



Commonwealth of the Northern Mariana Islands
OFFICE OF THE GOVERNOR
 Bureau of Environmental and Coastal Quality
 DEQ: P.O. Box 501304, DCRM: P.O. Box 10007, Saipan, MP 96950-1304
 DEQ Tel.: (670) 664-8500/01; Fax: (670) 664-8540
 DCRM Tel.: (670) 664-8300; Fax: (670) 664-8315
www.deq.gov.mp and www.crm.gov.mp



Arnold I Palacios
Governor

David M. Apatang
Lt. Governor

Eli D. Cabrera
Administrator

Zabrina S. Cruz
Director, DEQ

SYNTHETIC MINOR SOURCE AIR PERMIT

This permit authorizes the permittee to engage in the operation of the Emission Units specified below pursuant to the provisions of the CNMI Air Pollution Control Regulations (“Air Regulations”), Chapter 65-10.

PERMIT NUMBER: 2023-AP-001	DATE ISSUED:	DATE EXPIRES:
EMISSION UNITS:	<ol style="list-style-type: none"> 1. Doosan Generator Model G70WD0-3A-T4F (70 kW) 2. Caterpillar Generator Model 3412C (900 kW) 3. Caterpillar Generator Model 3412C (900 kW) 4. Lippmann Impact Crusher Model LI5165S (365 tph) 5. Erie Mix Plant Model MG-11C (366 cy/hr) 6. Asphalt Drum Mixers Road Builder Series (350 tph) 7. Doosan Generator Model G70WD0-3A-T4F (70 kW) 8. Caterpillar Generator Model C27 (725 kW) 9. Caterpillar Generator Model 3412C (900 kW) 10. Balzer Crush Plant (200 tph) 11. Meka – MPWP 6203 Portable Wash Plant 	
PERMIT ISSUED TO:	Black Micro Corporation	
ADDRESS:	Tinian Divert Airfield, San Jose, Tinian	
RESPONSIBLE OFFICIAL:	Jullie Capidoso, Project Manager	
REPRESENTATIVE ADDRESS:	P.O. Box 520699 Tinian MP 96952	
AUTHORIZED REPRESENTATIVE		
Jullie Capidoso or Nicholas Denzer		Contact Number: 671-433-0024
TYPE OF APPLICATION		
NEW:	MODIFICATION: <input checked="" type="checkbox"/>	RENEWAL:

 Eli D. Cabrera
 Administrator, BECQ

 Zabrina S. Cruz
 Director, DEQ

Section 1 – Permit Terms and Conditions

The following Permit Terms and Conditions apply to the permittee, the Emission Units (EU) listed below, and any associated air pollution control equipment listed in the Application.

Section 2 – Equipment List

EU ID #	Description of Affected Emission Unit(s)	Power Rating
1	Doosan Generator Model G70WD0-3A-T4F	70 kilowatts
2	Caterpillar Generator Model 3412C	900 kilowatts
3	Caterpillar Generator Model 3412C	900 kilowatts
4	Asphalt Drum Mixers Road Builder Series	350 tph
5	Lippmann Impact Crusher Model LI5165S	365 tph
6	Erie Mix Plant Model MG-11C	366 cy/hr
7	Doosan Generator Model G70WD0-3A-T4F	70 kilowatts
8	Caterpillar Generator Model C27	725 kilowatts
9	Caterpillar Generator Model 3412C	900 kilowatts
10	Balzer Crush Plant	200 tph
11	Meka – MPWP 6203 Portable Wash Plant	N/A

Section 3 – General Provisions

1. *Construction and Operation*

The permittee shall construct and operate the specified Emission Units (consisting of six generators, an impact crusher, a mix plant, a drum mixer, a crush plant, and a portable wash plant) and any associated air pollution control equipment in compliance with this permit and all other applicable federal and territorial air quality regulations; and in a manner consistent with the Application.

2. *Location*

This permit only authorizes the permittee to operate the permitted source at the location specified on page 1 of this permit.

3. *Liability*

This permit does not release the permittee from any liability for compliance with other applicable federal and territorial environmental laws and regulations, including the Clean Air Act, 42 USC §§ 7401. *et seq.*, (“CAA”) and the Commonwealth Environmental Protection Act, 2 CMC §§ 3101, *et seq.* (“CEPA”).

4. *Severability*

The provisions of this permit are severable. If any portion of this permit is held invalid, the remaining terms and conditions of this permit shall remain valid and in force.

