DRAFT

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MEMORANDUM **November 1, 2022**

TO: Phillip Fielder, P.E., Chief Engineer

THROUGH: Rick Groshong, Compliance and Enforcement Group Manager

THROUGH: Eric L. Milligan, P.E., Manager, Engineering Section

THROUGH: Jian Yue, P.E., New Source Permits Section

FROM: David Schutz, P.E., New Source Permits Section

SUBJECT: Evaluation of Permit Application No. **2011-006-C (M-12)**
Terra Nitrogen, LP
Verdigris Nitrogen Plant (SIC 2873/NAICS 325311)
AQD Facility ID: 1495
Latitude 36.23454°, Longitude -95.7174°
Section 9, Township 20N, Range 15E; Claremore, Rogers County
Address: 6606 East 540 Road

SECTION I. INTRODUCTION

Terra Nitrogen, LP (Terra) has requested a construction permit modification to relax the fuel usage limit for Verdigris Nitrogen Plant. Terra operates a nitric acid, ammonia, and urea-ammonium nitrate (UAN) production facility with its associated equipment in northeast Oklahoma. Construction of the plant began in 1973. The facility currently operates under Permit No. 2011-006-TVR2 (M-10), issued July 18, 2019; in addition, Permit No. 2011-006-C (M-11) was issued on December 2, 2019. The facility is a major source for Prevention of Significant Deterioration (PSD) and a major source of Hazardous Air Pollutants (HAPs). This permit will be processed under the "traditional" process.

In 1997, the facility added a 212-MMBTUH gas-fired package boiler designated "Boiler UD." For that project to be below PSD levels of significance, fuel usage limits were taken for two other boilers. Those other boilers were designated "Boiler UB" (157-MMBTUH gas-fired Trane-Murray) and "Boiler UC" (177-MMBTUH gas-fired Combustion Engineering). Now that there are historical emissions for Boilers UB and UC, Terra is requesting that the fuel usage limit be relaxed from 744 MMSCFY to 810 MMSCFY without any physical changes to the boilers. This permit and memorandum will only address the boilers and the fuel usage limits. The specific conditions established for the boilers will supersede the limits established in pervious permits.

The request requires re-opening the PSD net emissions change analysis from 1995. Although that netting was unsophisticated by current standards, the boilers in question operate only when other units in the plant are inactive, i.e., the more that Boilers UB and UC operate, the less operation of the rest of the plant such as the reformers, nitric acid synthesis, and waste heat recovery which

provides most of the steam demand during normal operations. The revised netting is shown in Section V.

SECTION II. PROCESS DESCRIPTION

The facility operates process units that conduct the following operations. Plant operations are 24 hrs/day, 7 days/week, and 52 weeks/yr (8,760 hrs/yr).

- Natural gas desulfurization Raw materials for production are natural gas, water, and air. Natural gas must first be "sweetened" using a zinc/cobalt/molybdenum catalyst ("hot zinc") to remove sulfur compounds that would poison other catalysts.
- Catalytic steam reforming Steam reforming is the process by which hydrogen gas is prepared. Steam (H_2O) is reacted with methane (CH_4) to form carbon dioxide (CO_2) and hydrogen (H_2). Hydrogen gas will be used later to react with nitrogen gas to produce ammonia. Each reformer is equipped with a gas-fired heater, rated at 1,061 and 1,057 MMBTUH, respectively.
- Carbon monoxide "shift" Air is added to the stream in the secondary reformer for oxidation of some of the natural gas feed, a reaction that depletes oxygen from the air feed, leaving the large nitrogen component of air undiminished. Heat is recovered from the stream as it exits the reactor, cooling the stream prior to purification. The stream leaving the reforming reaction is referred to as "synthesis gas" since it contains the nitrogen and hydrogen needed for ammonia synthesis.
- Carbon dioxide removal/liquefaction Purification of the synthesis gas removes carbon monoxide, carbon dioxide, methanol, and steam. The high-temperature "shift" reactor converts CO to CO_2, after which the synthesis gas stream is cooled to condense the excess steam. The process condensate formed by condensing excess steam absorbs methanol and some carbon dioxide, after which, unreacted steam is stripped in a knockout drum and refluxed to the process. The process gas stream proceeds to an absorption tower where methyl diethanolamine (MDEA) is used to remove carbon dioxide. The MDEA solution is then regenerated by heating and steam stripping. A portion of the CO_2 stripped from the MDEA solution is used to produce urea in the UAN plants, some is sent to the collocated No. 1 and No. 2 CO_2 Plants, and the remainder is vented to the atmosphere. The vented CO_2 contains CO and some VOC from the methanol in the ammonia plant process as well as the amine in the CO_2 removal solution.
- Methanation At this point, the process stream consists primarily of nitrogen and hydrogen with residual amounts of CO and CO_2. These compounds poison the ammonia catalyst; therefore, they must be eliminated before ammonia synthesis. Residual CO_2 in the synthesis gas is removed by catalytic methanation, which is conducted over a nickel catalyst at temperatures of 400 to 600°C and pressures up to 3,000 kPa. The methanation reactor reverses the steam reforming reaction, producing methane from CO, CO_2, and hydrogen.
- Ammonia synthesis ($3H_2 + N_2 \text{ ---> } 2NH_3$) Ammonia synthesis is conducted in a high-temperature, high-pressure reactor. This reaction is also never 100% complete. The outlet stream is compressed and cooled for ammonia removal. Non-condensable gases from the ammonia collection step are processed by a secondary reactor, and then refluxed to the primary reactor. Ammonia is stored in a cryogenic tank at atmospheric pressure until shipped. Storage vessels are vented to a flare, where upset releases of ammonia are burned.

A purge gas flare is used within each of the two (2) ammonia plants to handle venting of hydrogen and ammonia.

- Nitric acid production Nitric acid is produced by catalytic oxidation of ammonia to nitric oxide. Nitric acid is produced in three steps; combustion of ammonia to nitric oxide (NO), oxidation of NO to nitrogen dioxide (NO_2) and its dimer, nitrogen tetroxide (N_2O_4), and absorption of these in water to form nitric acid. Nitric acid is stored in two atmospheric tanks, both of which vent to wet scrubbers. The ammonia-to-NO oxidation takes place at 1,680^oF with a platinum catalyst. Waste heat recovery cools the reactor stream before contacting it with water. Any NO_2 present is absorbed into the water as nitric acid, HNO_3. The facility also incorporates a "bleach air" step that uses air to convert unreacted NO_2 dissolved in the acid. The term "bleach air" stems from removal of nitrogen compounds that discolor the nitric acid. Tail gas from the nitric acid plants is processed by selective catalytic reduction (SCR) technology to reduce NO_x emissions, and then vented to the atmosphere.
- Ammonium nitrate production Some of the ammonia and nitric acid produced in previous steps is reacted in an ammonium nitrate neutralizer to produce an aqueous solution of ammonium nitrate, NH_4NO_3. The process is exothermic and produces a vapor containing droplets of ammonium nitrate. A high-efficiency filter removes the entrained droplets, and the filtered vapor stream is partially condensed, yielding a process condensate stream that is used in the nitric acid plant. The remainder of the stream is vented to the atmosphere. No solid products are processed at this facility.
- Urea synthesis Ammonia and carbon dioxide are reacted in a urea production unit to produce a urea solution.
- Urea-ammonium nitrate production Urea-ammonium nitrate (UAN) solution is produced by mixing urea solution and ammonium nitrate solution. Terra specifies its UAN as containing 32% nitrogen by weight, which applies to each reference to UAN in this memorandum.

SECTION III. EQUIPMENT

EUG 2 Package Boilers

Boiler name	EP #	Heat Input and Manufacturer	Construction Date
B	10277	157 MMBTUH Trane-Murray	1974
C	10278	177 MMBTUH Combustion Engineering	1975

EUG 3 NSPS Boiler

Boiler name	EP #	Heat Input and Manufacturer	Construction Date
D	102XX	212 MMBTUH Nebraska Boiler	1995

SECTION IV. POTENTIAL EMISSIONS

A. EUG 2 and EUG 3: Affected Units as part of the project

Potential emissions from Boiler UD, the 212-MMBTUH package boiler added in 1997, are based on the fuel usage limit and manufacturer data for NOx, CO, VOC, and PM_{10} / $PM_{2.5}$; and AP-42 Section 1.4 (7/98) for SO_2. All PM is conservatively assumed to be $PM_{2.5}$ and therefore PM_{10}.

Boiler UD: 212 MMBTUH and 1,021 MMSCFY Fuel Consumption (1,020 BTU/SCF)

Pollutant	Emission Factor lb/MMBTU	Potential Emissions	
		lb/hr	TPY
NOx	0.10	21.20	52.07
CO	0.05	10.60	26.04
PM_{10} / $PM_{2.5}$	0.003	0.64	1.56
VOC	0.0037	0.78	1.93
SO_2	0.0006	0.12	0.31

Combined potential emissions for Boilers UB and UC at the proposed limits are shown in the following table. Emissions are calculated using historical stack test data for NOx and AP-42 Section 1.4 (7/98) for CO, VOC, PM_{10} / $PM_{2.5}$, and SO_2. A 25% safety factor was added to AP-42 values for VOC, PM_{10} / $PM_{2.5}$, and SO_2. All PM is conservatively assumed to be $PM_{2.5}$ and therefore PM_{10}.

Boiler UB Plus Boiler UC: 334 MMBTUH and 810 MMSCFY Fuel Consumption (1,020 BTU/SCF)

Pollutant	Emission Factor lb/MMBTU	Potential Emissions	
		lb/hr	TPY
NOx	0.16	53.44	66.10
CO	0.084	27.51	34.02
PM_{10} / $PM_{2.5}$	0.0076	3.11	3.85
VOC	0.0055	2.25	2.78
SO_2	0.0006	0.25	0.30

B. **Revised PSD Netting**

Baseline Actual Emissions (BAE) for Boilers UA, UB, and UC for the years 1995 – 1996 are tabulated as follows:

Pollutant	BAE (TPY)
NOx	79.0
CO	19.1
VOC	0.72
PM_{10}	1.14
$PM_{2.5}$	1.14
SO_2	0.29

Potential emissions from Boiler UD, the 212-MMBTUH package boiler added in that project, based on the fuel usage limit were calculated using manufacturer data for NOx, CO, VOC, and PM_{10} / $PM_{2.5}$; and AP-42 Section 1.4 (7/98) for SO_2.

Boiler UD: 212 MMBTUH and 1,021 MMSCFY Fuel Consumption (1,020 BTU/SCF)

Pollutant	Emission Factor lb/MMBTU	Potential Emissions	
		lb/hr	TPY
NOx	0.10	21.20	52.07
CO	0.05	10.60	26.04
PM_{10} / $PM_{2.5}$	0.003	0.64	1.56
VOC	0.0037	0.78	1.93
SO_2	0.0006	0.12	0.31

Combined potential emissions for Boilers UB and UC at the proposed limits are shown following. Emissions are calculated using historical stack test data for NOx and AP-42 Section 1.4 (7/98) for CO, VOC, PM_{10} / $PM_{2.5}$, and SO_2. A 25% safety factor was added to AP-42 values for VOC, PM_{10} / $PM_{2.5}$, and SO_2.

Boiler UB Plus Boiler UC: 334 MMBTUH and 810 MMSCFY Fuel Consumption (1,020 BTU/SCF)

Pollutant	Emission Factor lb/MMBTU	Potential Emissions	
		lb/hr	TPY
NOx	0.16	53.44	66.10
CO	0.084	27.51	34.02
PM_{10} / $PM_{2.5}$	0.0076	3.11	3.85
VOC	0.0055	2.25	2.78
SO_2	0.0006	0.25	0.30

The revised net emissions changes are listed following. All emissions changes remain below PSD levels of significance.

Net Emissions Changes

Pollutant	PTE UD TPY	PTE: UB + UC TPY	Total PTE TPY	BAE TPY	NET CHANGE TPY	PSD Level of Significance
NOx	52.07	66.10	118.17	79.0	39.17	40
CO	26.04	34.02	60.06	19.1	40.96	100
PM_{10} / $PM_{2.5}$	1.56	3.85	5.41	1.14	4.27	15 / 10
VOC	1.93	2.78	4.71	0.72	4.00	40
SO_2	0.31	0.30	0.61	0.29	0.32	40

SECTION V. OKLAHOMA AIR POLLUTION CONTROL RULES

OAC 252:100-8 (Permits for Part 70 Sources) [Applicable]
Part 5 includes the general administrative requirements for Part 70 permits. Any planned changes in the operation of the facility that result in emissions not authorized in the permit and that exceed the "Insignificant Activities" or "Trivial Activities" thresholds require prior notification to AQD and may require a permit modification. Insignificant activities refer to those individual emission units either listed in Appendix I (OAC 252:100) or whose actual calendar year emissions do not exceed the following limits.

- 5 TPY of any one criteria pollutant
- 2 TPY of any one hazardous air pollutant (HAP) or 5 TPY of multiple HAPs or 20% of any threshold less than 10 TPY for a HAP that the EPA may establish by rule

This project update requires issuance of a modified construction permit limits.

OAC 252:100-19 (Particulate Matter (PM)) [Applicable]
Section 19-4 regulates emissions of total PM (filterable and condensable or front half and back half) from new and existing fuel-burning equipment, with emission limits based on maximum design heat input rating. Fuel-burning equipment is defined in OAC 252:100-19 as any internal combustion engine or gas turbine, or other combustion device used to convert the combustion of fuel into usable energy. This subchapter is applicable to the boilers and process heaters. Appendix C specifies a PM emission limitation of 0.60 lb/MMBTU for all equipment at this facility with a heat input rating of 10 MMBTUH or less. The following table lists applicable standards by unit and anticipated PM emissions, based on calculations in Section IV above. This permit requires the use of natural gas for all fuel-burning equipment, excepting the diesel-fired emergency generators and fire pump, to ensure compliance with Subchapter 19.

Unit	**Heat Input Capacity, MMBTUH**	**PM Emission Limit per Appendix C, lb/MMBTU**	**Anticipated PM Emission Rate, lb/MMBTU**
Boiler B	157	0.312	0.0095
Boiler C	177	0.303	0.0095
Boiler D	212	0.291	0.003

OAC 252:100-25 (Visible Emissions and Particulates) [Applicable]
No discharge of greater than 20% opacity is allowed except for short-term occurrences that consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. When burning natural gas there is very little possibility of exceeding these standards.

OAC 252:100-29 (Fugitive Dust) [Applicable]
No person shall cause or permit the discharge of any visible fugitive dust emissions beyond the property line on which the emissions originated in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. Under normal operating conditions, this facility has negligible potential to violate this requirement; therefore it is not necessary to require specific precautions to be taken.

OAC 252:100-31 (Sulfur Compounds) [Applicable]
Part 2 limits the ambient air concentration of hydrogen sulfide (H_2S) emissions from any facility to 0.2 ppmv (24-hour average) at standard conditions which is equivalent to 283 $\mu g/m^3$. Fuel-burning equipment fired with pipeline natural gas will not have the potential to exceed the H_2S ambient air concentration limit. H_2S from the Desulfurization Unit is collected as solid metal sulfides.

Part 5 limits sulfur dioxide emissions from new equipment (constructed after July 1, 1972). For gaseous fuels the limit is 0.2 lb/MMBTU heat input averaged over 3 hours. For fuel gas having a gross calorific value of approximately 1,020 BTU/scf, this limit corresponds to fuel sulfur content of approximately 1,227 ppmv. The permit requires the use of pipeline natural gas as defined in Part 72 having 0.5 grains TRS/100 scf to ensure compliance with Subchapter 31.

OAC 252:100-33 (Nitrogen Oxides) [Applicable]
This subchapter limits new gas-fired fuel-burning equipment with rated heat input greater than or equal to 50 MMBTUH to emissions of 0.2 lb of NO_x per MMBTU, three-hour average. The following table compares NO_x emissions from the facility fuel-burning equipment, as calculated in Section IV above, to the limitations of Subchapter 33.

Unit	Heat Input Capacity, MMBTUH	NO_x Emission Limitation, lb/MMBTU	Anticipated NO_x Emission Rate, lb/MMBTU
Boiler B	157	0.2	0.2
Boiler C	177	0.2	0.2
Boiler D	212	0.2	0.10

OAC 252:100-35 (Carbon Monoxide) [Not Applicable]
This subchapter affects gray iron cupolas, blast furnaces, basic oxygen furnaces, petroleum catalytic cracking units, and petroleum catalytic reforming units. There are no affected sources.

OAC 252:100-37 (Volatile Organic Compounds) [Applicable]
Part 7 also requires fuel-burning and refuse-burning equipment to be cleaned, operated, and maintained to minimize emissions of VOC. Based on manufacturer's data and good engineering practice, the equipment must not be overloaded and temperature and available air must be sufficient to provide essentially complete combustion. The equipment at this location is subject to this requirement.

OAC 252:100-42 (Toxic Air Contaminants (TAC)) [Applicable]
This subchapter regulates toxic air contaminants (TAC) that are emitted into the ambient air in areas of concern (AOC). Any work practice, material substitution, or control equipment required by the Department prior to June 11, 2004, to control a TAC, shall be retained, unless a modification is approved by the Director. Since no AOC has been designated there are no specific requirements for this facility at this time.

OAC 252:100-43 (Testing, Monitoring, and Recordkeeping) [Applicable]
This subchapter provides general requirements for testing, monitoring and recordkeeping and applies to any testing, monitoring or recordkeeping activity conducted at any stationary source. To determine compliance with emissions limitations or standards, the Air Quality Director may require the owner or operator of any source in the state of Oklahoma to install, maintain and operate monitoring equipment or to conduct tests, including stack tests, of the air contaminant source. All required testing must be conducted by methods approved by the Air Quality Director and under the direction of qualified personnel. A notice-of-intent to test and a testing protocol shall be submitted to Air Quality at least 30 days prior to any EPA Reference Method stack tests. Emissions and other data required to demonstrate compliance with any federal or state emission limit or standard, or any requirement set forth in a valid permit shall be recorded, maintained, and

submitted as required by this subchapter, an applicable rule, or permit requirement. Data from any required testing or monitoring not conducted in accordance with the provisions of this subchapter shall be considered invalid. 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 appropriate performance or compliance test or procedure had been performed. The permit will require stack testing of Boilers UB and UC if any physical modification is made.

The following Oklahoma Air Pollution Control Rules are not applicable to this facility.

OAC 252:100-7	Minor Sources	not in source category
OAC 252:100-17	Incinerators	not type of emission unit
OAC 252:100-23	Cotton Gins	not type of emission unit
OAC 252:100-24	Grain Elevators	not in source category
OAC 252:100-39	Nonattainment Areas	not in area category
OAC 252:100-47	MSW Landfills	not in source category

SECTION VI. FEDERAL REGULATIONS

PSD, 40 CFR Part 52 [Not Applicable]
This facility is a major stationary source, so emissions increases must be evaluated for PSD if they exceed a significance level (100 TPY CO, 40 TPY NO_X, 40 TPY SO_2, 40 TPY VOC, 25 TPY PM, 15 TPY PM_{10}, 10 TPY $PM_{2.5}$, 0.6 TPY lead).

NSPS, 40 CFR Part 60 [Subpart Db Applicable]
Subparts D and Da (Steam Generating Units) affect boilers with a rated heat input above 250 MMBTUH. Boilers "B" and "C" are rated at 157 and 177 MMBTUH, respectively, smaller than the 250 MMBTUH threshold for these subparts.

Subpart Db (Steam Generating Units) affects boilers with a rated heat input between 100 and 250 MMBTUH that commenced construction, reconstruction, or modification after June 19, 1984. Boiler "D" is subject to the limitations of this subpart: NO_X emissions limited to 0.20 lb/MMBTU and installation of CEMS measuring NO_X emissions (standards of Subpart Db for SO_2 and PM do not apply to gas-fueled boilers). The other two boilers "B" and "C" were both constructed prior to the effective date of this subpart and have not been modified or reconstructed.

NESHAP, 40 CFR Part 61 [Not Applicable]
There are no emissions of any of the regulated pollutants: arsenic, asbestos, benzene, beryllium, coke oven emissions, mercury, radionuclides, or vinyl chloride.

NESHAP, 40 CFR Part 63 [Subpart DDDDD Applicable]
Subpart MMM (Agricultural Chemicals) provides standards for pesticide active ingredient manufacturing rather than for fertilizer.

Subpart DDDDD, (Industrial, Commercial and Institutional Boilers and Process Heaters) affects boilers and process heaters at major sources of HAP. Boilers B, C, and D are existing boilers belonging to the group of "Units designed to burn gas 1 gases," per 40 CFR §63.7499. According to §63.7500(a)(1), Boilers B, C, and D must comply with Tables 1-3 and 11-13. Operating limits

are specified in Table 4, per §63.7500(a)(2), and §63.7500(a)(3) provides that the affected source, any control equipment, and any monitoring equipment be operated in a manner consistent with safety and good air pollution control practices for minimizing emissions at all times. However §63.7500(a) also provides exemptions from these three conditions in §63.7500(e), which exempts boilers in the gas 1 fuels subcategory from the limits of Tables 1, 2, 4, and 11-13. Thus, only the requirements of Table 3 apply to boilers B, C, and D. Table 3 summarizes requirements of §63.7530 and §63.7540. Items specific to Boilers B, C, and D found in items 3 and 4 of the table require annual tune-ups and an initial energy assessment. All applicable requirements were incorporated into the previous permit.

Chemical Accident Prevention Provisions, 40 CFR Part 68 [Applicable]
Nitric acid at this facility is of concentration 56% and is not a listed substance. Ammonia, a toxic chemical subject to this regulation, is present at the facility in quantities greater than the threshold quantities; therefore, Part 68 is applicable. A Risk Management Plan was last submitted on June 21, 2004, and determined to be complete by EPA. More information on this federal program is available on the web page: *www.epa.gov/rmp*.

Stratospheric Ozone Protection, 40 CFR Part 82 [Subpart A and F Applicable]
These standards require phase out of Class I & II substances, reductions of emissions of Class I & II substances to the lowest achievable level in all use sectors, and banning use of nonessential products containing ozone-depleting substances (Subparts A & C); control servicing of motor vehicle air conditioners (Subpart B); require Federal agencies to adopt procurement regulations which meet phase out requirements and which maximize the substitution of safe alternatives to Class I and Class II substances (Subpart D); require warning labels on products made with or containing Class I or II substances (Subpart E); maximize the use of recycling and recovery upon disposal (Subpart F); require producers to identify substitutes for ozone-depleting compounds under the Significant New Alternatives Program (Subpart G); and reduce the emissions of halons (Subpart H).
Subpart A identifies ozone-depleting substances and divides them into two classes. Class I controlled substances are divided into seven groups; the chemicals typically used by the manufacturing industry include carbon tetrachloride (Class I, Group IV) and methyl chloroform (Class I, Group V). A complete phase-out of production of Class I substances is required by January 1, 2000 (January 1, 2002, for methyl chloroform). Class II chemicals, which are hydrochlorofluorocarbons (HCFCs), are generally seen as interim substitutes for Class I CFCs. Class II substances consist of 33 HCFCs. A complete phase-out of Class II substances, scheduled in phases starting by 2002, is required by January 1, 2030.
Subpart F requires that any persons servicing, maintaining, or repairing appliances except for motor vehicle air conditioners; persons disposing of appliances, including motor vehicle air conditioners; refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment comply with the standards for recycling and emissions reduction.

The standard conditions of the permit address the requirements specified at § 82.156 for persons opening appliances for maintenance, service, repair, or disposal; § 82.158 for equipment used during the maintenance, service, repair, or disposal of appliances; § 82.161 for certification by an approved technician certification program of persons performing maintenance, service, repair, or disposal of appliances; § 82.166 for recordkeeping; § 82.158 for leak repair requirements; and §

82.166 for refrigerant purchase records for appliances normally containing 50 or more pounds of refrigerant.

SECTION VII. COMPLIANCE

Tier Classification and Public Review

This application has been determined to be a Tier II because it is for a modification of a construction permit for a "significant modification" of a Title V source. The permit will be processed using the "traditional NSR process".

The applicant published the "Notice of Filing a Tier II Application" in the Claremore Daily Progress on February 16, 2022, a daily newspaper of general circulation in Rogers County. The notice said that the application was available for public review at the Verdigris Fire Department or at the AQD office. A draft of this permit will also be made available for public review for a period of thirty days as stated in another newspaper announcement. The facility is not located within 50 miles of the border of Oklahoma and any other state. Tribal nations will be notified of the draft permit.

The applicant has submitted an affidavit that they are not seeking a permit for land use or for any operation upon land owned by others without their knowledge. The affidavit certifies that the applicant owns the property.

Information on all permit actions is available for review by the public in the Air Quality section of the DEQ Web page:*http://www.deq.ok.gov/*

Fees Paid

Major source construction permit fee of $5,000.

SECTION VIII. SUMMARY

The facility has demonstrated the ability to comply with the requirements of the several air pollution control rules and regulations. Ambient air quality standards are not threatened at this site. There are no active compliance or enforcement Air Quality issues that would preclude the issuance of this permit. Issuance of the permit is recommended, contingent on public.

DRAFT

PERMIT TO CONSTRUCT
AIR POLLUTION CONTROL FACILITY
SPECIFIC CONDITIONS

Terra Nitrogen, LP **Permit No. 2011-006-C (M-12)**
Verdigris Nitrogen Plant – Claremore Nitric Acid, Ammonia, and UAN Plants

The permittee is authorized to construct in conformity with the specifications submitted to Air Quality on February 9, 2022 and supplemental information received. The Evaluation Memorandum dated November 1, 2022, explains the derivation of applicable permit requirements and estimates of emissions; however, it does not contain limitations or permit requirements. Commencing construction and continuing operations under this permit constitutes acceptance of, and consent to the conditions contained herein.

1. Point of emissions and applicable emission limitations. Particulate matter (PM) data refer to total PM, meaning filterable and condensable or front half and back half, unless otherwise indicated. [OAC 252:100-8-6(a)(1)]

EUG 2 Package Boilers

Boiler Name	EP #	Heat Input and Manufacturer
UB	10277	157 MMBTUH Trane-Murray
UC	10278	177 MMBTUH Combustion Engineering

Point ID	Emission Unit	$PM_{10}/PM_{2.5}$		SO_2		NO_X		VOC		CO	
		lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
10277	Boiler UB	1.46	3.85	0.12	0.30	25.12	66.10	1.06	2.78	12.93	34.02
10278	Boiler UC	1.65		0.13		28.32		1.20		14.58	

A. Fuel usage of the boilers shall not exceed a total of 810 MMSCF of natural gas in any 12-month period.
B. These boilers are affected facilities under 40 CFR Part 63 Subpart DDDDD, and shall comply with all applicable requirements including but not limited to items 3 and 4 of Table 3 of DDDDD, performing annual tune-ups and an initial energy assessment.

EUG 3 NSPS Boiler

Boiler name	EP #	Heat Input and Manufacturer
D	102XX	212 MMBTUH Nebraska Boiler

Emission limits for Boiler D:

Point ID	PM_{10}		SO_2		NOx		VOC		CO	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
102XX	0.64	1.56	0.13	0.31	21.2	52.1	0.78	1.93	10.6	26.0

A. Fuel usage of the boiler shall not exceed 1,021 MMSCF of natural gas in any 12-mmonth period.
B. The boiler is subject to federal New Source Performance Standards, 40 CFR Part 60, Subpart Db, and shall comply with all applicable requirements, including, but not necessarily limited to those conditions shown in subparagraphs C, D, E, and F following. (NOTE: Permit emission limitations are more stringent than Db limitations and will result in compliance with Subpart Db.) [40 CFR §§60.40b through 60.49b]
C. The permittee shall comply with NO_X emission limitations in 40 CFR §60.44b. The boiler shall not discharge into the atmosphere any gases that contain nitrogen oxides (expressed as nitrogen dioxide) in excess of 0.20 lb/MMBTU. [40 CFR §60.44b(a)(1)(ii)]
D. The permittee shall comply with the emission monitoring standards of 40 CFR §60.48b.
E. The permittee shall comply with the reporting and recordkeeping requirements of 40 CFR §60.49b.
F. Performance testing of the D Boiler to demonstrate compliance with nitrogen dioxide emission limitations shall be done on the basis of the average emission rates for NO_X over each 30 successive boiler operating days, a 30-day rolling average. At the conclusion of a boiler operating day following the initial performance testing, data points from the leading day shall be deleted and data points for the new day added to develop new rolling average values for NO_X emission rates. During periods when performance testing is not occurring, these results shall be used to identify and calculate excess emissions. Exceedances for each 24-hour period shall be reported to Air Quality every calendar quarter.
[40 CFR §60.46b(e)(4) and OAC 252:100-2]
G. This boiler is an affected facility under 40 CFR Part 63 Subpart DDDDD, and shall comply with all applicable requirements including but not limited to items 3 and 4 of Table 3, performing annual tune-ups and an initial energy assessment.

2. The permittee shall be authorized to operate this facility continuously (24 hours per day, every day of the year). [OAC 252:100-8-6(a)]

3. The following hardcopy and/or electronic records shall be maintained on location for inspection by regulatory personnel. The required records shall be retained for a period of at least five (5) years following the dates of recording. [OAC 252:100-43]

A. Fuel usage for each boiler (monthly and 12-calendar-month rolling total).
B. Records as required by 40 CFR Part 60 NSPS Subpart Db.
C. Records as required by 40 CFR Part 63, NESHAP Subpart DDDDD.

4. To maintain consistency between the assumptions made in setting permit limitations and the reporting of emissions, the following emission factors or assumptions shall be made in reporting emission inventory information. For those points having emission factors identified as being a

stack test result plus a safety factor, the emission inventory may report the actual stack test results. Results from stack testing performed under the provisions of OAC 252:100-43 may be substituted for any of the following factors as such results become available. Factors dependent upon AP-42 values or EPA-approved air dispersion models shall be updated to reflect the best available current information. The AP-42 citation used in this permit is listed for those pollutants for which AP-42 values were identified by the facility. SC # refers to the subchapter for those factors taken from regulatory limits set in OAC 252:100. Data for particulate matter (PM) refer to total PM, otherwise identified as filterable and condensable or front half and back half, unless otherwise indicated.

EUG	Equipment	Pollutant	Factor	AP-42 Citation
2	Boilers UB & UC	NO_X	Stack test	
		CO	AP-42	Sec. 1.4 (7/98)
		VOC, SO_2, PM_{10}	125% of AP-42	Sec. 1.4 (7/98)
3	Boiler UD	VOC, PM_{10}, CO	Manufacturer guarantees	
		NOx	CEMS data	
		SO_2	AP-42	Sec. 1.4 (7/98)

5. The permittee shall apply for a modified operating permit within 180 days of issuance of this permit incorporating the various changes.

6. This facility is considered an existing Prevention of Significant Deterioration (PSD) facility. As such, the facility is subject to the provisions of OAC 252:100-8-36.2(c) for any project as defined therein. [OAC 252:100-8-36.2(c)]

7. The specific conditions established in this permit supersede the corresponding specific conditions limits established in Permit No. 2011-006-C (M-11).

PART 70 PERMIT

AIR QUALITY DIVISION
STATE OF OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY
707 N. ROBINSON, SUITE 4100
P.O. BOX 1677
OKLAHOMA CITY, OKLAHOMA 73101-1677

Permit No. 2011-006-C (M-12)

Terra Nitrogen, LP,

having complied with the requirements of the law, is hereby granted permission to construct all the sources within the boundaries of their Verdigris Nitrogen Plant located in Claremore, Rogers County, subject to standard conditions dated June 21, 2016, and specific conditions, both attached.

In the absence of commencement of construction, this permit shall expire 18 months from the issuance date, except as authorized under Section VIII of the Standard Conditions.

DRAFT

Division Director
Air Quality Division

Date

MAJOR SOURCE AIR QUALITY PERMIT
STANDARD CONDITIONS
(June 21, 2016)

SECTION I. DUTY TO COMPLY

A. This is a permit to operate / construct this specific facility in accordance with the federal Clean Air Act (42 U.S.C. 7401, et al.) and under the authority of the Oklahoma Clean Air Act and the rules promulgated there under. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

B. The issuing Authority for the permit is the Air Quality Division (AQD) of the Oklahoma Department of Environmental Quality (DEQ). The permit does not relieve the holder of the obligation to comply with other applicable federal, state, or local statutes, regulations, rules, or ordinances. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

C. The permittee shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Oklahoma Clean Air Act and shall be grounds for enforcement action, permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application. All terms and conditions are enforceable by the DEQ, by the Environmental Protection Agency (EPA), and by citizens under section 304 of the Federal Clean Air Act (excluding state-only requirements). This permit is valid for operations only at the specific location listed.
[40 C.F.R. §70.6(b), OAC 252:100-8-1.3 and OAC 252:100-8-6(a)(7)(A) and (b)(1)]

D. It shall not be a defense for a 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 conditions of the permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations. [OAC 252:100-8-6(a)(7)(B)]

SECTION II. REPORTING OF DEVIATIONS FROM PERMIT TERMS

A. Any exceedance resulting from an emergency and/or posing an imminent and substantial danger to public health, safety, or the environment shall be reported in accordance with Section XIV (Emergencies). [OAC 252:100-8-6(a)(3)(C)(iii)(I) & (II)]

B. Deviations that result in emissions exceeding those allowed in this permit shall be reported consistent with the requirements of OAC 252:100-9, Excess Emission Reporting Requirements.
[OAC 252:100-8-6(a)(3)(C)(iv)]

C. Every written report submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F.
[OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION III. MONITORING, TESTING, RECORDKEEPING & REPORTING

A. The permittee shall keep records as specified in this permit. These records, including monitoring data and necessary support information, shall be retained on-site or at a nearby field office for a period of at least five years from the date of the monitoring sample, measurement, report, or application, and shall be made available for inspection by regulatory personnel upon request. Support information includes all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Where appropriate, the permit may specify that records may be maintained in computerized form.

[OAC 252:100-8-6 (a)(3)(B)(ii), OAC 252:100-8-6(c)(1), and OAC 252:100-8-6(c)(2)(B)]

B. Records of required monitoring shall include:

(1) the date, place and time of sampling or measurement;
(2) the date or dates analyses were performed;
(3) the company or entity which performed the analyses;
(4) the analytical techniques or methods used;
(5) the results of such analyses; and
(6) the operating conditions existing at the time of sampling or measurement.

[OAC 252:100-8-6(a)(3)(B)(i)]

C. No later than 30 days after each six (6) month period, after the date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to AQD a report of the results of any required monitoring. All instances of deviations from permit requirements since the previous report shall be clearly identified in the report. Submission of these periodic reports will satisfy any reporting requirement of Paragraph E below that is duplicative of the periodic reports, if so noted on the submitted report. [OAC 252:100-8-6(a)(3)(C)(i) and (ii)]

D. If any testing shows emissions in excess of limitations specified in this permit, the owner or operator shall comply with the provisions of Section II (Reporting Of Deviations From Permit Terms) of these standard conditions. [OAC 252:100-8-6(a)(3)(C)(iii)]

E. In addition to any monitoring, recordkeeping or reporting requirement specified in this permit, monitoring and reporting may be required under the provisions of OAC 252:100-43, Testing, Monitoring, and Recordkeeping, or as required by any provision of the Federal Clean Air Act or Oklahoma Clean Air Act. [OAC 252:100-43]

F. Any Annual Certification of Compliance, Semi Annual Monitoring and Deviation Report, Excess Emission Report, and Annual Emission Inventory submitted in accordance with this permit shall be certified by a responsible official. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5(f), OAC 252:100-8-6(a)(3)(C)(iv), OAC 252:100-8-6(c)(1), OAC 252:100-9-7(e), and OAC 252:100-5-2.1(f)]

G. Any owner or operator subject to the provisions of New Source Performance Standards ("NSPS") under 40 CFR Part 60 or National Emission Standards for Hazardous Air Pollutants ("NESHAPs") under 40 CFR Parts 61 and 63 shall maintain a file of all measurements and other information required by the applicable general provisions and subpart(s). These records shall be maintained in a permanent file suitable for inspection, shall be retained for a period of at least five years as required by Paragraph A of this Section, and shall include records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility, any malfunction of the air pollution control equipment; and any periods during which a continuous monitoring system or monitoring device is inoperative.

[40 C.F.R. §§60.7 and 63.10, 40 CFR Parts 61, Subpart A, and OAC 252:100, Appendix Q]

H. The permittee of a facility that is operating subject to a schedule of compliance shall submit to the DEQ a progress report at least semi-annually. The progress reports shall contain dates for achieving the activities, milestones or compliance required in the schedule of compliance and the dates when such activities, milestones or compliance was achieved. The progress reports shall also contain an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted. [OAC 252:100-8-6(c)(4)]

I. All testing must be conducted under the direction of qualified personnel by methods approved by the Division Director. All tests shall be made and the results calculated in accordance with standard test procedures. The use of alternative test procedures must be approved by EPA. When a portable analyzer is used to measure emissions it shall be setup, calibrated, and operated in accordance with the manufacturer's instructions and in accordance with a protocol meeting the requirements of the "AQD Portable Analyzer Guidance" document or an equivalent method approved by Air Quality. [OAC 252:100-8-6(a)(3)(A)(iv), and OAC 252:100-43]

J. The reporting of total particulate matter emissions as required in Part 7 of OAC 252:100-8 (Permits for Part 70 Sources), OAC 252:100-19 (Control of Emission of Particulate Matter), and OAC 252:100-5 (Emission Inventory), shall be conducted in accordance with applicable testing or calculation procedures, modified to include back-half condensables, for the concentration of particulate matter less than 10 microns in diameter (PM_{10}). NSPS may allow reporting of only particulate matter emissions caught in the filter (obtained using Reference Method 5).

K. The permittee shall submit to the AQD a copy of all reports submitted to the EPA as required by 40 C.F.R. Part 60, 61, and 63, for all equipment constructed or operated under this permit subject to such standards. [OAC 252:100-8-6(c)(1) and OAC 252:100, Appendix Q]

SECTION IV. COMPLIANCE CERTIFICATIONS

A. No later than 30 days after each anniversary date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to the AQD, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit and of any other applicable requirements which have become effective since the issuance of this permit.

[OAC 252:100-8-6(c)(5)(A), and (D)]

B. The compliance certification shall describe the operating permit term or condition that is the basis of the certification; the current compliance status; whether compliance was continuous or intermittent; the methods used for determining compliance, currently and over the reporting period. The compliance certification shall also include such other facts as the permitting authority may require to determine the compliance status of the source. [OAC 252:100-8-6(c)(5)(C)(i)-(v)]

C. The compliance certification shall contain a certification by a responsible official as to the results of the required monitoring. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete." [OAC 252:100-8-5(f) and OAC 252:100-8-6(c)(1)]

D. Any facility reporting noncompliance shall submit a schedule of compliance for emissions units or stationary sources that are not in compliance with all applicable requirements. This schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable requirements for which the emissions unit or stationary source is in noncompliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the emissions unit or stationary source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based, except that a compliance plan shall not be required for any noncompliance condition which is corrected within 24 hours of discovery.
[OAC 252:100-8-5(e)(8)(B) and OAC 252:100-8-6(c)(3)]

SECTION V. REQUIREMENTS THAT BECOME APPLICABLE DURING THE PERMIT TERM

The permittee shall comply with any additional requirements that become effective during the permit term and that are applicable to the facility. Compliance with all new requirements shall be certified in the next annual certification. [OAC 252:100-8-6(c)(6)]

SECTION VI. PERMIT SHIELD

A. Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC 252:100-8) shall be deemed compliance with the applicable requirements identified and included in this permit. [OAC 252:100-8-6(d)(1)]

B. Those requirements that are applicable are listed in the Standard Conditions and the Specific Conditions of this permit. Those requirements that the applicant requested be determined as not applicable are summarized in the Specific Conditions of this permit. [OAC 252:100-8-6(d)(2)]

SECTION VII. ANNUAL EMISSIONS INVENTORY & FEE PAYMENT

The permittee shall file with the AQD an annual emission inventory and shall pay annual fees based on emissions inventories. The methods used to calculate emissions for inventory purposes shall be based on the best available information accepted by AQD.
[OAC 252:100-5-2.1, OAC 252:100-5-2.2, and OAC 252:100-8-6(a)(8)]

SECTION VIII. TERM OF PERMIT

A. Unless specified otherwise, the term of an operating permit shall be five years from the date of issuance. [OAC 252:100-8-6(a)(2)(A)]

B. A source's right to operate shall terminate upon the expiration of its permit unless a timely and complete renewal application has been submitted at least 180 days before the date of expiration. [OAC 252:100-8-7.1(d)(1)]

C. A duly issued construction permit or authorization to construct or modify will terminate and become null and void (unless extended as provided in OAC 252:100-8-1.4(b)) if the construction is not commenced within 18 months after the date the permit or authorization was issued, or if work is suspended for more than 18 months after it is commenced. [OAC 252:100-8-1.4(a)]

D. The recipient of a construction permit shall apply for a permit to operate (or modified operating permit) within 180 days following the first day of operation. [OAC 252:100-8-4(b)(5)]

SECTION IX. SEVERABILITY

The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
[OAC 252:100-8-6 (a)(6)]

SECTION X. PROPERTY RIGHTS

A. This permit does not convey any property rights of any sort, or any exclusive privilege.
[OAC 252:100-8-6(a)(7)(D)]

B. This permit shall not be considered in any manner affecting the title of the premises upon which the equipment is located and does not release the permittee from any liability for damage to persons or property caused by or resulting from the maintenance or operation of the equipment for which the permit is issued. [OAC 252:100-8-6(c)(6)]

SECTION XI. DUTY TO PROVIDE INFORMATION

A. The permittee shall furnish to the DEQ, upon receipt of a written request and within sixty (60) days of the request unless the DEQ specifies another time period, any information that the DEQ may request to determine whether cause exists for modifying, reopening, revoking, reissuing,

terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permit.
[OAC 252:100-8-6(a)(7)(E)]

B. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 27A O.S. § 2-5-105(18). Confidential information shall be clearly labeled as such and shall be separable from the main body of the document such as in an attachment.
[OAC 252:100-8-6(a)(7)(E)]

C. Notification to the AQD of the sale or transfer of ownership of this facility is required and shall be made in writing within thirty (30) days after such sale or transfer.
[Oklahoma Clean Air Act, 27A O.S. § 2-5-112(G)]

SECTION XII. REOPENING, MODIFICATION & REVOCATION

A. The permit may be modified, revoked, reopened and reissued, or terminated for cause. Except as provided for minor permit modifications, the filing of a request by the permittee for a permit modification, revocation and reissuance, termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition.
[OAC 252:100-8-6(a)(7)(C) and OAC 252:100-8-7.2(b)]

B. The DEQ will reopen and revise or revoke this permit prior to the expiration date in the following circumstances: [OAC 252:100-8-7.3 and OAC 252:100-8-7.4(a)(2)]

(1) Additional requirements under the Clean Air Act become applicable to a major source category three or more years prior to the expiration date of this permit. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.
(2) The DEQ or the EPA determines that this permit contains a material mistake or that the permit must be revised or revoked to assure compliance with the applicable requirements.
(3) The DEQ or the EPA determines that inaccurate information was used in establishing the emission standards, limitations, or other conditions of this permit. The DEQ may revoke and not reissue this permit if it determines that the permittee has submitted false or misleading information to the DEQ.
(4) DEQ determines that the permit should be amended under the discretionary reopening provisions of OAC 252:100-8-7.3(b).

C. The permit may be reopened for cause by EPA, pursuant to the provisions of OAC 100-8-7.3(d). [OAC 100-8-7.3(d)]

D. The permittee shall notify AQD before making changes other than those described in Section XVIII (Operational Flexibility), those qualifying for administrative permit amendments, or those defined as an Insignificant Activity (Section XVI) or Trivial Activity (Section XVII). The notification should include any changes which may alter the status of a “grandfathered source,” as defined under AQD rules. Such changes may require a permit modification.
[OAC 252:100-8-7.2(b) and OAC 252:100-5-1.1]

E. Activities that will result in air emissions that exceed the trivial/insignificant levels and that are not specifically approved by this permit are prohibited. [OAC 252:100-8-6(c)(6)]

SECTION XIII. INSPECTION & ENTRY

A. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized regulatory officials to perform the following (subject to the permittee's right to seek confidential treatment pursuant to 27A O.S. Supp. 1998, § 2-5-105(17) for confidential information submitted to or obtained by the DEQ under this section):

(1) enter upon the permittee's premises during reasonable/normal working hours where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
(2) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
(3) inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
(4) as authorized by the Oklahoma Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit.

[OAC 252:100-8-6(c)(2)]

SECTION XIV. EMERGENCIES

A. Any exceedance resulting from an emergency shall be reported to AQD promptly but no later than 4:30 p.m. on the next working day after the permittee first becomes aware of the exceedance. This notice shall contain a description of the emergency, the probable cause of the exceedance, any steps taken to mitigate emissions, and corrective actions taken.

[OAC 252:100-8-6 (a)(3)(C)(iii)(I) and (IV)]

B. Any exceedance that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to AQD as soon as is practicable; but under no circumstance shall notification be more than 24 hours after the exceedance. [OAC 252:100-8-6(a)(3)(C)(iii)(II)]

C. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error. [OAC 252:100-8-2]

D. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that: [OAC 252:100-8-6 (e)(2)]

(1) an emergency occurred and the permittee can identify the cause or causes of the emergency;

(2) the permitted facility was at the time being properly operated;
(3) during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit.

E. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [OAC 252:100-8-6(e)(3)]

F. Every written report or document submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F.
[OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION XV. RISK MANAGEMENT PLAN

The permittee, if subject to the provision of Section 112(r) of the Clean Air Act, shall develop and register with the appropriate agency a risk management plan by June 20, 1999, or the applicable effective date. [OAC 252:100-8-6(a)(4)]

SECTION XVI. INSIGNIFICANT ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate individual emissions units that are either on the list in Appendix I to OAC Title 252, Chapter 100, or whose actual calendar year emissions do not exceed any of the limits below. Any activity to which a State or Federal applicable requirement applies is not insignificant even if it meets the criteria below or is included on the insignificant activities list.

(1) 5 tons per year of any one criteria pollutant.
(2) 2 tons per year for any one hazardous air pollutant (HAP) or 5 tons per year for an aggregate of two or more HAP's, or 20 percent of any threshold less than 10 tons per year for single HAP that the EPA may establish by rule.
[OAC 252:100-8-2 and OAC 252:100, Appendix I]

SECTION XVII. TRIVIAL ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate any individual or combination of air emissions units that are considered inconsequential and are on the list in Appendix J. Any activity to which a State or Federal applicable requirement applies is not trivial even if included on the trivial activities list.
[OAC 252:100-8-2 and OAC 252:100, Appendix J]

SECTION XVIII. OPERATIONAL FLEXIBILITY

A. A facility may implement any operating scenario allowed for in its Part 70 permit without the need for any permit revision or any notification to the DEQ (unless specified otherwise in the permit). When an operating scenario is changed, the permittee shall record in a log at the facility the scenario under which it is operating. [OAC 252:100-8-6(a)(10) and (f)(1)]

B. The permittee may make changes within the facility that:

(1) result in no net emissions increases,
(2) are not modifications under any provision of Title I of the federal Clean Air Act, and
(3) do not cause any hourly or annual permitted emission rate of any existing emissions unit to be exceeded;

provided that the facility provides the EPA and the DEQ with written notification as required below in advance of the proposed changes, which shall be a minimum of seven (7) days, or twenty four (24) hours for emergencies as defined in OAC 252:100-8-6 (e). The permittee, the DEQ, and the EPA shall attach each such notice to their copy of the permit. For each such change, the written notification required above shall include a brief description of the change within the permitted facility, 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. The permit shield provided by this permit does not apply to any change made pursuant to this paragraph. [OAC 252:100-8-6(f)(2)]

SECTION XIX. OTHER APPLICABLE & STATE-ONLY REQUIREMENTS

A. The following applicable requirements and state-only requirements apply to the facility unless elsewhere covered by a more restrictive requirement:

(1) Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in the Open Burning Subchapter. [OAC 252:100-13]

(2) No particulate emissions from any fuel-burning equipment with a rated heat input of 10 MMBTUH or less shall exceed 0.6 lb/MMBTU. [OAC 252:100-19]

(3) For all emissions units not subject to an opacity limit promulgated under 40 C.F.R., Part 60, NSPS, no discharge of greater than 20% opacity is allowed except for: [OAC 252:100-25]

(a) Short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity;
(b) Smoke resulting from fires covered by the exceptions outlined in OAC 252:100-13-7;
(c) An emission, where the presence of uncombined water is the only reason for failure to meet the requirements of OAC 252:100-25-3(a); or
(d) Smoke generated due to a malfunction in a facility, when the source of the fuel producing the smoke is not under the direct and immediate control of the facility and the immediate constriction of the fuel flow at the facility would produce a hazard to life and/or property.

(4) No visible fugitive dust emissions shall be discharged beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of

adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. [OAC 252:100-29]

(5) No sulfur oxide emissions from new gas-fired fuel-burning equipment shall exceed 0.2 lb/MMBTU. No existing source shall exceed the listed ambient air standards for sulfur dioxide. [OAC 252:100-31]

(6) Volatile Organic Compound (VOC) storage tanks built after December 28, 1974, and with a capacity of 400 gallons or more storing a liquid with a vapor pressure of 1.5 psia or greater under actual conditions shall be equipped with a permanent submerged fill pipe or with a vapor-recovery system. [OAC 252:100-37-15(b)]

(7) All fuel-burning equipment shall at all times be properly operated and maintained in a manner that will minimize emissions of VOCs. [OAC 252:100-37-36]

SECTION XX. STRATOSPHERIC OZONE PROTECTION

A. The permittee shall comply with the following standards for production and consumption of ozone-depleting substances: [40 CFR 82, Subpart A]

(1) Persons producing, importing, or placing an order for production or importation of certain class I and class II substances, HCFC-22, or HCFC-141b shall be subject to the requirements of §82.4;
(2) Producers, importers, exporters, purchasers, and persons who transform or destroy certain class I and class II substances, HCFC-22, or HCFC-141b are subject to the recordkeeping requirements at §82.13; and
(3) Class I substances (listed at Appendix A to Subpart A) include certain CFCs, Halons, HBFCs, carbon tetrachloride, trichloroethane (methyl chloroform), and bromomethane (Methyl Bromide). Class II substances (listed at Appendix B to Subpart A) include HCFCs.

B. If the permittee performs a service on motor (fleet) vehicles when this service involves an ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all applicable requirements. Note: The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant. [40 CFR 82, Subpart B]

C. The permittee shall comply with the following standards for recycling and emissions reduction except as provided for MVACs in Subpart B: [40 CFR 82, Subpart F]

(1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156;
(2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158;
(3) Persons performing maintenance, service, repair, or disposal of appliances must be

certified by an approved technician certification program pursuant to § 82.161;
(4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record-keeping requirements pursuant to § 82.166;
(5) Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to § 82.158; and
(6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

SECTION XXI. TITLE V APPROVAL LANGUAGE

A. DEQ wishes to reduce the time and work associated with permit review and, wherever it is not inconsistent with Federal requirements, to provide for incorporation of requirements established through construction permitting into the Source's Title V permit without causing redundant review. Requirements from construction permits may be incorporated into the Title V permit through the administrative amendment process set forth in OAC 252:100-8-7.2(a) only if the following procedures are followed:

(1) The construction permit goes out for a 30-day public notice and comment using the procedures set forth in 40 C.F.R. § 70.7(h)(1). This public notice shall include notice to the public that this permit is subject to EPA review, EPA objection, and petition to EPA, as provided by 40 C.F.R. § 70.8; that the requirements of the construction permit will be incorporated into the Title V permit through the administrative amendment process; that the public will not receive another opportunity to provide comments when the requirements are incorporated into the Title V permit; and that EPA review, EPA objection, and petitions to EPA will not be available to the public when requirements from the construction permit are incorporated into the Title V permit.
(2) A copy of the construction permit application is sent to EPA, as provided by 40 CFR § 70.8(a)(1).
(3) A copy of the draft construction permit is sent to any affected State, as provided by 40 C.F.R. § 70.8(b).
(4) A copy of the proposed construction permit is sent to EPA for a 45-day review period as provided by 40 C.F.R.§ 70.8(a) and (c).
(5) The DEQ complies with 40 C.F.R. § 70.8(c) upon the written receipt within the 45-day comment period of any EPA objection to the construction permit. The DEQ shall not issue the permit until EPA's objections are resolved to the satisfaction of EPA.
(6) The DEQ complies with 40 C.F.R. § 70.8(d).
(7) A copy of the final construction permit is sent to EPA as provided by 40 CFR § 70.8(a).
(8) The DEQ shall not issue the proposed construction permit until any affected State and EPA have had an opportunity to review the proposed permit, as provided by these permit conditions.
(9) Any requirements of the construction permit may be reopened for cause after incorporation into the Title V permit by the administrative amendment process, by DEQ as provided in OAC 252:100-8-7.3(a), (b), and (c), and by EPA as provided in 40 C.F.R. § 70.7(f) and (g).

(10) The DEQ shall not issue the administrative permit amendment if performance tests fail to demonstrate that the source is operating in substantial compliance with all permit requirements.

B. To the extent that these conditions are not followed, the Title V permit must go through the Title V review process.

SECTION XXII. CREDIBLE EVIDENCE

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any provision of the Oklahoma implementation plan, 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 appropriate performance or compliance test or procedure had been performed. [OAC 252:100-43-6]

Terra Nitrogen
Attn: Kimberly Wahnee, Environmental Superintendent
6606 E. 540 Road
Claremore, OK 74019

Permit Number: 2011-006-C (M-12)
Permit Writer: David S. Schutz, P.E.
Date: October 10, 2022

SUBJECT: Permit No. **2011-006-C (M-12)**
Verdigris Nitrogen Plant (FAC ID 1495)
Claremore, Rogers County

Dear Ms. Wahnee:

Enclosed is the permit authorizing construction of the referenced facility. Please note that this permit is issued subject to standard and specific conditions, which are attached. These conditions must be carefully followed since they define the limits of the permit and will be confirmed by periodic inspections.

Also note that you are required to annually submit an emissions inventory for this facility. An emissions inventory must be completed through DEQ's electronic reporting system by April 1st of every year. Any questions concerning the submittal process should be referred to the Emissions Inventory Staff at (405) 702-4100.

Thank you for your cooperation in this matter. If we can be of further service, please contact our office at (405) 702-4100.

Sincerely,

DRAFT

Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

Enclosure: Permit No. 2011-006-C (M-12)

Department of Environmental Quality (DEQ)
Air Quality Division (AQD)
Acronym List
9-10-21

ACFM	Actual Cubic Feet per Minute
AD	Applicability Determination
AFRC	Air-to-Fuel Ratio Controller
API	American Petroleum Institute
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
BAE	Baseline Actual Emissions
BBL	Barrel(s)
BHP	Brake Horsepower (bhp)
BTU	British thermal unit (Btu)
C&E	Compliance and Enforcement
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CAS	Chemical Abstract Service
CAAA	Clean Air Act Amendments
CC	Catalytic Converter
CCR	Continuous Catalyst Regeneration
CD	Consent Decree
CEM	Continuous Emission Monitor
CFC	Chlorofluorocarbon
CFR	Code of Federal Regulations
CI	Compression Ignition
CNG	Compressed Natural Gas
CO	Carbon Monoxide or Consent Order
COA	Capable of Accommodating
COM	Continuous Opacity Monitor
D	Day
DEF	Diesel Exhaust Fluid
DG	Demand Growth
DSCF	Dry Standard (At Standard Conditions) Cubic Foot (Feet)
EGU	Electric Generating Unit
EI	Emissions Inventory
EPA	Environmental Protection Agency
ESP	Electrostatic Precipitator
EUG	Emissions Unit Group
EUSGU	Electric Utility Steam Generating Unit
FCE	Full Compliance Evaluation
FCCU	Fluid Catalytic Cracking Unit
FIP	Federal Implementation Plan
FR	Federal Register
GACT	Generally Achievable Control Technology
GAL	Gallon (gal)
GDF	Gasoline Dispensing Facility
GEP	Good Engineering Practice
GHG	Greenhouse Gases
GR	Grain(s) (gr)
H_2CO	Formaldehyde
H_2S	Hydrogen Sulfide
HAP	Hazardous Air Pollutants
HC	Hydrocarbon
HCFC	Hydrochlorofluorocarbon
HFR	Horizontal Fixed Roof
HON	Hazardous Organic NESHAP
HP	Horsepower (hp)
HR	Hour (hr)
I&M	Inspection and Maintenance
IBR	Incorporation by Reference
ICE	Internal Combustion Engine
LAER	Lowest Achievable Emission Rate
LB	Pound(s) [Mass] (lb, lb, lbm)
LB/HR	Pound(s) per Hour (lb/hr)
LDAR	Leak Detection and Repair
LNG	Liquefied Natural Gas
LT	Long Ton(s) (metric)
M	Thousand (Roman Numeral)
MAAC	Maximum Acceptable Ambient Concentration
MACT	Maximum Achievable Control Technology
MM	Prefix used for Million (Thousand-Thousand)
MMBTU	Million British Thermal Units (MMBtu)
MMBTUH	Million British Thermal Units per Hour (MMBtu/hr)
MMSCF	Million Standard Cubic Feet (MMscf)
MMSCFD	Million Standard Cubic Feet per Day
MSDS	Material Safety Data Sheet
MWC	Municipal Waste Combustor
MWe	Megawatt Electrical
NA	Nonattainment
NAAQS	National Ambient Air Quality Standards
NAICS	North American Industry Classification System
NESHAP	National Emission Standards for Hazardous Air Pollutants
NH_3	Ammonia
NMHC	Non-methane Hydrocarbon
NGL	Natural Gas Liquids
NO_2	Nitrogen Dioxide
NOx	Nitrogen Oxides

NOI	Notice of Intent
NSCR	Non-Selective Catalytic Reduction
NSPS	New Source Performance Standards
NSR	New Source Review
O_3	Ozone
O&G	Oil and Gas
O&M	Operation and Maintenance
O&NG	Oil and Natural Gas
OAC	Oklahoma Administrative Code
OC	Oxidation Catalyst
PAH	Polycyclic Aromatic Hydrocarbons
PAE	Projected Actual Emissions
PAL	Plant-wide Applicability Limit
Pb	Lead
PBR	Permit by Rule
PCB	Polychlorinated Biphenyls
PCE	Partial Compliance Evaluation
PEA	Portable Emissions Analyzer
PFAS	Per- and Polyfluoroalkyl Substance
PM	Particulate Matter
$PM_{2.5}$	Particulate Matter with an Aerodynamic Diameter <= 2.5 Micrometers
PM_{10}	Particulate Matter with an Aerodynamic Diameter <= 10 Micrometers
POM	Particulate Organic Matter or Polycyclic Organic Matter
ppb	Parts per Billion
ppm	Parts per Million
ppmv	Parts per Million Volume
ppmvd	Parts per Million Dry Volume
PSD	Prevention of Significant Deterioration
psi	Pounds per Square Inch
psia	Pounds per Square Inch Absolute
psig	Pounds per Square Inch Gage
RACT	Reasonably Available Control Technology
RATA	Relative Accuracy Test Audit
RAP	Regulated Air Pollutant or Reclaimed Asphalt Pavement
RFG	Refinery Fuel Gas
RICE	Reciprocating Internal Combustion Engine
RO	Responsible Official
ROAT	Regional Office at Tulsa
RVP	Reid Vapor Pressure
SCC	Source Classification Code
SCF	Standard Cubic Foot
SCFD	Standard Cubic Feet per Day
SCFM	Standard Cubic Feet per Minute
SCR	Selective Catalytic Reduction
SER	Significant Emission Rate
SI	Spark Ignition
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SNCR	Selective Non-Catalytic Reduction
SO_2	Sulfur Dioxide
SOx	Sulfur Oxides
SOP	Standard Operating Procedure
SRU	Sulfur Recovery Unit
T	Tons
TAC	Toxic Air Contaminant
TEG	Triethylene Glycol
THC	Total Hydrocarbons
TPY	Tons per Year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulates
TV	Title V of the Federal Clean Air Act
$\mu g/m^3$	Micrograms per Cubic Meter
US EPA	U. S. Environmental Protection Agency
VFR	Vertical Fixed Roof
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
VOL	Volatile Organic Liquid
VRT	Vapor Recovery Tower
VRU	Vapor Recovery Unit
YR	Year
2SLB	2-Stroke Lean Burn
4SLB	4-Stroke Lean Burn
4SRB	4-Stroke Rich Burn

Scott A. Thompson
Executive Director

OKLAHOMA Environmental Quality

Kevin Stitt
Governor

Terra Nitrogen LP.
Attn: Kim Wahnee
6606E. 540 Road
Claremore, OK 74019

Permit Number: **2011-006-C (M-12)**
Permit Writer: David Schutz
Date: October 10, 2022

SUBJECT: Permit Application No. **2011-006-C (M-12)**
Terra Nitrogen, LP
Verdigris Nitrogen Plant (SIC 2873/NAICS 325311)
AQD Facility ID: 1495
Section 9, Township 20N, Range 15E; Claremore, Rogers County

Dear Ms. Wahnee:

Air Quality has received the permit application for the referenced facility and completed initial review. This application has been determined to be a Tier II application. In accordance with 27A O.S. 2-14-301 and 302 and OAC 252:4-7-13(c), the enclosed draft permit is now ready for public review. The requirements for public review of the draft permit include the following steps, which **you** must accomplish:

1. Publish at least one legal notice (one day) in at least one newspaper of general circulation within the county where the facility is located (Instructions enclosed);
2. Submit sample notice and provide date of publication to **AQD 5 days prior to notice publishing;**
3. Provide for public review, for a period of 30 days following the date of the newspaper announcement, a copy of the application and draft permit at a convenient location (preferentially at a public location) within the county of the facility;
4. Send AQD a signed affidavit of publication for the notice(s) from Item #1 above within 20 days of publication of the draft permit. Any additional comments or requested changes you have for the draft permit or the application should be submitted within 30 days of publication.

Thank you for your cooperation. If you have any questions, please refer to the permit number above and contact me or the permit writer at (405) 702-4100.

Sincerely,

Phillip Fielder

Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

NOTICE OF DRAFT PERMIT
TIER II or TIER III AIR QUALITY PERMIT APPLICATION

APPLICANT RESPONSIBILITIES

Permit applicants are required to give public notice that a Tier II or Tier III draft permit has been prepared by DEQ. The notice must be published in one newspaper local to the site or facility. Note that if either the applicant or the public requests a public meeting, this must be arranged by the DEQ.

1. Complete the public notice using the samples provided by AQD below. Please use the version applicable to the requested permit action;
   Version 1 – Traditional NSR process for a construction permit
   Version 2 – Enhanced NSR process for a construction permit
   Version 3 – initial Title V (Part 70 Source) operating permit, Title V operating permit renewal, Significant Modification to a Title V operating permit, and any Title V operating permit modification incorporating a construction permit that followed Traditional NSR process
2. Determine appropriate newspaper local to facility for publishing;
3. Submit sample notice and provide date of publication to AQD 5 days prior to notice publishing;
4. Upon publication, a signed affidavit of publication must be obtained from the newspaper and sent to AQD.

REQUIRED CONTENT (27A O.S. § 2-14-302 and OAC 252:4-7-13(c))

1. A statement that a Tier II or Tier III draft permit has been prepared by DEQ;
2. Name and address of the applicant;
3. Name, address, driving directions, legal description and county of the site or facility;
4. The type of permit or permit action being sought;
5. A description of activities to be regulated, including an estimate of emissions from the facility;
6. Location(s) where the application and draft permit may be reviewed (a location in the county where the site/facility is located must be included);
7. Name, address, and telephone number of the applicant and DEQ contacts;
8. Any additional information required by DEQ rules or deemed relevant by applicant;
9. A 30-day opportunity to request a formal public meeting on the draft permit.

SAMPLE NOTICES: **Version 1 on page 2.**
Version 2 on page 3.
Version 3 on page 4.

SAMPLE NOTICE *(Italicized print is to be filled in by the applicant.)***:**

DEQ NOTICE OF TIER *…II or III…* **DRAFT PERMIT**

A Tier *…II or III…* **application for an air quality** *…type of permit or permit action being sought (e.g., construction permit for a new major facility or construction permit for a modification at an existing major facility)…* **has been filed with the Oklahoma Department of Environmental Quality (DEQ) by applicant,** *…name and address.*

The applicant requests approval to *…brief description of purpose of application…* **at the** *…site/facility name … …***[proposed to be] located at** *…physical address (if any), driving directions, and legal description including county…..*

In response to the application, DEQ has prepared a draft construction permit [modification] (Permit Number: *…xxxx-xxxx-x…***), which may be reviewed at** *…locations (one must be in the county where the site/facility is located)…* **or at the Air Quality Division's main office (see address below). The draft permit is also available for review under Permits for Public Review on the DEQ Web Page: http://www.deq.ok.gov/**

This draft permit would authorize the facility to emit the following regulated pollutants: *(list each pollutant and amounts in tons per year (TPY))***.** [For facility modifications only, either add the phrase**: , which represents** (*identify the emissions change involved in the modification)***.**, or add the sentence: **The modification will not result in a change in emissions.**] [For PSD permits only, add**: The project will consume the following increment levels:** *(list the amount of increment consumption for each pollutant in ug/m^3).*]

The public comment period ends 30 days after the date of publication of this notice. Any person may submit written comments concerning the draft permit to the Air Quality Division contact listed below or as directed through the corresponding online notice. [Modifications only, add: **Only those issues relevant to the proposed modification(s) are open for comment.**] **A public meeting on the draft permit [modification] may also be requested in writing at the same address. Note that all public meetings are to be arranged and conducted by DEQ staff.**

Information on all permit actions including draft permits, proposed permits, final issued permits and applicable review timelines are available in the Air Quality section of the DEQ Web page: http://www.deq.ok.gov/.

For additional information, contact *…names, addresses and telephone numbers of contact persons for the applicant,* **or contact DEQ at: Chief Engineer, Air Quality Division, 707 N. Robinson, Suite 4100, P.O. Box 1677, Oklahoma City, OK, 73101-1677. Phone No. (405) 702-4100.**

Scott A. Thompson
Executive Director

OKLAHOMA Environmental Quality

Kevin Stitt
Governor

October 21, 2022

Muscogee Creek Nation
Attn: David Hill, Principal Chief
P.O. Box 580
Okmulgee, OK 74447

Re: Permit Application No. **2011-006-C (M-12)**
Terra Nitrogen, LP
Verdigris Nitrogen Plant (SIC 2873/NAICS 325311)
AQD Facility ID: 1495
Section 9, Township 20N, Range 15E; Claremore, Rogers County
Date Received: February 9, 2022

Dear Mr. Hill:

The Oklahoma Department of Environmental Quality (ODEQ), Air Quality Division (AQD), has received the Tier II/Tier III application referenced above. A Tier II/III application requires the facility provide a 30-day public comment period on the draft Tier II/III permit and a 20-day public comment period on a proposed Tier III permit at a public location within the county of the facility. The process requires the facility to notify the public by newspaper notice in a newspaper in the county of the proposed project. Since the proposed project falls within your Tribal jurisdiction, AQD is providing this direct notice. This letter notification is in addition to the newspaper notice.

Copies of draft permits and comment opportunities are also provided to the public on the ODEQ website at the following location:

https://www.deq.ok.gov/air-quality-division/air-permits/public-participation-issued-permits/

If you prefer a copy of the draft and/or proposed permit, or direct notification by letter for any remaining public comment opportunities, if applicable, on the referenced permit action, please notify me by e-mail at phillip.fielder@deq.ok.gov, or by letter at:

Department of Environmental Quality, Air Quality Division
Attn: Phillip Fielder, Chief Engineer
707 N Robinson
Oklahoma City, OK, 73102

Thank you for your cooperation. If you have any questions, I can also be contacted at (405) 702-4185.

Sincerely,

Phillip Fielder

Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

Scott A. Thompson
Executive Director

OKLAHOMA Environmental Quality

Kevin Stitt
Governor

October 21, 2022

Cherokee Nation
Attn: Chuck Hoskin, Jr., Principal Chief
P.O. Box 948
Tahlequah, OK 74821

Re: Permit Application No. **2011-006-C (M-12)**
Terra Nitrogen, LP
Verdigris Nitrogen Plant (SIC 2873/NAICS 325311)
AQD Facility ID: 1495
Section 9, Township 20N, Range 15E; Claremore, Rogers County
Date Received: February 9, 2022

Dear Mr. Hoskin:

The Oklahoma Department of Environmental Quality (ODEQ), Air Quality Division (AQD), has received the Tier II/Tier III application referenced above. A Tier II/III application requires the facility provide a 30-day public comment period on the draft Tier II/III permit and a 20-day public comment period on a proposed Tier III permit at a public location within the county of the facility. The process requires the facility to notify the public by newspaper notice in a newspaper in the county of the proposed project. Since the proposed project falls within your Tribal jurisdiction, AQD is providing this direct notice. This letter notification is in addition to the newspaper notice.

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https://www.deq.ok.gov/air-quality-division/air-permits/public-participation-issued-permits/

If you prefer a copy of the draft and/or proposed permit, or direct notification by letter for any remaining public comment opportunities, if applicable, on the referenced permit action, please notify me by e-mail at phillip.fielder@deq.ok.gov, or by letter at:

Department of Environmental Quality, Air Quality Division
Attn: Phillip Fielder, Chief Engineer
707 N Robinson
Oklahoma City, OK, 73102

Thank you for your cooperation. If you have any questions, I can also be contacted at (405) 702-4185.

Sincerely,

Phillip Fielder

Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION