



SYNTHETIC MINOR SOURCE AIR PERMIT

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

PERMIT NUMBER: 2025-AP-002	DATE ISSUED:	DATE EXPIRED:
EMISSION UNITS:	1. Isuzu Engine Model BP-4LE2X (65 HP) and a Shindaiwa Generator Model DGK45F (36 kW) 2. Isuzu Engine Model BP-4LE2X (65 HP) and a Shindaiwa Generator Model DGK45F (36 kW) 3. Isuzu Engine Model BP-4LE2X (65 HP) and a Shindaiwa Generator Model DGK45F (36 kW) 4. Isuzu Engine Model BP-4LE2X (65 HP) and a Shindaiwa Generator Model DGK45F (36 kW) 5. Volvo Penta Engine Model TAD1672VE (374 HP) and an EPG Generator Model MV-305 (279 kW) 6. Volvo Penta Engine Model TAD1672VE (374 HP) and an EPG Generator Model MV-305 (279 kW) 7. Volvo Penta Engine Model TWD1683GE (919 HP) and a Taylor Power Systems Generator Model TM630 (504 kW) 8. Volvo Penta Engine Model TWD1683GE (919 HP) and a Taylor Power Systems Generator Model TM630 (504 kW) 9. Volvo Penta Engine Model TWD1683GE (1837 HP) and a Taylor Power Systems Generator Model TM1250 (1000 kW) 10. Volvo Penta Engine Model TWD1683GE (1837 HP) and a Taylor Power Systems Generator Model TM1250 (1000 kW) 11. Perkins Engine Model 404D-22TA (49 HP) and a Generac Generator Model RD030 (30 kW) 12. SAES Rock Crushing and Screening Plant (150 tph) 13. Marini Hot Mix Asphalt Batch Plant Model Top-Tower 3000 (240 tph)	
PERMIT ISSUED TO:	Fluor Intercontinental, Inc.	
ADDRESS:	Tinian North Field - Tinian, CNMI	
RESPONSIBLE OFFICIAL:	James D. Bailey, Project Manager	
REPRESENTATIVE ADDRESS:	100 Fluor Daniel Dr. Greenville, SC 29607-2770	
AUTHORIZED REPRESENTATIVE		
James D. Bailey or Cristopher Waechter		Contact Number: (430) 280-0491 or (407) 494-4168
TYPE OF APPLICATION		
NEW: ☒	MODIFICATION: ☐	RENEWAL: ☐

Zabrina S. Cruz
Director, DEQ

Floyd R. Masga
Administrator, BECQ

Section 1 – Permit Terms and Conditions

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

Section 2 – Equipment List

EU ID #	Description of Emission Unit(s)	Power Rating
1	Isuzu Engine Model BP-4LE2X and a Shindaiwa Generator Model DGK45F	65 HP & 36 kW
2	Isuzu Engine Model BP-4LE2X and a Shindaiwa Generator Model DGK45F	65 HP & 36 kW
3	Isuzu Engine Model BP-4LE2X and a Shindaiwa Generator Model DGK45F	65 HP & 36 kW
4	Isuzu Engine Model BP-4LE2X and a Shindaiwa Generator Model DGK45F	65 HP & 36 kW
5	Volvo Penta Engine Model TAD1672VE and an EPG Generator Model MV-305	374 HP & 279 kW
6	Volvo Penta Engine Model TAD1672VE and an EPG Generator Model MV-305	374 HP & 279 kW
7	Volvo Penta Engine Model TWD1683GE and a Taylor Power Systems Generator Model TM630	919 HP & 504 kW
8	Volvo Penta Engine Model TWD1683GE and a Taylor Power Systems Generator Model TM630	919 HP & 504 kW
9	Volvo Penta Engine Model TWD1683GE and a Taylor Power Systems Generator Model TM1250	1837 HP & 1000 kW
10	Volvo Penta Engine Model TWD1683GE and a Taylor Power Systems Generator Model TM1250	1837 HP & 1000 kW
11	Perkins Engine Model 404D-22TA and a Generac Generator Model RD030	49 HP & 30 kW
12	SAES Rock Crushing and Screening Plant	150 tph
13	Marini Hot Mix Asphalt Batch Plant Model Top-Tower 3000	240 tph

Section 3 – General Provisions

1. Construction and Operation

The permittee shall construct and operate the specified Emission Units (consisting of eleven non-emergency engines, a rock crushing and screening plant, and an asphalt plant) and any associated air pollution control equipment in compliance with this permit and all other applicable federal and territorial air quality regulations; and in a manner consistent with the information contained in the

Application.

2. *Location*

This permit only authorizes the permittee to operate the permitted source at the location specified in the Application.

3. *Liability*

This permit does not release the permittee from any liability for compliance with other applicable federal and territorial environmental laws and regulations, including the CAA and the Commonwealth Environmental Protection Act.