5. *Compliance*

The permittee must comply with all provisions of this permit, including emission limitations that apply to the specified emissions units. Non-compliance with any permit provision is a violation of the permit and may constitute a violation of the CAA and the Commonwealth Environmental Protection Act, and is grounds for an enforcement action, and is grounds for the issuing authority to revoke and terminate the permitted source's coverage under this permit.

6. *Reporting Discontinuance*

Within thirty (30) days of permanent discontinuance of the operation of any synthetic minor source, the discontinuance shall be reported in writing to the Administrator by a responsible official of the source.

7. *Prevention of Significant Deterioration (PSD) Protection*

The permitted source shall not engage in any activity which would result in a modification that would trigger federal Prevention of Significant Deterioration ("PSD") permitting requirements pursuant to Title 1, Part C of the CAA.

8. *Unavailable Defense*

It is not a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the provisions of this permit.

9. *Property Rights*

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

10. *Information Requests*

You, as the permittee, shall furnish to the issuing authority, within thirty (30) calendar days, any information that the issuing authority may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit or to determine compliance with the permit. For any such information claimed to be confidential, the permittee must submit a claim of confidentiality.

11. *Inspection and Entry*

Upon presentation of proper credentials, the permittee must allow a representative of the issuing authority to:

- a. Enter upon the premises where a source is located or emissions-related activity is conducted or where records are required to be kept under the conditions of the permit;
- b. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
- c. Inspect, during normal business hours or while the source is in operation, any facilities, equipment (including monitoring and air pollution control equipment), practices or operations regulated or required under the permit;
- d. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
- e. Record any inspection by use of written, electronic, magnetic and photographic media.

12. *Posting of Permit*

This permit must be posted prominently at the facility, and the emission units and any associated air pollution control equipment must be labeled with the identification name or number listed in the permit.

13. *Credible Evidence*

For the purpose of establishing whether the permittee violated or is in violation of any requirement of this permit, nothing 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 permittee had performed the appropriate performance or compliance test or procedure.

Section 4 – Emission Unit Limitations and Standards

14. The permittee shall maintain and operate the specified emission units, including any associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions of regulated pollutants and considering the manufacturer's recommended operating procedures at all times, including periods of startup, shutdown, maintenance and malfunction. The issuing authority will determine whether the permittee is using acceptable operating and maintenance procedures based on information available to the issuing authority which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, review of operating and maintenance records, and inspection of the permitted source. ***Failure to maintain emission unit limitations as specified in this permit may result in the need to obtain a major source permit in accordance with 40 CFR Part 71, as well as federal and local enforcement activity.***
15. The permittee shall operate and maintain Emission Units ("EU") 1, EU 7, and EU 8 according to the manufacturer's emission-related written instructions.
16. The permittee is prohibited from changing emission related settings of EU 1, EU 7, and EU 8 in a way that is not permitted by the manufacturer.
17. The permittee must meet the applicable requirements of 40 CFR Part 1068.
18. *EUs 1-3 and EUs 7-9 Generators (Non-emergency engines)*
- The maximum rated power generation of the specified emission units at this facility shall be 70 kilowatts (kW) or less for EU1, 900 kW or less for EU2, 900 kW or less for EU3, 70 kW or less for EU7, 725 kW or less for EU8, and 900 kW or less for EU9.
 - The specified emission units shall only use diesel fuel. The sulfur content of the diesel fuel shall not exceed 15 parts per million (ppm) by weight.
 - The combined throughput of diesel fuel for EUs 1-3 and EUs 7-9 shall not exceed 998,746 gallons of diesel fuel for any 12-month rolling total.
19. *EUs 1-3 and EU 7-9 Generators (Non-emergency engines)*
- Each affected non-emergency compression ignition engine shall comply with the following limitations and standards:
- EU 1, EU 7, and EU 8 shall comply with the emission standards for new CI engines in § 60.4201; and
 - EU 2, EU 3, and EU 9 shall meet the following standards based on the engine's maximum rated

power.

Maximum Engine Power Rating	Emission Standard
hp > 500	Limit CO to 23 ppmvd @ 15% O2 OR reduce CO emissions by 70 percent or more. Emissions shall be controlled through the use of an oxidation catalyst and use of a CPMS. Engines rated at greater than 560kW that are certified to Tier 2 standards in 40 CFR 89.122 are exempt from this limit.

20. *EU 4 Lippmann Impact Crusher*

a. Emissions from crushers, screens, drop points, and other possible release points shall be controlled by wet suppression.

