



United States Environmental Protection Agency Minor NSR Permit for Chaparral Commerce Center

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Tribal Minor New Source Review Permit Pursuant to Clean Air Act Title I and 40 CFR 49.151-161

Permit Number: **C-2024-2**

Source ID: **17**

Issue Date: **September 6, 2024**

Effective Date: **September 6, 2024**

Permittee: **SCI LLC**

Chaparral Commerce Center

This Permittee is authorized to modify in the following location:

**5701 North Pima Road
Scottsdale, Arizona 85250
Salt River Pima-Maricopa Indian Community**

Pursuant to the provisions of Clean Air Act (CAA) sections 110(a) and 301(d) and the Code of Federal Regulations (CFR) title 40, sections 49.151-161, the United States Environmental Protection Agency Region 9 (EPA) is issuing a minor New Source Review (NSR) permit. This permit authorizes the construction and operation of one emergency diesel-fired generator at the Chaparral Commerce Center in the Salt River Pima-Maricopa Indian Community (SRPMIC) near Scottsdale, Arizona.

The Permittee is authorized to construct and operate the permitted emergency generator as described herein, in accordance with the permit application and accompanying material, the minor NSR regulations at 40 CFR 49.151-161, and other terms and conditions set forth in this permit. Failure to comply with any condition or term set forth in this permit is subject to enforcement action pursuant to CAA section 113. This permit does not relieve the Permittee from the obligation to comply with applicable federal and tribal air pollution control rules and regulations.

Per 40 CFR 49.159(a), this permit will become effective on the date specified above, unless review of the permit is requested in accordance with 40 CFR 49.159(d). If review is requested, the permit revision will be stayed and the construction activities described above are not authorized until agency review procedures are exhausted and the Region subsequently issues a final permit decision authorizing construction.

Matthew Lakin
Director, Air and Radiation Division

Information about this Permit:

Applicability

Pursuant to the provisions of the Clean Air Act (CAA), Subchapter I, part D and 40 CFR part 49, subpart C, this permit authorizes the construction and operation of the equipment described in Section 1 of this permit.

Definitions

The terms used herein shall have the meaning as defined in 40 CFR 49.152, unless otherwise defined in Attachment B of this permit. If a term is not defined, it shall be interpreted in accordance with normal business use.

Section 1: Facility Information and Equipment Description

Permittee Name and Address:

SCI LLC
5701 North Pima Road
Scottsdale, Arizona 85250

Facility Contact:

Jordan Deadrick
480-233-8184
Jordan.Deadrick@onsemi.com

Physical Location:

5701 North Pima Road
Scottsdale, Arizona 85250
Salt River Pima-Maricopa Indian Community

Permit Revision History:

Table 1: Permit Revision History

Application Number	Permit Number	Type of Action	Effective Date
2017-007-TMNR	T-0009-AZ	Initial Minor Source permit (McKesson Corporation)	2/8/2018
2020-003-AA	T-0009-AZ-R1	Administrative Amendment (McKesson Corporation)	9/8/2020
2022-019-MNSR	C-2024-2	Initial Minor Source permit (SCI LLC)	9/6/2024

Equipment Description:

Table 2. Emissions Unit Description

Unit ID	Unit Description	Maximum Capacity
EU 001	2017 Cat 3512C emergency generator - Building 1	1,500 kW; 2012 hp

Section 2: General Provisions

1. *Location*

This permit authorizes the Permittee to construct and operate the permitted source only in the location listed in the permit.

2. *Inspection and Entry*

Upon presentation of proper credentials, the Permittee must allow the EPA Regional Administrator, and/or an authorized representative, to:

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

3. *Severability*

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

4. *Compliance*

The Permittee must comply with all provisions of this permit. Noncompliance with any permit provision is a violation of the permit and may constitute a violation of the CAA and is grounds for an enforcement action and for the EPA to revoke or terminate the permit. The Permittee shall construct and operate the equipment described in Section 1 in compliance with this permit, the application on which this permit is based, and all other applicable federal and tribal air quality regulations.

5. *Unavailable Defense*

In an enforcement action it shall not be a defense for the Permittee that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

6. *Property Rights*

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

7. *Credible Evidence*

For the purpose of establishing whether the Permittee violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable

requirements if the Permittee had performed the appropriate performance or compliance test procedure.

8. *Liability*

This permit does not release the Permittee from any liability for compliance with other applicable federal and tribal environmental laws and regulations, including the CAA and its implementing regulations.

9. *National Ambient Air Quality Standards (NAAQS)/Prevention of Significant Deterioration (PSD) Protection*

The permitted source must not cause or contribute to a NAAQS violation and must not cause or contribute to a PSD increment violation as described in 40 CFR 49.155(a)(7)(ii).

10. *Information Requests*

The Permittee shall furnish to the EPA, within a reasonable time, any information that the EPA may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. For any such information claimed to be confidential, the Permittee must submit a claim of confidentiality in accordance with 40 CFR part 2, subpart B.

11. *Posting of Permit*

This permit must be posted prominently at the Facility.

