IDAHO DEQ 2007 TV ACTION PLAN – 2023 Update

Response to EPA10 "Final Report: Idaho Department of Environmental Quality Title V Program Review", dated September 27, 2007
Section II-I Recommendations, Page 19:

No.	EPA Concern	IDEQ Response	Action Plan	Report Due to EPA	2023 Update
1	IDEQ should revise forms and guidance. At a minimum, guidance should address the following issues:				
	a. Use of emissions data from monitoring and/or stack tests over generic emission factors; [Reference; Section II-A11]	a. See Action Plan	a. IDEQ will develop an emission inventory guidance on the hierarchy of acceptable emission factors including source test data.	a through e July 31, 2008	a. Guidance on Emissions Data Hierierchy document is posted on DEQs air permitting web page. (attached) DEQ developed an internal Guidance for Requiring Source Tests in Air Permits, dated 4/16/2007. See electronic document management system (EDMS) record #2008AAF49 (attached)
	b. When it is appropriate to consider apparent fugitive emissions as point source emissions; [Reference; Section II-A13]	b. See Action Plan	b. IDEQ will develop fugitive emissions guidance for permit writers.		b.DEQ developed guidance for Fugitive Emissions in Permitting Actions. EDMS #2008AAF237 (attached)
	c. When it is appropriate to include key operating parameters as enforceable requirements in the permit rather than as elements in O&M manuals; [Reference; Section II-A14]	c. See Action Plan	c. IDEQ will develop guidance to ensure that enforceable permit conditions such as fugitive dust plans, quality assurance plans, and appropriate parametric monitoring requirements are in a permit rather than solely an O&M manual.		c. DEQ developed a guidance document – Establishing Permit Conditions. EDMS #2008AAF202 This document includes guidance on O&M Manuals and example templates for permit conditions. (attached)
	d. How to implement permit shields in permits and how the implementation of the shields should be documented or explained; [Reference; Section II-A10]	d. See Action Plan	d. IDEQ will develop TV application forms and a checklist to indicate what qualifies and what does not quality for a permit shield.		d.DEQ's Tier I (Title V) Operating Permit Application Checklist is posted on the DEQ web page and includes Permit Shield Requests in section 14. (attached)
	e. How to develop monitoring, recordkeeping and reporting requirements in permits adequate to ensure	e. See Action Plan	e. IDEQ will develop permit writer guidance to provide a consistent approach to impose monitoring, recordkeeping and reporting		e.DEQ developed a guidance document – Establishing Permit Conditions. EDMS #2008AAF202 (attached)

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	compliance with the underlying applicable requirements; [Reference; Section II-C1,C2, C3]		requirements, and standard permit conditions. A report for the above information will be sent to EPA Idaho Operations Office.	f, g, and i March 28, 2008	Also see - Guidance for Including Emissions Standards in Air Permits. EDMS #2011ACF3 (attached)
	f. Include the variability of emission unit operation and the availability of other monitoring provisions to ensure compliance between tests when determining the frequency of testing and monitoring; [Reference; Section II-C1, C2]	f. See Action Plan	f. IDEQ's current guidance on requiring source tests will be updated to emphasize appropriate testing frequency.		f. DEQ developed an internal Guidance for Requiring Source Tests in Air Permits, dated 4/16/2007. EDMS #2008AAF49 (attached)
	g. Require the simultaneous monitoring of operational parameters during a source test so that these operational parameters can be monitored between tests to contribute to a determination of compliance; [Reference; Section II-C1, C2]	g. See Action Plan	g. IDEQ will develop standard permit language for specific parameters that are monitored during source testing.		g. DEQ has a template of Standard Permit Conditions (EDMS record #2019AAH2, attached) This Word document includes example permit conditions and comments on how to draft permit conditions for scrubbers, ESPs, baghouses, boilers, emission testing, fugitive dust control plans, etc.
	h. Remove from all open permit actions any generic permit requirements that allow a source to operate at 120% of the tested operating rate; and [Reference; Section II-C7]	h. Approximately two years ago, DEQ ceased the practice of generically allowing a facility to operate at 120% of a tested operating rate.	h. No further action required.		h.NA
	i. How to conduct applicant reviews of the pre-draft permit materials and how to document changes made at this stage of permit development. [Reference; Section II-D4]	i. See Action Plan	i. IDEQ will update the TV SOB template instructions for the Permit Conditions Section to include a description of any changes attributed to comments received from a facility draft.		i.DEQ's T1 SOB Instructions (EDMS 2008AAH92, attached) direct permit writers to document facility comments in an Appendix to the SOB.