21. *EU 5 Erie Mix Plant (Concrete Batch Plant)*

a. Source-wide production of concrete shall not exceed 2,000,000 cubic yards mix per year based on a 12-month rolling period.

b. Total annual cold cleaning solvent makeup shall not exceed 500 gallons per year.

c. Each storage silo shall be equipped with an audible alarm or automatic shutoff system that warns when the silo is full. Loading operations cannot be conducted without the warning or shutoff device.

d. Each mixer, storage silo (including cement and fly ash), weigh hopper, and auxiliary storage bin shall be vented to a fabric or cartridge filter. The filter systems can be a centralized system.

22. *EU 6 Asphalt Drum Mixers (Asphalt Production Plant)*

a. Production of hot-mix asphalt shall not exceed 20,000 tons per month.

b. Emissions from an affected dryer/mixer shall be controlled using a baghouse during all times when the affected emissions unit operates.

c. The permittee shall maintain a supply of extra bags and other spare parts for the baghouse onsite. When a bag replacement is needed the facility shall shut down until the replacement bag is installed.

23. *EU 8 Balzer Crush Plant*

a. Emissions from crushers, screens, drop points, and other possible release points shall be controlled by wet suppression.

24. The permittee shall comply with their Fugitive Dust Control Plan, which the permittee shall submit prior to initial construction or operation.

25. Pursuant to the Air Regulations, NMIAC § 65-10-102(b), permittee shall not discharge or allow to be discharged any emission of visible air pollutants of a density equal to or darker than 20% opacity except as provided in NMIAC § 65-10-102(b)(2), which provides that during start-up, shutdown, or when breakdown of equipment occurs, the specified emission unit may discharge air pollutants of a density up to 60% opacity for a period aggregating six minutes or less in any 60 minutes.

Section 5 – Monitoring and Testing Requirements

26. *EUs 2-3 and EU 9 (Existing non-emergency engines)*
- The permittee shall conduct an initial performance test for EUs 2-3 and EU 9 according to 40 CFR Part 63 Subpart ZZZZ § 63.6612 within 180 days after the issuance of this permit to verify compliance with Condition 19b. Subsequent performance tests must be performed every 8,760 hours or 5 years, whichever comes first. The Permittee must notify DEQ and EPA in writing at least 60 calendar days before the performance test to review that site specific test plan and have an observer present during the test.
27. The permittee shall follow additional applicable monitoring, installation, collection, operation, and maintenance requirements for EUs 2-3 & 9 listed in 40 CFR § 63.6625.
28. *EU 5 Erie Mix Plant (Concrete Batch Plant)*
- The permittee shall monitor and record concrete production on a monthly basis in cubic yards.
 - At least once per calendar month in which the permitted source operates, the permittee shall inspect the interior and exterior of the fabric/cartridge filters for evidence of leaking, damaged, and/or missing filters, and take appropriate corrective actions to restore filters to proper operation before resuming normal operations.
 - The permittee shall monitor and record the quantity of cold cleaning solvent used to replenish the tank on a monthly basis in gallons.
 - Once per calendar month in which the permitted source operates, the permittee shall inspect each silo warning system to ensure the devices are free from dust. Each device shall also be tested to ensure proper operation. The permittee shall take appropriate corrective action to restore each device to normal operation.
29. *EU 6 Asphalt Drum Mixers (Asphalt Plant)*
- The permittee shall monitor and record the amount of asphalt produced each month in tons.
 - At least once during each calendar week in which the permitted source operates, the permittee shall inspect the interior and exterior of the baghouse for evidence of leaking, damaged, and missing bags, and take appropriate corrective actions before resuming operations.
30. *Wet Suppression Monitoring*
- At least once during each calendar month the permitted source operates, the permittee shall inspect to check that water is flowing to discharge spray nozzles in the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical.
31. *Visible Emissions Survey*
- At least once during each calendar week in which the permitted source operates, the permittee shall perform a visible emissions survey of all affected emission units subject to the opacity limit in Condition 25. If visible emissions are detected during the survey, the permittee shall take corrective action so that within 24 hours no visible emissions are detected from any emission units while they are in operation.

32. *Fugitive Emissions Survey*

- a. At least once during each calendar week in which the permitted source operates, the permittee shall survey the facility for visible fugitive emissions. If fugitive emissions are detected crossing the property line, the permittee shall take corrective actions according to their fugitive dust control plan.

Section 6 – Recordkeeping Requirements

33. *Recordkeeping requirements – Administrative:*

- a. All records must be maintained in a form suitable and readily available for expeditious review.
- b. The permittee shall maintain all records required to be kept by this permit onsite for at least three (3) years from the date of origin, unless otherwise stated in this permit.
- c. The permit Application and all documentation supporting that application shall be maintained by the permittee for the duration of time the specified emission units are covered under this permit.
- d. The permittee shall maintain a log of all inspection, maintenance and repair activities conducted, including any corrective actions taken as part of general maintenance or repairs on any emission unit that may affect emissions.

34. *Recordkeeping requirements – Fuels:*

- a. The permittee shall maintain fuel delivery and purchase receipts, showing the fuel type, date of delivery, and amount (gallons) of fuel delivered to the site.
- b. The permittee shall maintain records of the fuel sulfur content. The sulfur content may be demonstrated by maintaining the fuel content specification sheet for the type of fuel purchased and received.
- c. The permittee must follow the additional applicable record keeping requirements for EUs 2-3 and EUs 9, listed in 40 CFR §63.6655.

35. *For EU 5 Erie Mix Plant (Concrete Batch Plant), the permittee must maintain the following records:*

- a. The monthly and 12-month rolling records of source-wide concrete production in cubic yards.
- b. The dates and results of each cartridge/filter inspection performed pursuant to Condition 28 and any corrective actions taken as a result of the required inspections shall be recorded.
- c. The gallons of cold cleaning solvent makeup used each calendar month and on a 12-month rolling basis.
- d. Records of the halogenated hazardous air pollutant solvent content and volatile organic compound (VOC) content for each solvent used in a solvent degreaser.
- e. Records of each inspection for each silo warning system required by Condition 28 and any corrective actions taken as a result of the required inspections and tests.

36. *For EU 6 Asphalt Drum Mixers (Asphalt Plant), the permittee must maintain the following records:*

- a. Monthly and 12-month rolling records of source-wide asphalt production in tons.
- b. The dates and results of all baghouse inspections performed pursuant to Condition 29 and any corrective actions taken as a result of the required inspections shall be recorded.

37. *Visible Emissions Survey*

The dates and results of each visible emissions survey performed pursuant to Condition 31 shall be recorded. At a minimum, records shall include:

- a. The name of the person, company or entity conducting the survey;
 - b. Whether visible emissions were detected from any emission unit;
 - c. Any corrective action taken;
 - d. The result of any corrective action.
38. The dates and results of each fugitive emissions survey performed pursuant to Condition 32, any corrective action taken as a result of each survey, and the result of any corrective action taken shall be recorded.

Section 7 – Annual Fee Requirements

39. Except as specified in NMIAC § 65-10-605(b), the permittee shall pay an annual emissions fee in full:
- a. Within sixty (60) days after the end of each calendar year; and
 - b. Within thirty (30) days after the permanent discontinuance of the minor source.

40. The annual fees shall be determined and submitted in accordance with applicable Air Pollution Control Regulations.

Refer to *NMIAC §§ 65-10-605-606 Annual Emission Fees for Minor or Synthetic Minor Sources and Basis of Annual Fees for Minor or Synthetic Minor Sources* for information on Annual Fee Requirements.

41. The annual emissions data for which the annual fees are based shall accompany the submittal of the annual fees, as needed to verify annual emission calculations.
42. The annual fees and the emission data shall be mailed to or paid at the *Division of Environmental Quality* P.O. Box 501304 Saipan, MP 96950 located at Middle Road, Gualo Rai. Please have checks be made payable to CNMI Treasury.

Section 8 – Notification and Reporting Requirements

43. Compliance Plan

The permittee shall submit a written or electronic notice to the issuing authority within sixty (60) days of the issuance of this permit:

- a. A compliance statement acknowledging the conditions of this permit and how the permittee intends to meet permit requirements;
- b. A statement detailing the date of first operation for EU1, EU2, EU3, EU4, EU5, EU6, EU7, EU8, EU9, EU10, and EU11;
- c. A copy of monitoring forms required under Section 5.

44. One year after the issuance of this permit, the permittee and/or authorized representative shall provide a certification to BECQ that the facility has operated all emission units within the limits imposed by the permit conditions. This certification shall include a brief summary of the emissions subject to the conditions for that time period and a comparison to those threshold levels of a major source. The permittee must be in compliance with emission limitations, operating limitations, and

other requirements in this subpart that apply to them at all times.

45. *Annual Reports*

The permittee shall submit an annual report on or before March 15 of each year to BECQ. The annual reports shall cover the period from January 1 to December 31 of the previous year and shall include:

- a. Summaries of the required monitoring and recordkeeping in Sections 5 and 6;
- b. Summaries of deviation reports submitted pursuant to Condition 47.

46. *Notification of Closure*

The permittee must submit a report of any permanent or indefinite closure to the issuing authority in writing within thirty (30) calendar days after the cessation of all operations at the facility. The notification must identify the owner, the current location, and the last operating location of the specified emission units. It is not necessary to submit a report of closure for regular, seasonal closures, or closures due to intermittent operational constraints.

47. *Deviation Reports*

Except for emergencies, in the event any emissions units, air pollution control equipment, or related equipment malfunctions or breaks down and causes the emission of air pollutants in violation of these rules or a permit, the owner or operator shall immediately notify the BECQ of the malfunction or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the malfunction or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable, but not later than seven days after the malfunction or breakdown.

- a. The owner or operator shall provide the following information in writing within five working days of the malfunction or breakdown:
- b. Identification of each affected emission point and each emission limit exceeded;
- c. Magnitude of each excess emission;
- d. Time and duration of each excess emission;
- e. Identity of the process or control equipment causing each excess emission;
- f. Cause and nature of each excess emission;
- g. Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the malfunction or breakdown does not interfere with the attainment and maintenance of the CNMI ambient air quality standards;
- h. Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and
- i. A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance.
- j. The submittal of the notice shall not be a defense to an enforcement action.

48. *Reporting and Notification Address*

- a. The permittee shall send all required and requested reports and documentation to the issuing authority at the mailing address below:

Administrator
Bureau of Environmental and Coastal Quality
Gualo Rai Center, Chalan Pale Arnold Rd

P.O. Box 501304
Saipan, MP 96950

- b. The permittee shall send all reports and notifications required under 40 CFR Part 63 Subpart ZZZZ to EPA at the mailing address listed here:

EPA Region IX
ECAD (ENF 2-1)
75 Hawthorne St.
San Francisco, CA 94105

49. *Certification*

All reports and documentation required by this permit shall include the signature of a responsible official as to the truth, accuracy, and completeness of the information. The submittal must state that, based on information and belief formed after reasonable inquiry, the statements and information are true, accurate, and complete. If the permittee discovers that any reports or notification submitted to the reviewing authority contain false, inaccurate, or incomplete information, the permittee shall notify the issuing authority immediately and correct or amend the submittal as soon as is practicable.

Section 9 – Changes to this Permit

50. *Permit Termination, Suspension, Reopening, and Amendment*

The Administrator, at the Administrator's sole discretion or on the petition of any person, may terminate, suspend, reopen, or amend any minor source permit if, after affording the permittee an opportunity for a hearing in accordance with the Administrative Procedures Act 1 CMC §§ 9101, *et seq.*, the Administrator determines that:

- a. The permit contains a material mistake made in establishing the emissions limitations or other requirements of the permit;
- b. Permit action is required to assure compliance with the requirements of the CEPA, 2 CMC §§ 3101, *et seq.* and the Air Regulations, NMIAC Chapter 65-10;
- c. Permit action is required to address additional requirements of CEPA, 2 CMC §§ 3101, *et seq.* and the Air Regulations, NMIAC Chapter 65-10;
- d. There is a violation of any condition of the permit;
- e. The permit was obtained by misrepresentation or failure to disclose fully all relevant facts;
- f. The source is neither constructed nor operated in accordance with the application for the minor source permit and any information submitted as part of the application;
- g. There is a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted emissions;
- h. More frequent monitoring or reporting by the permittee is necessary; or such is in the public interest, as determined pursuant to CEPA, 2 CMC §§ 3101, *et seq.*

51. *Permit Becomes Invalid*

Authority to construct and operate under this permit becomes invalid if the permittee does not commence construction within 18 months after the effective date, if the permittee discontinues construction for a period of 18 months or more, or if the permittee does not complete construction within a reasonable time. The reviewing authority may extend the 18-month period upon a

satisfactory showing that an extension is justified, according to 40 CFR 49.156(e)(8).

Section 10 – Abbreviations and Acronyms

BECQ	Bureau of Environmental & Coastal Quality
CAA	Federal Clean Air Act
CEPA	Commonwealth Environmental Protection Act
CFR	Code of Federal Regulations
EPA	United States Environmental Protection Agency
hp	horsepower
kW	kilowatt
MM	million
ppm	parts per million
ppmdv	parts per million, dry volume
PSD	Prevention of Significant Deterioration
Tpy	tons per year

Section 11 – Definitions

For the purpose of this permit:

Permit terms shall be defined as provided in NMIAC § 65-10, 40 CFR Parts 60 and 63, and 40 CFR parts 51.100 and 52.21, in that order, unless specifically defined below.

Administrator, as used in this rule, means the BECQ administrator.

Permittee means the owner or operator of a permitted source.

Section 12 – Appendixes

Appendix 1: 40 CFR part 60, Subpart IIII

Appendix 2: 40 CFR part 63, Subpart ZZZZ