Colorado Department of Public Health and Environment

OPERATING PERMIT

Metal Container Corporation – Windsor Facility

First Issued: September 1, 1998
Renewed: DATE

AIR POLLUTION CONTROL DIVISION
COLORADO OPERATING PERMIT

FACILITY NAME: Metal Container Corporation

FACILITY ID: 123/0134

RENEWED: DATE
EXPIRATION DATE: DATE
MODIFICATIONS: See Appendix F of Permit

OPERATING PERMIT NUMBER

96OPWE162

Issued in accordance with the provisions of Colorado Air Pollution Prevention and Control Act, 25-7-101 et seq. and applicable rules and regulations.

ISSUED TO:

Metal Container Corporation
1201 Metal Container Court
Windsor, CO 80550-3309

PLANT SITE LOCATION:

Metal Container Corporation
1201 Metal Container Court
Windsor, CO 80550-3309, Weld County

INFORMATION RELIED UPON

Operating Permit Renewal Application Received: June 29, 2007
And Additional Information Received: Various dates; see Technical Review Document

Nature of Business: Aluminum Beverage Can Manufacturing
Primary SIC: 3411

RESPONSIBLE OFFICIAL

Name: Gene Bocis
Title: Plant Manager

Phone: 970-686-1514

FACILITY CONTACT PERSON

Name: Corey Hansen
Title: E-S Manager

Phone: 970-686-1516

SUBMITTAL DEADLINES –

First Semi-Annual Monitoring Period: TBD based on permit issuance
Subsequent Semi-Annual Monitoring Periods: January 1 – June 30, July 1 – December 31
Semi-Annual Monitoring Reports: Due February 1, 2014 & August 1, 2014 & subsequent years
First Annual Compliance Period: TBD based on permit issuance
Subsequent Annual Compliance Periods: January 1 – December 31
Annual Compliance Certification: Due February 1, 2014 & subsequent years

Note that the Semi-Annual Monitoring Reports and Annual Compliance report must be received at the Division office by 5:00 p.m. on the due date. Postmarked dates will not be accepted for the purposes of determining the timely receipt of those reports.

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SECTION I - General Activities and Summary

1. Permitted Activities

1.1 Metal Container Corporation manufactures the bodies of 2 piece-aluminum beverage cans. The plant has two process lines (Lines No. 1 and 2) which have emissions from natural gas fired ovens/boilers, can forming equipment, surface coating operations and miscellaneous combustion sources. Each process line consists of front-end and back-end operations. The front-end includes cupping and bodymaking units, which form the cans from aluminum coil, followed by washers which clean the can bodies for decorating. The back-end comprises the surface coating operations. A portion of the cans made are basecoated before being routed to decorators where the exterior of the can is printed with high solid inks and roll-coated with a water-based overvarnish and rim varnish. Cans that are not basecoated are routed directly to the decorators. The inside of the can is then sprayed with a water-based coating. The can coatings are cured following each stage of surface coating (basecoating; printing/varnishing; inside spray) by heating in natural gas-fired ovens. Following the coating operations, the cans are necked, reformed, tested, and palletized prior to warehousing for shipment. The boilers supply low pressure hot water for the washers. The miscellaneous combustion sources supply building heat.

The facility is located southeast of Windsor on the north side of County Road 66 in the Windsor Industrial Park, Weld County. The area in which this facility is located is classified as attainment for all pollutants except ozone. It is classified as non-attainment for ozone and is part of the 8-hr Ozone Control Area as defined in Regulation No. 7, Section II.A.1. Wyoming is an affected state within 50 miles of the facility. Rocky Mountain National Park and the Rawah Wilderness Area are Federal Class I designated areas within 100 kilometers of the facility.

1.2 Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air pollutants from this facility in accordance with the requirements, limitations, and conditions of this permit.

1.3 The Operating Permit incorporates the applicable requirements contained in the underlying construction permits, and does not affect those applicable requirements, except as modified during review of the application or as modified subsequent to permit issuance using the modification procedures found in Regulation No. 3, Part C. These Part C procedures meet all applicable substantive New Source Review requirements of Part B. Any revisions made using the provisions of Regulation No. 3, Part C shall become new applicable requirements for purposes of this Operating Permit and shall survive reissuance. This permit incorporates the applicable requirements (except as noted in Section II) from the following construction permits: 95WE195.

1.4 All conditions in this permit are enforceable by US Environmental Protection Agency, Colorado Air Pollution Control Division (hereinafter Division) and its agents, and citizens unless otherwise specified. **State-only enforceable conditions are:** Permit Condition Number(s): Section II – Conditions 2.3.3, 3.7.3, 3.9, 4.5.3; Section IV - Conditions 3.g (last paragraph), 14 & 18 (as noted) .

1.5 All information gathered pursuant to the requirements of this permit is subject to the Recordkeeping and Reporting requirements listed under Condition 22 of the General Conditions in Section IV of this permit. Either electronic or hard copy records are acceptable.

2. Alternative Operating Scenarios

2.1 The permittee shall be allowed to make the following changes to its method of operation without applying for a revision of this permit.

No separate operating scenarios have been specified.

3. Nonattainment Area New Source Review (NANSR) and Prevention of Significant Deterioration (PSD)

3.1 This facility is categorized as a NANSR major stationary source (Potential to Emit of VOC or NOx $\geq$ 100 Tons/Year in a nonattainment area). Future modifications at this facility resulting in a significant net emissions increase (see Reg 3, Part D, Sections II.A.26 and 42) for VOC or NOx or a modification which is major by itself (i.e. a Potential to Emit of $\geq$ 100 TPY of either VOC or NOx) may result in the application of the NANSR review requirements.

3.2 Based on the information provided by the applicant, this source is categorized as a minor stationary source for PSD as of the issuance date of this permit. Any future modification which is major by itself (Potential to Emit of $\geq$ 250 TPY) for any pollutant listed in Regulation No. 3, Part D, Section II.A.42 for which the area is in attainment or attainment/maintenance may result in the application of the PSD review requirements

3.3 There are no other Operating Permits associated with this facility for purposes of determining applicability of Prevention of Significant Deterioration regulations.

4. Accidental Release Prevention Program (112(r))

4.1 Based on the information provided by the applicant, this facility is not subject to the provisions of the Accidental Release Prevention Program (Section 112(r) of the Federal Clean Air Act).

5. Compliance Assurance Monitoring (CAM)

5.1 The following emission points at this facility use a control device to achieve compliance with an emission limitation or standard to which they are subject and have pre-control emissions that exceed or are equivalent to the major source threshold. They are therefore subject to the provisions of the CAM program as set forth in 40 CFR Part 64, as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV:

None

6. Summary of Emission Units

6.1 The emissions units regulated by this permit are the following:

Current AIRS Point Number	Old AIRS Point Number*	APEN Number	Description	Pollution Control Device	Construction Permit
FUEL BURNING EQUIPMENT					
100	001	86WE191-1	Cleaver Brooks, Model CB 700-300, S/N L83229, Natural Gas Fired Steam Boiler, rated at 12.553 MMBtu/hr. Boiler No. 1	None	95WE195
	002	86WE191-2	Cleaver Brooks, Model CB 700-300, S/N L83228 Natural Gas Fired Steam Boiler, rated at 12.553 MMBtu/hr. Boiler No. 2		
	026 027 029	92WE1354	Three (3) Natural Gas Fired, Makeup Air Heaters with heat ratings of: #1 10.3 MMBtu/hour #2 10.3 MMBtu/hour #6 13.1 MMBtu/hour		
CAN FORMING SOURCES					
101	004	86WE191-4	Line No. 1 Standun Bodymakers, Model B318, S/Ns 72501-72506, one Standun/Stolle Bodymaker, Model B518 and an Oil Mist Lubrication System for Beverage Can Body Presses	Munters Unit Oil Mist Elimination System	95WE195
	022	92WE399-1	Line No. 2 Standun Bodymakers, Model B318, S/Ns 725120, 725110, 725100, 725090, 725080, 72507, and Oil Mist Lubrication System for Beverage Can Body Presses	Munters Unit Oil Mist Elimination System	
	023	92WE399-2	Can Elevators for Lines No. 1 and 2.	Two (2) - Wet Can Inverter Mist Filters	
CAN COATING SOURCES					
102	005	86WE191-5	Storage tank for bulk storage of basecoat	None	95WE195
	006	86WE191-6	Storage tank for bulk storage of inside spray coating		

Current AIRS Point Number	Old AIRS Point Number*	APEN Number	Description	Pollution Control Device	Construction Permit
	007	86WE191-7	Storage tank for bulk storage of overvarnish coating		
102	012	86WE191-12	Basecoat Surface Coating System: Basecoater rated at 10.5 gallons per hour. Natural Gas Fired drying/curing oven, rated at 1.450 MMBtu/hour. Oven emissions exhausted through two stacks.		
	014	86WE191-14	Line No. 1 Decorator System: Decorator printer rated at 1.0 gallons of ink per hour. Overvarnish coater rated at 10.1 gallons per hour. Natural gas fired drying/curing oven rated at 1.450 MMBtu/hour. Oven emissions exhausted through two stacks.		
	015	86WE191-15	Line No. 2 Decorator System: Decorator printer rated at 0.8 gallons of ink per hour. Overvarnish coater rated at 8.4 gallons per hour. Natural gas fired drying/curing oven rated at 1.450 MMBtu/hour. Oven emissions exhausted through two stacks.		
102	013	86WE191-13	Line 2A Decorator System: Ragsdale 8-color decorator/printer, rated at 0.8 gallons/hour ink throughput. Ragsdale overvarnish unit rated at 8.4 gallons/hour. Belvac varnish unit rated at 0.8 gallon/hour. Natural gas fired drying/curing oven rated at 1.450 MMBtu/hour. Oven emissions exhausted through two stacks.	None	95WE195
	016	86WE191-16	Line No. 1 Inside Spray & Bottom Varnish Surface Coating System:	Overspray exhausted	

Current AIRS Point Number	Old AIRS Point Number*	APEN Number	Description	Pollution Control Device	Construction Permit
			Seven (7) inside spray machines, together rated at 20.2 gallons/hour. Bottom varnish rated at 1.0 gallon/hour. Natural gas fired drying/curing oven rated at 3.080 MMBtu/hour. Oven emissions exhausted through two stacks.	through MikroPulsaire baghouse	
	017	86WE191-17	Line No. 2 Inside Spray & Bottom Varnish Surface Coating System: Six (6) inside spray machines, together rated at 16.4 gallons/hour. Bottom varnish rated at 0.8 gallon/hour. Natural gas fired drying/curing oven rated at 3.080 MMBtu/hour. Oven emissions exhausted through two stacks.	Overspray exhausted through MikroPulsaire baghouse	
102	018	86WE191-18	Clean-up operations with various solvents	None	
	020	86WE054	Respraying of defectively coated cans: Reynolds Model DG250 inside spray machine rated at 1.5 gallons/hour	Baghouse	
	021	90WE455-1	Five (5) Parts Cleaners	None	
Process Emissions from the following each have their own stack					
102	012		Line No. 1 Basecoat Surface Coating System.		
	013 014 015		Line No. 1, 2, and 2A Decorator Systems.		
	016 017		Line No. 1 and 2 Inside Spray and Bottom Varnish Surface Coating System.		
	020		Reynolds Inside Spray Machine		
	018		Clean-up Operations		
030		96WE060	Aluminum Scrap Handling System		

Current AIRS Point Number	Old AIRS Point Number*	APEN Number	Description	Pollution Control Device	Construction Permit
019	019	87WE328	Caterpillar 3406TA 440 HP diesel fired internal combustion engine driving fire pump.		

* The AIRS point numbers have been changed to allow the source to group certain equipment together under one AIRS point. The old AIRS point numbers are listed here for reference.

SECTION II - Specific Permit Terms

1. Fuel Burning Equipment:

B001 and B002: Cleaver Brooks Boilers (2-12.553 MMBtu/hr)
B003: Make-Up Air Heaters (2-10.3 MMBtu/hr, 1-13.1 MMBtu/hr)

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
Facility-wide NO_x	1.1	45.0 tons per year	98 lb/MMscf	Record keeping & Calculation 12 month rolling total	Monthly
Facility-wide CO		38.0 tons per year	82 lb/MMscf		
Facility-wide VOC		245 tons per year	5.4 lb/MMscf		
Facility-wide PM_{10}		8.4 tons per year	7.5 lb/MMscf		
Facility-wide PM		8.4 tons per year	7.5 lb/MMscf		
Facility-wide HAP		9.9 tons per year for any single HAP 20 tons per year for total HAPs	Benzene: 0.0021 lb/MMscf Dichlorobenzene: 0.0012 lb/MMscf Formaldehyde: 0.075 lb/MMscf Hexane: 1.8 lb/MMscf Naphthalene: 0.00061 lb/MMscf Toluene: 0.0034 lb/MMscf And other factors listed in AP-42 Table 1.4-3 & 1.4-4		
PM Standard	1.2	$0.5(FI)^{-0.26}$ lb/MMBtu		Fuel Restriction	
Natural Gas Consumption	1.3	912 MMscf/yr		Record keeping	Monthly
Opacity	1.4	Not to Exceed 20%, Except as Provided for in 1.4.2		Fuel Restriction	
		For Startup - Not to Exceed 30%, for a Period or Periods Aggregating More than Six (6) Minutes in any 60 Consecutive Minutes			
SO_2	1.5	2 tons/day		See Condition 1.5	

1.1 Facility-Wide emissions of NO_X, CO, VOC, PM, PM_{10}, and HAP shall not exceed the limitations stated in the table above (Colorado Construction Permit 95WE195). Monthly emissions from all combustion units at this facility shall be calculated, by the end of the subsequent month, using the emission factors above (EPA Compilation of Air Pollution Emission Factors (AP-42), Tables 1.4-1 and 2, March 1998, adjusted for heating value of 1000 Btu/scf) and the facility-wide natural gas consumption (required by Condition 1.3) in the following equation:

$$\text{ton/mo} = \frac{[\text{Compliance Emission Factor (lb/MMscf)} \times \text{monthly natural gas consumption (MMscf/mo)}]}{2000 \text{ lb/ton}}$$

Monthly emissions from all combustion sources shall be summed with the monthly emissions from other emission units and a twelve month rolling total of facility-wide emissions will be maintained to verify compliance with the annual emission limitations. Each month, a new twelve month total shall be calculated using the previous twelve months data. Records of the calculations and compliance determinations shall be maintained and made available for Division review upon request.

1.2 Particulate Matter emissions from each unit shall not exceed the standard as stated in the above table. Allowable emissions of PM in lb/MMBtu were calculated using the following equation (Colorado Regulation No. 1, Section III.A.1.b):

$$\text{Allowable PE (lb/MMBtu)} = 0.5(\text{Fuel Input in MMBtu/hr})^{-0.26}$$

In the absence of credible evidence to the contrary, compliance with the particulate matter emission limit is presumed since natural gas is the only fuel permitted for use in these units.

1.3 Natural gas consumption by all combustion sources in the facility is limited to 912 MMscf/yr. Natural gas consumption shall be recorded monthly. A twelve month rolling total of natural gas use shall be maintained to determine compliance with the annual limitation.

1.4 Opacity of emissions from fuel burning equipment shall not exceed the following:

1.4.1 Except as provided for in Condition 1.4.2 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity (Colorado Regulation No.1, Section II.A.1).

1.4.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from start-up which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes (Colorado Regulation No. 1, Section II.A.4).

In the absence of credible evidence to the contrary, compliance with the above opacity standards shall be presumed since natural gas is the only fuel permitted for use in these units.

1.5 Sulfur Dioxide (SO_2) emissions shall not exceed two (2) tons per day (Colorado Regulation No. 1, Section VI.B.5.a). In the absence of credible evidence to the contrary, compliance with the

sulfur dioxide emission limit is presumed since natural gas is the only fuel permitted for use in these units.

2. Can Forming Operations:

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
Facility-wide PM	2.1	8.4 tons per year	0.20 pound per hour per production line	Record keeping & Calculation 12 month rolling total	Monthly
Facility-wide PM_{10}		8.4 tons per year			
Hours of Operation				Record keeping	Monthly
Control Equipment Operation	2.2	Good Maintenance and Operating Procedures		Maintenance & Record keeping	As Needed
Opacity	2.3	Not to Exceed 20%, Except as Provided for in 2.3.2		See Condition 2.3	
		For Certain Operational Activities - Not to Exceed 30%, for a Period or Periods Aggregating More than Six (6) Minutes in any 60 Consecutive Minutes			
		State Only Requirement: Not to Exceed 20%			
PM Emissions from Manufacturing Processes	2.4	See Condition 2.4		See Condition 2.4	

2.1 Facility-wide emissions of PM and PM_{10} shall not exceed the limitations stated in the table above (Colorado Construction Permit 95WE195). The hours of operation for these units shall be monitored monthly and recorded in a log that is available to the Division upon request. Monthly emissions from can forming operations shall be calculated, by the end of the subsequent month, using the emission factor above and the recorded hours of operation. Monthly emissions from these units shall be summed with the monthly emissions from other emission units and a twelve month rolling total of facility-wide emissions will be maintained to verify compliance with the annual emission limitations. Each month, a new twelve month total shall be calculated using the previous twelve months data. Records of the calculations and compliance determinations shall be maintained and made available for Division review upon request.

2.2 Routine maintenance and operation of the mist eliminators with filters and wet can inverter mist filters shall be performed in accordance with manufacturer's recommendations and good engineering practices. Specifically:

2.2.1 The mist eliminators with filters and wet can inverter mist filters shall operate when the oil mist lubrication systems and wet can elevators are in operation.

2.2.2 Process equipment and associated piping/duct work shall be maintained and operated so that there is no leakage of air contaminants to the atmosphere prior to treatment by the control equipment.

2.2.3 Records of control equipment and associated duct maintenance shall be kept.

2.3 Opacity of emissions from can forming operations shall not exceed the following:

2.3.1 Except as provided for in Condition 2.3.2 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity (Colorado Regulation No.1, Section II.A.1).

2.3.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from start-up, any process modification, or adjustment or occasional cleaning of control equipment, which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes (Colorado Regulation No. 1, Section II.A.4).

2.3.3 **State-Only Requirement:** No owner or operator may discharge, or cause the discharge into the atmosphere of any particulate matter which is greater than 20% opacity (Colorado Regulation No. 6, Part B, Section III.C.3).

This opacity standard applies at all times except during periods of startup, shutdown and malfunction (40 CFR Part 60 Subpart A § 60.11(c), as adopted by reference in Colorado Regulation No. 6, Part B, Section I.A).

Note that this opacity requirement is more stringent than the opacity requirement in Condition 2.3.2 during periods of process modifications and adjustment or occasional cleaning of control equipment.

Compliance with these opacity limitations shall be monitored as follows:

2.3.4 A qualitative visual emissions observation shall be conducted monthly during operation for each emission point, for at least six minutes. Records of the results of the qualitative visual emissions observations shall be kept in a log and made available to the Division upon request.

2.3.5 When visible emissions persist for more than six (6) minutes, an EPA Reference Method 9 observation shall be performed. Subject to the provisions of C.R.S. 25-7-123.1, and in the absence of credible evidence to the contrary, exceedance of the limit shall be considered to exist from the time a Method 9 reading is taken that shows an exceedance of the opacity limit until a Method 9 reading is taken that shows the opacity is less than the opacity limit.

2.3.6 All opacity observations shall be performed by an observer with current and valid Method 9 certification. Results of Method 9 readings and a copy of the certified Method

9 reader's certificate shall be kept on site and made available to the Division upon request.

2.4 No owner or operator of a manufacturing process unit shall cause or permit emission of any particulate matter into the atmosphere during any consecutive sixty (60) minute period which is in excess of the following:

For process equipment having process weight rates of 30 tons per hour or less, the allowable emission rate shall be determined by use of the equation:

$$PE = 3.59(P)^{0.62}$$

Where: PE = Particulate Emission in lbs. per hour;
P = Process weight rate in tons per hour

(Colorado Regulation No. 1, Section III.C.1.a)

In the absence of credible evidence to the contrary, compliance with this emission limit shall be presumed whenever the mist eliminators with filters and wet can inverter mist filters are operated in accordance with manufacturer's recommendations and good engineering practices as set forth in Condition 2.2.

3. Can Coating Operations

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
Facility-wide VOC	3.1	245 tons per year	Mass Balance	Record keeping & Calculation	Monthly
Facility-wide HAP		9.9 tons per year for any single HAP 20 tons per year for total HAPs	Mass Balance	Record keeping & Calculation	Monthly
Facility-wide PM	3.2	8.4 tons per year	As Defined in Condition 3.2	Record keeping & Calculation; Baghouse Maintenance	Monthly As Defined
Facility-wide PM_{10}		8.4 tons per year			
Material Usage	3.3			Record keeping	Weekly
NSPS Subpart WW	3.4	See Condition 3.4		NSPS Subpart WW	As Defined
NSPS Subpart A, General Provisions	3.5			NSPS General Provisions	As Defined
Can production	3.6			Record keeping	Daily
Opacity	3.7	Not to Exceed 20%, Except as Provided for in 3.7.2		See Condition 3.7	
		For Certain Operational Activities - Not to Exceed 30%, for a Period or Periods Aggregating More than Six (6) Minutes in any 60 Consecutive Minutes			
		State Only Requirement: Not to Exceed 20%			
Odor	3.8			Record keeping	Annual
Colorado Regulation No. 7	3.9			See Condition 3.9	
PM Emissions from Manufacturing Processes	3.10	See Condition 3.10		See Condition 3.10	

3.1 Facility-wide emissions of VOC and HAPs shall not exceed the limitations stated in the table above (Colorado Construction Permit 95WE195 as modified under the provisions of Section I, Condition 1.3). The source shall record coating, ink, and cleanup material usage on a weekly basis. The weekly material usage and the percentage of VOC & HAP in each material (coatings, inks, and solvents) shall be used to calculate emissions based on mass balance calculations.

VOC & HAP emissions shall be summed to determine monthly emissions. Monthly emissions from this emission unit shall be summed with the monthly emissions from other emission units and a twelve month rolling total of facility-wide emissions will be maintained to verify compliance with the annual emission limitations. Each month, a new twelve month total shall be calculated using the previous twelve months data. Records of the calculations and compliance determinations shall be maintained and made available for Division review upon request.

3.2 Facility-wide emissions of PM and PM_{10} shall not exceed the limitations stated above (Colorado Construction Permit 95WE195). PM and PM_{10} emissions from the inside spray operations shall be calculated with the equation below based on material consumption.

$$PM \text{ (consisting 100\% } PM_{10}) = V \times P \times (1-\eta_{transfer}) \times \rho \times (1-\eta_{baghouse})$$

Where:

V = Volume of inside spray material used
P = Volume of solids per volume of inside spray material
$\eta_{transfer}$ = Transfer Efficiency (80% - from AP-42 for airless spray on flat surfaces
ρ = Density of solids (from MSDS data sheet)
$\eta_{baghouse}$ = Baghouse control efficiency

Monthly emissions from these units shall be summed with the monthly emissions from other emission units and a twelve month rolling total of facility-wide emissions will be maintained to verify compliance with the annual emission limitations. Each month, a new twelve month total shall be calculated using the previous twelve months data.

3.2.1 Routine maintenance and operation of the baghouse shall be performed in accordance with manufacturer's recommendations and good engineering practices. These maintenance and operation procedures shall be in written format and include a log detailing the activities conducted. The log shall be made available to the Division upon request.

3.2.2 The baghouse shall be internally inspected for bag integrity and overall mechanical efficiency semi-annually. The bags shall be internally inspected when a significant change in pressure occurs. Necessary repairs shall be made prior to bringing the equipment back on line. An adequate inventory of replacement bags and parts shall be maintained on site.

3.2.3 A baghouse control efficiency of 99% shall be applied to the emissions calculation above if Conditions 3.2.1 and 3.2.2 of this permit are met.

3.3 Consumption of each material used in this operation shall be monitored weekly and recorded in a log that is available to the Division upon request. Recorded data shall be used to calculate emissions according to Condition 3.1 and for determination of the need to file a revised APEN.

3.4 This source is subject to the requirements of 40 CFR Part 60 Subpart WW, "Standards of Performance for the Beverage Can Surface Coating Industry", as adopted by reference in Colorado Regulation No. 6, Part A, including, but not limited to, the following:

[The requirements below reflect the current rule language as of the revisions to 40 CFR Part 60 Subpart WW published in the Federal Register on 10/17/2000. However, if revisions to this Subpart are published at a later date, the owner or operator is subject to the requirements contained in the revised version of 40 CFR Part 60, Subpart WW.]

3.4.1 No owner or operator subject to the provisions of this subpart shall discharge or cause the discharge of VOC emissions to the atmosphere that exceed the following volume-weighted calendar-month average emissions (§60.492):

3.4.1.1 0.29 kg of VOC per liter (2.42 pounds per gallon) of coating solids from each two-piece can exterior base coating operation, except clear base coat (§60.492(a));

3.4.1.2 0.46 kg of VOC per liter (3.83 pounds per gallon) of coating solids from each two-piece can clear base coating operation and from each overvarnish coating operation (§60.492(b)); and

3.4.1.3 0.89 kg of VOC per liter (7.42 pounds per gallon) of coating solids from each two-piece can inside spray coating operation. (§60.492(c))

3.4.2 The owner or operator of an affected facility shall conduct a performance test each calendar month for each affected facility. (§60.493(b))

3.4.2.1 The owner or operator shall use the following procedures for each affected facility that does not use a capture system and a control device to comply with the emission limit specified under Condition 3.4.1. The owner or operator shall determine the VOC-content of the coatings from formulation data supplied by the manufacturer of the coating or by an analysis of each coating, as received, using Method 24. The Division may require the owner or operator who uses formulation data supplied by the manufacturer of the coating to determine the VOC content of coatings using Method 24 or an equivalent or alternative method. The owner or operator shall determine from company records the volume of coating and the mass of VOC-solvent added to coatings. If a common coating distribution system serves more than one affected facility or serves both affected and exiting facilities, the owner or operator shall estimate the volume of coating used at each facility by using the average dry weight of coating, number of cans, and size of cans being processed by each affected and existing facility or by other procedures acceptable to the Division. (§60.493(b)(1))

a. Calculate the volume-weighted average of the total mass of VOC per volume of coating solids used during the calendar month for each affected facility, except as provided under Condition 3.4.2.1(d). The volume-

weighted average of the total mass of VOC per volume of coating solids used each calendar month will be determined by the procedures in §60.493(b)(1)(i)(A) through (C). (§60.493(b)(1)(i))

b. For affected facilities that do not use a capture and control system to comply with applicable emission limits, the mass of VOC per volume of coating solids used is equal to the mass of VOC per volume of coating solids emitted to the atmosphere. (§60.493(b)(1)(ii))

c. Where the value of the volume-weighted average mass of VOC per volume of solids discharged to the atmosphere is equal to or less than the applicable emission limit specified under Condition 3.4.1, the affected facility is in compliance. (§60.493(b)(1)(iii))

d. If each individual coating used by an affected facility has a VOC content equal to or less than the limit specified under Condition 3.4.1, the affected facility is in compliance provided no VOC-solvents are added to the coating during distribution or application. (§60.493(b)(1)(iv))

3.4.3 Section 60.8(d) does not apply to monthly performance tests and § 60.8(f) does not apply to the performance test procedures required by this subpart. (§60.493(a))

3.4.4 The owner or operator of an affected facility shall comply with the reporting and record keeping requirements as stated in 40 CFR §60.495. Reporting under this section is to be fulfilled concurrently with Appendix B compliance monitoring reporting and shall be submitted to the Division.

3.4.5 The reference methods in appendix A to this part, except as provided in §60.8, shall be used to conduct performance tests. (§60.496(a))

3.4.5.1 Method 24, an equivalent or alternative method approved by the Division, or manufacturers' formulation data from which the VOC content of the coatings used for each affected facility can be calculated. In the event of a dispute, Method 24 data shall govern. When VOC content of water-borne coatings, determined from data generated by Method 24, is used to determine compliance of affected facilities, the results of the Method 24 analysis shall be adjusted as described in Section 12.6 of Method 24. (§60.496(a)(1))

3.4.5.2 For Method 24, the coating sample must be a 1-litre sample collected in a 1-litre container at a point where the sample will be representative of the coating material. (§60.496(b))

3.5 This unit is subject to the requirements of 40 CFR 60 Subpart A, “General Provisions”, as adopted by reference in Colorado Regulation No. 6, Part A, including, but not limited to, the following:

3.5.1 No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which

would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere. (40 CFR §60.12)

3.5.2 Records of startups, shutdowns, and malfunctions shall be maintained, as required under 40 CFR §60.7

3.5.3 Performance tests shall be conducted as required under 40 CFR §60.8, and as per §60.493 (b) (1).

3.5.4 At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. (40 CFR §60.11 (d))

3.6 Can production rate of this unit shall be monitored daily and recorded in a log that is available to the Division upon request. Recorded data shall be used to calculate emissions for determination of the need for a revised APEN.

3.7 Opacity of emissions from the inside spray operations shall not exceed the following:

3.7.1 Except as provided for in Condition 3.7.2 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity (Colorado Regulation No.1, Section II.A.1).

3.7.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from start-up, any process modification, or adjustment or occasional cleaning of control equipment, which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes (Colorado Regulation No. 1, Section II.A.4).

3.7.3 **State-Only Requirement:** No owner or operator may discharge, or cause the discharge into the atmosphere of any particulate matter which is greater than 20% opacity (Colorado Regulation No. 6, Part B, Section III.C.3).

This opacity standard applies at all times except during periods of startup, shutdown and malfunction (40 CFR Part 60 Subpart A § 60.11(c), as adopted by reference in Colorado Regulation No. 6, Part B, Section I.A).

Note that this opacity requirement is more stringent than the opacity requirement in Condition 3.7.2 during periods of process modifications and adjustment or occasional cleaning of control equipment.

Compliance with the above opacity limitations shall be monitored as follows:

3.7.4 A qualitative visual emissions observation shall be conducted monthly during operation for each emission point, for at least six minutes. Records of the results of the qualitative visual emissions observations shall be kept in a log and made available to the Division upon request.

3.7.5 When visible emissions persist for more than six (6) minutes, an EPA Reference Method 9 observation shall be performed. Subject to the provisions of C.R.S. 25-7-123.1, and in the absence of credible evidence to the contrary, exceedance of the limit shall be considered to exist from the time a Method 9 reading is taken that shows an exceedance of the opacity limit until a Method 9 reading is taken that shows the opacity is less than the opacity limit.

3.7.6 All opacity observations shall be performed by an observer with current and valid Method 9 certification. Results of Method 9 readings and a copy of the certified Method 9 reader's certificate shall be kept on site and made available to the Division upon request.

3.8 This unit is subject to Colorado Regulation No. 2 Odor requirements (Colorado Construction Permit 95WE195). All Odor complaints shall be recorded and made available to the Division upon request. The source shall employ such measures and operating procedures as are necessary to minimize odor emissions.

3.9 **[State-Only Enforceable]** These sources are subject to the requirements of Colorado Regulation No. 7, including, but not limited to, the following:

Can Coating Operations

3.9.1 Emissions of VOC from can coating operations shall not exceed those in the following table (Colorado Regulation No. 7, Section IX.C.3):

Can Coating	Kg/lc	Lb/gc
Sheet base coat (exterior and interior) and overvarnish two-piece can exterior (base coat and overvarnish)	0.34	2.8
Two-piece can interior body spray, two-piece can	0.51	4.2

exterior end (spray or roll coat)		

Where: Kg/lc = kilograms of solvent VOC per liter of coating (minus water and "exempt" solvents, as defined in Section II.B.)

Lb/gc = (avoirdupois) pounds of solvent VOC per gallon of coating (minus water and "exempt" solvents, as defined in Section II.B.)

3.9.2 For each process specified in Condition 3.9.1, the emission limits designated for that process shall be achieved by use of coatings with proportions of VOC less than or equal to the maximums specified. (Colorado Regulation No. 7 Section IX.A.5.a)

3.9.3 Compliance with Condition 3.9.1 shall be determined on a daily basis. (Colorado Regulation No. 7 Section IX.A.10.a)

3.9.4 Compliance calculation procedures shall follow the guidance in "Procedure for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink, and Other Coatings," EPA-450/3-84/019. (Colorado Regulation No. 7 Section IX.A.10.b)

3.9.5 The owner or operator of any VOC source required to comply with Condition 3.9.1 shall, at their own expense, demonstrate compliance using EPA reference method 24 of 40 CFR Part 60 for surface coatings, or using the manufacturer's certification of the composition of the coatings according to Condition 3.9.8. (Colorado Regulation No. 7 Section IX.A.3.a)

3.9.6 The test protocol should be in accordance with the requirements of the Air Pollution Control Division Compliance Test Manual and shall be submitted to the Division for review and approval at least thirty (30) days prior to testing. No test shall be conducted without prior approval from the Division. (Colorado Regulation No. 7 Section IX.A.3.b)

3.9.7 The Division may use independent tests to verify test data submitted by the source operator or owner. The test methods shall be those listed in Condition 3.9.5 above and the Division test results shall take precedence. (Colorado Regulation No. 7 Section IX.A.3.c)

3.9.8 The Division may accept, instead of the testing required in Condition 3.9.5, a certification by the manufacturer of the composition of the coatings if supported by actual batch formulation records. The owner or operator of the VOC source required to comply with this section shall obtain certification from the coating manufacturer(s) that the test method(s) used for determination of VOC content meet the requirements specified in Condition 3.9.5. The owner or operator shall have this certification readily available to Division personnel, in order to allow the results to be used in the daily compliance calculations specified above. (Colorado Regulation No. 7 Section IX.A.3.d)

3.9.9 When determining compliance with the emission limits of Condition 3.9.1 using the testing procedures of Condition 3.9.5, samples shall be taken from the coating as freshly

delivered to the reservoir of the coating applicator. (Colorado Regulation No. 7 Section IX.A.4)

3.9.10 Recordkeeping procedures shall follow the guidance in "Recordkeeping Guidance Document for Surface Coating Operations and the Graphic Arts Industry," July 1989, EPA 340/1-88-003. (Colorado Regulation No. 7 Section IX.A.8.c)

3.9.11 No owner or operator of a source of VOCs subject to Colorado Regulation No. 7, Section IX shall operate, cause, allow or permit the operation of the source, unless the owner or operator does not cause, allow or permit the discharge into the atmosphere of any VOCs in excess of the specified emission limit, calculated as delivered to the coating applicator or as applied to the substrate, whichever is greater. (Colorado Regulation No. 7 Section IX.A.9)

Storage and Transfer of Volatile Organic Compounds

3.9.12 All storage tank gauging devices, anti-rotation devices, accesses, seals, hatches, roof drainage systems, support structures, and pressure relief valves shall be maintained and operated to prevent detectable vapor loss except when opened, actuated, or used for necessary and proper activities (e.g. maintenance). Such opening, actuation, or use shall be limited so as to minimize vapor loss. (Colorado Regulation No. 7 Section III.A)

Detectable vapor loss shall be determined visually, by touch, by presence of odor, or using a portable hydrocarbon analyzer. When an analyzer is used, detectable vapor loss means a VOC concentration exceeding 10,000 ppm. Testing and monitoring shall be conducted as in Section VIII.C.3. (Colorado Regulation No. 7 Section III.A)

3.9.13 Except as otherwise provided in this regulation, all volatile organic compounds transferred to any tank, container, or vehicle compartment with a capacity exceeding 212 liters (56 gallons), shall be transferred using submerged or bottom filling equipment. For top loading, the fill tube shall reach within six inches of the bottom of the tank compartment. For bottom-fill operations, the inlet shall be flush with the tank bottom. (Colorado Regulation No. 7 Section III.B)

Fugitive Emission Control

3.9.14 Control techniques and work practices shall be implemented at all times to reduce VOC emissions from fugitive sources. Control techniques and work practices include, but are not limited to (Colorado Regulation No. 7 Section IX.A.7.a):

3.9.14.1 Tight-fitting covers for open tanks (Colorado Regulation No. 7 Section IX.A.7.a.(i));

3.9.14.2 Covered containers for solvent wiping cloths (Colorado Regulation No. 7 Section IX.A.7.a.(ii));

3.9.14.3 Proper disposal of dirty cleanup solvent. (Colorado Regulation No. 7 Section

IX.A.7.a.(iii))

3.9.15 Emissions of organic material released during clean-up operations, disposal, and other fugitive emissions shall be included when determining total emissions, unless the source owner or operator documents that the VOCs are collected and disposed of in a manner that prevents evaporation to the atmosphere. (Colorado Regulation No. 7 Section IX.A.7.b)

Use of Solvents for Degreasing and Cleaning

3.9.16 In any disposal or transfer of waste or used solvent, at least 80 percent by weight of the solvent/waste liquid shall be retained (i.e., no more than 20 percent of the liquid solvent/solute mixture shall evaporate or otherwise be lost during transfers). (Colorado Regulation No. 7 Section X.A.3)

The source shall maintain records of all disposals and transfers of waste or used solvent in a log to be made available to the Division upon request.

3.9.17 Waste or used solvent shall be stored in closed containers unless otherwise required by law. (Colorado Regulation No. 7 Section X.A.4)

3.9.18 All cold-cleaners shall have a properly fitting cover. (Colorado Regulation No. 7 Section X.B.1.a.(i))

3.9.19 All cold-cleaners shall have a drainage facility that captures the drained liquid solvent from the cleaned parts. (Colorado Regulation No. 7 Section X.B.1.b.(i))

3.9.20 A permanent, clearly visible sign shall be mounted on or next to the cold-cleaner. The sign shall list the operating requirements. (Colorado Regulation No. 7 Section X.B.1.c)

3.9.21 Solvent spray apparatus shall not have a splashing, fine atomizing, or shower type action but rather should produce a solid, cohesive stream. Solvent spray shall be used at a pressure that does not cause excessive splashing. (Colorado Regulation No. 7 Section X.B.1.d)

3.9.22 The cold-cleaner cover shall be closed whenever parts are not being handled within the cleaner confines. (Colorado Regulation No. 7 Section X.B.2.a)

3.9.23 Cleaned parts shall be drained for at least 15 seconds and/or until dripping ceases. Any pools of solvent shall be tipped out on the clean part back into the tank. (Colorado Regulation No. 7 Section X.B.2.b)

3.10 No owner or operator of a manufacturing process unit shall cause or permit emission of any particulate matter into the atmosphere during any consecutive sixty (60) minute period which is in excess of the following:

For process equipment having process weight rates of 30 tons per hour or less, the allowable emission rate shall be determined by use of the equation:

$$PE = 3.59(P)^{0.62}$$

Where: PE = Particulate Emission in lbs. per hour;
P = Process weight rate in tons per hour

(Colorado Regulation No. 1, Section III.C.1.a)

In the absence of credible evidence to the contrary, compliance with this emission limit shall be presumed whenever the baghouses controlling emissions from the inside spray operations are operated in accordance with manufacturer's recommendations and good engineering practices as set forth in Condition 3.2.

4. Aluminum Scrap

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
Facility-wide PM	4.1	8.4 tons per year	0.45 pound per ton of aluminum scrap	Record keeping & Calculation 12 month rolling total	Monthly
Facility-wide PM_{10}		8.4 tons per year			
Aluminum Scrap Throughput	4.2	5,500 tons per year			Monthly
Equipment Operation	4.3 4.4	Good Maintenance and Operating Procedures		Maintenance & Record keeping	As Needed
Opacity	4.5	Not to Exceed 20%, Except as Provided for in 4.5.2		Material Restriction	None
		For Certain Operational Activities - Not to Exceed 30%, for a Period or Periods Aggregating More than Six (6) Minutes in any 60 Consecutive Minutes			
		State Only Requirement: Not to Exceed 20%			
PM Emissions from Manufacturing Processes	4.6	See Condition 4.6		See Condition 4.6	

4.1 Facility-wide emissions of PM and PM_{10} shall not exceed the limitations stated above (Colorado Construction Permit 95WE195). Monthly emissions from aluminum scrap operations shall be calculated, by the end of the subsequent month, using the above emission factor and the scrap aluminum throughput (required by Condition 4.2). Monthly emissions from this emission unit shall be summed with the monthly emissions from other emission units and a twelve month rolling total of facility-wide emissions will be maintained to verify compliance with the annual emission limitations. Each month, a new twelve month total shall be calculated using the previous twelve months data. Records of the calculations and compliance determinations shall be maintained and made available for Division review upon request.