12. *Permit Becomes Invalid*

As provided in 40 CFR 49.155(b), unless the EPA grants an extension, this Permit shall become invalid if construction is not commenced (as defined in 40 CFR 49.152(d)) within 18 months after the approval takes effect, is discontinued for a period of 18 months or more, or is not completed within a reasonable time. The EPA may extend the 18-month period upon a satisfactory showing that an extension is justified.

Section 3: Emissions Limitations and Standards

13. At all times, including periods of startup, shutdown, shakedown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate the equipment that is subject to this permit, in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be on information available to the EPA which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

14. The emissions unit shall be installed, operated, and maintained according to the manufacturer's emissions-related written instructions. The Permittee shall change only those emissions-related settings that are permitted by the manufacturer.

15. The Permittee shall comply with the emissions limitations, operating limitations, and other applicable requirements of this permit at all times.
16. The emissions unit shall be operated only for testing and maintenance of the emissions unit, required regulatory purposes, and during emergency situations (as defined in Attachment B). Operation of the engine for maintenance, testing, and required regulatory purposes shall not exceed 100 hours per calendar year.
17. Sulfur content of diesel fuel shall not exceed 0.0015% (15 ppm) by weight, and either a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.
18. The emissions unit shall not discharge into the atmosphere emissions which exhibit an opacity of 20% or greater for any period or periods aggregating more than three minutes in any one hour.
19. Emissions from the emissions unit shall not exceed any of the following limits for nitrogen oxides (NO_x), carbon monoxide (CO), volatile organic compounds (VOC), particulate matter 10 micrometers or smaller in diameter (PM₁₀), and particulate matter 2.5 micrometers or smaller in diameter (PM_{2.5}):

Table 3. Emissions Limits for Unit EU 001

Criteria Pollutant (tpy)	EU 001
NO _x	6.10
CO	0.55
VOC	0.11
PM ₁₀	0.14
PM _{2.5}	0.14

Section 4: Monitoring and Testing Requirements

20. The emissions unit shall be equipped with a non-resettable hour meter.
21. During periods of operation for maintenance, testing, and required regulatory purposes, the Permittee shall monitor the operational characteristics of the emissions unit as recommended by the manufacturer or emissions control system supplier.

Section 5: Recordkeeping Requirements

22. The Permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the unit.

23. The Permittee shall maintain records of the emergency and non-emergency hours of operation of the emissions unit on a monthly basis. Records shall include the number of hours of emergency operation, the date and number of hours of all testing and maintenance operations, the purpose of the operation and records of operational characteristics monitoring. For automated testing systems, the Permittee may, as an alternative to keeping records of actual operation for testing purposes, maintain a readily accessible written record of the automated testing schedule.
24. The Permittee shall maintain records of maintenance conducted on the emissions unit. The records shall include the following information, as applicable:
 - a. Identification of the components inspected or repaired;
 - b. The date of the inspection or repair;
 - c. The results of each inspection or repair;
 - d. Any corrective actions taken as a result of an inspection; and
 - e. The results of any corrective actions taken.
25. The permit application and all documentation supporting that application shall be maintained by the Permittee for the duration of time the affected emissions unit is covered under this permit.
26. The Permittee shall maintain records of the types and quantities of fuel purchased and for each fuel shipment, fuel supplier certification showing the sulfur content of fuel.
27. The Permittee shall maintain records of the documentation from the manufacturer that the emissions unit is certified to the applicable standards.
28. The Permittee shall maintain records of all reports and notifications required by Section 6.
29. The Permittee shall maintain all records required by this permit for at least five (5) years from the date of origin. All records shall be maintained onsite or be available electronically onsite.

Section 6: Notification and Reporting Requirements

30. *Notification of Modification and Operations*

The Permittee shall submit a written or electronic notice to the EPA within 30 days after beginning construction, and within 30 days after beginning operation or resuming operation after an authorized modification.

31. *Notification of Change in Ownership or Operator*

If the permitted source changes ownership or operator, then the new owner or operator must submit a written or electronic notice to the EPA within 90 days after the change in ownership or operator is effective. In the notice, the new owner or operator must provide a written agreement containing a specific date for transfer of ownership or operator, and an effective date on which the new owner or operator assumes partial and/or full coverage and liability under this permit. The submittal must identify the previous owner and operator, and update the name, street address,

mailing address, contact information, and any other information about the permitted source, if such information would change as a result of the change of ownership or operator.

32. *Notification of Closure*

The Permittee must submit a report of any permanent or indefinite closure to the EPA in writing within 90 days after the cessation of all operations at the permitted source. It is not necessary to submit a report of closure for regular, seasonal closures.

33. *Annual Reports*

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

- a. An evaluation of the permitted source's compliance status with the requirements in Section 3;
- b. Summaries of the required monitoring and recordkeeping in Sections 4 and 5;
- c. 12-month rolling emissions calculations for EU 001; and
- d. Summaries of deviation reports submitted pursuant to Condition 34.

