

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

AIR QUALITY OPERATING PERMIT

Permit No. AQ0406TVP01

Issue Date: Public Comment - June 7, 2012

Expiration Date: Five Years

The Department of Environmental Conservation, under the authority of AS 46.14 and 18 AAC 50, issues an operating permit to the Permittee, Sumitomo Metal Mining LLC (Pogo), for the operation of the Pogo Mine.

This permit satisfies the obligation of the owner and operator to obtain an operating permit as set out in AS 46.14.130(b).

As set out in AS 46.14.120(c), the Permittee shall comply with the terms and conditions of this operating permit.

Citations listed herein are contained within 18 AAC 50 dated September 17, 2011 Register 199. All Federal regulation citations are from those sections adopted by reference in this version of regulation in 18 AAC 50.040 unless otherwise specified.

This Operating Permit becomes effective <insert date—30 days after issue date>.

John F. Kuterbach, Manager
Air Permits Program

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List of Abbreviations Used in this Permit

AAC.....	Alaska Administrative Code	MR&R	Monitoring, Recordkeeping, and Reporting
ADEC	Alaska Department of Environmental Conservation	N/A.....	Not applicable
AS.....	Alaska Statutes	NESHAPs.....	Federal National Emission Standards for Hazardous Air Pollutants [NESHAPs as contained in 40 C.F.R. 61 and 63]
ASTM.....	American Society for Testing and Materials	NOx.....	Nitrogen Oxides
BACT	Best Available Control Technology	NSPS	Federal New Source Performance Standards [NSPS as contained in 40 C.F.R. 60]
BHp	Boiler Horsepower	O & M.....	Operation and Maintenance
C.F.R.	Code of Federal Regulations	O ₂	Oxygen
The Act.....	Clean Air Act	PAL.....	Plantwide Applicability Limitation
CO	Carbon Monoxide	PM-10	Particulate Matter less than or equal to a nominal ten microns in diameter
dscf	Dry standard cubic foot	ppm	Parts per million
EPA	US Environmental Protection Agency	ppmv, ppmvd	Parts per million by volume on a dry basis
EU.....	Emission Unit	psia	Pounds per Square Inch (absolute)
gr./dscf.....	grain per dry standard cubic foot (1 pound = 7000 grains)	PSD	Prevention of Significant Deterioration
GHG	Greenhouse Gas	PTE	Potential to Emit
GPH.....	gallons per hour	SIC.	Standard Industrial Classification
HAPs	Hazardous Air Pollutants [HAPs as defined in AS 46.14.990]	SO ₂	Sulfur dioxide
ID.....	Emission Unit Identification Number	TPH.....	Tons per hour
kPa.....	kiloPascals	TPY.....	Tons per year
LAER.....	Lowest Achievable Emission Rate	VOC	volatile organic compound [VOC as defined in 40 C.F.R. 51.100(s)]
MACT	Maximum Achievable Control Technology [MACT as defined in 40 C.F.R. 63]	VOL	volatile organic liquid [VOL as defined in 40 C.F.R. 60.111b, Subpart Kb]
m ³	cubic meter	vol%	volume percent
Mg	Mega Grams	wt%	weight percent
MMBtu/hr.....	Million British thermal units per hour		
MMSCF.....	Million standard cubic feet		

Section 1. Stationary Source Information

Identification

Permittee:	Sumitomo Metal Mining LLC P.O. Box 145 Delta Junction, Alaska 99737
Stationary Source Name:	Pogo Mine
Location:	Latitude: 64° 27' 13.2" N Longitude: 144° 54' 14.6" W
Physical Address:	38 miles Northeast of Delta Junction, Alaska
Owner:	Sumitomo Metal Mining Pogo LLC P.O. Box 145 Delta Junction, Alaska 99737
Operator:	Sumitomo Metal Mining Pogo LLC P.O. Box 145 Delta Junction, Alaska 99737
Permittee's Responsible Official:	Chris Kennedy, General Manager P.O. Box 145 Delta Junction, Alaska 99737
Stationary Source and Building Contact:	Sally McLeod, Environmental Superintendent P.O. Box 145 Delta Junction, Alaska 99737 (907) 895-2879 Sally.McLeod@smpogo.com
Fee Contact:	Sally McLeod, Environmental Superintendent P.O. Box 145 Delta Junction, Alaska 99737 (907) 895-2879 Sally.McLeod@smpogo.com
Permit Contact:	Sally McLeod, Environmental Superintendent P.O. Box 145 Delta Junction, Alaska 99737 (907) 895-2879 Sally.McLeod@smpogo.com
Process Description SIC Code:	1041 - Metal Mining, Gold Ore

[18 AAC 50.040(j)(3) & 50.326(a)]
[40 C.F.R. 71.5(c)(1 & 2)]

Section 2. Emission Unit Inventory and Description

Emission units listed in Table A have specific monitoring, recordkeeping, or reporting conditions in this permit. Emission unit descriptions and ratings are given for identification purposes only.

Table A - Emission Unit Inventory

EU ID	Emission Unit Name	Emission Unit Description	Rating/Size	Installation or Construction Date¹
1	600-1 Electrowinning Cell	Electrowinning Cell	0.10 ton/batch	10/28/2005
2	600-2 Electrowinning Cell	Electrowinning Cell		10/28/2005
3	600-3 Electrowinning Cell	Electrowinning Cell		10/28/2005
4	601 Pregnant Tank	Pregnant Cyanide Solution Tank	14,381 gallons	10/28/2005
5	602 Induction Furnace	Refinery Electric Induction Furnace with Wet Scrubber 540	125 kW	10/28/2005
6	603 Carbon Regeneration Kiln	Carbon Regeneration Kiln with Wet Scrubber 541	2.2 tons/batch	10/28/2005

Note:

1. Date of installation/construction commenced.

[18 AAC 50.326(a)]
[40 C.F.R. 71.5(c)(3)]

Section 3. Federal Requirements

Emission Units Subject to Federal NESHAP Subpart A (EU IDs 1 – 6)

1. NESHAP Subpart A and EEEEEEE Requirements. The Permittee shall comply with the applicable requirements of 40 C.F.R. 63 Subpart A in accordance with the provisions for applicability of Subpart A in Table 1 to Subpart EEEEEEE for EU IDs 1 – 6.

Table B - Applicability of Subpart A to Subpart EEEEEEE

Citation 40 C.F.R. 63	Subject	Applies to Subpart EEEEEEE	Explanation
§63.1(a)(1) - (a)(4), (a)(6), (a)(10)–(a)(12), (b)(1), (b)(3), (c)(1), (c)(2), (c)(5), (e)	Applicability	Yes	
§63.1(a)(5), (a)(7)–(a)(9), (b)(2), (c)(3), (c)(4), (d)	Reserved	No	
§63.2	Definitions	Yes	
§63.3	Units and Abbreviations	Yes	
§63.4	Prohibited Activities and Circumvention	Yes	
§63.5	Preconstruction Review and Notification Requirements	Yes	
§63.6(a), (b)(1)–(b)(5), (b)(7), (c)(1), (c)(2), (c)(5), (e)(1)(iii), (f)(2), (f)(3), (g), (i), (j)	Compliance with Standards and Maintenance Requirements	Yes	
§63.6(e)(1)(i) and (ii), (e)(3), and (f)(1)	Startup, Shutdown and Malfunction Requirements (SSM)	No	Subpart EEEEEEE standards apply at all times.
§63.6(h)(1), (h)(2), (h)(4), (h)(5)(i), (ii), (iii) and (v), (h)(6)–(h)(9)	Compliance with Opacity and Visible Emission Limits	No	Subpart EEEEEEE does not contain opacity or visible emission limits.
§63.6(b)(6), (c)(3), (c)(4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv)	Reserved	No	
§63.7, except (e)(1)	Applicability and Performance Test Dates	Yes	
§63.7(e)(1)	Performance Testing Requirements Related to SSM	No	
§63.8(a)(1), (b)(1), (f)(1)–(5), (g)	Monitoring Requirements	Yes	
§63.8(a)(2), (a)(4), (b)(2)–(3), (c), (d), (e), (f)(6), (g)	Continuous Monitoring Systems	Yes	Except cross references to SSM requirements in §63.6(e)(1) and (3) do not apply.
§63.8(a)(3)	Reserved	No	
§63.9(a), (b)(1), (b)(2)(i)–(v), (b)(4), (b)(5), (c), (d), (e), (g), (h)(1)–(h)(3), (h)(5), (h)(6), (i), (j)	Notification Requirements	Yes	
§63.9(f)	Notification of opacity and visible emission observations	No	
§63.9(b)(3), (h)(4)	Reserved	No	
§63.10(a), (b)(1), (b)(2)(vi)–(xiv), (b)(3), (c), (d)(1)–(4), (e), (f)	Recordkeeping and Reporting Requirements	Yes	
§63.10(b)(2)(i)–(v), (d)(5)	Recordkeeping/Reporting Associated with SSM	No	
63.10(c)(2)–(c)(4), (c)(9)	Reserved	No	
§63.11	Control Device Requirements	No	
§63.12	State Authority and Delegations	Yes	
§§63.13–63.16	Addresses, Incorporation by Reference, Availability of Information, Performance Track Provisions	Yes	

[18 AAC 50.040(j); 18 AAC 50.326(j)]

[40 C.F.R. 71.6(a)(1)]

[40 C.F.R. 63.1-15, Subpart A]

[40 C.F.R. 63.11235 & Table 1, Subpart EEEEEEE]

2. NESHAPs Applicability Determinations. The Permittee shall determine rule applicability and designation of affected sources under National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories (40 C.F.R. 63) in accordance with the procedures described in 40 C.F.R. 63.1(b) and 63.10(b)(3). If a source becomes affected by an applicable subpart of 40 C.F.R. 63, the Permittee shall comply with such standard by the compliance date established by the Administrator in the applicable subpart, in accordance with 40 C.F.R. 63.6(c).

2.1. After the effective date of any relevant standard promulgated by the Administrator under this part, an owner or operator who constructs a new affected source that is not major-emitting or reconstructs an affected source that is not major-emitting that is subject to such standard, or reconstructs a source such that the source becomes an affected source subject to the standard, must notify the Administrator and the Department of the intended construction or reconstruction. The notification must be submitted in accordance with the procedures in §63.9(b).

[18 AAC 50.040(c)(1), 50.040(j), & 50.326(j)]
[40 C.F.R. 71.6(a)(3)(ii)]
[40 C.F.R. 63.1(b), 63.5(b)(4), 63.6(c)(1), & 63.10(b)(3)]

Gold Mine Ore Processing and Production Area Sources Subject to NESHAP Subpart EEEEEEE (EU IDs 1 – 6)

3. NESHAP Subpart EEEEEEE Applicability and General Requirements. The Permittee shall comply with the applicable requirements for existing¹ gold mine ore processing and production emission units, EU IDs 1 – 6 listed in Table A, located at an area source of HAP emissions no later than February 17, 2014.

[18 AAC 50.040(j); 18 AAC 50.326(j)]
[40 C.F.R. 71.6(a)(1)]
[40 C.F.R. 63.11640(a) & (b)(1); 63.11641(a), Subpart EEEEEEE]

3.1. At all times operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the 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.

[40 C.F.R. 63.11646(b), Subpart EEEEEEE]

4. NESHAP Subpart EEEEEEE Mercury Emission Standards. For EU IDs 1 – 6 listed in Table A, the Permittee shall comply with the following mercury emission standards at all times no later than February 17, 2014:

[18 AAC 50.040(j) & 50.326(j)]
[40 C.F.R. 71.6(a)(1)]
[40 C.F.R. 63.11645(c) & (i); 63.11641(a), Subpart EEEEEEE]

¹ An affected source is “existing” if construction or reconstruction of the affected source commenced on or before April 28, 2010 [40 C.F.R. 63.11640(b)(1)].

- 4.1. For existing carbon processes without mercury retorts, the Permittee shall emit no more than 0.17 pounds of mercury per ton of concentrate processed.

[40 C.F.R. 63.11645(c), Subpart EEEEEEE]

5. NESHAP Subpart EEEEEEE Compliance Demonstration and Monitoring

Requirements. The Permittee shall conduct a mercury compliance emission test of each of EU IDs 1 – 6 within 180 days of the compliance date specified in Condition 4 (i.e., no later than August 15, 2014) according to Condition 5.1. This compliance testing must be repeated annually thereafter, with no two consecutive annual compliance tests occurring less than 3 months apart or more than 15 months apart.

[18 AAC 50.040(j) & 50.326(j)]

[40 C.F.R. 71.6(a)(3)(i)]

[40 C.F.R. 63.11646(a), Subpart EEEEEEE]

- 5.1. Conduct a mercury emissions test in accordance with the applicable procedures in 40 C.F.R. 63.11646 a)(1) through (a)(13), as follows:

- a. Determine the concentration of mercury and the volumetric flow rate of the stack gas according to the test methods and procedures described in 40 C.F.R. 63.1146(a)(1)(i) through (vii).

[40 C.F.R. 63.11646(a)(1)(i) – (vii), Subpart EEEEEEE]

- b. Conduct a minimum of three test runs for each performance test in accordance with the procedures described in 40 C.F.R. 63.1146(a)(2).

[40 C.F.R. 63.11646(a)(2), Subpart EEEEEEE]

- c. Conduct performance tests under such conditions as the Administrator specifies to the owner or operator based on representative performance of the affected source for the period being tested, as set out in 40 C.F.R. 63.11646(a)(3). Attach records of operating conditions (including process or production throughputs) necessary to determine the conditions of performance tests.

[40 C.F.R. 63.11646(a)(3), Subpart EEEEEEE]

- d. Calculate the mercury emission rate (lb/hr), based on the average of 3 test run values, for each process unit (or combination of units that are ducted to a common stack and are tested when all affected sources are operating pursuant to 40 C.F.R. 40 C.F.R. 63.1146(a)(4) using the following equation:

Equation 1: $E = C_s * Q_s * K$

Where:

E = mercury emissions in lb/hr;

C_s = concentration of mercury in the stack gas, in grains per dry standard cubic foot (gr/dscf);

Q_s = volumetric flow rate of the stack gas, in dry standard cubic feet per hour;
and

K = conversion factor for grains (gr) to pounds (lb), 1.43×10^{-4} .

[40 C.F.R. 63.11646(a)(4), Subpart EEEEEEE]

- e. Monitor and record the number of one-hour periods each process unit operates during each month.

[40 C.F.R. 63.11646(a)(5), Subpart EEEEEEE]

- f. For the initial compliance determination, determine the total mercury emissions following the procedures described in 40 C.F.R. 61.1146(a)(6).

[40 C.F.R. 63.11646(a)(6), Subpart EEEEEEE]

- g. For compliance determinations following the initial compliance test, determine the total mercury mass emissions following the procedures described in 40 C.F.R. 63.1146(a)(7).

[40 C.F.R. 63.11646(a)(7), Subpart EEEEEEE]

- h. Measure the weight of concentrate (produced by electrowinning, Merrill Crowe process, gravity feed, or other methods) using weigh scales for each batch prior to processing in melt furnaces. For facilities without mercury retorts, the concentrate must be weighed prior to being fed to the melt furnace before drying in any ovens. Keep accurate records of the weights of each batch of concentrate processed and calculate, and record the total weight of concentrate processed each month.

[40 C.F.R. 63.11646(a)(9), Subpart EEEEEEE]

- i. Maintain the systems for measuring density, volumetric flow rate, and weight within ± 5 percent accuracy.

(i) Describe the specific equipment used to make measurements at your facility and how that equipment is periodically calibrated.

(ii) Explain, document, and maintain written procedures for determining the accuracy of the measurements and make these written procedures available to the Department upon request.

(iii) Determine, record, and maintain a record of the accuracy of the measuring systems before the beginning of initial compliance test and during each subsequent quarter of affected source operation.

[40 C.F.R. 63.11646(a)(10), Subpart EEEEEEE]

- j. Record the weight in tons of carbon processes without mercury retorts on a daily and monthly basis.

[40 C.F.R. 63.11646(a)(11), Subpart EEEEEEE]

- k. Calculate the emissions from each of EU IDs 1 – 6 for the sum of all full months between the compliance date and the date of the initial compliance test in pounds of mercury per ton of process input using the procedures in Condition 5.1.k(i) to determine initial compliance with the emission standards in Condition 4. This must include at least 1 full month of data. Or, if a previous test is used pursuant to Condition 5.1.f for the initial compliance test, use a period of time pursuant to 40 C.F.R. 61.1146(a)(6) to calculate the emissions for the affected source. After this initial compliance test period, determine annual compliance using the procedures in Condition 5.1.l for EU IDs 1 – 6.

- (i) For carbon processes without mercury retorts, divide the sum of mercury mass emissions (in pounds) from all carbon kilns, preg tanks, electrowinning, and melt furnaces, EU IDs 1 – 6, during the initial number of full months between the compliance date and the initial compliance tests by the total amount of concentrate (in tons) processed in these process units during those same full months following the compliance date. If a previous test is used to determine initial compliance, pursuant to Condition 5.1.f, then the same 3 to 12 full months of production data (i.e., tons of concentrate) and hours of operation referred to in 40 C.F.R. 61.1146(a)(6), must be used to determine the emissions in pounds of mercury per tons of concentrate.

[40 C.F.R. 63.11646(a)(12)(iii), Subpart EEEEEEE]

- l. After the initial compliance test, calculate the emissions from each existing affected source EU IDs 1-6 for each 12-month period preceding each subsequent compliance test in pounds of mercury per ton of process input using the procedures in Condition 5.1.l(i) to determine compliance with the emission standards in Condition 4.

- (i) For carbon processes without mercury retorts, divide the sum of mercury mass emissions (in pounds) from all carbon kilns, preg tanks, electrowinning, and melt furnaces, EU IDs 1 – 6, in the 12-month period preceding a compliance test by the total amount of concentrate (in tons) processed in these process units in that 12-month period.

[40 C.F.R. 63.11646(a)(13)(iii), Subpart EEEEEEE]

6. NESHAP Subpart EEEEEEE Notification Requirements. The Permittee shall submit to the Department and EPA the following notifications:

[18 AAC 50.040(j) & 50.326(j)]
[40 C.F.R. 71.6(c)(3)(iii)]

- 6.1. **Notification of Compliance Status.** Submit an initial and subsequent² Notification of Compliance Status in accordance with 40 C.F.R. 63.9(h) signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the requirements of 40 C.F.R. 63 Subpart EEEEEEE. Submit initial and subsequent notifications as set out by 40 C.F.R. 63.9(h)(2) and (h)(3) and before the close of business on the 60th day following the completion of the initial and subsequent compliance demonstration activity specified in Condition 5.

