An operations log shall be maintained showing the daily hours of operation and maintenance and repairs for the following emissions units and abatement systems:

- a. carbon regeneration kiln;
- b. activated carbon bed;
- c. gold electric induction furnace;
- d. electrowinning cells system;
- e. electrowinning carbon column;
- f. mercury retort system;
- g. mercury vapor carbon adsorption column
- h. three carbon adsorption scrubbers

ICAPCD Rule 207, New Source Review, revised 09/11/18; ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 2/20/11; ATC Permit 4005A-8, Condition E.1.

6. An operations log shall be maintained on the premises showing the daily fuel consumption of the Superior Aztec Boiler. This log shall be made available to the ICAPCD upon request.

ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition E.2; ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA

Amendments of 1990, revised 12/20/11.

7. An operations log shall be maintained on the premises showing the daily throughput of 36% hydrochloric acid to the listed hydrochloric acid storage tank.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition E.3; ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
8. The pH of the caustic solution in the caustic bubbler shall be measured every day. A log shall be maintained which displays the daily pH readings of the caustic solution, with readings dating back to the preceding calendar year.
ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition E.4; ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

VII. Reporting Requirements

1. The permittee shall submit the Initial Notification of Compliance Status as required by 40 CFR §63.9(h).
40 CFR §63.11648(b); ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.
2. If a deviation occurs during a semiannual reporting period, the permittee shall submit a deviation report to U.S. EPA and ICAPCD according to the following requirements:
 - a. The first reporting period covers the period beginning on the compliance date for the permittee, February 17, 2014 (specified in §63.11641), and ending on June 30, 2014. Each subsequent reporting period covers the semiannual period from January 1 through June 30 or from July 1 through December 31.
 - b. The deviation report must be postmarked or delivered no later than July 31 or January 31, whichever date comes first after the end of the semiannual reporting period.
 - c. The deviation report must include the following information: (1) company name and address; (2) statement by a responsible official, with the official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report; (3) date of the report and beginning and ending dates of the reporting period; and (4) identification of the affected source, the pollutant being

monitored, applicable requirement, description of deviation, and corrective action taken.

40 CFR §63.11648(c); ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

3. Should the permittee experience a malfunction(s) during the reporting period, the compliance report required per Permit Condition VII.2 must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by the permittee during a malfunction of an affected source to minimize emissions in accordance with Permit Condition IV.A.12, including actions taken to correct a malfunction.

40 CFR §63.11648(d); ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

4. After December 31, 2011, within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with 40 CFR Part 63, Subparts EEEEEEE, the permittee must submit the test data to U.S. EPA by entering the data electronically into U.S. EPA's WebFIRE data base through U.S. EPA's Central Data Exchange. The permittee shall enter the test data into U.S. EPA's data base using the Electronic Reporting Tool (ERT) or other compatible electronic spreadsheet. Only performance evaluation data collected using methods compatible with ERT are subject to this requirement to be submitted electronically into U.S. EPA's WebFIRE database.

40 CFR §63.11648(g); ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

5. With respect to compliance with all National Emission Standards for Hazardous Air Pollutants (NESHAP) of 40 C.F.R. Part 63, the permittee shall comply with the "Notification requirements" found in 40 C.F.R. 63.9.

40 C.F.R. § 63.9; ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

6. The permittee shall report to the ICAPCD and U.S. EPA results of the source tests conducted within sixty (60) days of the test completion. **40 CFR 63.10(d)(2), Record keeping and Reporting Requirements, Reporting Results of Performance Test.**

7. Permittee shall annually submit to the ICAPCD a report containing the HCl

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monthly throughput from the preceding calendar year. This report shall be submitted to the ICAPCD by the end of February of each operating year

ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition E.5; ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

8. Permittee shall submit to the ICAPCD by the end of February of each operating year an annual report containing the monthly fuel consumption (if applicable) and hours operated per month for the following emissions units:

- a. gold electric induction furnace;
- b. electrowinning cells system;
- c. Superior Aztec boiler (fuel consumption only);
- d. carbon regeneration kiln.
- e. mercury retort system.

ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition E.6; ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

9. Permittee shall submit to the ICAPCD by the end of February of each operating year an annual report containing the following information:

- a. The total monthly amount of wet concentrate processed;
- b. The total monthly amount of electrowinning cells caustic strip solution flow;

ICAPCD Rule 207, New Source Review, revised 09/11/18; ATC Permit 4005A-8, Condition F.7; ICAPCD Rule 900.F.2.f-g, Procedures for Issuing Permit to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

VIII. Emergency Provisions

1. The Permittee shall notify the ICAPCD and U.S. EPA of any upset conditions, breakdown or scheduled maintenance which cause a violation of emission limitations prescribed by District Rules and Regulations, by State law or U.S. EPA. The ICAPCD and U.S. EPA shall be notified as soon as reasonably possible, but no later than two (2) hours after its detection. The completion of corrective measures or the shutdown of emitting equipment is required within 24 hours of occurrence of a breakdown condition.

40 CFR 63.10(d)(5)(i)-(ii), Record keeping and Reporting Requirements, Immediate Startup, Shutdown, and Malfunction; ICAPCD Rule 111, Equipment Breakdown, revised 09/14/99 {District Only};

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2. The Permittee shall submit a written report to the ICAPCD and U.S. EPA within ten days after a breakdown occurrence has been corrected. This report shall include: a) a statement that the occurrence has been corrected, together with the date of correction and proof of compliance; b) the reason(s) or cause(s) of the occurrence; c) a description of the corrective measures undertaken; and d) the type of emission and estimated quantity of the emissions caused by the occurrence.

40 CFR 63.10(d)(5)(i)-(ii), Record keeping and Reporting Requirements, Immediate Startup, Shutdown, and Malfunction; ICAPCD Rule 111, Equipment Breakdown, revised 09/14/99 {District Only}; ICAPCD Rule 900.F.2.I, Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

3. Within two weeks of an emergency event, the operator shall submit to the ICAPCD and U.S. EPA a properly signed, contemporaneous log or other relevant evidence which demonstrates that: a) an emergency occurred; b) the Permittee can identify the cause(s) of the emergency; c) the facility was being properly operated at the time of the emergency; d) all steps were taken to minimize the emissions resulting from the emergency; and e) within two working days of the emergency event, the Permittee provided the ICAPCD and U.S. EPA with a description of the emergency and any mitigation or corrective actions taken.

40 CFR 63.10(d)(5)(i)-(ii), Record keeping and Reporting Requirements, Immediate Startup, Shutdown, and Malfunction; ICAPCD Rule 111, Equipment Breakdown, revised 09/14/99 {District Only}; ICAPCD Rule 900.F.2.I, Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

4. In any enforcement proceeding, the permittee has the burden of proof for establishing that an emergency occurred. **40 CFR 63.10(d)(5)(i)-(ii), Record keeping and Reporting Requirements, Immediate Startup, Shutdown, and Malfunction; ICAPCD Rule 111, Equipment Breakdown, revised 09/14/99 {District Only}; ICAPCD Rule 900.F.2.I.3, Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.**

IX. Compliance Certification

1. The Permittee shall submit compliance certification reports to the U.S.EPA, Director, Air Division, 75 Hawthorne Street, AIR-3, San Francisco, CA 94105 and the APCO every 12 months. These reports shall be postmarked by February 28th of each year and that covers the previous calendar year. The reports shall include the following requirements: a) identify the basis for each permit term or condition and a means of monitoring compliance with the term or condition; b)

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the compliance status and method(s) used to determine compliance for the current time period and over the entire reporting period, including whether compliance during the period was continuous or intermittent; and c) any additional inspection, monitoring, or entry requirement that may be promulgated pursuant to Sections 114(a) and 504(b) of the CAA. The permittee shall use District approved forms for the compliance certification and shall also include a written statement from the responsible official which certifies the truth, accuracy, and completeness of the report.

40 CFR Part 70.6(b)(5); ICAPCD Rule 900.F.2.n, Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, (Compliance Certification), revised 12/20/11.

X. Right of Entry

1. The Regional Administrator of United States Environmental Protection Agency (U.S. EPA), the Executive Officer of the California Air Resources Board, the APCO, or their authorized representatives, upon the presentation of credentials, shall be permitted to enter upon the premises:

- a. To inspect the stationary source, including equipment, work practices, operations, and emissions-related activity; and
- b. To inspect and duplicate records required by this Operating Permit; and
- c. To sample substances or monitor emissions from the source or other parameters to assure compliance with the Permit or applicable requirements. Monitoring of emissions can include source testing.

40 CFR Part 70.6(c)(2); ICAPCD Rule 900.F.2.j, Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

XI. Severability

1. The provisions of this Operating Permit are severable and if any provisions of this Operating Permit are held invalid, the remainder of this Operating Permit shall not be affected thereby.

40 CFR Part 70.6(b)(5), Severability; ICAPCD Rule 900.F.2.m, Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990 (Severability), revised 12/20/11.

XII. Permit Life

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1. This Operating Permit shall become invalid five years from the date of issuance unless a timely and complete renewal application is submitted to the District. The permittee shall apply for renewal of this Operating Permit no earlier than 18 months and no later than 6 months before the expiration date of the current permit to operate. Upon submittal of a timely and complete renewal application, this Operating Permit shall remain in effect until the ICAPCD or U.S. EPA issues or denies the renewal application.

40 CFR Part 70.6(a)(2), Permit Life; ICAPCD Rule 900.F.2.o, Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/20/11.

XIII. Payment of Fees

1. The Permittee shall remit the Title V annual fee to the District on a timely basis. Failure to remit fees on a timely basis shall result in forfeiture of this Operating Permit. Operation without a permit to operate subjects the source to potential enforcement action by the District and the U.S. EPA pursuant to section 502(a) of the Clean Air Act.

40 CFR Part 70.6(a)(7); ICAPCD Rule 900.F.2.p, Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal CAA Amendments of 1990, revised 12/11/11.