4. *Severability*

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

5. *Compliance*

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

6. *Reporting Discontinuance*

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

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

The permitted source shall not engage in any activity which would result in a modification that would trigger federal PSD permit requirements pursuant to Title 1, Part C of the CAA.

8. *Unavailable Defense*

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

9. *Property Rights*

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

10. *Information Requests*

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

11. *Inspection and Entry*

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

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

12. *Posting of Permit*

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

13. *Credible Evidence*

For the purpose of establishing whether the permittee violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the permittee had performed the appropriate performance or compliance test or procedure.

Section 4 – Emission Unit Limitations and Standards

14. The permittee shall maintain and operate the emission units listed in this permit, including any associated air pollution control equipment as indicated in the Application, in a manner consistent with good air pollution control practices for minimizing emissions of regulated pollutants and considering the manufacturer's recommended operating procedures at all times, including periods of startup, shutdown, maintenance and malfunction. The issuing authority will determine whether the permittee is using acceptable operating and maintenance procedures based on information available to the issuing authority which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, review of operating and maintenance records, and inspection of the permitted source.

15. *Emission Units ("EU") 1-11 (Non-emergency engines)*

Each affected non-emergency compression ignition engine shall comply with the following limitations and standards:

- a. The maximum rated power generation of the specified emission units at this facility shall be 65 horsepower (HP) or less for EU 1, 65 HP or less for EU 2, 65 HP or less for EU 3, 65 HP or less for EU 4, 374 HP or less for EU 5, 374 HP or less for EU 6, 919 HP or less for EU 7, 919 HP or less for EU 8, 1837 HP or less for EU 9, 1837 HP or less for EU 10, and 49 HP or less

for EU 11.

- b. The permittee shall comply with the applicable emission standards for EUs 1-11 as specified in 40 CFR § 60.4201.
- c. The permittee shall operate and maintain EUs 1-11 according to the manufacturer's emission-related written instructions.
- d. The permittee is prohibited from changing emission related settings of EUs 1-11 in a way that is not permitted by the manufacturer.
- e. The permittee must meet the requirements of 40 CFR part 1068, as applicable with respect to EUs 1-11.
- f. EUs 1-11 shall only use diesel fuel. The sulfur content of the diesel fuel shall not exceed 15 parts per million (ppm) by weight.

16. *EU 12 (Rock crushing and screening plant)*

- a. *Fugitive emissions from rock crushing and screening operations shall not exceed:*
 - i. 12 percent opacity for crushers; and
 - ii. 7 percent opacity, at other affected emissions units. (Basis § 60.672(b))
- b. *Truck Unloading/Grizzly Feeder & Truck Unloading and Transport Offsite*
 - i. Stockpiles shall be observed daily and either covered or watered with a water truck or sprinkler equipment whenever fugitive dust is observed to control emissions. Equipment to cover stockpiles or apply water shall be available at the site, or on call for use at the site, within a given operating day.
 - ii. Vehicles shall be loaded to prevent their contents from dropping, leaking, blowing, or otherwise escaping. This shall be accomplished by loading so that no part of the load shall come in contact within the top of any side board, side panel or tail gate. Otherwise, the haul trucks shall be covered, treated or secured to prevent the escape of materials likely to become airborne during transport, prior to any transportation off site.
 - iii. Wet suppression, such as water trucks and sprinkler equipment, shall be used accordingly to prevent excess and/or fugitive dust.
- c. *Tertiary Crushers*
 - i. Acceptable wet suppression practices, such as water trucks and water sprinkler equipment, shall be used to control dust and prevent excess and/or fugitive dust.
- d. *Vibrating Screens*
 - i. The drop distance at each transfer point shall be reduced to the minimum the equipment can achieve.

- ii. Wet suppression, such as water trucks and sprinkler equipment, shall be used to prevent excess and/or fugitive dust.
- e. Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the emission limits in Condition 16(a). (Basis § 60.672(c))
- f. The permittee shall comply with the Fugitive Dust Control Plan, which the permittee shall submit prior to initial construction or operation.

17. *EU 13 (Hot mix asphalt batch plant)*

- a. Production of hot-mix asphalt shall not exceed 30,000 tons per month.
- b. The permittee shall not discharge into the atmosphere gases containing particulate matter in excess of 90 mg/dscm (0.04 gr/dscf) from the dryer stack.
- c. Emissions from an affected dryer/mixer shall be controlled using a baghouse during all times when the affected emissions unit operates.
- d. The permittee shall maintain a supply of extra bags and other spare parts for the baghouse onsite. When a bag replacement is needed the facility shall shut down until the replacement bag is installed.

18. *The permittee shall observe § 65-10-103 Fugitive Dust and Other Pollutants:*

- a. No person shall cause or permit visible fugitive dust to become airborne without taking reasonable precautions.
- b. No person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates.

19. *The permittee shall observe § 65-10-102 Visible Emissions:*

- a. No person shall cause or permit the emission of visible air pollutants of a density equal to or darker than 20% opacity.
- b. During start-up, shutdown, or when breakdown of equipment occurs, a person may discharge into the atmosphere from any single source of emission, for a period aggregating not more than six minutes in any 60 minutes, air pollutants of a density not darker than 60% opacity.

Section 5 – Monitoring and Testing Requirements
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20. *EU 12 (Rock crushing and screening plant)*

- a. The permittee shall monitor and record the number of trucks being loaded for EU 12 in a logbook.
- b. The permittee shall inspect plant equipment on a regular basis for physical integrity.

c. *Initial Performance Test for EU 12 (Rock crushing and screening plant)*

Within 60 days after achieving the maximum production rate at which the permitted source will operate the affected emissions unit(s), but not later than 180 days after the first day of operation after the reviewing authority issues the permit, the permittee shall perform an initial performance test to verify compliance with the applicable opacity limitations in Condition 16(a). Performance tests shall be performed:

- i. According to a test plan approved by the reviewing authority;
- ii. While the permitted source is operating under typical operating conditions;
- iii. Using test Method 9 from 40 CFR part 60, appendix A with the following modifications:
- iv. The observer shall stand at least 15 feet from the emissions source;
- v. The observer shall, when possible, select a position that minimizes interference from other fugitive emissions sources; and
- vi. Water used for wet suppression shall not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible; and
- vii. The duration of each Method 9 test shall be at least 30 minutes.
- viii. Compliance with each opacity limit shall be determined based on the average of at least five six-minute averages.

d. *Additional Performance Test(s) for EU 12 (Rock crushing and screening plant)*

Ongoing performance tests meeting the criteria of the initial performance tests in Condition 20(c) shall be performed whenever required by the reviewing authority but at least every five years.

e. *Wet Suppression Monitoring for EU 12 (Rock crushing and screening plant)*

At least once during each calendar month the permitted source operates, the permittee shall inspect to check that water is flowing to discharge spray nozzles in the wet suppression system. The permittee must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if water is not flowing properly during an inspection of the water spray nozzles. (Basis § 60.674(b))

- i. If the permitted source discontinues the use of water sprays for wet suppression or employs an alternative control mechanism to reduce fugitive emissions during the monthly inspection, the permittee must document the specific alternative control mechanism used in the logbook. (Basis § 60.674(b)(2))

21. *EU 13 (Hot mix asphalt batch plant)*

- a. The permittee shall monitor and record the amount of asphalt produced each month in tons.
- b. The permittee shall conduct an initial performance test for particulate matter using EPA Method 5 and an opacity test using Method 9 within 60 days of achieving maximum production, but no later than 180 days after startup. (Basis § 60.93)
- c. At least once during each calendar week in which the permitted source operates, the permittee shall inspect the interior and exterior of the baghouse for evidence of leaking, damaged, and

missing bags, and take appropriate corrective actions before resuming operations.

22. Fugitive Emissions Survey

At least once during each calendar week in which the permitted source operates, the permittee shall survey the facility for visible fugitive emissions. If fugitive emissions are detected crossing the property line, as listed in Condition 18(b), the permittee shall take corrective actions according to the fugitive dust control plan which the permittee shall submit for approval to the issuing authority before construction or operation.

23. Visible Emissions Survey

At least once during each calendar week in which the permitted source operates, the permittee shall perform a visible emissions survey of all affected emission units subject to the opacity limit in Condition 19. If visible emissions are detected during the survey, the permittee shall either:

- i. Take corrective action so that within 24 hours no visible emissions are detected from any affected emissions units while they are in operation; or
- ii. Demonstrate compliance with the opacity limit at all affected emissions units that discharged visible emissions during the survey using EPA Method 9 by an individual trained and certified in Method 9.

Section 6 – Recordkeeping Requirements

24. Recordkeeping requirements – Administrative:

- a. All records must be maintained in a form suitable and readily available for expeditious review.
- b. The permittee shall maintain all records required to be kept by this permit onsite for at least five (5) years from the date of origin for EUs 1-13, unless otherwise stated in this permit.
- c. The permit Application and all documentation supporting that application shall be maintained by the permittee for the duration of time the specified emission units are covered under this permit.
- d. The permittee shall maintain a log of all maintenance and repair activities conducted, including any corrective actions taken as part of general maintenance or repairs on any emission unit that may affect emissions.

25. Recordkeeping requirements – Fuels:

- a. The permittee shall maintain fuel delivery and purchase receipts, showing the fuel type, date of delivery, and amount (gallons) of fuel delivered to the site.
- b. The permittee shall maintain records of the fuel sulfur content. The sulfur content may be demonstrated by maintaining the fuel content specification sheet for the type of fuel purchased and received.

26. Records for Non-emergency Engines (EUs 1-11)

- a. The permittee shall maintain a daily log of each generator's hours of operation.

- b. On a monthly basis, the permittee shall total the hours of operation for each generator and calculate and record the 12-month rolling total of hours for all generators.
- c. The permittee shall maintain a monthly record of the amount of fuel added (in gallons) to each engine.
- d. On a monthly basis, the permittee shall total the amount of fuel added to all engines and calculate and record the total fuel usage on a 12-month rolling total. The record shall be maintained in gallons and updated each month.

27. Records for EU 13 (Hot Mix Asphalt Batch Plant)

- a. The permittee shall maintain a daily log of the quantity of asphalt produced, recorded in tons per day.
- b. The permittee shall, on a monthly basis, calculate and record:
 - i. The total amount of asphalt produced for that calendar month; and
 - ii. The 12-month rolling total of asphalt production, updated each month.
- c. The dates and results of the initial performance tests for particulate matter using EPA Method 5 and opacity using EPA Method 9.
- d. The dates and results of all baghouse inspections performed pursuant to Condition 21(c) and any corrective actions taken as a result of the required inspections shall be recorded.

28. Fugitive Emissions Survey

The dates and results of each fugitive emissions survey performed pursuant to Condition 22 shall be recorded. At a minimum, records shall include:

- a. The name of the person, company or entity conducting the survey;
- b. Whether fugitive emissions were detected from the source and are detected crossing the property line;
- c. Any corrective action taken;
- d. The result of any corrective action.

29. Visible Emissions Survey

The dates and results of each visible emissions survey performed pursuant to Condition 23 shall be recorded. At a minimum, records shall include:

- a. The name of the person, company or entity conducting the survey;
- b. Whether visible emissions were detected from any emission unit;
- c. Any corrective action taken;
- d. The result of any corrective action.

Section 7 – Annual Fee Requirements
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30. Annual fees shall be paid in full:

- a. Within sixty (60) days after the end of each calendar year; and
- b. Within thirty (30) days after the permanent discontinuance of the minor source.

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

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

32. The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and submitted on forms furnished by the Division of Environmental Quality.

33. The annual fees and the emission data shall be mailed to or paid at the **Division of Environmental Quality P.O. Box 501304 Saipan, MP 96950** located at Middle Road, Gualo Rai. Please have checks be made payable to CNMI Treasury.

Section 8 – Notification and Reporting Requirements

34. Compliance Plan

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

- a. A compliance statement acknowledging the conditions of this permit and how the permittee intends to meet permit requirements;
- b. A statement detailing the date of first operation for EU 1, EU 2, EU 3, EU 4, EU 5, EU 6, EU 7, EU 8, EU 9, EU 10, EU 11, EU 12, and EU 13;

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

36. Annual Reports

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

- a. Summaries of the required monitoring and recordkeeping in Sections 5 and 6;
- b. Summaries of deviation reports submitted pursuant to Condition 37.

37. Deviation Reports

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

The owner or operator shall provide the following information in writing within five working days of the malfunction or breakdown:

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

38. *Reporting and Notification Address*

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

Administrator
Bureau of Environmental and Coastal Quality
Gualo Rai Center, Chalan Pale Arnold Rd
P.O. Box 501304
Saipan, MP 96950

39. *Certification*

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

Section 9 – Changes to this Permit

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

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

- a. The permit contains a material mistake made in establishing the emissions limitations or other requirements of the permit;
- b. Permit action is required to assure compliance with the requirements of the Act; 2 CMC, Division 3, Chapter 1; and these rules;
- c. Permit action is required to address additional requirements of the Act; 2 CMC, Division 3, Chapter 1; and these rules;
- d. There is a violation of any condition of the permit;

- e. The permit was obtained by misrepresentation or failure to disclose fully all relevant facts;
- f. The source is neither constructed nor operated in accordance with the application for the minor source permit and any information submitted as part of the application;
- g. There is a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted emissions;
- h. More frequent monitoring or reporting by the permittee is necessary; or
- i. Such is in the public interest, as determined pursuant to 2 CMC, Division 3, Chapter 1.

Section 10 – Abbreviations and Acronyms

BECQ	Bureau of Environmental & Coastal Quality
Btu	British thermal unit
CAA	Federal Clean Air Act
CFR	Code of Federal Regulations
hp	horsepower
kW	kilowatt
MM	million
ppm	parts per million

Section 11– Definitions

For the purpose of this permit:

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

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

Permittee means the owner or operator of a permitted source.

Section 12– Appendixes

Appendix 1: 40 CFR part 60, Subpart IIII

Appendix 2: 40 CFR part 60, Subpart OOO

Appendix 3: 40 CFR part 60, Subpart I