34. *Deviation Reports*

The Permittee shall promptly report to the EPA any deviations (as the term is defined in Attachment B) from the requirements of this permit, including deviations attributable to upset conditions. For the purposes of this Permit, "promptly" shall be defined to mean to notify the EPA in writing or by electronic mail within 15 days of any deviation. Deviation reports shall include:

- a. The identity of affected emissions unit where the deviation occurred;
- b. The nature of the deviation;
- c. The length of time of the deviation;
- d. The probable cause of the deviation; and
- e. Any corrective actions or preventive measures taken as a result of the deviation to minimize emissions from the deviation and to prevent future deviations.

35. *Reporting and Notification Address*

The Permittee shall send all required reports and notifications to the EPA at the following address. Reports and notifications sent by mail shall be postmarked by the applicable due date.

US EPA Region 9
Director, Enforcement Division
Attn: Air Section, ENF-2-1 75
Hawthorne Street
San Francisco, CA 94105-3901
e-mail: R9AirPermits@epa.gov and AEO_R9@epa.gov

36. *Signature Verifying Truth, Accuracy, and Completeness*

All reports and notifications required by this permit shall be signed by a responsible official as to the truth, accuracy and completeness of the information. The report must state that, based on

information and belief formed after reasonable inquiry, the statements and information are true, accurate, and complete. If the Permittee discovers that any report or notification submitted to the EPA contains false, inaccurate, or incomplete information, the Permittee shall notify the EPA immediately and correct or amend the submission as soon as practicable.

Section 7: Changes to this Permit

37. Proposed Modifications

For proposed modifications, as defined at 40 CFR 49.152(d), that would increase an emissions unit's allowable emissions of a regulated NSR pollutant above its existing permitted annual allowable emissions limit, the Permittee shall first obtain a permit revision pursuant to 40 CFR 49.154 and 49.155 approving the increase. For a proposed modification that is not otherwise subject to review under major NSR or under the program established under 40 CFR part 49, such proposed increase in the annual allowable emissions limit shall be approved through an administrative permit revision as provided at 40 CFR 49.159(f).

38. Revising, Reopening, Revoking and Reissuing, or Terminating for Cause

The permit may be revised, reopened, revoked and reissued or terminated for cause. The filing of a request by the Permittee for a permit revision, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance, does not stay any condition of this permit. For purposes of this paragraph, "cause" is defined in Attachment B.

39. Changes in Ownership or Operator

In the event of any changes in control or ownership of the Facility, this permit shall be binding on all subsequent owners and operators. The Permittee shall notify the succeeding owner or operator of the existence of this permit and its conditions by letter, a copy of which shall be forwarded to the EPA at the address shown in Section 6. The Permittee shall ensure that the permitted source remains in compliance with the permit until any such transfer of ownership or operator is effective. The Permittee shall ensure the new owner or operator is provided all records required by Section 5 prior to the transfer of ownership or operator. The EPA may change the Permittee name and contact information in Section 1 to reflect the new owner or operator in accordance with the administrative amendment provisions in 40 CFR 49.159(f).

Attachment A: Abbreviations and Acronyms

CAA	Federal Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
EPA	United States Environmental Protection Agency Region 9
Facility	Chaparral Commerce Center
g/hp-hr	grams per horsepower-hour
hp	horsepower
kW	kilowatt
NAAQS	National Ambient Air Quality Standards
NO _x	nitrogen oxides
NSR	New Source Review
Permittee	SCI LLC
PM	particulate matter
PSD	Prevention of Significant Deterioration
SRPMIC	Salt River Pima-Maricopa Indian Community
VOC	volatile organic compounds

Attachment B: Definitions

For purposes of this Permit:

Cause means with respect to the EPA's ability to terminate coverage under this permit that:

1. The Permittee is not in compliance with the provisions of the permit;
2. The EPA determines that the emissions resulting from the operation of the permitted source significantly contribute to NAAQS violations that are not adequately addressed by the requirements in the permit;
3. The EPA has reasonable cause to believe that the Permittee obtained approval of the permit by fraud or misrepresentation; or
4. The Permittee failed to disclose, as part of its application, a material fact required by the applicable regulations of which the Permittee had or should have had knowledge at the time the Permittee submitted the application.

Deviation means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in accordance with the requirements of this permit. For a situation lasting more than 24 hours which constitutes a deviation, each 24-hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:

1. A situation where emissions exceed an emissions limitation or standard;
2. A situation where process or emissions control device parameter values indicate that an emissions limitation or standard has not been met; and
3. A situation in which observations or data collected demonstrates noncompliance with an emissions limitation or standard or any work practice or operating condition required by the permit.

Diesel fuel means a liquid obtained from the distillation of petroleum that is labeled as containing a maximum sulfur content of 15 parts per million (ppm) and labeled for use in all diesel engines or nonroad diesel engines.

Emergency situation means an unscheduled electrical power outage caused by sudden and reasonably unforeseeable events beyond the control of the Permittee.

Responsible official means one of the following:

1. For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is directly responsible for the overall operation of the permitted source.
2. For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

3. For a public agency: Either a principal executive officer or ranking elected official, such as a chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency.