



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQE-IN102290010-16

November 4, 2016

Kit Pappas
Bronco Utah Operations, LLC
Emery Mine
P.O. Box 527
Emery, UT 84522

Dear Mr. Pappas:

Re: Intent to Approve: Modification to Approval Order DAQE-AN0229006-05 for Mine Expansion
Project Number: N10229-0010

The attached document is the Intent to Approve for the above-referenced project. The Intent to Approve is subject to public review. Any comments received shall be considered before an Approval Order is issued. The Division of Air Quality is authorized to charge a fee for reimbursement of the actual costs incurred in the issuance of an Approval Order. An invoice will follow upon issuance of the final Approval Order.

Future correspondence on this Intent to Approve should include the engineer's name as well as the DAQE number as shown on the upper right-hand corner of this letter. The project engineer for this action is Ms. Catherine Wyffels, who may be reached at (801) 536-4232.

Sincerely,

Alan D. Humpherys, Manager
New Source Review Section

ADH:CW:jf

cc: Southeastern Utah District Health Department

STATE OF UTAH

Department of Environmental Quality

Division of Air Quality

**INTENT TO APPROVE: Modification to Approval Order DAQE-
AN0229006-05 for Mine Expansion**

**Prepared by: Ms. Catherine Wyffels, Engineer
Phone: (801) 536-4232
Email: cwyffels@utah.gov**

INTENT TO APPROVE NUMBER

DAQE-IN102290010-16

Date: November 4, 2016

**Bronco Utah Operations, LLC
Emery Coal Mine
Source Contact:
Kit Pappas, Engineer
Phone: (435) 286-2027**

**Alan D. Humpherys, Manager
New Source Review Section**

ABSTRACT

Bronco Utah Operations, LLC (BUOLLC) has requested a modification to Approval Order (AO) DAQE-AN0229006-05, dated July 20, 2005. BUOLLC is planning to expand operation of its Emery Mine to a new mine portal for underground mining. As part of this expansion, BUOLLC will add new coal processing equipment. All equipment previously permitted will no longer be used and will be removed from the AO. Emissions associated with the removed equipment were deducted accordingly, resulting in a net decrease of the PTE at this source.

This source is located in Emery County, which is an attainment area of the NAAQS for all pollutants. NSPS 40 CFR 60 Subparts A (General Provisions) and Y (Standards of Performance for Coal Processing Plants) regulations apply to this source. NESHAP and MACT regulations do not apply to this source. Title V of the 1990 Clean Air Act applies to this area source.

The emission changes, in tons per year (tpy), will be as follows: $PM_{10} = -7.10$, $NO_x = -1.98$, $SO_2 = -0.13$, $CO = -0.45$, $VOC = -0.04$. $PM_{2.5}$ and HAPs emissions were not previously estimated.

The potential emissions, in tpy, are as follows: $PM_{10} = 10.50$ and $PM_{2.5}$ (subset of PM_{10}) = 1.26. Emissions of all other criteria pollutants and HAPs are not anticipated from this source.

The NOI for the above-referenced project has been evaluated and has been found to be consistent with the requirements of UAC R307. Air pollution producing sources and/or their air control facilities may not be constructed, installed, established, or modified prior to the issuance of an AO by the Director.

A 30-day public comment period will be held in accordance with UAC R307-401-7. A notification of the intent to approve will be published in the Emery County Progress on November 8, 2016. During the public comment period the proposal and the evaluation of its impact on air quality will be available for the public to review and provide comment. If anyone so requests a public hearing within 15 days of publication, it will be held in accordance with UAC R307-401-7. The hearing will be held as close as practicable to the location of the source. Any comments received during the public comment period and the hearing will be evaluated. The proposed conditions of the AO may be changed as a result of the comments received.