4.2 Scrap aluminum throughput is limited to 5,500 TPY. (Colorado Construction Permit 95WE195 as modified under the provisions of Section I, Condition 1.3) Scrap aluminum throughput shall be monitored monthly and recorded in a log that is available to the Division upon request.

Recorded data shall be used to calculate emissions according to Condition 4.1 and for determination of the need to file a revised APEN.

4.3 Routine maintenance and operation of the cyclone shall be performed in accordance with manufacturer's recommendations and good engineering practices to minimize emissions and ensure compliance with particulate and opacity standards. (Colorado Construction Permit 95WE195) Specifically:

4.3.1 The cyclone and the exhaust fans for the cyclone shall be operated when the aluminum scrap systems are in operation.

4.3.2 Process equipment and associated piping/duct work shall be maintained and operated so that there is no leakage of air contaminants to the atmosphere.

4.3.3 Records of equipment and associated duct maintenance shall be kept.

4.4 At all times, including periods of start-up, shutdown, and malfunction, the facility and equipment shall, to the extent practicable, be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether or not acceptable operating and maintenance procedures are being used will be based on information available to the Division, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. (Colorado Construction Permit 95WE195)

4.5 Opacity of emissions from the aluminum scrap operations shall not exceed the following:

4.5.1 Except as provided for in Condition 4.5.2 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity (Colorado Regulation No.1, Section II.A.1).

4.5.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from start-up, any process modification, or adjustment or occasional cleaning of control equipment, which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes (Colorado Regulation No. 1, Section II.A.4).

4.5.3 **State-Only Requirement:** No owner or operator may discharge, or cause the discharge into the atmosphere of any particulate matter which is greater than 20% opacity (Colorado Regulation No. 6, Part B, Section III.C.3).

This opacity standard applies at all times except during periods of startup, shutdown and malfunction (40 CFR Part 60 Subpart A § 60.11(c), as adopted by reference in Colorado Regulation No. 6, Part B, Section I.A).

Note that this opacity requirement is more stringent than the opacity requirement in Condition 4.5.2 during periods of process modifications and adjustment or occasional cleaning of control equipment.

In the absence of any credible evidence to the contrary, compliance with the above opacity limits may be presumed based on the type of material processed, the method of operation, and compliance with Condition 4.3 above.

4.6 No owner or operator of a manufacturing process unit shall cause or permit emission of any particulate matter into the atmosphere during any consecutive sixty (60) minute period which is in excess of the following:

For process equipment having process weight rates of 30 tons per hour or less, the allowable emission rate shall be determined by use of the equation:

$$PE = 3.59(P)^{0.62}$$

Where: PE = Particulate Emission in lbs. per hour;
P = Process weight rate in tons per hour

(Colorado Regulation No. 1, Section III.C.1.a)

In the absence of credible evidence to the contrary, compliance with this emission limit shall be presumed whenever the cyclone is operated in accordance with manufacturer's recommendations and good engineering practices as set forth in Condition 4.3.

5. Insignificant Activities

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
VOC	5.1			Record keeping & Calculation	Annual
HAP	5.2			Record keeping & Calculation	Annual

5.1 The source shall identify all insignificant activities that are sources of VOC emissions and calculate actual VOC emissions from the insignificant activities annually. If total facility-wide VOC emissions exceed 250 TPY, including VOC emissions from insignificant activities, the facility will exceed the emissions limit for minor status for the purposes of Prevention of Significant Deterioration. The emission factors and/or methodology used to estimate actual emissions shall be documented and made available to the Division upon request.

5.2 The source shall track HAP emissions from all insignificant activities on a yearly basis. This information shall be made available to the Division for inspection upon request. For the purposes of this condition, insignificant activities shall be defined as any activity or equipment, which emits any amount of HAP but does not require an Air Pollutant Emission Notice (APEN). If total facility-wide HAP emissions equal or exceed 10 TPY (any single HAP) or 25 TPY (total HAPs), including HAP emissions from insignificant activities, the facility will exceed the emissions limit for synthetic minor status and certain MACT standards may apply. The emission factors and/or methodology used to estimate actual emissions shall be documented and made available to the Division upon request.

6. Emergency Fire Pump Engine: One (1) Caterpillar 3406 TA Fire Pump Engine, Rated at 440 HP

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
NO_X	6.1	APEN reporting is required if annual hours of operation exceed 146	0.031 lb/hp-hr	Recordkeeping and Calculation	Annually, if hours of operation exceed 146
Hours of Operation	6.2			Recordkeeping	Annually
SO_2	6.3	0.8 lb/MMBtu		Fuel Restriction	Only Diesel Fuel is Used as Fuel
Opacity	6.4	Not to Exceed 20%, Except as Provided for Below For Startup – Not to Exceed 30% for a Period or Periods Aggregating More than Six (6) Minutes in any 60 Consecutive Minutes		EPA Method 9	See Condition 6.4
MACT ZZZZ Requirements	6.5	Change Oil and Filter Inspect Air Cleaner Inspect all Hoses and Belts		See Condition 6.5	
MACT General Provisions	6.6			See Condition 6.6	

6.1 **APEN Reporting Requirements:** The emission factors listed above (from AP-42 Table 3.3-1) have been approved by the Division and shall be used to calculate emissions from the fire pump engine if hours of operation for this engine exceed 146 hours in any calendar year. Annual emissions of Nitrogen Oxide (NO_x), for purposes of APEN reporting and payment of annual fees, shall be determined using the above emission factor, the maximum horsepower (440 hp) and the hours of operation (as required by Condition 6.2) in the following equation:

$$\frac{\text{Tons}}{\text{Year}} = \text{Emission Factor}\left(\frac{\text{lb}}{\text{hp-hr}}\right) \times \text{hrs operation} \times \text{max horsepower} \times \left(\frac{\text{ton}}{2000\ \text{lb}}\right)$$

6.2 Hours of operation for the fire pump engine shall be monitored annually and recorded in a log to be made available to the Division upon request. Recorded data shall be used to calculate emissions as required by Condition 6.1.

6.3 Sulfur Dioxide (SO_2) emissions shall not exceed 0.8 lbs/MMBtu (Colorado Regulation No. 1, Section VI.B.4.b.(i)). In the absence of credible evidence to the contrary, compliance with the SO_2 emission limitation shall be presumed since only diesel fuel is permitted to be used as fuel in this engine. The owner or operator shall maintain records that verify that only diesel fuel is used as fuel in this engine.

6.4 Opacity of emissions shall not exceed the following:

6.4.1 Except as provided for in Condition 6.4.2 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity (Colorado Regulation No. 1, Section II.A.1).

6.4.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from startup which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes (Colorado Regulation No. 1, Section II.A.4).

Compliance with these limitations shall be monitored by conducting opacity observations in accordance with EPA Reference Method 9 as follows:

6.4.3 As specified in Condition 6.5.7 engine startup shall not exceed 30 minutes. An engine startup period of less than 30 minutes shall not require an opacity observation to monitor compliance with the opacity limit in Condition 6.4.2. A record shall be kept of the date and time each engine was started and when it was shutdown.

6.4.4 An opacity observation shall be conducted annually (calendar year period) to monitor compliance with the opacity limit in Condition 6.4.1. If an engine is operated more than 250 hours in any calendar year period, a second opacity observation shall be conducted. If two opacity readings are conducted in the annual (calendar year) period, such readings shall be conducted at least thirty days apart. Subject to the provisions of C.R.S. 25-7-123.1, and in the absence of credible evidence to the contrary, exceedance of the limit shall be considered to exist from the time a Method 9 reading is taken that shows an exceedance of the opacity limit until a Method 9 reading is taken that shows the opacity is less than the opacity limit.

6.4.5 All opacity observations shall be performed by an observer with current and valid Method 9 certification. Results of Method 9 readings and a copy of the certified Method 9 reader's certificate shall be kept on site and made available to the Division upon request.

6.5 **[Federal-Only]** This engine is subject to the requirements in 40 CFR Part 63, Subpart ZZZZ, "National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines", including, but not limited to, the following:

[The requirements below reflect the current rule language as of the revisions to 40 CFR Part 63 Subpart ZZZZ published in the Federal Register on 1/30/2013. However, if revisions to this Subpart are published at a later date, the owner or operator is subject to the requirements contained in the revised version of 40 CFR Part 63 Subpart ZZZZ.]

[Note that as of the date of permit issuance [DATE], the requirements in 40 CFR Part 63 Subpart ZZZZ promulgated on March 3, 2010 have not been adopted into Colorado Regulation No. 8,

Part E by the Division and are therefore not state-enforceable. In the event that the Division adopts these requirements, they will become both state and federally enforceable.]

Compliance Date

6.5.1 If you have an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. (§63.6595(a)(1))

Emission Limitations, Operating Limitations, and Other Requirements

6.5.2 If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart that apply to you. (§63.6603(a))

Note that this engine is not subject to emission or operating limitations but is subject to management practice requirements.

The requirements in Table 2d of 40 CFR Part 63 Subpart ZZZZ that apply to this engine are as follows:

6.5.2.1 Change oil and filter every 500 hours of operation or annually, whichever comes first. (Table 2d, Item 4.a)

6.5.2.2 Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary. (Table 2d, Item 4.b)

6.5.2.3 Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. (Table 2d, Item 4.c)

Notwithstanding the above requirements, the following applies:

6.5.2.4 Sources have the option to utilize an oil analysis program as described in Condition 6.5.8 in order to extend the specified oil change requirement in Condition 6.5.2.1. (Table 2d, Footnote 1)

6.5.2.5 If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Conditions 6.5.2.1 through 6.5.2.3, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable. (Table 2d, Footnote 2)

General Compliance Requirements

6.5.3 You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times. (§63.6605(a))

6.5.4 At all times you must 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. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. (§63.6605(b))

Monitoring, Installation, Operation and Maintenance Requirements

6.5.5 If you own or operate an existing emergency stationary RICE located at an area source of HAP emissions, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions (§63.6625(e) and (e)(3))

6.5.6 If you own or operate an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed. (§63.6625(f))

6.5.7 If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. (§63.6625(h))

6.5.8 If you own or operate a stationary CI engine that is subject to the work, operation or management practices in Condition 6.5.2, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Condition 6.5.2.1. The oil analysis must be performed at the same frequency specified for changing the oil in Condition 6.5.2.1. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the

results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. (§63.6625(i))

Continuous Compliance Requirements

6.5.9 You must demonstrate continuous compliance with each requirement in Condition 6.5.2 that applies to you according to methods specified in Table 6 to this subpart (§63.6640(a)). The methods specified in Table 6 to Subpart ZZZZ are as follows:

6.5.9.1 Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions (Table 6, Item 9.a.i); or

6.5.9.2 Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. (Table 6, Item 9.a.ii)

6.5.10 If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in Conditions 6.5.10.1 and 6.5.10.2. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing is prohibited. If you do not operate the engine according to the requirements in Conditions 6.5.10.1 and 6.5.10.2, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines. (§63.6640(f))

6.5.10.1 There is no time limit on the use of emergency stationary RICE in emergency situations. (§63.6640(f)(1))

6.5.10.2 You may operate your emergency stationary RICE for the purpose specified in Condition 6.5.10.2.a for a maximum of 100 hours per calendar year. (§63.6640(f)(2))

a. Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require

maintenance and testing of emergency RICE beyond 100 hours per calendar year. (§63.6640(f)(2)(i))

Notifications and Records

6.5.11 The requirement to submit notifications according to §63.6645(a) does not apply if you own or operate an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards. (§63.6645(a)(5))

6.5.12 You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate an existing stationary emergency RICE. (§63.6655(e) and (e)(2))

6.5.13 If you own or operate an existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. (§63.6655(f) and (f)(2))

6.6 This engine is subject to the requirements in 40 CFR part 63 Subpart A "General Provisions", as adopted by reference in Colorado Regulation No. 8, Part E, Section I as specified in 40 CFR Part 63 Subpart ZZZZ § 63.6665. These requirements include, but are not limited to the following:

6.6.1 Prohibited activities in §63.4(a).

6.6.2 Circumvention in §63.4(b).

SECTION III - Permit Shield

Regulation No. 3, 5 CCR 1001-5, Part C, §§ I.A.4, V.D. & XIII.B; § 25-7-114.4(3)(a), C.R.S.

1. Specific Non-Applicable Requirements

Based on the information available to the Division and supplied by the applicant, the following parameters and requirements have been specifically identified as non-applicable to the facility to which this permit has been issued. This shield does not protect the source from any violations that occurred prior to or at the time of permit issuance. In addition, this shield does not protect the source from any violations that occur as a result of any modifications or reconstruction on which construction commenced prior to permit issuance.

Emission Unit Description & Number	Applicable Requirement	Justification
B001 and B002	Regulation No. 6, Part A - New Source Performance Standards, Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units	These units were existing sources as of the June 9, 1989 applicability date of NSPS Dc.

2. General Conditions

Compliance with this Operating Permit shall be deemed compliance with all applicable requirements specifically identified in the permit and other requirements specifically identified in the permit as not applicable to the source. This permit shield shall not alter or affect the following:

2.1 The provisions of §§ 25-7-112 and 25-7-113, C.R.S., or § 303 of the federal act, concerning enforcement in cases of emergency;

2.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

2.3 The applicable requirements of the federal Acid Rain Program, consistent with § 408(a) of the federal act;

2.4 The ability of the Air Pollution Control Division to obtain information from a source pursuant to §25-7-111(2)(I), C.R.S., or the ability of the Administrator to obtain information pursuant to § 114 of the federal act;

2.5 The ability of the Air Pollution Control Division to reopen the Operating Permit for cause pursuant to Regulation No. 3, Part C, § XIII.

2.6 Sources are not shielded from terms and conditions that become applicable to the source subsequent to permit issuance.

3. Stream-lined Conditions

The following applicable requirements have been subsumed within this operating permit using the pertinent streamlining procedures approved by the U.S. EPA. For purposes of the permit shield, compliance with the listed permit conditions will also serve as a compliance demonstration for purposes of the associated subsumed requirements.

Permit Condition	Streamlined (Subsumed) Requirements
Fuel Burning Equipment	
Section II, Condition 1.2	Colorado Regulation No. 6, Part B, Section II.C.2 [Particulate matter emissions not to exceed $0.5(FI)^{-0.26}$ where FI = fuel input in MMBtu/hr], **State-only Requirement**
Section II, Condition 1.4	Colorado Regulation No. 6, Part B, Section II.C.3 [Emissions of particulate matter shall not exceed 20% opacity], **State-only Requirement**
Can Forming Sources	
Section II, Condition 2.4	Colorado Regulation No. 6, Part B, Section III.C.1 [Particulate matter emissions not to exceed $E = 3.59(P)^{0.62}$ where E = allowable emissions in lb/hr and P = process weight rate in tons/hr], **State-only Requirement**
Can Coating Sources	
Section II, Condition 3.10	Colorado Regulation No. 6, Part B, Section III.C.1 [Particulate matter emissions not to exceed $E = 3.59(P)^{0.62}$ where E = allowable emissions in lb/hr and P = process weight rate in tons/hr], **State-only Requirement**
Aluminum Scrap	
Section II, Condition 4.6	Colorado Regulation No. 6, Part B, Section III.C.1 [Particulate matter emissions not to exceed $E = 3.59(P)^{0.62}$ where E = allowable emissions in lb/hr and P = process weight rate in tons/hr], **State-only Requirement**

SECTION IV - General Permit Conditions (ver 5/22/2012)

1. Administrative Changes

Regulation No. 3, 5 CCR 1001-5, Part A, § III.

The permittee shall submit an application for an administrative permit amendment to the Division for those permit changes that are described in Regulation No. 3, Part A, § I.B.1. The permittee may immediately make the change upon submission of the application to the Division.

2. Certification Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.9., V.C.16.a.& e. and V.C.17.

a. Any application, report, document and compliance certification submitted to the Air Pollution Control Division pursuant to Regulation No. 3 or the Operating Permit shall contain a certification by a responsible official of the truth, accuracy and completeness of such form, report or certification stating that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

b. All compliance certifications for terms and conditions in the Operating Permit shall be submitted to the Air Pollution Control Division at least annually unless a more frequent period is specified in the applicable requirement or by the Division in the Operating Permit.

c. Compliance certifications shall contain:

(i) the identification of each permit term and condition that is the basis of the certification;

(ii) the compliance status of the source;

(iii) whether compliance was continuous or intermittent;

(iv) method(s) used for determining the compliance status of the source, currently and over the reporting period; and

(v) such other facts as the Air Pollution Control Division may require to determine the compliance status of the source.

d. All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.

e. If the permittee is required to develop and register a risk management plan pursuant to § 112(r) of the federal act, the permittee shall certify its compliance with that requirement; the Operating Permit shall not incorporate the contents of the risk management plan as a permit term or condition.

3. Common Provisions

Common Provisions Regulation, 5 CCR 1001-2 §§ II.A., II.B., II.C., II.E., II.F., II.I, and II.J

a. To Control Emissions Leaving Colorado

When emissions generated from sources in Colorado cross the State boundary line, such emissions shall not cause the air quality standards of the receiving State to be exceeded, provided reciprocal action is taken by the receiving State.

b. Emission Monitoring Requirements

The Division may require owners or operators of stationary air pollution sources to install, maintain, and use instrumentation to monitor and record emission data as a basis for periodic reports to the Division.

c. Performance Testing

The owner or operator of any air pollution source shall, upon request of the Division, conduct performance test(s) and furnish the Division a written report of the results of such test(s) in order to determine compliance with applicable emission control regulations.

Performance test(s) shall be conducted and the data reduced in accordance with the applicable reference test methods unless the Division:

(i) specifies or approves, in specific cases, the use of a test method with minor changes in methodology;

(ii) approves the use of an equivalent method;

(iii) approves the use of an alternative method the results of which the Division has determined to be adequate for indicating where a specific source is in compliance; or

(iv) waives the requirement for performance test(s) because the owner or operator of a source has demonstrated by other means to the Division's satisfaction that the affected facility is in compliance with the standard. Nothing in this paragraph shall be construed to abrogate the Commission's or Division's authority to require testing under the Colorado Revised Statutes, Title 25, Article 7, and pursuant to regulations promulgated by the Commission.

Compliance test(s) shall be conducted under such conditions as the Division shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Division such records as may be necessary to determine the conditions of the performance test(s). Operations during period of startup, shutdown, and malfunction shall not constitute representative conditions of performance test(s) unless otherwise specified in the applicable standard.

The owner or operator of an affected facility shall provide the Division thirty days prior notice of the performance test to afford the Division the opportunity to have an observer present. The Division may waive the thirty day notice requirement provided that arrangements satisfactory to the Division are made for earlier testing.

The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(i) Sampling ports adequate for test methods applicable to such facility;

(ii) Safe sampling platform(s);

(iii) Safe access to sampling platform(s); and

(iv) Utilities for sampling and testing equipment.

Each performance test shall consist of at least three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic mean of results of at least three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the owner or operator's control, compliance may, upon the Division's approval, be determined using the arithmetic mean of the results of the two other runs.

Nothing in this section shall abrogate the Division's authority to conduct its own performance test(s) if so warranted.

d. Affirmative Defense Provision for Excess Emissions during Malfunctions

An affirmative defense to a claim of violation under these regulations is provided to owners and operators for civil penalty actions for excess emissions during periods of malfunction. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of evidence that:

(i) The excess emissions were caused by a sudden, unavoidable breakdown of equipment, or a sudden, unavoidable failure of a process to operate in the normal or usual manner, beyond the reasonable control of the owner or operator;

(ii) The excess emissions did not stem from any activity or event that could have reasonably been foreseen and avoided, or planned for, and could not have been avoided by better operation and maintenance practices;

(iii) Repairs were made as expeditiously as possible when the applicable emission limitations were being exceeded;

(iv) The amount and duration of the excess emissions (including any bypass) were minimized to the maximum extent practicable during periods of such emissions;

(v) All reasonably possible steps were taken to minimize the impact of the excess emissions on ambient air quality;

(vi) All emissions monitoring systems were kept in operation (if at all possible);

(vii) The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence;

(viii) The excess emissions were not part of a recurring pattern indicative of inadequate design, operation, or maintenance;

(ix) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This section is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement; and

(x) During the period of excess emissions, there were no exceedances of the relevant ambient air quality standards established in the Commissions' Regulations that could be attributed to the emitting source.

The owner or operator of the facility experiencing excess emissions during a malfunction shall notify the division verbally as soon as possible, but no later than noon of the Division's next working day, and shall submit written notification following the initial occurrence of the excess emissions by the end of the source's next reporting period. The notification shall address the criteria set forth above.

The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.

The Affirmative Defense Provision does not apply to failures to meet federally promulgated performance standards or emission limits, including, but not limited to, new source performance standards and national emission standards for hazardous air pollutants. The affirmative defense provision does not apply to state implementation plan (sip) limits or permit limits that have been set taking into account potential emissions during malfunctions, including, but not necessarily limited to, certain limits with 30-day or longer averaging times, limits that indicate they apply during malfunctions, and limits that indicate they apply at all times or without exception.

e. Circumvention Clause

A person shall not build, erect, install, or use any article, machine, equipment, condition, or any contrivance, the use of which, without resulting in a reduction in the total release of air pollutants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of this regulation. No person shall circumvent this regulation by using more openings than is considered normal practice by the industry or activity in question.

f. Compliance Certifications

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in the Colorado State Implementation Plan, nothing in the Colorado State Implementation Plan shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. Evidence that has the effect of making any relevant standard or permit term more stringent shall not be credible for proving a violation of the standard or permit term.

When compliance or non-compliance is demonstrated by a test or procedure provided by permit or other applicable requirement, the owner or operator shall be presumed to be in compliance or non-compliance unless other relevant credible evidence overcomes that presumption.

g. Affirmative Defense Provision for Excess Emissions During Startup and Shutdown

An affirmative defense is provided to owners and operators for civil penalty actions for excess emissions during periods of startup and shutdown. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of the evidence that:

(i) The periods of excess emissions that occurred during startup and shutdown were short and infrequent and could not have been prevented through careful planning and design;

(ii) The excess emissions were not part of a recurring pattern indicative of inadequate design, operation or maintenance;

(iii) If the excess emissions were caused by a bypass (an intentional diversion of control equipment), then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(iv) The frequency and duration of operation in startup and shutdown periods were minimized to the maximum extent practicable;

(v) All possible steps were taken to minimize the impact of excess emissions on ambient air quality;

(vi) All emissions monitoring systems were kept in operation (if at all possible);

(vii) The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence; and,

(viii) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This subparagraph is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement.

The owner or operator of the facility experiencing excess emissions during startup and shutdown shall notify the Division verbally as soon as possible, but no later than two (2) hours after the start of the next working day, and shall submit written quarterly notification following the initial occurrence of the excess emissions. The notification shall address the criteria set forth above.

The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.

The Affirmative Defense Provision does not apply to State Implementation Plan provisions or other requirements that derive from new source performance standards or national emissions standards for hazardous air pollutants, or any other federally enforceable performance standard or emission limit with an averaging time greater than twenty-four hours. In addition, an affirmative defense cannot be used by a single source or small group of sources where the excess emissions have the potential to cause an exceedance of the ambient air quality standards or Prevention of Significant Deterioration (PSD) increments.

In making any determination whether a source established an affirmative defense, the Division shall consider the information within the notification required above and any other information the Division deems necessary, which may include, but is not limited to, physical inspection of the facility and review of documentation pertaining to the maintenance and operation of process and air pollution control equipment.

4. Compliance Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.C.9., V.C.11. & 16.d. and § 25-7-122.1(2), C.R.S.

a. The permittee must comply with all conditions of the Operating Permit. Any permit noncompliance relating to federally-enforceable terms or conditions constitutes a violation of the federal act, as well as the state act and Regulation No. 3. Any permit noncompliance relating to state-only terms or conditions constitutes a violation of the state act and Regulation No. 3, shall be enforceable pursuant to state law, and shall not be enforceable by citizens under § 304 of the federal act. Any such violation of the federal act, the state act or regulations implementing either statute is grounds for enforcement action, for permit termination, revocation and reissuance or modification or for denial of a permit renewal application.

b. It shall not be a defense for a permittee in an enforcement action or a consideration in favor of a permittee in a permit termination, revocation or modification action or action denying a permit renewal application that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

c. The permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of any request by the permittee for a permit modification, revocation and reissuance, or termination, or any notification of planned changes or anticipated noncompliance does not stay any permit condition, except as provided in §§ X. and XI. of Regulation No. 3, Part C.

d. The permittee shall furnish to the Air Pollution Control Division, within a reasonable time as specified by the Division, any information that the Division may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Division copies of records required to be kept by the permittee, including information claimed to be confidential. Any information subject to a claim of confidentiality shall be specifically identified and submitted separately from information not subject to the claim.

e. Any schedule for compliance for applicable requirements with which the source is not in compliance at the time of permit issuance shall be supplemental, and shall not sanction noncompliance with, the applicable requirements on which it is based.

f. For any compliance schedule for applicable requirements with which the source is not in compliance at the time of permit issuance, the permittee shall submit, at least every 6 months unless a more frequent period is specified in the applicable requirement or by the Air Pollution Control Division, progress reports which contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule for compliance, and dates when such activities, milestones, or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

g. The permittee shall not knowingly falsify, tamper with, or render inaccurate any monitoring device or method required to be maintained or followed under the terms and conditions of the Operating Permit.

5. Emergency Provisions

Regulation No. 3, 5 CCR 1001-5, Part C, § VII.E

An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed the technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. "Emergency" does not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. An emergency constitutes an affirmative defense to an enforcement action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. an emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. the permitted facility was at the time being properly operated;

c. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

d. the permittee submitted oral notice of the emergency to the Air Pollution Control Division no later than noon of the next working day following the emergency, and followed by written notice within one month of the time when emissions limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

This emergency provision is in addition to any emergency or malfunction provision contained in any applicable requirement.

6. Emission Controls for Asbestos

Regulation No. 8, 5 CCR 1001-10, Part B

The permittee shall not conduct any asbestos abatement activities except in accordance with the provisions of Regulation No. 8, Part B, “asbestos control.”

7. Emissions Trading, Marketable Permits, Economic Incentives

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.13.

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are specifically provided for in the permit.

8. Fee Payment

C.R.S §§ 25-7-114.1(6) and 25-7-114.7

a. The permittee shall pay an annual emissions fee in accordance with the provisions of C.R.S. § 25-7-114.7. A 1% per month late payment fee shall be assessed against any invoice amounts not paid in full on the 91st day after the date of invoice, unless a permittee has filed a timely protest to the invoice amount.

b. The permittee shall pay a permit processing fee in accordance with the provisions of C.R.S. § 25-7-114.7. If the Division estimates that processing of the permit will take more than 30 hours, it will notify the permittee of its estimate of what the actual charges may be prior to commencing any work exceeding the 30 hour limit.

c. The permittee shall pay an APEN fee in accordance with the provisions of C.R.S. § 25-7-114.1(6) for each APEN or revised APEN filed.

9. Fugitive Particulate Emissions

Regulation No. 1, 5 CCR 1001-3, § III.D.1.

The permittee shall employ such control measures and operating procedures as are necessary to minimize fugitive particulate emissions into the atmosphere, in accordance with the provisions of Regulation No. 1, § III.D.1.

10. Inspection and Entry

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.16.b.

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Air Pollution Control Division, or any authorized representative, to perform the following:

a. enter upon the permittee's premises where an Operating Permit source is located, or emissions-related activity is conducted, or where records must be kept under the terms of the permit;

b. have access to, and copy, at reasonable times, any records that must be kept under the conditions of the permit;

c. inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the Operating Permit;

d. sample or monitor at reasonable times, for the purposes of assuring compliance with the Operating Permit or applicable requirements, any substances or parameters.

11. Minor Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, §§ X. & XI.

The permittee shall submit an application for a minor permit modification before making the change requested in the application. The permit shield shall not extend to minor permit modifications.

12. New Source Review

Regulation No. 3, 5 CCR 1001-5, Part B

The permittee shall not commence construction or modification of a source required to be reviewed under the New Source Review provisions of Regulation No. 3, Part B, without first receiving a construction permit.

13. No Property Rights Conveyed

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.11.d.

This permit does not convey any property rights of any sort, or any exclusive privilege.

14. Odor

Regulation No. 2, 5 CCR 1001-4, Part A

As a matter of state law only, the permittee shall comply with the provisions of Regulation No. 2 concerning odorous emissions.

15. Off-Permit Changes to the Source

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.B.

The permittee shall record any off-permit change to the source that causes the emissions of a regulated pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from the change, including any other data necessary to show compliance with applicable ambient air quality standards. The permittee shall provide contemporaneous notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit. The permit shield shall not apply to any off-permit change.

16. Opacity

Regulation No. 1, 5 CCR 1001-3, §§ I., II.

The permittee shall comply with the opacity emissions limitation set forth in Regulation No. 1, §§ I.- II.

17. Open Burning

Regulation No. 9, 5 CCR 1001-11

The permittee shall obtain a permit from the Division for any regulated open burning activities in accordance with provisions of Regulation No. 9.

18. Ozone Depleting Compounds

Regulation No. 15, 5 CCR 1001-17

The permittee shall comply with the provisions of Regulation No. 15 concerning emissions of ozone depleting compounds. Sections I., II.C., II.D., III. IV., and V. of Regulation No. 15 shall be enforced as a matter of state law only.

19. Permit Expiration and Renewal

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.6., IV.C., V.C.2.

a. The permit term shall be five (5) years. The permit shall expire at the end of its term. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted.

b. Applications for renewal shall be submitted at least twelve months, but not more than 18 months, prior to the expiration of the Operating Permit. An application for permit renewal may address only those portions of the permit that require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. A copy of any materials incorporated by reference must be included with the application.

20. Portable Sources

Regulation No. 3, 5 CCR 1001-5, Part C, § II.D.

Portable Source permittees shall notify the Air Pollution Control Division at least 10 days in advance of each change in location.

21. Prompt Deviation Reporting

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.7.b.

The permittee shall promptly report any deviation from permit requirements, including those attributable to malfunction conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken.

"Prompt" is defined as follows:

a. Any definition of "prompt" or a specific timeframe for reporting deviations provided in an underlying applicable requirement as identified in this permit; or

b. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:

(i) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report shall be made within 24 hours of the occurrence;

(ii) For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continue for more than two hours in excess of permit requirements, the report shall be made within 48 hours; and

(iii) For all other deviations from permit requirements, the report shall be submitted every six (6) months, except as otherwise specified by the Division in the permit in accordance with paragraph 22.d. below.

c. If any of the conditions in paragraphs b.i or b.ii above are met, the source shall notify the Division by telephone (303-692-3155) or facsimile (303-782-0278) based on the timetables listed above. *[Explanatory note: Notification by telephone or facsimile must specify that this notification is a deviation report for an Operating Permit.]* A written notice, certified consistent with General Condition 2.a. above (Certification Requirements), shall be submitted within 10 working days of the occurrence. All deviations reported under this section shall also be identified in the 6-month report required above.

"Prompt reporting" does not constitute an exception to the requirements of "Emergency Provisions" for the purpose of avoiding enforcement actions.

22. Record Keeping and Reporting Requirements

Regulation No. 3, 5 CCR 1001-5, Part A, § II.; Part C, §§ V.C.6., V.C.7.

a. Unless otherwise provided in the source specific conditions of this Operating Permit, the permittee shall maintain compliance monitoring records that include the following information:

(i) date, place as defined in the Operating Permit, and time of sampling or measurements;

(ii) date(s) on which analyses were performed;

(iii) the company or entity that performed the analysis;

(iv) the analytical techniques or methods used;

(v) the results of such analysis; and

(vi) the operating conditions at the time of sampling or measurement.

b. The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report or application. Support information, for this purpose, includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit. With prior approval of the Air Pollution Control Division, the permittee may maintain any of the above records in a computerized form.

c. Permittees must retain records of all required monitoring data and support information for the most recent twelve (12) month period, as well as compliance certifications for the past five (5) years on-site at all times. A permittee shall make available for the Air Pollution Control Division's review all other records of required monitoring data and support information required to be retained by the permittee upon 48 hours advance notice by the Division.

d. The permittee shall submit to the Air Pollution Control Division all reports of any required monitoring at least every six (6) months, unless an applicable requirement, the compliance assurance monitoring rule, or the Division requires submission on a more frequent basis. All instances of deviations from any permit requirements must be clearly identified in such reports.

e. The permittee shall file an Air Pollutant Emissions Notice ("APEN") prior to constructing, modifying, or altering any facility, process, activity which constitutes a stationary source from which air pollutants are or are to be emitted, unless such source is exempt from the APEN filing requirements of Regulation No. 3, Part A, § II.D. A revised APEN shall be filed annually whenever a significant change in emissions, as defined in Regulation No. 3, Part A, § II.C.2., occurs; whenever there is a change in owner or operator of any facility, process, or activity; whenever new control equipment is installed; whenever a different type of control equipment replaces an existing type of control equipment; whenever a permit limitation must be modified; or before the APEN expires. An APEN is valid for a period of five years. The five-year period recommences when a revised APEN is received by the Air Pollution Control Division. Revised APENs shall be submitted no later than 30 days before the five-year term expires. Permittees submitting revised APENs to inform the Division of a change in actual emission rates must do so by April 30 of the following year. Where a permit revision is required, the revised APEN must be filed along with a request for permit revision. APENs for changes in control equipment must be submitted before the change occurs. Annual fees are based on the most recent APEN on file with the Division.

23. Reopenings for Cause

Regulation No. 3, 5 CCR 1001-5, Part C, § XIII.

a. The Air Pollution Control Division shall reopen, revise, and reissue Operating Permits; permit reopenings and reissuance shall be processed using the procedures set forth in Regulation No. 3, Part C, § III., except that proceedings to reopen and reissue permits affect only those parts of the permit for which cause to reopen exists.

b. The Division shall reopen a permit whenever additional applicable requirements become applicable to a major source with a remaining permit term of three or more years, unless the effective date of the requirements is later than the date on which the permit expires, or unless a general permit is obtained to address the new requirements; whenever additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program; whenever the Division determines the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or whenever the Division determines that the permit must be revised or revoked to assure compliance with an applicable requirement.

c. The Division shall provide 30 days' advance notice to the permittee of its intent to reopen the permit, except that a shorter notice may be provided in the case of an emergency.

d. The permit shield shall extend to those parts of the permit that have been changed pursuant to the reopening and reissuance procedure.

24. Section 502(b)(10) Changes

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.A.

The permittee shall provide a minimum 7-day advance notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit. The permittee shall attach a copy of each such notice given to its Operating Permit.

25. Severability Clause

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.10.

In the event of a challenge to any portion of the permit, all emissions limits, specific and general conditions, monitoring, record keeping and reporting requirements of the permit, except those being challenged, remain valid and enforceable.

26. Significant Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, § III.B.2.

The permittee shall not make a significant modification required to be reviewed under Regulation No. 3, Part B ("Construction Permit" requirements) without first receiving a construction permit. The permittee shall submit a complete Operating Permit application or application for an Operating Permit revision for any new or modified source within twelve months of commencing operation, to the address listed in Item 1 in Appendix D of this permit. If the permittee chooses to use the "Combined Construction/Operating Permit" application procedures of Regulation No. 3, Part C, then the Operating Permit must be received prior to commencing construction of the new or modified source.

27. Special Provisions Concerning the Acid Rain Program

Regulation No. 3, 5 CCR 1001-5, Part C, §§ V.C.1.b. & 8

a. Where an applicable requirement of the federal act is more stringent than an applicable requirement of regulations promulgated under Title IV of the federal act, 40 Code of Federal Regulations (CFR) Part 72, both provisions shall be incorporated into the permit and shall be federally enforceable.

b. Emissions exceeding any allowances that the source lawfully holds under Title IV of the federal act or the regulations promulgated thereunder, 40 CFR Part 72, are expressly prohibited.

28. Transfer or Assignment of Ownership

Regulation No. 3, 5 CCR 1001-5, Part C, § II.C.

No transfer or assignment of ownership of the Operating Permit source will be effective unless the prospective owner or operator applies to the Air Pollution Control Division on Division-supplied Administrative Permit Amendment forms, for reissuance of the existing Operating Permit. No administrative permit shall be complete until a written agreement containing a specific date for transfer of permit, responsibility, coverage, and liability between the permittee and the prospective owner or operator has been submitted to the Division.

29. Volatile Organic Compounds

Regulation No. 7, 5 CCR 1001-9, §§ III & V.

The requirements in paragraphs a, b and e apply to sources located in an ozone non-attainment area or the Denver 1-hour ozone attainment/maintenance area. The requirements in paragraphs c and d apply statewide.

a. All storage tank gauging devices, anti-rotation devices, accesses, seals, hatches, roof drainage systems, support structures, and pressure relief valves shall be maintained and operated to prevent detectable vapor loss except when opened, actuated, or used for necessary and proper activities (e.g. maintenance). Such opening, actuation, or use shall be limited so as to minimize vapor loss.

   Detectable vapor loss shall be determined visually, by touch, by presence of odor, or using a portable hydrocarbon analyzer. When an analyzer is used, detectable vapor loss means a VOC concentration exceeding 10,000 ppm. Testing shall be conducted as in Regulation No. 7, Section VIII.C.3.

b. Except when otherwise provided by Regulation No. 7, all volatile organic compounds, excluding petroleum liquids, transferred to any tank, container, or vehicle compartment with a capacity exceeding 212 liters (56 gallons), shall be

transferred using submerged or bottom filling equipment. For top loading, the fill tube shall reach within six inches of the bottom of the tank compartment. For bottom-fill operations, the inlet shall be flush with the tank bottom.

c. The permittee shall not dispose of volatile organic compounds by evaporation or spillage unless Reasonably Available Control Technology (RACT) is utilized.

d. No owner or operator of a bulk gasoline terminal, bulk gasoline plant, or gasoline dispensing facility as defined in Colorado Regulation No. 7, Section VI, shall permit gasoline to be intentionally spilled, discarded in sewers, stored in open containers, or disposed of in any other manner that would result in evaporation.

e. Beer production and associated beer container storage and transfer operations involving volatile organic compounds with a true vapor pressure of less than 1.5 PSIA actual conditions are exempt from the provisions of paragraph b, above.

30. Wood Stoves and Wood burning Appliances

Regulation No. 4, 5 CCR 1001-6

The permittee shall comply with the provisions of Regulation No. 4 concerning the advertisement, sale, installation, and use of wood stoves and wood burning appliances.

OPERATING PERMIT APPENDICES

A - INSPECTION INFORMATION
B - MONITORING AND PERMIT DEVIATION REPORT
C - COMPLIANCE CERTIFICATION REPORT
D - NOTIFICATION ADDRESSES
E - PERMIT ACRONYMS
F - PERMIT MODIFICATIONS

*DISCLAIMER:

None of the information found in these Appendices shall be considered to be State or Federally enforceable, except as otherwise provided in the permit, and is presented to assist the source, permitting authority, inspectors, and citizens.

APPENDIX A - Inspection Information

1. **Directions to Plant:**

   Metal Container Corporation's Windsor Facility is located southeast of Windsor on the north side of County Road 66 in the Windsor Industrial Park, Weld County.

2. **Safety Equipment Required:**

   Eye Protection, Hearing Protection, Steel Toed Shoes

3. **Facility Plot Plan:**

   The attached Figures (following pages) show the plot plan as submitted in the February 23, 1996 Title V Operating Permit Application.

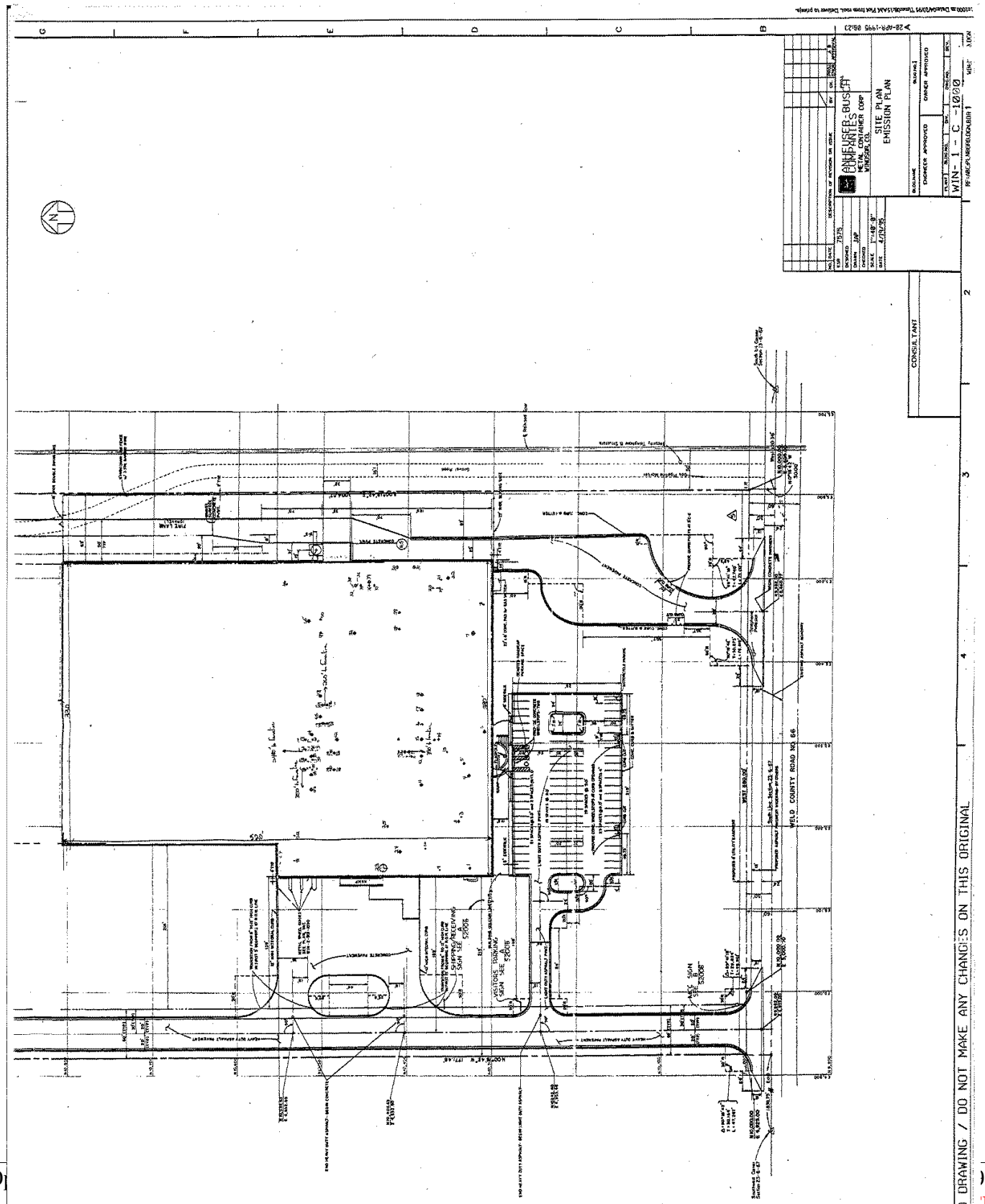
4. **List of Insignificant Activities**:

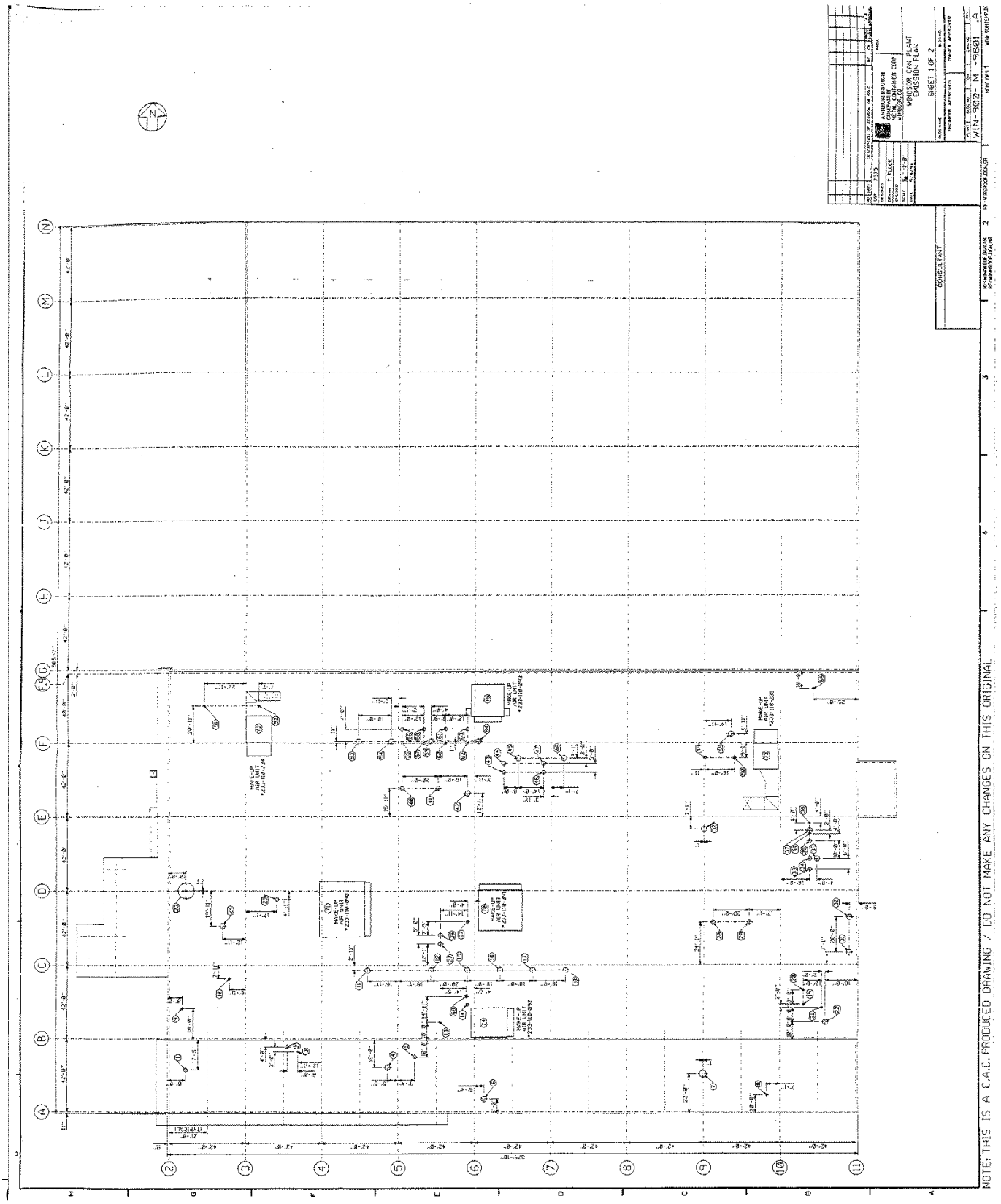
   The following list of insignificant activities was provided by the source to assist in the understanding of the facility layout. Since there is no requirement to update such a list, activities may have changed since the last filing.

   Insignificant activities and/or sources of emissions as submitted in the application are as follows:

Lime Silo	Ink Dot Identification System/Cleanup
Oil Separation and holding tanks	Hydraulic oil (bodymaker) bulk tank
Bodymaker coolant storage tank	Copper Lube Tank
Washer chemical storage tank	Propane cylinders
Wastewater treatment tank	Diesel storage tank
Sulfuric Acid Bulk Tank	Building heaters/water heaters

Inker Cleaner
Line No. 1 Drying/Curing Ovens, 1.45 MMBtu/hr (2), 3.08 MMBtu/hr (1)
Line No. 2 Drying/Curing Ovens, 1.45 MMBtu/hr (2), 3.08 MMBtu/hr (1)
Fourteen (14) natural gas heaters, rated less than 5 MMBtu/hr
Two (2) can washers with natural gas dryers, rated at 3.17 MMBtu/hr
Three (3) natural gas heaters for space heating, 6.2 MMBtu/hr (2), 7.4 MMBtu/hr (1)


ANHEUSER-BUSCH
COMPANIES
METAL CONTAINER CORP
WINDSOR, CO
SITE PLAN
EMISSION PLAN
WIN- 1 - C -1000
CONSULTANT
WELD COUNTY ROAD NO 66
THIS IS A C.A.D. PRODUCED DRAWING / DO NOT MAKE ANY CHANGES ON THIS ORIGINAL


NOTE: THIS IS A C.A.D. PRODUCED DRAWING / DO NOT MAKE ANY CHANGES ON THIS ORIGINAL

APPENDIX B

Reporting Requirements and Definitions

with codes ver 8/20/2014

Please note that, pursuant to 113(c)(2) of the federal Clean Air Act, any person who knowingly:

(A) makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file or maintain any notice, application, record, report, plan, or other document required pursuant to the Act to be either filed or maintained (whether with respect to the requirements imposed by the Administrator or by a State);

(B) fails to notify or report as required under the Act; or

(C) falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained or followed under the Act shall, upon conviction, be punished by a fine pursuant to title 18 of the United States Code, or by imprisonment for not more than 2 years, or both. If a conviction of any person under this paragraph is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both the fine and imprisonment.

The permittee must comply with all conditions of this operating permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

The Part 70 Operating Permit program requires three types of reports to be filed for all permits.

All required reports must be certified by a responsible official.

Report #1: Monitoring Deviation Report (due at least every six months)

For purposes of this operating permit, the Division is requiring that the monitoring reports are due every six months unless otherwise noted in the permit. All instances of deviations from permit monitoring requirements must be clearly identified in such reports.

For purposes of this operating permit, monitoring means any condition determined by observation, by data from any monitoring protocol, or by any other monitoring which is required by the permit as well as the recordkeeping associated with that monitoring. This would include, for example, fuel use or process rate monitoring, fuel analyses, and operational or control device parameter monitoring.

Report #2: Permit Deviation Report (must be reported "promptly")

In addition to the monitoring requirements set forth in the permits as discussed above, each and every requirement of the permit is subject to deviation reporting. The reports must address deviations from permit requirements, including those attributable to malfunctions as defined in this Appendix, the probable cause of

such deviations, and any corrective actions or preventive measures taken. All deviations from any term or condition of the permit are required to be summarized or referenced in the annual compliance certification.

For purposes of this operating permit, "malfunction" shall refer to both emergency conditions and malfunctions. Additional discussion on these conditions is provided later in this Appendix.

For purposes of this operating permit, the Division is requiring that the permit deviation reports are due as set forth in General Condition 21. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. For example, quarterly Excess Emission Reports required by an NSPS or Regulation No. 1, Section IV.

In addition to the monitoring deviations discussed above, included in the meaning of deviation for the purposes of this operating permit are any of the following:

(1) A situation where emissions exceed an emission limitation or standard contained in the permit;

(2) A situation where process or control device parameter values demonstrate that an emission limitation or standard contained in the permit has not been met;

(3) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or,

(4) A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only if the emission point is subject to CAM)

For reporting purposes, the Division has combined the Monitoring Deviation Report with the Permit Deviation Report. All deviations shall be reported using the following codes:

1 = Standard:	When the requirement is an emission limit or standard
2 = Process:	When the requirement is a production/process limit
3 = Monitor:	When the requirement is monitoring
4 = Test:	When the requirement is testing
5 = Maintenance:	When required maintenance is not performed
6 = Record:	When the requirement is recordkeeping
7 = Report:	When the requirement is reporting
8 = CAM:	A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred.
9 = Other:	When the deviation is not covered by any of the above categories

Report #3: Compliance Certification (annually, as defined in the permit)

Submission of compliance certifications with terms and conditions in the permit, including emission limitations, standards, or work practices, is required not less than annually.

Compliance Certifications are intended to state the compliance status of each requirement of the permit over the certification period. They must be based, at a minimum, on the testing and monitoring methods specified in the

permit that were conducted during the relevant time period. In addition, if the owner or operator knows of other material information (i.e. information beyond required monitoring that has been specifically assessed in relation to how the information potentially affects compliance status), that information must be identified and addressed in the compliance certification. The compliance certification must include the following:

- The identification of each term or condition of the permit that is the basis of the certification;

- Whether or not the method(s) used by the owner or operator for determining the compliance status with each permit term and condition during the certification period was the method(s) specified in the permit. Such methods and other means shall include, at a minimum, the methods and means required in the permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Clean Air Act, which prohibits knowingly making a false certification or omitting material information;

- The status of compliance with the terms and conditions of the permit, and whether compliance was continuous or intermittent. The certification shall identify each deviation and take it into account in the compliance certification. Note that not all deviations are considered violations.[1]

- Such other facts as the Division may require, consistent with the applicable requirements to which the source is subject, to determine the compliance status of the source.

The Certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only for emission points subject to CAM)

Note the requirement that the certification shall identify each deviation and take it into account in the compliance certification. Previously submitted deviation reports, including the deviation report submitted at the time of the annual certification, may be referenced in the compliance certification.

[1] For example, given the various emissions limitations and monitoring requirements to which a source may be subject, a deviation from one requirement may not be a deviation under another requirement which recognizes an exception and/or special circumstances relating to that same event.

Startup, Shutdown, Malfunctions and Emergencies

Understanding the application of Startup, Shutdown, Malfunctions and Emergency Provisions, is very important in both the deviation reports and the annual compliance certifications.

Startup, Shutdown, and Malfunctions

Please note that exceedances of some New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) standards that occur during Startup, Shutdown or Malfunctions may not be considered to be non-compliance since emission limits or standards often do not apply unless specifically stated in the NSPS. Such exceedances must, however, be reported as excess emissions per the NSPS/MACT rules and would still be noted in the deviation report. In regard to compliance certifications, the permittee should be confident of the information related to those deviations when making compliance determinations since they are subject to Division review. The concepts of Startup, Shutdown and Malfunctions also exist for Best Available Control Technology (BACT) sources, but are not applied in the same fashion as for NSPS and MACT sources.

Emergency Provisions

Under the Emergency provisions of Part 70 certain operational conditions may act as an affirmative defense against enforcement action if they are properly reported.

DEFINITIONS

Malfunction (NSPS) means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Malfunction (SIP) means any sudden and unavoidable failure of air pollution control equipment or process equipment or unintended failure of a process to operate in a normal or usual manner. Failures that are primarily caused by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

Emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

Monitoring and Permit Deviation Report - Part I

1. Following is the **required** format for the Monitoring and Permit Deviation report to be submitted to the Division as set forth in General Condition 21. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

2. Part II of this Appendix B shows the format and information the Division will require for describing periods of monitoring and permit deviations, or malfunction or emergency conditions as indicated in the Table below. One Part II Form must be completed for each Deviation. Previously submitted reports (e.g. EER's or malfunctions) may be referenced and the form need not be filled out in its entirety.

FACILITY NAME: Metal Container Corporation – Windsor Facility
OPERATING PERMIT NO: 96OPWE162
REPORTING PERIOD:_____ (see first page of the permit for specific reporting period and dates)

Operating Permit Unit ID	Unit Description	Deviations noted During Period?[1]		Deviation Code [2]	Malfunction/Emergency Condition Reported During Period?	
		YES	NO		YES	NO
	Fuel Combustion Sources					
	Can Forming Sources					
	Can Coating Sources					
	Aluminum Scrap					
	Fire Pump Engine					
	Insignificant activities					
General Conditions						
Insignificant Activities						

[1] See previous discussion regarding what is considered to be a deviation. Determination of whether or not a deviation has occurred shall be based on a reasonable inquiry using readily available information.

[2] Use the following entries, as appropriate

1 = Standard: When the requirement is an emission limit or standard
2 = Process: When the requirement is a production/process limit
3 = Monitor: When the requirement is monitoring
4 = Test: When the requirement is testing
5 = Maintenance: When required maintenance is not performed
6 = Record: When the requirement is recordkeeping
7 = Report: When the requirement is reporting
8 = CAM: A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred.
9 = Other: When the deviation is not covered by any of the above categories

Monitoring and Permit Deviation Report - Part II

FACILITY NAME: Metal Container Corporation – Windsor Facility
OPERATING PERMIT NO: 96OPWE162
REPORTING PERIOD:

Is the deviation being claimed as an: Emergency _____ Malfunction_____ N/A _____

(For NSPS/MACT) Did the deviation occur during: Startup _____ Shutdown _____ Malfunction ____

Normal Operation _____

OPERATING PERMIT UNIT IDENTIFICATION:

Operating Permit Condition Number Citation

Explanation of Period of Deviation

Duration (start/stop date & time)

Action Taken to Correct the Problem

Measures Taken to Prevent a Reoccurrence of the Problem

Dates of Malfunctions/Emergencies Reported (if applicable)

Deviation Code _____ Division Code QA: _____

SEE EXAMPLE ON THE NEXT PAGE

EXAMPLE

FACILITY NAME: Acme Corp.
OPERATING PERMIT NO: 96OPZZXXX
REPORTING PERIOD: 1/1/04 - 6/30/06

Is the deviation being claimed as an: Emergency _____ Malfunction __XX____ N/A

(For NSPS/MACT) Did the deviation occur during: Startup _____ Shutdown _____ Malfunction
Normal Operation _____

OPERATING PERMIT UNIT IDENTIFICATION:

Asphalt Plant with a Scrubber for Particulate Control - Unit XXX

Operating Permit Condition Number Citation

Section II, Condition 3.1 - Opacity Limitation

Explanation of Period of Deviation

Slurry Line Feed Plugged

Duration

START- 1730 4/10/06
END- 1800 4/10/06

Action Taken to Correct the Problem

Line Blown Out

Measures Taken to Prevent Reoccurrence of the Problem

Replaced Line Filter

Dates of Malfunction/Emergencies Reported (if applicable)

5/30/06 to J. Garcia, APCD

Deviation Code _____ Division Code QA: _____

Monitoring and Permit Deviation Report - Part III

REPORT CERTIFICATION

SOURCE NAME: Metal Container Corporation – Windsor Facility

FACILITY IDENTIFICATION NUMBER: 123/0134

PERMIT NUMBER: 96OPWE162

REPORTING PERIOD:_____ (see first page of the permit for specific reporting period and dates)

All information for the Title V Semi-Annual Deviation Reports must be certified by a responsible official as defined in Colorado Regulation No. 3, Part A, Section I.B. This signed certification document must be packaged with the documents being submitted.

STATEMENT OF COMPLETENESS

I have reviewed the information being submitted in its entirety and, based on information and belief formed after reasonable inquiry, I certify that the statements and information contained in this submittal are true, accurate and complete.

Please note that the Colorado Statutes state that any person who knowingly, as defined in Sub-Section 18-1-501(6), C.R.S., makes any false material statement, representation, or certification in this document is guilty of a misdemeanor and may be punished in accordance with the provisions of Sub-Section 25-7 122.1, C.R.S.

Printed or Typed Name Title

Signature of Responsible Official Date Signed

Note: Deviation reports shall be submitted to the Division at the address given in Appendix D of this permit. No copies need be sent to the U.S. EPA.

APPENDIX C

Required Format for Annual Compliance Certification Reports

Following is the format for the Compliance Certification report to be submitted to the Division and the U.S. EPA annually based on the effective date of the permit. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

FACILITY NAME: Metal Container Corporation – Windsor Facility
OPERATING PERMIT NO: 96OPWE162
REPORTING PERIOD:

I. Facility Status

___ During the entire reporting period, this source was in compliance with **ALL** terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference. The method(s) used to determine compliance is/are the method(s) specified in the Permit.

___ With the possible exception of the deviations identified in the table below, this source was in compliance with all terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference, during the entire reporting period. The method used to determine compliance for each term and condition is the method specified in the Permit, unless otherwise indicated and described in the deviation report(s). Note that not all deviations are considered violations.

Operating Permit Unit ID	Unit Description	Deviations Reported [1]		Monitoring Method per Permit?[2]		Was compliance continuous or intermittent?[3]	
		Previous	Current	YES	NO	Continuous	Intermittent
	Fuel Combustion Sources						
	Can Forming Sources						
	Can Coating Sources						
	Aluminum Scrap						
	Fire Pump Engine						
	Insignificant activities						
General Conditions							
Insignificant Activities [4]							

[1] If deviations were noted in a previous deviation report , put an "X" under "previous". If deviations were noted in the current deviation report (i.e. for the last six months of the annual reporting period), put an "X" under "current". Mark both columns if both apply.

[2] Note whether the method(s) used to determine the compliance status with each term and condition was the method(s) specified in the permit. If it was not, mark "no" and attach additional information/explanation.

[3] Note whether the compliance status with each term and condition provided was continuous or intermittent. "Intermittent Compliance" can mean either that noncompliance has occurred or that the owner or operator has data sufficient to certify compliance

only on an intermittent basis. Certification of intermittent compliance therefore does not necessarily mean that any noncompliance has occurred.

NOTE:

The Periodic Monitoring requirements of the Operating Permit program rule are intended to provide assurance that even in the absence of a continuous system of monitoring the Title V source can demonstrate whether it has operated in continuous compliance for the duration of the reporting period. Therefore, if a source 1) conducts all of the monitoring and recordkeeping required in its permit, even if such activities are done periodically and not continuously, and if 2) such monitoring and recordkeeping does not indicate non-compliance, and if 3) the Responsible Official is not aware of any credible evidence that indicates non-compliance, then the Responsible Official can certify that the emission point(s) in question were in continuous compliance during the applicable time period.

[4] Compliance status for these sources shall be based on a reasonable inquiry using readily available information.

II. Status for Accidental Release Prevention Program:

A. This facility _____ is subject _____ is not subject to the provisions of the Accidental Release Prevention Program (Section 112(r) of the Federal Clean Air Act)

B. If subject: The facility _____ is _____ is not in compliance with all the requirements of section 112(r).

1. A Risk Management Plan _____ will be _____ has been submitted to the appropriate authority and/or the designated central location by the required date.

III. Certification

All information for the Annual Compliance Certification must be certified by a responsible official as defined in Colorado Regulation No. 3, Part A, Section I.B. This signed certification document must be packaged with the documents being submitted.

I have reviewed this certification in its entirety and, based on information and belief formed after reasonable inquiry, I certify that the statements and information contained in this certification are true, accurate and complete.

Please note that the Colorado Statutes state that any person who knowingly, as defined in § 18-1-501(6), C.R.S., makes any false material statement, representation, or certification in this document is guilty of a misdemeanor and may be punished in accordance with the provisions of § 25-7 122.1, C.R.S.

Printed or Typed Name Title

Signature Date Signed

NOTE: All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.

APPENDIX D

Notification Addresses

1. **Air Pollution Control Division**

Colorado Department of Public Health and Environment
Air Pollution Control Division
Operating Permits Unit
APCD-SS-B1
4300 Cherry Creek Drive S.
Denver, CO 80246-1530

ATTN: Matt Burgett

2. **United States Environmental Protection Agency**

Compliance Notifications:

Office of Enforcement, Compliance and Environmental Justice
Mail Code 8ENF-AT
U.S. Environmental Protection Agency, Region VIII
1595 Wynkoop Street
Denver, Colorado 80202-1129

502(b)(10) Changes, Off Permit Changes:

Office of Partnerships and Regulatory Assistance
Mail Code 8P-AR
U.S. Environmental Protection Agency, Region VIII
1595 Wynkoop Street
Denver, Colorado 80202-1129

APPENDIX E

Permit Acronyms

Listed Alphabetically:

AIRS -	Aerometric Information Retrieval System
AP-42 -	EPA Document Compiling Air Pollutant Emission Factors
APEN -	Air Pollution Emission Notice (State of Colorado)
APCD -	Air Pollution Control Division (State of Colorado)
ASTM -	American Society for Testing and Materials
BACT -	Best Available Control Technology
BTU -	British Thermal Unit
CAA -	Clean Air Act (CAAA = Clean Air Act Amendments)
CCR -	Colorado Code of Regulations
CEM -	Continuous Emissions Monitor
CF -	Cubic Feet (SCF = Standard Cubic Feet)
CFR -	Code of Federal Regulations
CO -	Carbon Monoxide
COM -	Continuous Opacity Monitor
CRS -	Colorado Revised Statute
EF -	Emission Factor
EPA -	Environmental Protection Agency
FI -	Fuel Input Rate in Lbs/mmBtu
FR -	Federal Register
G -	Grams
Gal -	Gallon
GPM -	Gallons per Minute
HAPs -	Hazardous Air Pollutants
HP -	Horsepower
HP-HR -	Horsepower Hour (G/HP-HR = Grams per Horsepower Hour)
LAER -	Lowest Achievable Emission Rate
LBS -	Pounds
M -	Thousand
MM -	Million
MMscf -	Million Standard Cubic Feet
MMscfd -	Million Standard Cubic Feet per Day
N/A or NA -	Not Applicable
NOx -	Nitrogen Oxides
NESHAP -	National Emission Standards for Hazardous Air Pollutants
NSPS -	New Source Performance Standards
P -	Process Weight Rate in Tons/Hr
PE -	Particulate Emissions
PM -	Particulate Matter
PM_{10} -	Particulate Matter Under 10 Microns

PSD - Prevention of Significant Deterioration
PTE - Potential To Emit
RACT - Reasonably Available Control Technology
SCC - Source Classification Code
SCF - Standard Cubic Feet
SIC - Standard Industrial Classification
SO_2 - Sulfur Dioxide
TPY - Tons Per Year
TSP - Total Suspended Particulate
VOC - Volatile Organic Compounds

APPENDIX F

Permit Modifications

DATE OF REVISION	TYPE OF REVISION	SECTION NUMBER, CONDITION NUMBER	DESCRIPTION OF REVISION