[40 C.F.R. 63.11648(b), Subpart EEEEEEE]
[40 C.F.R. 63.9(h), Subpart A]

7. **NESHAP Subpart EEEEEEE Recordkeeping Requirements.** For EU IDs 1 – 6, the Permittee shall keep records as follows:

[18 AAC 50.040(j) & 50.326(j)]
[40 C.F.R. 71.6(c)(3)(ii)]

- 7.1. As required in 40 C.F.R. 63.10(b)(2)(xiv), keep a copy of each notification and report submitted to comply with Subpart EEEEEEE and all documentation supporting any Initial Notification, Notification of Compliance Status, and semiannual operating reports submitted.

[40 C.F.R. 63.11648(e)(1), Subpart EEEEEEE]
[40 C.F.R. 63.10(b)(2)(xiv), Subpart A]

- 7.2. Keep all records required under Conditions 3.1 and 5.1, and the following information:

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

[40 C.F.R. 63.11648(e)(2), Subpart EEEEEEE]

- 7.3. Keep records of operating hours for each process as required by Condition 5.1.e and records of the monthly quantity of ore and concentrate processed or produced as required by Condition 5.1.j.

[40 C.F.R. 63.11648(e)(3), Subpart EEEEEEE]

- 7.4. According to 40 C.F.R. 63.10(b)(1), the Permittee shall keep records

- a. in a form suitable and readily available for expeditious review;

² 40 C.F.R. 63.11648(b) requires submittal of an initial Notification of Compliance Status as required by §63.9(h). However Condition 6.1 includes both initial and subsequent notifications of compliance status inasmuch as §63.9(h) covers both initial and subsequent notifications and because initial and subsequent annual compliance demonstrations are required in 40 C.F.R. 63.11646(a) (see Condition 5).

- b. for 5 years following the date of each recorded action, and
- c. onsite for at least 2 years after the date of each recorded action. The Permittee may keep the records off site for the remaining 3 years.

[40 C.F.R. 63.11648(f), Subpart EEEEEEE]
[40 C.F.R. 63.10(b)(1), Subpart A]

8. NESHAP Subpart EEEEEEE Reporting Requirements. For EU IDs 1 – 6, the Permittee shall report, as follows:

[18 AAC 50.040(j) & 50.326(j)]
[40 C.F.R. 71.6(c)(3)(iii)]

8.1. If a deviation occurs during a semiannual reporting period, submit a deviation report to the Department with the operating report required in Condition 33, and according to the following:

- a. The first reporting period covers the period beginning on the compliance date specified in Condition 3 (February 17, 2014) and ending on June 30. Each subsequent reporting period covers the semiannual period from January 1 through June 30 or from July 1 through December 31.
- b. Include with the deviation report the following information:
 - (i) Company name and address.
 - (ii) Statement by a responsible official, with the official's name, title, and signature, certifying the truth, accuracy and completeness of the content of the report.
 - (iii) Date of the report and beginning and ending dates of the reporting period.
 - (iv) Identification of the affected source, the pollutant being monitored, applicable requirement, description of deviation, and corrective action taken.

[40 C.F.R. 63.11648(c), Subpart EEEEEEE]

8.2. If a malfunction occurs during the reporting period, the operating report³ required in Condition 33 must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with Condition 3.1, including actions taken to correct a malfunction.

[40 C.F.R. 63.11648(d), Subpart EEEEEEE]

³ 40 C.F.R. 63.11648(d) references “the compliance report required in 40 C.F.R. 63.11648(b)”, which requires submittal of an initial Notification of Compliance Status, and not semiannual operating report. However, the Department interpreted this reporting requirement as applicable to semiannual operating report because subsequent annual compliance demonstrations are also required in 40 C.F.R. 63.11646(a) (see Condition 5 and Footnote 2.)

- 8.3. Within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with Subpart EEEEEEE as required in Condition 5, submit the test data to EPA by entering the data electronically into EPA's WebFIRE data base through EPA's Central Data Exchange. The Permittee shall enter the test data into EPA's data base using the Electronic Reporting Tool (ERT) or other compatible electronic spreadsheet. Only performance evaluation data collected using methods compatible with ERT are subject to this requirement to be submitted electronically into EPA's WebFIRE database.

[40 C.F.R. 63.11648(g), Subpart EEEEEEE]

- 8.4. Report in accordance Condition 32 should the Permittee deviate from or fail to comply with any of the requirements in Conditions 1 through 8.

[18 AAC 50.040(j) & 50.326(j)(4)]

[40 C.F.R. 71.6(a)(3) & (c)(6)]

- 9. Asbestos NESHAP.** The Permittee shall comply with the requirements set forth in 40 C.F.R. 61.145, 61.150, and 61.152 of Subpart M, and the applicable sections set forth in 40 C.F.R. 61, Subpart A and Appendix A.

[18 AAC 50.040(b)(1) & (2)(F), & 50.326(j)]

[40 C.F.R. 61, Subparts A & M, and Appendix A]

10. Protection of Stratospheric Ozone, 40 C.F.R. 82

Subpart F – Recycling and Emissions Reduction

- 10.1. Refrigerant Recycling and Disposal. The Permittee shall comply with the standards for recycling and emission reduction of refrigerants set forth in 40 C.F.R. 82, Subpart F.

[18 AAC 50.040(d) & 50.326(j)]

[40 C.F.R. 82, Subpart F]

Subpart G – Significant New Alternatives Policy (Halon)

- 10.2. The Permittee shall comply with the applicable prohibitions set out in 40 C.F.R. 82.174 (Protection of Stratospheric Ozone Subpart G – Significant New Alternatives Policy Program).

[18 AAC 50.040(d)]

[40 C.F.R. 82.174 (b) - (d), Subpart G]

Subpart H – Halon Emissions Reduction

- 10.3. The Permittee shall comply with the applicable prohibitions set out in 40 C.F.R. 82.270 (Protection of Stratospheric Ozone Subpart H – Halon Emission Reduction).

[18 AAC 50.040(d)]

[40 C.F.R. 82.270 (b)-(f), Subpart H]

11. NSPS and NESHAP Reports. The Permittee shall:

- 11.1. **Reports:** Attach to the operating report required by Condition 33 for the period covered by the report, a copy of any NSPS and NESHAPs report or notification submitted to the U.S. Environmental Protection Agency (EPA) Region 10; and
- 11.2. **Waivers:** Upon request by the Department, provide a written copy of any EPA-granted alternative monitoring requirement, custom monitoring schedule or waiver of the Federal emission standards, recordkeeping, monitoring, performance testing, or reporting requirements. The Permittee shall keep a copy of each U.S. EPA issued monitoring waiver or custom monitoring schedule with the permit.

[18 AAC 50.326(j)(4) & 50.040(j)]
[40 C.F.R. 60.13, 63.10(d & f), and 71.6(c)(6)]

Section 4. General Conditions

Standard Terms and Conditions

- 12.** Each permit term and condition is independent of the permit as a whole and remains valid regardless of a challenge to any other part of the permit.

[18 AAC 50.326(j)(3), 50.345(a) & (e)]

- 13.** The permit may be modified, reopened, revoked and reissued, or terminated for cause. A request by the Permittee for modification, revocation and re-issuance, or termination or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

[18 AAC 50.326(j)(3), 50.345(a) & (f)]

- 14.** The permit does not convey any property rights of any sort, nor any exclusive privilege.

[18 AAC 50.326(j)(3), 50.345(a) & (g)]

- 15. Administration Fees.** The Permittee shall pay to the Department all assessed permit administration fees. Administration fee rates are set out in 18 AAC 50.400-405.

[18 AAC 50.326(j)(1), 50.400, 50.403, & 50.405]
[AS 37.10.052(b), 11/04; AS 46.14.240, 6/7/03]

- 16. Dilution.** The Permittee shall not dilute emissions with air to comply with this permit. Monitoring shall consist of an annual certification that the Permittee does not dilute emissions to comply with this permit.

[18 AAC 50.045(a)]

- 17. Stack Injection.** The Permittee shall not release materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack at a source constructed or modified after November 1, 1982, except as authorized by a construction permit, Title V permit, or air quality control permit issued before October 1, 2004.

[18 AAC 50.055(g)]

- 18. Technology-Based Emission Standard.** If an unavoidable emergency, malfunction, or non-routine repair, as defined in 18 AAC 50.235(d), causes emissions in excess of a technology-based emission standard⁴ listed in Conditions 4 and 10 (refrigerants), the Permittee shall take all reasonable steps to minimize levels of emissions that exceed the standard. Excess emissions reporting under Condition 32 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 32.

[18 AAC 50.235(a), 50.326(j)(4), & 50.040(j)(4)]
[40 C.F.R. 71.6(c)(6)]

⁴ *Technology-based emission standard* means a best available control technology standard (BACT); a lowest achievable emission rate standard (LAER); a maximum achievable control technology standard established under 40 C.F.R. 63, Subpart B, adopted by reference in 18 AAC 50.040(c); a standard adopted by reference in 18 AAC 50.040(a) or (c); and any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

Section 5. General Source Testing and Monitoring Requirements

19. Requested Source Tests. In addition to any source testing explicitly required by the permit, the Permittee shall conduct source testing as requested by the Department to determine compliance with applicable permit requirements.

[18 AAC 50.220(a) & 50.345(a) & (k)]

20. Operating Conditions. Unless otherwise specified by an applicable requirement or test method, the Permittee shall conduct source testing

[18 AAC 50.220(b)]

20.1. at a point or points that characterize the actual discharge into the ambient air; and

20.2. at the maximum rated burning or operating capacity of the emission unit or another rate determined by the Department to characterize the actual discharge into the ambient air.

21. Reference Test Methods. The Permittee shall use the following as reference test methods when conducting source testing for compliance with this permit:

21.1. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(c) must be conducted in accordance with the source test methods and procedures specified in 40 C.F.R. 63.

[18 AAC 50.040(c) & 50.220(c)(1)(C)]
[40 C.F.R. 63]

21.2. Source testing for the reduction in visibility through the exhaust effluent must be conducted in accordance with the procedures set out in Reference Method 9.

[18 AAC 50.030 & 50.220(c)(1)(D)]

21.3. Source testing for emissions of total particulate matter, sulfur compounds, nitrogen compounds, carbon monoxide, lead, volatile organic compounds, fluorides, sulfuric acid mist, municipal waste combustor organics, metals, and acid gases must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 60, Appendix A.

[18 AAC 50.040(a)(3) & 50.220(c)(1)(E)]
[40 C.F.R. 60, Appendix A]

21.4. Source testing for emissions of PM-10 must be conducted in accordance with the procedures specified in 40 C.F.R. 51, Appendix M, Methods 201 or 201A and 202.

[18 AAC 50.035(b)(2) & 50.220(c)(1)(F)]
[40 C.F.R. 51, Appendix M]

21.5. Source testing for emissions of any pollutant may be determined using an alternative method approved by the Department in accordance with 40 C.F.R. 63 Appendix A, Method 301.

[18 AAC 50.040(c)(24) & 50.220(c)(2)]
[40 C.F.R. 63, Appendix A, Method 301]

22. Excess Air Requirements. To determine compliance with this permit, standard exhaust gas volumes must include only the volume of gases formed from the theoretical combustion of the fuel, plus the excess air volume normal for the specific emission unit type, corrected to standard conditions (dry gas at 68° F and an absolute pressure of 760 millimeters of mercury).

[18 AAC 50.220(c)(3) & 50.990(102)]

23. Test Exemption. The Permittee is not required to comply with Conditions 25, 26 and 27 when the exhaust is observed for visible emissions by Method 9 Plan or Smoke/No Smoke Plan.

[18 AAC 50.345(a)]

24. Test Deadline Extension. The Permittee may request an extension to a source test deadline established by the Department. The Permittee may delay a source test beyond the original deadline only if the extension is approved in writing by the Department's appropriate division director or designee.

[18 AAC 50.345(a) & (l)]

25. Test Plans. Except as provided in Condition 23, before conducting any source tests, the Permittee shall submit a plan to the Department. The plan must include the methods and procedures to be used for sampling, testing, and quality assurance and must specify how the emission unit will operate during the test and how the Permittee will document that operation. The Permittee shall submit a complete plan within 60 days after receiving a request under Condition 19 and at least 30 days before the scheduled date of any test unless the Department agrees in writing to some other time period. Retesting may be performed without resubmitting the plan.

[18 AAC 50.345(a) & (m)]

26. Test Notification. Except as provided in Condition 23, at least 10 days before conducting a source test, the Permittee shall give the Department written notice of the date and the time the source test will begin.

[18 AAC 50.345(a) & (n)]

27. Test Reports. Except as provided in Condition 23, within 60 days after completing a source test, the Permittee shall submit two copies of the results in the format set out in the Source Test Report Outline, adopted by reference in 18 AAC 50.030. The Permittee shall certify the results in the manner set out in Condition 29. If requested in writing by the Department, the Permittee must provide preliminary results in a shorter period of time specified by the Department.

[18 AAC 50.345(a) & (o)]

Section 6. General Recordkeeping and Reporting Requirements

Recordkeeping Requirements

28. Recordkeeping Requirements. The Permittee shall keep all records required by this permit for at least five years after the date of collection, including:

[18 AAC 50.040(a)(1) & 50.326(j)]
[40 C.F.R. 60.7(f), Subpart A, 40 C.F.R. 71.6(a)(3)(ii)(B)]

- 28.1. Copies of all reports and certifications submitted pursuant to this section of the permit; and
- 28.2. Records of all monitoring required by this permit, and information about the monitoring including:
 - a. the date, place, and time of sampling or measurements;
 - b. the date(s) analyses were performed;
 - c. the company or entity that performed the analyses;
 - d. the analytical techniques or methods used;
 - e. the results of such analyses; and,
 - f. the operating conditions as existing at the time of sampling or measurement.

Reporting Requirements

29. Certification. The Permittee shall certify any permit application, report, affirmation, or compliance certification submitted to the Department and required under the permit by including the signature of a responsible official for the permitted stationary source following the statement: *“Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete.”* Excess emission reports must be certified either upon submittal or with an operating report required for the same reporting period. All other reports and other documents must be certified upon submittal.

- 29.1. The Department may accept an electronic signature on an electronic application or other electronic record required by the Department if
 - a. a certifying authority registered under AS 09.25.510 verifies that the electronic signature is authentic; and
 - b. the person providing the electronic signature has made an agreement, with the certifying authority described in Condition 29.1.a, that the person accepts or agrees to be bound by an electronic record executed or adopted with that signature.

[18 AAC 50.345(a) & (j), 50.205, & 50.326(j)]
[40 C.F.R. 71.6(a)(3)(iii)(A)]

30. Submittals. Unless otherwise directed by the Department or this permit, the Permittee shall send an original and one copy of reports, compliance certifications, and other submittals required by this permit to ADEC, Air Permits Program, 610 University Ave., Fairbanks, AK 99709-3643, ATTN: Compliance Technician. The Permittee may, upon consultation with the Compliance Technician regarding software compatibility, provide electronic copies of data reports, emission source test reports, or other records under a cover letter certified in accordance with Condition 29.

[18 AAC 50.326(j)]
[40 C.F.R. 71.6(a)(3)(iii)(A)]

31. Information Requests. The Permittee shall furnish to the Department, within a reasonable time, any information the Department requests in writing to determine whether cause exists to modify, revoke and reissue, or terminate the permit or to determine compliance with the permit. Upon request, the Permittee shall furnish to the Department copies of records required to be kept by the permit. The Department may require the Permittee to furnish copies of those records directly to the Federal Administrator.

[18 AAC 50.345(a) & (i), 50.200, & 50.326(a) & (j)]
[40 C.F.R. 71.5(a)(2) & 71.6(a)(3)]

32. Excess Emissions and Permit Deviation Reports.

32.1. Except as provided in Condition 40 (*Air Pollution Prohibited*) of Minor Permit No. AQ0406MSS06, the Permittee shall report all emissions or operations that exceed or deviate from the requirements of this permit as follows:

- a. in accordance with 18 AAC 50.240(c), as soon as possible after the event commenced or is discovered, report
 - (i) emissions that present a potential threat to human health or safety; and
 - (ii) excess emissions that the Permittee believes to be unavoidable;
- b. in accordance with 18 AAC 50.235(a), within two working days after the event commenced or was discovered, report an unavoidable emergency, malfunction, or nonroutine repair that causes emissions in excess of a technology based emission standard;
- c. report all other excess emissions and permit deviations
 - (i) within 30 days of the end of the month during which the excess emissions or deviation occurred, except as provided in Condition 32.1.c(ii); or
 - (ii) if a continuous or recurring excess emissions is not corrected within 48 hours of discovery, within 72 hours of discovery unless the Department provides written permission to report under Condition 32.1.c(i).

32.2. When reporting either excess emissions or permit deviations, the Permittee shall report using either the Department's on-line form, which can be found at <http://www.dec.state.ak.us/air/ap/site.htm> or <https://myalaska.state.ak.us/dec/air/airtoolsweb/>, or if the Permittee prefers, the form contained in Section 9 of this permit. The Permittee must provide all information called for by the form that is used.

32.3. If requested by the Department, the Permittee shall provide a more detailed written report as requested to follow up on an excess emissions report.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2) & (3)]

33. Operating Reports. During the life of this permit⁵, the Permittee shall submit to the Department an original and one copy of an operating report by August 1 for the period January 1 to June 30 of the current year and by February 1 for the period July 1 to December 31 of the previous year.

33.1. The operating report shall include all information required to be in operating reports by other conditions of this permit.

33.2. If excess emissions or permit deviations that occurred during the reporting period are not reported under Condition 33.1, the Permittee shall identify

- a. the date of the deviation;
- b. the equipment involved;
- c. the permit condition affected;
- d. a description of the excess emissions or permit deviation; and
- e. any corrective action or preventive measures taken and the date of such actions.

33.3. When excess emissions or permit deviations have already been reported under Condition 32 the Permittee shall cite the date or dates of those reports.

[18 AAC 50.346(a) & 50.326(j)]

[40 C.F.R. 71.6(a)(3)(iii)(A)]

34. Annual Compliance Certification. Each year by March 31, the Permittee shall compile and submit to the Department an original and one copy of an annual compliance certification report.

34.1. Certify the compliance status of the stationary source over the preceding calendar year consistent with the monitoring required by this permit, as follows:

- a. identify each term or condition set forth in Section 3 through Section 8, that is the basis of the certification;
- b. briefly describe each method used to determine the compliance status;

⁵ *Life of this permit* is defined as the permit effective dates, including any periods of reporting obligations that extend beyond the permit effective dates. For example if a permit expires prior to the end of a calendar year, there is still a reporting obligation to provide operating reports for the periods when the permit was in effect.

- c. state whether compliance is intermittent or continuous; and
 - d. identify each deviation and take it into account in the compliance certification.
- 34.2. In addition, submit a copy of the report directly to the EPA-Region 10, Office of Air Quality, M/S OAQ-107, 1200 Sixth Avenue, Seattle, WA 98101.

[18 AAC 50.205, 50.345(a) & (j), & 50.326(j)]

[40 C.F.R. 71.6(c)(5)]

Section 7. Permit Changes and Renewal

35. Permit Applications and Submittals. The Permittee shall comply with the following requirements for submitting application information to the EPA Region 10:

- 35.1. The Permittee shall provide a copy of each application for modification or renewal of this permit, including any compliance plan, or application addenda, at the time the application or addendum is submitted to the Department⁶;
- 35.2. The information shall be submitted to the same address as in Condition 34.2.
- 35.3. To the extent practicable, the Permittee shall provide to EPA applications in portable document format (PDF); MS Word format (.doc); or other computer-readable format compatible with EPA's national database management system; and
- 35.4. The Permittee shall maintain records as necessary to demonstrate compliance with this condition.

[18 AAC 50.040(j)(7) & 50.326(b)]
[40 C.F.R. 71.10(d)(1)]

36. Emissions Trading. 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 provided for in the permit.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 C.F.R. 71.6(a)(8)]

37. Off Permit Changes. The Permittee may make changes that are not addressed or prohibited by this permit other than those subject to the requirements of 40 C.F.R. Part 72 through 78 or those that are modifications under any provision of Title I of the Act to be made without a permit revision, provided that the following requirements are met:

- 37.1. Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition;
- 37.2. Provide contemporaneous written notice to EPA and the Department of each such change, except for changes that qualify as insignificant under 18 AAC 50.326(d) – (i). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change;
- 37.3. The change shall not qualify for the shield under 40 C.F.R. 71.6(f);
- 37.4. The Permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

[18 AAC 50.040(j)(4) & 50.326(j)]

⁶ The documents required in Condition 35.1 are submitted to the Department's Anchorage office. The current address for the Anchorage office is: ADEC, 619 East Ship Creek Avenue, Suite 249, Anchorage, AK 99501.

[40 C.F.R. 71.6(a)(12)]

38. Operational Flexibility. The Permittee may make changes within the permitted stationary source without requiring a permit revision if the changes are not modifications under any provision of Title I of the Act and the changes do not exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms of total emissions):

- 38.1. The Permittee shall provide EPA and the Department with a written notification no less than 7 days in advance of the proposed change.
- 38.2. For each such change, the written notification required above shall include a brief description of the change within the permitted stationary source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
- 38.3. The permit shield described in 40 C.F.R. 71.6(f) shall not apply to any change made pursuant to Condition 38.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 C.F.R. 71.6(a)(13)]

39. Permit Renewal. To renew this permit, the Permittee shall submit an application under 18 AAC 50.326 no sooner than August 17, 2017 and no later than August 17, 2018. The renewal application shall be complete before the permit expiration date listed on the cover page of this permit. Permit expiration terminates the stationary source's right to operate unless a timely and complete renewal application has been submitted consistent with 40 C.F.R. 71.7(b) and 71.5(a)(1)(iii).

[18 AAC 50.040(j)(3), 50.326(c)(2) & (j)(2)]
[40 C.F.R. 71.5(a)(1)(iii) & 71.7(b) & (c)(1)(ii)]

Section 8. Compliance Requirements

General Compliance Requirements

40. Compliance with permit terms and conditions is considered to be compliance with those requirements that are

40.1. included and specifically identified in the permit; or

40.2. determined in writing in the permit to be inapplicable.

[18 AAC 50.326(j)(3) & 50.345(a) & (b)]
[40 C.F.R. 71.6(f)(1)]

41. The Permittee shall comply with each permit term and condition.

41.1. For applicable requirements with which the stationary source is in compliance, the Permittee shall continue to comply with such requirements.

41.2. Noncompliance with a permit term or condition constitutes a violation of AS 46.14.120(c), 18 AAC 50, and, except for those terms or conditions designated in the permit as not Federally enforceable, the Clean Air Act, and is grounds for

a. an enforcement action;

b. permit termination, revocation and reissuance, or modification in accordance with AS 46.14.280; or

c. denial of an operating permit renewal application.

[18 AAC 50.040(j), 326(j) & 50.345(a) & (c)]
[40 C.F.R. 71.6(c)(3) & 71.5(c)(8)(iii)(A)]

42. It is not a defense in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with a permit term or condition.

[18 AAC 50.326(j)(3) & 50.345(a) & (d)]

43. The Permittee shall allow the Department or an inspector authorized by the Department, upon presentation of credentials and at reasonable times with the consent of the owner or operator to

43.1. enter upon the premises where a source subject to the permit is located or where records required by the permit are kept;

43.2. have access to and copy any records required by the permit;

43.3. inspect any stationary source, equipment, practices, or operations regulated by or referenced in the permit; and

43.4. sample or monitor substances or parameters to assure compliance with the permit or other applicable requirements.

[18 AAC 50.326(j)(3) & 50.345(a) & (h)]

- 44.** For applicable requirements that will become effective during the permit term, the Permittee shall meet such requirements on a timely basis.

[18 AAC 50.040(j) & 50.326(j)]
[40 C.F.R. 71.6(c)(3) & 71.5(c)(8)(iii)(B)]

Section 9. Permit As Shield from Inapplicable Requirements

In accordance with AS 46.14.290, and based on information supplied in the permit application, this section of the permit contains the requirements determined by the Department not to be applicable to the stationary source.

45. Nothing in this permit shall alter or affect the following:

- 45.1. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; or
- 45.2. 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.

[18 AAC 50.326(j)]
[40 C.F.R. 71.6(f)(3)(i) & (ii)]

46. Table C identifies the emission units that are not subject to the specified requirements at the time of permit issuance. If any of the requirements listed in Table C becomes applicable during the permit term, the Permittee shall comply with such requirements on a timely basis including, but not limited to, providing appropriate notification to EPA, obtaining a construction permit and/or an operating permit revision.

[18 AAC 50.326(j)]
[40 C.F.R. 71.6(f)(1)(ii)]

Table C - Permit Shields Granted

EU ID(s)	Non-Applicable Requirements	Reason for Non-Applicability
1 – 6	40 CFR 63.11645(a), (b), (d) through (h)	Mercury emission standards for processes which are not present at Pogo Mine: <ul style="list-style-type: none"> • new and existing pretreatment processes, • new and existing carbon processes with mercury retorts, • new carbon processes without mercury retorts, and • new and existing non-carbon concentrate processes.
1 – 6	40 CFR 63.11646(a)(8)	Applicable to roasting and autoclave processes not present at Pogo Mine.
1 – 6	40 CFR 63.11646(a)(12)(i), (ii), and (iv); and 40 CFR 63.11646(a)(13)(i), (ii), and (iv)	Applicable to ore pretreatment processes, carbon processes with mercury retorts, and non-carbon processes not present at Pogo Mine
1 – 6	40 C.F.R. 63.11647, Subpart EEEEEEE Monitoring Requirements: <ul style="list-style-type: none"> • §63.11647(a) specifies monitoring requirements for roasters, • §63.11647(b), (c), and (d) set forth monitoring requirements and conditions for roasters with a calomel-based mercury emissions control system, 	The stationary source does not operate a roaster, and no carbon adsorber or wet scrubber is used for mercury emissions control.

EU ID(s)	Non-Applicable Requirements	Reason for Non-Applicability
	<ul style="list-style-type: none">• §63.11647(e) refers to the roaster-monitoring requirements of paragraph (a),• §63.11647(f) and (g) set forth monitoring requirements for carbon adsorber mercury-emissions control devices,• §63.11647(h) specifies monitoring requirements for wet scrubber mercury-emissions control devices, and• §63.11647(i) describes allowable re-testing procedures to establish monitoring limits required in paragraphs §§63.11647 (a) – (c) and (f) – (h).	

[18 AAC 50.326(j)]
[40 C.F.R. 71.6(f)(1)(ii)]

Section 10. ADEC Notification Form⁷

Pogo Mine

AQ0406TVP01

Stationary Source Name

Air Quality Permit No.

Pogo

Company Name

Date

When did you discover the Excess Emissions/Permit Deviation?

Date: _____ / _____ / _____

Time: _____ : / _____

When did the event/deviation occur?

Begin Date: _____ / _____ / _____

Time: _____ : _____ (Use 24-hr clock.)

End Date _____ / _____ / _____

Time: _____ : _____ (Use 24-hr clock.)

What was the duration of the event/deviation? _____ : _____ (hrs:min) or _____ Days
(total # of hrs, min, or days, if intermittent then include only the duration of the actual emissions/deviation)

Reason for Notification: (please check only 1 box and go to the corresponding section)

- Excess Emissions – Complete Section 1 and Certify
- Deviation from Permit Condition – Complete Section 2 and Certify
- Deviations from COBC, CO, or Settlement Agreement – Complete Section 2 and Certify

Section 1. Excess Emissions

(a) Was the exceedance: Intermittent or Continuous

(b) Cause of Event (Check one that applies):

- Start Up/Shut Down Natural Cause (weather/earthquake/flood)
- Control Equipment Failure Schedule Maintenance/Equipment Adjustment
- Bad Fuel/Coal/Gas Upset Condition Other _____

(c) Description

Describe briefly, what happened and the cause. Include the parameters/operating conditions exceeded, limits, monitoring data and exceedance.

(d) Emissions Units Involved:

Identify the emission unit involved in the event, using the same identification number and name as in the permit. Identify each emission standard potentially exceeded during the event and the exceedance.

EU ID	EU Name	Permit Condition Exceeded/Limit/Potential Exceedance

⁷ Revised as of August 20, 2008.

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(e) Type of Incident (please check only one):

- Opacity _____ %
 Venting _____ gas/scf
 Control Equipment Down
 Fugitive Emissions
 Emission Limit Exceeded
 Other _____
 Marine Vessel Opacity
 Flaring _____

(f) Unavoidable Emissions:

Do you intend to assert that these excess emissions were unavoidable? Yes No

Do you intend to assert the affirmative defense of 18 AAC 50.235? Yes No

Certify Report (Go to end of form.)

Section 2. Permit Deviations

(a) Permit Deviation Type (check only one box, corresponding with the section in the permit):

- Emission Unit-Specific Generally Applicable Requirements
 Failure to Monitor/Report Reporting/Monitoring for Diesel Engines
 General Source Test/Monitoring Requirements Recordkeeping Failure
 Recording/Reporting/Compliance Certification Insignificant Emission Unit
 Standard Conditions Not Included in the Permit Stationary Source Wide
 Other Section: _____ (Title of section and section number of your permit).

(b) Emission Unit Involved:

Identify the emission unit involved in the event, using the same identification number and name as in the permit. List the corresponding permit conditions and the deviation.

EU ID	EU Name	Permit Condition/ Potential Deviation

(c) Description of Potential Deviation:

Describe briefly what happened and the cause. Include the parameters/operating conditions and the potential deviation.

(d) Corrective Actions:

Describe actions taken to correct the deviation or potential deviation and to prevent future recurrence.

Certification:

Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete.

Printed Name: _____ Title: _____ Date: _____
Signature: _____ Phone Number: _____

NOTE: *This document must be certified in accordance with 18 AAC 50.345(j)*

To Submit this Report:

Fax to: 907-451-2187

Or

Email to: DEC.AQ.Airreports@alaska.gov

If faxed or emailed, the report must be certified within the Operating Report required for the same reporting period per Condition 33.

Or

Mail to: ADEC
Air Permits Program
610 University Avenue
Fairbanks, AK 99709-3643

Or

Phone Notification: 907-451-5173

Phone notifications require a written follow-up report.

Or

Submission of information contained in this report can be made electronically at the following website:

<https://myalaska.state.ak.us/dec/air/airtoolsweb/>

If submitted online, report must be submitted by an authorized E-Signer for the stationary source.

[18 AAC 50.346(b)(3)]

**Alaska Department of Environmental Conservation
Air Permits Program**

**Public Comment - June 7, 2012
Sumitomo Metal Mining LLC
Pogo Mine**

**STATEMENT OF BASIS
of the terms and conditions for
Permit No. AQ0406TVP01**

**Reviewed by Jason Olds
ADEC AQ/APP Juneau**

**Prepared by Jeanette Brena & Grace Germain
Cardno ENTRIX**