Name of Permittee:

Bronco Utah Operations, LLC
Emery Mine
P.O. Box 527
Emery, UT 84522

Permitted Location:

Emery Coal Mine
S33 T22S R6E
Emery, UT 84522

UTM coordinates: 477,706 m Easting, 4,301,056 m Northing, UTM Zone 12
UTM Datum: NAD83

SIC code: 1222 (Bituminous Coal Underground Mining)

Section I: GENERAL PROVISIONS

- I.1 All definitions, terms, abbreviations, and references used in this AO conform to those used in the UAC R307 and 40 CFR. Unless noted otherwise, references cited in these AO conditions refer to those rules. [R307-101]
- I.2 The limits set forth in this AO shall not be exceeded without prior approval. [R307-401]
- I.3 Modifications to the equipment or processes approved by this AO that could affect the emissions covered by this AO must be reviewed and approved. [R307-401-1]

- I.4 All records referenced in this AO or in other applicable rules, which are required to be kept by the owner/operator, shall be made available to the Director or Director's representative upon request, and the records shall include the two-year period prior to the date of the request. Unless otherwise specified in this AO or in other applicable state and federal rules, records shall be kept for a minimum of two (2) years. [R307-401-8]
- I.5 At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any equipment approved under this AO, 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 Director which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. All maintenance performed on equipment authorized by this AO shall be recorded. [R307-401-4]
- I.6 The owner/operator shall comply with UAC R307-107. General Requirements: Breakdowns. [R307-107]
- I.7 The owner/operator shall comply with UAC R307-150 Series. Emission Inventories. [R307-150]

Section II: SPECIAL PROVISIONS

II.A The approved installations shall consist of the following equipment:

- II.A.1 **Emery Mine**
- II.A.2 **Conveyors**
Quantity: 4
Modification Date: 2016
NSPS Applicability: Subpart Y
- II.A.3 **Telescoping Chute**
Manufacture Date: 2016
NSPS Applicability: Subpart Y
- II.A.4 **Screen**
Size: 8x20
Manufacture Date: 1992
NSPS Applicability: Subpart Y
- II.A.5 **Crusher**
Rating: 1,500 tons/hr
Manufacture Date: 1998
NSPS Applicability: Subpart Y
- II.A.6 **Storage Bin**
Modification Date: 2016
NSPS Applicability: Subpart Y
- II.A.7 **Truck Loadout Station**
NSPS Applicability: Subpart Y
- II.A.8 **Storage Piles**
NSPS Applicability: Subpart Y

II.B Requirements and Limitations

II.B.1 Site Wide Requirements

II.B.1.a The owner/operator shall notify the Director in writing when the Emery Mine is operational. To ensure proper credit when notifying the Director, send your correspondence to the Director, attn: Compliance Section.

If the construction and/or installation have not been completed within 18 months from the date of this AO, the Director shall be notified in writing on the status of the construction and/or installation. At that time, the Director shall require documentation of the continuous construction and/or installation of the operation and may revoke the AO.

[R307-401-8]

II.B.1.b The owner/operator shall not exceed 2,000,000 tons of coal production per rolling 12-month period. [R307-401-8]

II.B.1.c To determine compliance with a rolling 12-month total the owner/operator shall calculate a new 12-month total by the twentieth day of each month using data from the previous 12 months. Records of production shall be kept for all periods when the plant is in operation. The records of production shall be kept on a daily basis. Production shall be determined by scale house records, sales records, or other approved method determined by the Director.

[R307-401-8]

II.B.1.d Unless otherwise specified in this AO, visible emissions shall not exceed the following values:

- A. All crushers - 10% opacity
- B. All screens - 10% opacity
- C. All conveyor transfer points - 10% opacity
- D. All other points - 20% opacity.

[R307-401-8]

II.B.1.e Unless otherwise specified in this AO, opacity observations of emissions from stationary sources shall be conducted according to 40 CFR 60, Appendix A, Method 9. [R307-201-3]

II.B.2 Haul Roads and Fugitive Dust Sources Requirements

II.B.2.a The owner/operator shall not allow visible emissions from haul roads and fugitive dust sources to exceed 20 percent opacity. [R307-205]

II.B.2.b Visible emission determinations for fugitive dust emissions from haul-road traffic and mobile equipment in operational areas shall use procedures similar to Method 9. The normal requirement for observations to be made at 15-second intervals over a six-minute period, however, shall not apply. Visible emissions shall be measured at the densest point of the plume but at a point not less than 1/2 vehicle length behind the vehicle and not less than 1/2 the height of the vehicle. [R307-201]

- II.B.2.c All unpaved haul roads used by mobile equipment shall be water sprayed and/or chemically treated to control fugitive dust. Application shall be used except when the ambient temperature is below freezing (32 degrees F). [R307-401-8]
- II.B.2.d Records of water/chemical treatment application shall be kept for all periods when the plant is in operation. The records shall include the following items:
- A. Date and time treatments were made;
 - B. Number of treatments made and quantity of water applied;
 - C. Rainfall amount received, if any; and
 - D. Records of temperature, if the temperature is below freezing.
- [R307-401-8]
- II.B.2.e All paved haul roads used by mobile equipment shall be swept or sprayed as needed to meet the required opacity limitation in this AO or as determined necessary by the Director. [R307-401-8]
- II.B.2.f All storage piles and unpaved operational areas shall be water sprayed to minimize generation of fugitive dust and meet the required opacity limitation in this AO. Water shall be applied as dry conditions warrant or as determined necessary by the Director. [R307-401-8]
- II.B.2.g The owner/operator shall comply with all applicable requirements of R307-205 for Fugitive Emission and Fugitive Dust sources. To be in compliance, this facility must operate in accordance with the most current version of R307-205. [R307-205]
- II.B.2.h The owner/operator shall comply with a fugitive dust control plan acceptable to the Director for control of all dust sources associated with the Emery Mine. The owner/operator shall comply with the most current fugitive dust control plan approved by the Director. [R307-401-8]
- II.B.3 **Screens, Crushers, Conveyors Requirements**
- II.B.3.a The owner/operator shall install water sprays or chemical dust suppression sprays at the following points to control fugitive emissions:
- A. All crushers
 - B. All screens
 - C. All conveyor transfer points.
- [R307-401-8]
- II.B.3.a.1 The sprays shall operate as needed to meet the required opacity limitation in this AO or as determined necessary by the Director. Water sprays are not required to operate during freezing weather conditions. [R307-401-8]

Section III: APPLICABLE FEDERAL REQUIREMENTS

In addition to the requirements of this AO, all applicable provisions of the following federal programs have been found to apply to this installation. This AO in no way releases the owner or operator from any liability for compliance with all other applicable federal, state, and local regulations including UAC R307.

NSPS (Part 60), A: General Provisions

NSPS (Part 60), Y: Standards of Performance for Coal Preparation and Processing Plants

Title V (Part 70) Area Source

PERMIT HISTORY

The final AO will be based on the following documents:

Incorporates	Additional Information dated October 20, 2016
Incorporates	Additional Information dated September 15, 2016
Incorporates	Additional Information dated August 10, 2016
Incorporates	Additional Information dated August 8, 2016
Is Derived From	NOI dated July 22, 2016
Supersedes	AO DAQE-AN0229006-05 dated July 20, 2005

ADMINISTRATIVE CODING

The following information is for UDAQ internal classification use only:

Emery County

CDS SM

NSPS (Part 60), Title V (Part 70) Area Source, Attainment Area

ACRONYMS

The following lists commonly used acronyms as they apply to this document:

40 CFR	Title 40 of the Code of Federal Regulations
AO	Approval Order
BACT	Best Available Control Technology
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CDS	Classification Data System (used by EPA to classify sources by size/type)
CEM	Continuous emissions monitor
CEMS	Continuous emissions monitoring system
CFR	Code of Federal Regulations
CMS	Continuous monitoring system
CO	Carbon monoxide
CO ₂	Carbon Dioxide
CO ₂ e	Carbon Dioxide Equivalent - 40 CFR Part 98, Subpart A, Table A-1
COM	Continuous opacity monitor
DAQ/UDAQ	Division of Air Quality
DAQE	This is a document tracking code for internal UDAQ use
EPA	Environmental Protection Agency
FDCP	Fugitive Dust Control Plan
GHG	Greenhouse Gas(es) - 40 CFR 52.21 (b)(49)(i)
GWP	Global Warming Potential - 40 CFR Part 86.1818-12(a)
HAP or HAPs	Hazardous air pollutant(s)
ITA	Intent to Approve
LB/HR	Pounds per hour
MACT	Maximum Achievable Control Technology
MMBTU	Million British Thermal Units
NAA	Nonattainment Area
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emission Standards for Hazardous Air Pollutants
NOI	Notice of Intent
NO _x	Oxides of nitrogen
NSPS	New Source Performance Standard
NSR	New Source Review
PM ₁₀	Particulate matter less than 10 microns in size
PM _{2.5}	Particulate matter less than 2.5 microns in size
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
R307	Rules Series 307
R307-401	Rules Series 307 - Section 401
SO ₂	Sulfur dioxide
Title IV	Title IV of the Clean Air Act
Title V	Title V of the Clean Air Act
TPY	Tons per year
UAC	Utah Administrative Code
VOC	Volatile organic compounds