IDAHO DEQ 2007 TV ACTION PLAN – 2023 Update

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2	IDEQ should develop a library of standard permit language for: a. Specific emissions units, control equipment, NSPS and NESHAP requirements; and [Reference; Section II-C7]	a. See Action Plan	a. IDEQ will develop standard permit language to address EPA's concerns.	a and b July 31, 2008	a. DEQ has a template of Standard Permit Conditions (EDMS record #2019AAH2, attached). This Word document includes example permit conditions and comments on how to draft permit conditions for scrubbers, ESPs, baghouses, boilers, emission testing, fugitive dust control plans, etc.
	b. Emission rate limits to ensure that averaging period is included as part of the limit rather than as a separate monitoring requirement. [Reference; Section II-A9]	b. See Action Plan	b. IDEQ will develop standard permit language to address EPA's concerns.		b. DEQ developed a guidance document – Establishing Permit Conditions. EDMS #2008AAF202 (attached) See Also - Guidance for Including Emissions Standards in Air Permits. EDMS #2011ACF3 (attached)
No.	**EPA Concern**	**IDEQ Response**	**Action Plan**	**Report Due to EPA**	**2023 Update**
3	IDEQ should develop a checklist for initial and renewal permit actions, to ensure that permit content and procedures are consistent across the program. At a minimum, the checklist should address the following issues: a. Review of obsolete permit conditions; [Reference; Section II-A4] b. Review of compliance issues; [Reference; Section II-A1, A2] c. Review for newly-applicable rules, e.g. CAM, MACT; [Reference; Section II-A1]	a through g See Action Plan	a through g: IDEQ will develop a checklist and guidance for initial, amended, modified, and renewed TV permits, including the suggestions provided by EPA. Report will be sent to EPA Idaho Operations Office .	March 28, 2008	a, b, c. DEQ has developed a T1 Application Completeness checklist (attached) that addresses obsolete permit conditions, non-applicability determination, compliance plans, compliance schedules, permit shields, applicable requirements, etc.

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	d. Use of streamlining criteria; [Reference; Section II-A7] e. Review for periodic monitoring; [Reference; Section II-A4] f. Quality of the discussion of the legal and factual basis for permit requirements; and [Reference; Section II-A12] g. How to develop monitoring, recordkeeping and reporting requirements in permits adequate to assure compliance with the underlying applicable requirements [Reference; Section II-C1,C2, C3].				d. DEQ's T1 SOB Instructions (2008AAH92, attached) include a two page discussion of streamlining. e,f,g. The Tier I SOB template and SOB instructions include a discussion of establishing appropriate monitoring, recordkeeping, and reporting.
4	At least once each year, IDEQ should request delegation of the appropriate NSPS and NESHAP regulations from EPA Region 10, to ensure that delegations are kept up to date. [Reference; Section II-A5]	IDEQ requests NSPS and NESHAP delegation annually.	No further action required	NA	DEQ's most recent NSPS and NESHAP delegation was approved for rules in effect on July 1, 2022. The delegation letters were issued by EPA Region 10 on May 10, 2023.

IDAHO DEQ 2007 TV ACTION PLAN – 2023 Update

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5	IDEQ should update all future statements of basis to either provide the complete legal and factual basis for permit decisions or provide a summary of each permit decision and reference other documents for further detail. In some cases, it may be appropriate to append the referenced document to the statement of basis, e.g. for a PTC/administrative amendment permit action. [Reference; Section II-A8, A12]	See Action Plan	IDEQ will update the TV SOB template instructions to ensure the legal and factual basis for each permit condition/decision are clearly described and documented.	March 28, 2008	See the T1 SOB template and T1 SOB Instructions. EDMS #2008AAH93 and #2008AAH92 (attached)
6	IDEQ should finalize the source testing guidance currently being developed and send a copy to EPA for review. [Reference; Section II-C1, C4]	See Action Plan	IDEQ's current guidance on requiring source tests will be updated and a copy will be sent to EPA Idaho Operations Office.	July 31, 2008	DEQ developed a guidance document for Requiring Source Tests in Air Permits. EDMS #2008AAF49 (attached)

IDAHO DEQ 2007 TV ACTION PLAN – 2023 Update

Section III-D Recommendations, Page 26:

No.	EPA Concern	IDEQ Response	Action Plan	Report Due to EPA	2023 Update
1	IDEQ should refine their permit procedures to ensure that permit compliance documents, such as quality assurance plans, dust management plans and operations and maintenance plans are kept at the IDEQ location in addition to being kept at the site by the facility. [Reference; Section III-A1]	See Action Plan	For all TV renewals, IDEQ will make available for public comment during the comment period, any O&M manual, QA plan, Dust Plan, etc, that is required by a TV permit. This will be accomplished by adding a requirement to the TV checklist currently being developed. The TV Checklist will be submitted to EPA Idaho Operations Office.	March 28, 2008	The T1-Operating-Permit-Application-Completeness Checklist (attached) requests copies of "Documents for Public Comment" that are to include quality assurance plans, dust management plans, and operation and maintenance manuals.
2	IDEQ should develop written guidance to ensure that emission inventories adequately document assumptions and conclusions, especially those that result in emissions estimates below that suggested by continuous operation of an emissions unit. [Reference; Section III-A2, A3]	See Action Plan	IDEQ will update the TV application forms and SOB instructions to ensure that emissions inventory instructions and emissions inventories are well documented. This documentation will be sent to EPA Idaho Operations Office.	March 28, 2008	See FORM EI – Facility-wide PTE Inventory 2012ACE1 (attached)
3	IDEQ should update the "see/no-see" visible emissions compliance strategy to ensure that all eventualities are represented in the outcomes addressed through permit conditions. [Reference; Section III-A4, D3]	See Action Plan	The Facility-wide Visible Emissions Monitoring Requirement will be updated to include a see/no see evaluation after corrective action is taken. Report will be sent to EPA Idaho Operations Office.	March 28, 2008	See the Tier I Permit Template (attached), permit conditions 3.7 – 3.9 regarding Visible Emissions.
4	IDEQ should systematically update the source test methods listed with each emissions unit in the permit, to ensure the listed test method is the most appropriate for that particular emissions unit. [Reference; Section III-A5]	See Action Plan	TV permits will be updated (renewals or modifications as appropriate) to include the specific federal regulation that lists the source test method(s) used to determine compliance for each emissions unit. This will be accomplished by adding a requirement to the TV Checklist currently being developed. The TV Checklist will be submitted to EPA Idaho Operations Office.	March 28, 2008	DEQ permit writers route draft permits with source test requirements to DEQ's Technical Services division for review of source test conditions prior to issuance.

IDAHO DEQ 2007 TV ACTION PLAN – 2023 Update

No.	**EPA Concern**	**IDEQ Response**	**Action Plan**	**Report Due to EPA**	**2023 Update**
5	IDEQ should develop a process to ensure that citations for each permit condition are complete and contain the appropriate level of detail (i.e. avoid high level citations). [Reference; Section III-A7, A9]	See Action Plan	IDEQ will issue guidance on the appropriate procedure to include regulatory citations in permits to address EPA's concern. Report will be set to EPA Idaho Operations Office.	March 28, 2008	See guidance on Establishing Permit Conditions, Section 7 – Bracket Citations in Permits. EDMS #2008AAF202 (attached) DEQ has guidance on Referencing Federal Requirements in Permits. EDMS #2015ACF17 (attached)
6	By December 28, 2007, provide EPA with a plan to ensure the issues noted in Sections III.B and III.C of this report do not occur in any future permit or statement of basis.[Reference; Section III-B, C]	Many of the issues identified in Sections III.B and III.C will be addressed through actions that will be taken by IDEQ as identified in these responses.	IDEQ will develop a TV checklist, appropriate guidance, and SOP's to ensure EPA's concerns are adequately addressed. Report will be sent to EPA Idaho Operations Office.	July 31, 2008	DEQ has developed checklists, guidance, and SOPs as noted above.

IDAHO DEQ 2007 TV ACTION PLAN – 2023 Update

Section IV-D Recommendations, Page 29:

No.	EPA Concern	IDEQ Response	Action Plan	Report Due to EPA	2023 Update
1	Issue written guidance to permit staff, no later than November 30, 2007 on the need to evaluate and document CAM applicability for all initial and renewal Title V permits. [Reference; Section IV-A, B, C]	See Action Plan	The Program Mgr. will issue an e-mail directive to the PW's requiring CAM review for all TV permit applications. A follow-up meeting will be scheduled to discuss CAM program elements. *Note: CAM will be addressed in the forthcoming TV application forms and TV application checklist.	December 28, 2007.	DEQ has Guidance on Compliance Assurance Monitoring. EDMS #2008AAF52 (attached) An application form for the facility to address CAM (EDMS #2008AAF215, attached) is identified in the Tier I application checklist.
2	Issue written guidance to permit staff, no later than November 30, 2007 on the appropriate elements of CAM requirements within a Title V permit. [Reference; Section IV-A, B, C]	See Action Plan	IDEQ will develop and issue CAM guidance. Report will be sent to EPA Idaho Operations Office.	December 28, 2007.	DEQ has Guidance on Compliance Assurance Monitoring. EDMS #2008AAF52 (attached)
3	By December 28, 2007 provide EPA with a written analysis of whether CAM applies to any pollutant-specific emissions unit in the Simplot Caldwell permit (T1-2007.0042, issued April 25, 2007). If the outcome of the analysis indicates that at least one of the pollutant-specific emissions units is subject to CAM, IDEQ should reopen the permit by February 28, 2008 to include all applicable measures of the CAM program into the permit. [Reference; Section IV-A, B, C]	IDEQ will review CAM applicability for the JR Simplot Caldwell facility.	IDEQ will provide EPA Idaho Operations Office a CAM applicability analysis for the JR Simplot Caldwell facility by January 28, 2008. DEQ will Reopen TV permit if necessary by February 28, 2008 to incorporate applicable CAM requirements.	January 28, 2008	DEQ does not have record of providing a CAM applicability analysis to EPA. The Tier I permit issued October 26, 2009, T1-2009.0119, does not include CAM requirements. The SoB for the February 2012 Tier I permit renewal indicates CAM is not applicable to the line 1 fryer controlled by a WESP because the pre-control PM10 potential to emit is less than 100 tons per year. The Simplot-Caldwell facility is no longer a Title V source.

IDAHO DEQ 2007 TV ACTION PLAN – 2023 Update

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4	By December 28, 2007, provide EPA with a written analysis of how Permit Conditions 5.6 through 5.10 fully satisfies the requirements of the CAM program in the Potlatch Post Falls permit (T1-2007.0011, issued March 8, 2007). If the outcome of the analysis indicates that these permit conditions are not adequate to fully satisfy the requirements of the CAM program, IDEQ should reopen the permit by February 28, 2008 to include all applicable measures of the CAM program into the permit. [Reference; Section IV-A, B, C]	IDEQ will review CAM applicability for the Potlatch Post Falls facility.	IDEQ will provide EPA Idaho Operations Office a CAM applicability analysis for the Potlatch Post Falls facility by January 28, 2008. DEQ will Reopen TV permit if necessary by February 28, 2008 to incorporate applicable CAM requirements.	January 28, 2008	This facility is now Plummer Forest Products-Post Falls. DEQ does not have record of providing a CAM applicability analysis to EPA by January 28, 2008.. The August 1, 2008 SoB for Tier I permit No. T1-2008.0095 includes a 3-page analysis of CAM applicability.

IDAHO DEQ 2007 TV ACTION PLAN – 2023 Update

Section V-D Recommendations, Page 30:

No.	EPA Concern	IDEQ Response	Action Plan	Report Due to EPA	2023 Update
1	IDEQ should submit to EPA a plan for ensuring not only that the current backlog of renewal permits is issued without further delay, but that future permits (including initial, renewal, modified, and amended permits) are issued in a timely manner. [Reference; Section V-A, B, C]	IDEQ has streamlined its PTC process which has reduced the permit issuance time by approximately 65% (85/240). By doing so, time has been freed up to process TV applications in a timely manner.	No further action required.	NA	NA
2	IDEQ should submit to EPA a plan outlining measures to be taken to ensure consistency in all future Title V permits (including initial, renewal, modified, and amended permits). [Reference; Section V-A, B, C]	See Action Plan	IDEQ will develop new TV application forms, guidance, permit and SOB templates, and a completeness checklist for all TV permit types to ensure consistency across the program. Report will be sent to EPA Idaho Operations Office.	July 31, 2008	See attached application forms, templates, and guidance documents. Also see additional forms and guidance on DEQ Air Quality Permitting web page.