



CONSTRUCTION PERMIT

Permit No.: **22JE0367**

Issuance: **1**

Date Issued: **October 18, 2022 459776**

Issued to: **DataBank Holdings, Ltd**

Facility Name: DataBank - DEN4
Plant AIRS ID: 059-2048
Physical Location: 7579 West 103rd Avenue, Westminster
County: Jefferson
General Description: IT Facility

Equipment or activity:

Facility Equipment ID	AIRS Point	Description
Gen-01	001	Diesel fired engine Make: Cummins Model: QST30-G5 Serial Number: 37219425 Design rate: 1350 hp Relocation Year: 2014 NSPS IIII: Subject to NSPS IIII Tier 2
Gen-02	002	Diesel fired engine Make: Cummins Model: QST30-G5 NR2 Serial Number: 37262545 Design rate: 1350 hp Relocation Year: 2014 NSPS IIII: Subject to NSPS IIII Tier 2

This engine may be replaced with another engine in accordance with the temporary engine replacement provision or with another Cummins engine model QST30-G5 per the permanent replacement provision of the Alternate Operating Scenario (AOS), included in this permit as Attachment A.

THIS PERMIT IS GRANTED SUBJECT TO ALL RULES AND REGULATIONS OF THE COLORADO AIR QUALITY CONTROL COMMISSION AND THE COLORADO AIR POLLUTION PREVENTION AND CONTROL ACT C.R.S. (25-7-101 et seq), TO THOSE GENERAL TERMS AND CONDITIONS INCLUDED IN THIS DOCUMENT AND THE FOLLOWING SPECIFIC TERMS AND CONDITIONS:

REQUIREMENTS TO SELF-CERTIFY FOR FINAL APPROVAL

1. Points 001, 002: **YOU MUST** notify the Air Pollution Control Division (Division) no later than fifteen days after commencement of operation under this permit **by submitting a Notice of Startup (NOS) form to the Division.** The Notice of Startup (NOS) form may be downloaded online at <https://www.colorado.gov/pacific/cdphe/air/manage-permit>. Failure to notify the Division of startup of



the permitted source is a violation of AQCC Regulation Number 3, Part B, III.G.1 and can result in the revocation of the permit.

2. Within one hundred and eighty days (180) after commencement of operation or issuance of this permit, whichever is later, compliance with the conditions contained on this permit must be demonstrated to the Division. It is the permittee's responsibility to self-certify compliance with the conditions. Failure to demonstrate compliance within 180 days may result in revocation of the permit or enforcement action by the Division. Information on how to certify compliance was mailed with the permit or can be obtained from the Division's website at <https://www.colorado.gov/pacific/cdphe/air-permit-self-certification>. (Reference: Regulation Number 3, Part B, III.G.2).
3. This permit will expire if the owner or operator of the source for which this permit was issued: (i) does not commence construction/modification or operation of this source within 18 months after either, the date of issuance of this construction permit or the date on which such construction or activity was scheduled to commence as outlined in the permit application associated with this permit; (ii) discontinues construction for eighteen months or more; (iii) does not complete construction within a reasonable time of the estimated completion date. The Division may grant extensions of the deadline per Regulation Number 3, Part B, III.F.4.b. (Reference: Regulation Number 3, Part B, III.F.4.)
4. Within one hundred and eighty days (180) after commencement of operation or issuance of this permit, whichever is later, the operator must complete all initial compliance testing and sampling as required in this permit and submit the results to the Division as part of the self-certification process. (Reference: Regulation Number 3, Part B, III.G.2.)
5. Within thirty (30) days after commencement of operation or issuance of this permit, whichever is later, the permit number must be marked on the subject equipment for ease of identification. (Reference: Regulation Number 3, Part B, III.E.) (State only enforceable)

EMISSION LIMITATIONS AND RECORDS

6. Emissions of air pollutants must not exceed the following limitations (as calculated using the emission factors included in the Notes to Permit Holder section of this permit). records of the actual emission rates must be maintained by the applicant and made available to the Division for inspection upon request. (Reference: Regulation Number 3, Part B, II.A.4)

Annual Limits:

Facility Equipment ID	AIRS Point	Point Emissions (tons per year)							
		PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	Pb
Gen-01, Gen-02	001, 002	--	--	--	--	16.2	--	3.7	--

See "Notes to Permit Holder" for information on emission factors and methods used to calculate limits.

The owner or operator must use the emission factors found in Notes to Permit Holder to calculate emissions and show compliance with the limits. The owner or operator must submit an Air Pollutant Emission Notice (APEN) and receive a modified permit before the use of any other method of calculating emissions.

PROCESS LIMITATIONS AND RECORDS

7. This source must be limited to the following maximum consumption, processing, and/or operational rates as listed below. records of the actual process rate must be maintained by the applicant and made available to the Division for inspection upon request (Reference: Regulation Number 3, Part B, II.A.4).

Process/Consumption Limits

Facility Equipment ID	AIRS Point	Process Parameter	Annual Limit
Gen-01, Gen-02	001, 002	Diesel fuel consumed	72,700 gallons per year (Based on fuel's heat value of 0.137 MMBtu per gallon)

STATE AND FEDERAL REGULATORY REQUIREMENTS

8. Visible emissions shall not exceed twenty percent (20%) opacity during normal operation of the source. During periods of startup, process modification, or adjustment of control equipment visible emissions shall not exceed 30% opacity for more than six minutes in any sixty consecutive minutes. Opacity shall be determined using EPA Method 9. (Reference: Regulation Number 1, Section II.A.1. & 4.)
9. This source is subject to the odor requirements of Regulation No. 2. (State only enforceable)
10. This source is subject to the New Source Performance Standards (NSPS) requirements of Regulation Number 6, Part A, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (CI ICE) including, but not limited to, the following:

[The requirements below reflect the rule language of 40 CFR Part 60 Subpart IIII published in the Federal Register on 1/30/2013. However, if revisions to this Subpart are published at a later date, the owner or operator is subject to the requirements contained in the revised version of 40 CFR Part 60, Subpart IIII.]

- a. Emissions of Non-Methane Hydrocarbons and Nitrogen Oxides combined shall not exceed 4.5 grams per horsepower-hour.
- b. Emissions of Carbon Monoxide shall not exceed 2.6 grams per horsepower-hour.
- c. Emissions of Particulate Matter shall not exceed 0.15 grams per horsepower-hour.
- d. All fuel purchased shall meet the following specifications:
 - (1) Sulfur content shall not exceed 15 ppm.
 - (2) Have a minimum cetane index of 40 or
Have a maximum aromatic compound content of 35% by volume.

Compliance shall be demonstrated by maintaining copies of the fuel specifications provided by the supplier on-site or in a readily accessible location and made available to the Division for inspection upon request.
- e. All engines and control devices must be installed, configured, operated, and maintained according to the specifications and instructions provided by the engine manufacturer.
- f. If the engine is equipped with a diesel particulate filter, the filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached. Records shall be kept of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit is approached.

11. The owner or operator of this facility is subject to the following requirements of Regulation Number 6, Part A, Subpart A, General Provisions (40CFR part 60, Subpart A).
 - a. At all times, including periods of start-up, shutdown, and malfunction, the facility, and control equipment shall, to the extent practicable, be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether or not acceptable operating and maintenance procedures are being used will be based on information available to the Division, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. (Reference: Regulation Number 6, Part A. General Provisions from 40 CFR 60.11)

- b. No article, machine, equipment, or process shall be used to conceal an emission that would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere. (§ 60.12)
12. Points 001, 002: This source is located in an ozone non-attainment or attainment-maintenance area and subject to the Reasonably Available Control Technology (RACT) requirements of Regulation Number 3, Part B, III.D.2. The requirements of condition number 10 above were determined to be RACT for this source.

OPERATING & MAINTENANCE REQUIREMENTS

13. This source is not required to follow a Division-approved operating and maintenance plan. The source must follow the manufacturer's operating and maintenance recommendations or must follow good air pollution control practices. Use for true minor source at true minor facility where no O&M plan is required.

COMPLIANCE TESTING AND SAMPLING

Initial Testing Requirements

14. Within 180 days of a startup, the owner or operator must demonstrate compliance with the Visible emission limits above, using EPA Method 9 to measure opacity from the diesel engine. This measurement must consist of a minimum of twenty-four consecutive readings taken at fifteen-second intervals over 6 minutes. (Reference: Regulation Number 1, II.A.1 & 4)

Periodic Testing Requirements

15. Replacements of this unit completed as Alternative Operating Scenarios may be subject to additional testing requirements as specified in Attachment A.

ADDITIONAL REQUIREMENTS

16. The permit number must be marked on the subject equipment for ease of identification. (Reference: Regulation Number 3, Part B, III.E.) (State only enforceable)
17. A Revised Air Pollutant Emission Notice (APEN) must be filed: (Reference: Regulation Number 3, Part A, II.C.)
- a. By April 30 of the year following a significant increase in emissions. A significant increase in emissions is defined as follows:

For any criteria pollutant:

For sources emitting **less than 100 tons per year**, a change in actual emissions of five tons per year or more, above the level reported on the last APEN submitted; or

For volatile organic compounds (VOC) and nitrogen oxide (NOx) sources in an ozone non-attainment area emitting **less than 100 tons of VOC or nitrogen oxide per year**, a change in actual emissions of one ton per year or more or five percent, whichever is greater, above the level reported on the last APEN submitted; or

For sources emitting **100 tons per year or more of a criteria pollutant**, a change in actual emissions of five percent or 50 tons per year or more, whichever is less, above the level reported on the last APEN submitted; or

For sources emitting **any amount of lead**, a change in actual emissions, above the level reported on the last APEN submitted, of fifty (50) pounds of lead

For any non-criteria reportable pollutant:

If the emissions increase by 50% or five (5) tons per year, whichever is less, above the level reported on the last APEN submitted to the Division.

- b. Whenever there is a change in the owner or operator of any facility, process, activity; or
- c. Whenever new control equipment is installed, or whenever a different type of control equipment replaces an existing type of control equipment; or
- d. Whenever a permit limitation must be modified; or
- e. No later than 30 days before the existing APEN expires.

GENERAL TERMS AND CONDITIONS:

- 18. This permit and any attachments must be retained and made available for inspection upon request. The permit may be reissued to a new owner by the Division as provided in Regulation Number 3, Part B, II.B upon a request for transfer of ownership and the submittal of a revised APEN and the required fee.
- 19. If this permit specifically states that final approval has been granted, then the remainder of this condition is not applicable. Otherwise, the issuance of this construction permit is considered initial approval and does not provide "final" approval for this activity or operation of this source. Final approval of the permit must be secured from the APCD in writing per the provisions of 25-7-114.5(12)(a) C.R.S. and AQCC Regulation Number 3, Part B, III.G. Final approval cannot be granted until the operation or activity commences and has been verified by the APCD as conforming in all respects with the conditions of the permit. Once self-certification of all points has been reviewed and approved by the Division, it will provide written documentation of such final approval. **Details for obtaining final approval to operate are located in the Requirements to Self-Certify for Final Approval section of this permit.** The operator must retain the permit final approval letter issued by the Division after completion of self-certification with the most current construction permit.
- 20. This permit is issued in reliance upon the accuracy and completeness of the information supplied by the applicant and is conditioned upon the conduct of the activity, or construction, installation, and operation of the source, per this information and with representations made by the applicant or applicant's agents. It is valid only for the equipment and operations or activity(ies) specifically identified in this permit. If subsequent operations or testing at the source indicate the information supplied to obtain this permit and relied upon in the creation and issuance of this permit is inaccurate, the source must submit an application to modify the permit to address the inaccuracy(ies). (Reference: Regulation Number 3, Part B III.E.)



By: _____

Sunday A. Fadeyi, P.E.
Permit Engineer

Permit History

Issuance	Date	Description
Issuance 1	This issuance	Initial Approval issued to DataBank Holdings, Ltd

Notes to Permit Holder (as of the date of permit issuance):

- 1) The production, or raw material processing limits and emission limits contained in this permit are based on the production/processing rates requested in the permit application. These limits may be revised upon request of the permittee providing there is no exceedance of any specific emission control regulation or any ambient air quality standard. A revised air pollution emission notice (APEN) and application form must be submitted with a request for a permit revision. (Reference: Regulation Number 3, Part B II.A.4.)
- 2) This source is subject to the Common Provisions Regulation Part II, Subpart E, Affirmative Defense Provision for Excess Emissions During Malfunctions. The permittee shall notify the Division of any malfunction condition which causes a violation of any emission limit or limits stated in this permit as soon as possible, but no later than noon of the next working day, followed by written notice to the Division addressing all of the criteria outlined in Part II.E.1. of the Common Provisions Regulation. See <https://www.colorado.gov/pacific/cdphe/aqcc-regs>.

- 3) The emission levels contained in this permit are based on the following emission factors:

AIRS Points 001, 002 - Diesel fuel consumption

CAS	Pollutant	Emission Factors (lb/1000-gallons of Diesel fuel consumed)		
		Uncontrolled Emission Factors	Controlled Emission Factors	Source
	NOx	445.6674	445.6674	APCD
	CO	102.3384	102.3384	

- 4) Per C.R.S. 25-7-114.1, each Air Pollutant Emission Notice (APEN) associated with this permit is valid for a term of five years from the date it was received by the Division. A revised APEN shall be submitted no later than 30 days before the five-year term expires. Please refer to the most recent annual fee invoice to determine the APEN expiration date for each emissions point associated with this permit. For any questions regarding a specific expiration date call the Division at (303)-692-3150.
- 5) This facility is classified as follows:

Applicable Requirement	Status
Operating Permit	Minor: NOx, CO
PSD	Minor: CO
NANSR	Minor: NOx

- 6) This engine is subject to 40 CFR, Part 63, Subpart ZZZZ - **National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (Federally enforceable only)**. A copy of the complete subpart is available on the EPA website at: <http://www.epa.gov/ttn/atw/rice/ricepg.html>. All initial notifications, compliance demonstrations, and required documentation should be submitted directly to U.S. EPA Region 8 and copies sent to the Colorado Air Pollution Control Division
- 7) The full text of the Title 40, Protection of Environment Electronic Code of Federal Regulations can be found at the website listed below:
<http://ecfr.gpoaccess.gov/>

Part 60: Standards of Performance for New Stationary Sources		
NSPS	60.4200-60.4219	Subpart IIII
Part 63: National Emission Standards for Hazardous Air Pollutants for Source Categories		
MACT	63.6580-63.6675	Subpart ZZZZ

- 8) The manufacturer's certification of compliance with the New Source Performance Standards Subpart IIII was not submitted with the original application for this permit.

- 9) The permit holder is required to pay fees for the processing time for this permit. An invoice for these fees will be issued after the permit is issued. The permit holder shall pay the invoice within 30 days of receipt of the invoice. Failure to pay the invoice will result in revocation of this permit (Reference: Regulation No. 3, Part A, Section VI.B.)
- 10) Unless specifically stated otherwise, the general and specific conditions contained in this permit have been determined by the Division to be necessary to assure compliance with the provisions of Section 25-7-114.5(7)(a), C.R.S.
- 11) Each condition of this permit is a material part hereof and is not severable. Any challenge to or appeal of a condition hereof shall constitute a rejection of the entire permit and upon such occurrence, this permit shall be deemed denied *ab initio*. This permit may be revoked at any time before self-certification and final authorization by the Division on grounds outlined in the Colorado Air Pollution Prevention and Control Act and regulations of the AQCC including failure to meet any express term or condition of the permit. If the Division denies a permit, conditions imposed upon a permit are contested by the applicant, or the Division revokes a permit, the applicant or owner or operator of a source may request a hearing before the AQCC for review of the Division's action.
- 12) Section 25-7-114.7(2)(a), C.R.S. requires that all sources required to file an Air Pollutant Emission Notice (APEN) must **pay an annual fee** to cover the costs of inspections and administration. If a source or activity is to be discontinued, the owner must notify the Division in writing requesting a cancellation of the permit. Upon notification, annual fee billing will terminate.
- 13) Violation of the terms of a permit or the provisions of the Colorado Air Pollution Prevention and Control Act or the regulations of the AQCC may result in administrative, civil, or criminal enforcement actions under Sections 25-7-115 (enforcement), -121 (injunctions), -122 (civil penalties), -122.1 (criminal penalties), C.R.S.

ATTACHMENT A:

ALTERNATIVE OPERATING SCENARIOS

STATIONARY (CI) ENGINE

October 1, 2011

The current AOS requirements have been included as per below. AOS requirements can change based on new/modified regulations or changes to the facility status. The permittee must comply with the appropriate AOS requirements contained in the most recently issued version of PS-Memo 98-06, available on the Division's website, which may be different than the requirements below.

2. Alternative Operating Scenarios

The following Alternative Operating Scenario (AOS) for the temporary and permanent replacement of Stationary (CI) engines has been reviewed in accordance with the requirements of Regulation No. 3., Part A, Section IV.A, Operational Flexibility- Alternative Operating Scenarios, Regulation No. 3, Part B, Construction Permits, and Regulation No. 3, Part D, Major Stationary Source New Source Review and Prevention of Significant Deterioration, and it has been found to meet all applicable substantive and procedural requirements. This permit incorporates and shall be considered a Construction Permit for any engine replacement performed per this AOS, and the owner or operator shall be allowed to perform such engine replacement without applying for a revision to this permit or obtaining a new Construction Permit.

2.1 Engine Replacement

The following AOS is incorporated into this permit to deal with an engine breakdown or periodic routine maintenance and repair of an existing onsite engine that requires the use of either a temporary or permanent replacement engine. "Temporary" is defined as in the same service for 90 operating days or less in any 12 months.

"Permanent" is defined as in the same service for more than 90 operating days in any 12 months. The 90 days is the total number of days that the engine is in operation. If the engine operates only part of a day, that day shall count as a single day towards the 90-day total. The compliance demonstrations and any periodic monitoring required by this AOS are in addition to any compliance demonstrations or periodic monitoring required by this permit.

All replacement engines are subject to all federally applicable and state-only requirements set forth in this permit (including monitoring and record keeping).

The results of all tests and the associated calculations required by this AOS shall be submitted to the Division within 60 days. Results of all tests shall be kept on-site for five (5) years and made available to the Division upon request.

The owner or operator shall maintain a log on-site and contemporaneously record the start and stop date of any engine replacement, the manufacturer, date of manufacture, model number, horsepower, and the serial number of the engine(s) that are replaced during the term of this permit, and the manufacturer, model number, horsepower, and the serial number of the replacement engine.

2.1.1 The owner or operator may **temporarily** replace an existing engine that is covered by this permit with a different engine without modifying this permit; so long as the temporary replacement engine complies with all permit limitations and other requirements applicable to the existing engine. Calculation of emissions from the temporary replacement engine shall be made as set forth in section 2.1.3.

2.1.2 An Air Pollutant Emissions Notice (APEN) that includes the specific manufacturer, model, serial number, and horsepower of the permanent replacement engine shall be filed with the Division for the permanent replacement engine within 14 calendar days of

commencing operation of the replacement engine. The APEN shall be accompanied by the appropriate APEN filing fee, a cover letter explaining that the owner or operator is exercising an alternative operating scenario and is installing a permanent replacement engine, and an analysis of any new applicable requirements for the replacement engine as required by Condition 2.2. This submittal shall be accompanied by a certification from the Responsible Official indicating that “based on the information and belief formed after reasonable inquiry, the statements and information included in the submittal are true, accurate, and complete”.

This AOS cannot be used for permanent engine replacement of a grandfathered or permit-exempt engine or an engine that is not subject to emission limits.

The owner or operator shall agree to pay fees based on the normal permit processing rate for review of information submitted to the Division regarding any permanent engine replacement.

2.1.3 Compliance of the replacement engine with the applicable emission limitations of the original engine shall be monitored by one of the following methods:

- 1) Manufacturer-certified emission factors showing compliance.
- 2) Stack tests of the same make and model showing compliance. This would only be considered if the test was done under similar conditions to Colorado (i.e. at altitude).
- 3) Stack tests on the engine.

2.2 Applicable Regulations for Permanent Engine Replacements

2.2.1 NSPS for stationary compression ignition internal combustion engines: 40 CFR

Part 60, Subpart IIII

A permanent replacement engine that is ordered after July 11, 2005, and manufactured after April 1, 2006, or is modified or reconstructed after July 11, 2005, is subject to the requirements of 40 CFR Part 60, Subpart IIII. An analysis of applicable monitoring, recordkeeping, and reporting requirements for the permanent engine replacement shall be included in any request for a permanent engine replacement.

Note that under the provisions of Regulation No. 6. Part B, section I.B. the Relocation of a source from outside of the State of Colorado into the State of Colorado is considered to be a new source, subject to the requirements of Regulation No. 6 (i.e., the date that the source is first relocated to Colorado becomes equivalent to the date of manufacture for purposes of determining the applicability of NSPS IIII requirements).

2.2.2. MACT for Stationary Reciprocating Internal Combustion Engines: 40 CFR Part 63, Subpart ZZZZ.

Any permanent replacement engine located at either an area or major source is subject to the requirements of 40 CFR Part 63, Subpart ZZZZ. An analysis of applicable monitoring, recordkeeping, and reporting requirements for the permanent engine replacement shall be included in any request for a permanent engine replacement.

2.3 Additional Sources

The replacement of an existing engine with a new engine is viewed by the Division as the installation of a new emissions unit, not a “routine replacement” of an existing unit. The AOS is therefore essentially an advanced construction permit review. The AOS cannot be used for the addition of new emission points for any site; an engine that is being installed as an entirely new

emission point and not as part of an AOS-approved replacement of an existing onsite engine has to go through the appropriate Construction/Operating permitting process before installation.