

January 17, 2018

Beverly McKeone
NSR Permitting Program Manager
WV DEP – Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

**Subject: Class II Administrative Update to Permit R13-2306E
 Harrison County Coal Company – Harrison County Preparation Plant**

Dear Ms. McKeone:

The Harrison County Coal Company (HCCC) is submitting this request for a Class II Administrative Update to the (45 CSR 13) Permit to Construct (R13-2306E) issued on July 11, 2016, for a coal preparation plant located in Harrison County, West Virginia (Harrison County Preparation Plant). HCCC is submitting this request for a Class II Administrative Update to install one (1) new refuse conveyor and one (1) new refuse bin at the Harrison County Preparation Plant. HCCC intends to use this conveyor to transport coal refuse uphill, as opposed to using loaded trucks to transport the refuse. This change will allow for increased operational flexibility at the mine by allowing HCCC to either use trucks or the new conveyor as deemed appropriate at the time.

Please see Attachment N of the application package for detailed emissions calculations demonstrating that the emissions increases do not exceed the modification thresholds of six (6) pounds per hour (lb/hr) **and** ten (10) tons per year (tpy) or 144 lb/day provided in 45 CSR 13-2.17. Therefore, the proposed project does not constitute a modification under 45 CSR 13-2.17 and can be incorporated through a Class II Administrative Update to R13-2306E.

Please find enclosed one (1) hard copy and two (2) CDs containing the Class II Administrative Update application with the required attachments and forms. HCCC will contact DAQ to initiate payment of the applicable permit application fees via credit card. The fees will include the permit application fee of \$300 provided in 45CSR13-4.4 and the additional NSPS review fee of \$1,000 for the applicability of NSPS Y in accordance with 45CSR22-3.4.b. Should you have any questions on this application, please do not hesitate to contact Mr. James Earp at (740) 338-3309.

Sincerely,

HARRISON COUNTY COAL COMPANY

Robert D. Moore
Vice President

Attachments



CLASS II ADMINISTRATIVE UPDATE APPLICATION

The Harrison County Coal Company
Harrison County Preparation Plant

Permit R13-2306E

Prepared By:

TRINITY CONSULTANTS
110 Polaris Pkwy Suite #200
Westerville, Ohio 43082
(614) 443-0733

January 2018

Project 173601.0177

Trinity 
Consultants

Environmental solutions delivered uncommonly well

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GENERAL APPLICATION FORM



WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF AIR QUALITY

601 57th Street, SE
Charleston, WV 25304
(304) 926-0475
www.dep.wv.gov/daq

**APPLICATION FOR NSR PERMIT
AND
TITLE V PERMIT REVISION
(OPTIONAL)**

PLEASE CHECK ALL THAT APPLY TO **NSR (45CSR13)** (IF KNOWN):

- CONSTRUCTION MODIFICATION RELOCATION
 CLASS I ADMINISTRATIVE UPDATE TEMPORARY
 CLASS II ADMINISTRATIVE UPDATE AFTER-THE-FACT

PLEASE CHECK TYPE OF **45CSR30 (TITLE V)** REVISION (IF ANY):

- ADMINISTRATIVE AMENDMENT MINOR MODIFICATION
 SIGNIFICANT MODIFICATION

IF ANY BOX ABOVE IS CHECKED, INCLUDE TITLE V REVISION INFORMATION AS **ATTACHMENT S** TO THIS APPLICATION

FOR TITLE V FACILITIES ONLY: Please refer to "Title V Revision Guidance" in order to determine your Title V Revision options (Appendix A, "Title V Permit Revision Flowchart") and ability to operate with the changes requested in this Permit Application.

Section I. General

1. Name of applicant (as registered with the WV Secretary of State's Office): The Harrison County Coal Company		2. Federal Employer ID No. (FEIN): 13-2566594	
3. Name of facility (if different from above): The Harrison County Preparation Plant		4. The applicant is the: <input type="checkbox"/> OWNER <input type="checkbox"/> OPERATOR <input checked="" type="checkbox"/> BOTH	
5A. Applicant's mailing address: 46226 National Road W St. Clairsville, OH 43950		5B. Facility's present physical address: Prospect Valley Road, Shinnston, WV	
6. West Virginia Business Registration. Is the applicant a resident of the State of West Virginia? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – If YES, provide a copy of the Certificate of Incorporation/Organization/Limited Partnership (one page) including any name change amendments or other Business Registration Certificate as Attachment A . – If NO, provide a copy of the Certificate of Authority/Authority of L.L.C./Registration (one page) including any name change amendments or other Business Certificate as Attachment A .			
7. If applicant is a subsidiary corporation, please provide the name of parent corporation:			
8. Does the applicant own, lease, have an option to buy or otherwise have control of the <i>proposed site</i> ? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – If YES, please explain: The land occupied by the Harrison County Preparation plant is owned the Harrison County Coal Company – If NO, you are not eligible for a permit for this source.			
9. Type of plant or facility (stationary source) to be constructed, modified, relocated, administratively updated or temporarily permitted (e.g., coal preparation plant, primary crusher, etc.): Underground Coal Mine and associated Preparation Plant		10. North American Industry Classification System (NAICS) code for the facility: 212112	
11A. DAQ Plant ID No. (for existing facilities only): 03-54-03300018		11B. List all current 45CSR13 and 45CSR30 (Title V) permit numbers associated with this process (for existing facilities only): R30-03300018-2016, R13-2306E	

All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.

<p>12A.</p> <ul style="list-style-type: none"> For Modifications, Administrative Updates or Temporary permits at an existing facility, please provide directions to the <i>present location</i> of the facility from the nearest state road; For Construction or Relocation permits, please provide directions to the <i>proposed new site location</i> from the nearest state road. Include a MAP as Attachment B. <p>From US Route 19 in Shinnston, travel west on County Road 3 for 2.8 miles. Turn left on County Road 3/4 for 1.2 miles to the preparation plant.</p>		
12.B. New site address (if applicable): N/A	12C. Nearest city or town: Shinnston	12D. County: Harrison
12.E. UTM Northing (KM): 4,361.54	12F. UTM Easting (KM): 554.82	12G. UTM Zone: 17
<p>13. Briefly describe the proposed change(s) at the facility: The Harrison County Coal Company plans to install one (1) new refuse conveyor and one (1) new refuse bin.</p>		
<p>14A. Provide the date of anticipated installation or change: Upon permit issuance</p> <ul style="list-style-type: none"> If this is an After-The-Fact permit application, provide the date upon which the proposed change did happen: N/A 		<p>14B. Date of anticipated Start-Up if a permit is granted: Upon permit issuance</p>
<p>14C. Provide a Schedule of the planned Installation of/Change to and Start-Up of each of the units proposed in this permit application as Attachment C (if more than one unit is involved). See attached.</p>		
<p>15. Provide maximum projected Operating Schedule of activity/activities outlined in this application: Hours Per Day 24 Days Per Week 7 Weeks Per Year 52</p>		
<p>16. Is demolition or physical renovation at an existing facility involved? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>		
<p>17. Risk Management Plans. If this facility is subject to 112(r) of the 1990 CAAA, or will become subject due to proposed changes (for applicability help see www.epa.gov/ceppo), submit your Risk Management Plan (RMP) to U. S. EPA Region III. N/A</p>		
<p>18. Regulatory Discussion. List all Federal and State air pollution control regulations that you believe are applicable to the proposed process (<i>if known</i>). A list of possible applicable requirements is also included in Attachment S of this application (Title V Permit Revision Information). Discuss applicability and proposed demonstration(s) of compliance (<i>if known</i>). Provide this information as Attachment D. See Attached.</p>		
<p>Section II. Additional attachments and supporting documents.</p>		
<p>19. Include a check payable to WVDEP – Division of Air Quality with the appropriate application fee (per 45CSR22 and 45CSR13). HCCC will contact DEP to make payment via credit card.</p>		
<p>20. Include a Table of Contents as the first page of your application package. See attached.</p>		
<p>21. Provide a Plot Plan, e.g. scaled map(s) and/or sketch(es) showing the location of the property on which the stationary source(s) is or is to be located as Attachment E (Refer to Plot Plan Guidance) .</p> <ul style="list-style-type: none"> Indicate the location of the nearest occupied structure (e.g. church, school, business, residence). See Attached. 		
<p>22. Provide a Detailed Process Flow Diagram(s) showing each proposed or modified emissions unit, emission point and control device as Attachment F. See attached.</p>		
<p>23. Provide a Process Description as Attachment G. See attached.</p> <ul style="list-style-type: none"> Also describe and quantify to the extent possible all changes made to the facility since the last permit review (if applicable). 		
<p>All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.</p>		

24. Provide **Material Safety Data Sheets (MSDS)** for all materials processed, used or produced as **Attachment H**.
 – For chemical processes, provide a MSDS for each compound emitted to the air. N/A – no chemical process involved in proposed modifications

25. Fill out the **Emission Units Table** and provide it as **Attachment I**. See attached.

26. Fill out the **Emission Points Data Summary Sheet (Table 1 and Table 2)** and provide it as **Attachment J**. See attached

27. Fill out the **Fugitive Emissions Data Summary Sheet** and provide it as **Attachment K**. See attached

28. Check all applicable **Emissions Unit Data Sheets** listed below:

<input type="checkbox"/> Bulk Liquid Transfer Operations	<input type="checkbox"/> Haul Road Emissions	<input type="checkbox"/> Quarry
<input type="checkbox"/> Chemical Processes	<input type="checkbox"/> Hot Mix Asphalt Plant	<input type="checkbox"/> Solid Materials Sizing, Handling and Storage Facilities
<input type="checkbox"/> Concrete Batch Plant	<input type="checkbox"/> Incinerator	<input type="checkbox"/> Storage Tanks
<input type="checkbox"/> Grey Iron and Steel Foundry	<input type="checkbox"/> Indirect Heat Exchanger	
<input checked="" type="checkbox"/> General Emission Unit, specify Conveyor and Refuse Bin		

Fill out and provide the **Emissions Unit Data Sheet(s)** as **Attachment L**. See attached.

29. Check all applicable **Air Pollution Control Device Sheets** listed below:

<input type="checkbox"/> Absorption Systems	<input type="checkbox"/> Baghouse	<input type="checkbox"/> Flare
<input type="checkbox"/> Adsorption Systems	<input type="checkbox"/> Condenser	<input type="checkbox"/> Mechanical Collector
<input type="checkbox"/> Afterburner	<input type="checkbox"/> Electrostatic Precipitator	<input type="checkbox"/> Wet Collecting System
<input type="checkbox"/> Other Collectors, specify		

Fill out and provide the **Air Pollution Control Device Sheet(s)** as **Attachment M**.

30. Provide all **Supporting Emissions Calculations** as **Attachment N**, or attach the calculations directly to the forms listed in Items 28 through 31. See attached.

31. **Monitoring, Recordkeeping, Reporting and Testing Plans.** Attach proposed monitoring, recordkeeping, reporting and testing plans in order to demonstrate compliance with the proposed emissions limits and operating parameters in this permit application. Provide this information as **Attachment O**. See attached.

➤ Please be aware that all permits must be practically enforceable whether or not the applicant chooses to propose such measures. Additionally, the DAQ may not be able to accept all measures proposed by the applicant. If none of these plans are proposed by the applicant, DAQ will develop such plans and include them in the permit.

32. **Public Notice.** At the time that the application is submitted, place a **Class I Legal Advertisement** in a newspaper of general circulation in the area where the source is or will be located (See 45CSR§13-8.3 through 45CSR§13-8.5 and **Example Legal Advertisement** for details). Please submit the **Affidavit of Publication** as **Attachment P** immediately upon receipt. See attached

33. **Business Confidentiality Claims.** Does this application include confidential information (per 45CSR31)?

YES NO

➤ If **YES**, identify each segment of information on each page that is submitted as confidential and provide justification for each segment claimed confidential, including the criteria under 45CSR§31-4.1, and in accordance with the DAQ's "**Precautionary Notice – Claims of Confidentiality**" guidance found in the **General Instructions** as **Attachment Q**.

Section III. Certification of Information

34. **Authority/Delegation of Authority.** Only required when someone other than the responsible official signs the application. Check applicable **Authority Form** below:

<input checked="" type="checkbox"/> Authority of Corporation or Other Business Entity	<input type="checkbox"/> Authority of Partnership
<input type="checkbox"/> Authority of Governmental Agency	<input type="checkbox"/> Authority of Limited Partnership

Submit completed and signed **Authority Form** as **Attachment R**.

All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.

35A. **Certification of Information.** To certify this permit application, a Responsible Official (per 45CSR§13-2.22 and 45CSR§30-2.28) or Authorized Representative shall check the appropriate box and sign below.

Certification of Truth, Accuracy, and Completeness

I, the undersigned **Responsible Official** / **Authorized Representative**, hereby certify that all information contained in this application and any supporting documents appended hereto, is true, accurate, and complete based on information and belief after reasonable inquiry I further agree to assume responsibility for the construction, modification and/or relocation and operation of the stationary source described herein in accordance with this application and any amendments thereto, as well as the Department of Environmental Protection, Division of Air Quality permit issued in accordance with this application, along with all applicable rules and regulations of the West Virginia Division of Air Quality and W.Va. Code § 22-5-1 et seq. (State Air Pollution Control Act). If the business or agency changes its Responsible Official or Authorized Representative, the Director of the Division of Air Quality will be notified in writing within 30 days of the official change.

Compliance Certification

Except for requirements identified in the Title V Application for which compliance is not achieved, I, the undersigned hereby certify that, based on information and belief formed after reasonable inquiry, all air contaminant sources identified in this application are in compliance with all applicable requirements.

SIGNATURE 
(Please use blue ink)

DATE: 2/2/2018
(Please use blue ink)

35B. Printed name of signee: Robert D. Moore

35C. Title: Vice President

35D. E-mail: kimbetcher@coalsource.com

36E. Phone: (740)338-3100

36F. FAX: (740) 338-3416

36A. Printed name of contact person (if different from above): James Earp

36B. Title: Permit Engineer

36C. E-mail: jamesearp@coalsource.com

36D. Phone: (740) 338-3309

36E. FAX: (740) 338-3416

PLEASE CHECK ALL APPLICABLE ATTACHMENTS INCLUDED WITH THIS PERMIT APPLICATION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Attachment A: Business Certificate | <input checked="" type="checkbox"/> Attachment K: Fugitive Emissions Data Summary Sheet |
| <input checked="" type="checkbox"/> Attachment B: Map(s) | <input checked="" type="checkbox"/> Attachment L: Emissions Unit Data Sheet(s) |
| <input checked="" type="checkbox"/> Attachment C: Installation and Start Up Schedule | <input type="checkbox"/> Attachment M: Air Pollution Control Device Sheet(s) |
| <input checked="" type="checkbox"/> Attachment D: Regulatory Discussion | <input checked="" type="checkbox"/> Attachment N: Supporting Emissions Calculations |
| <input checked="" type="checkbox"/> Attachment E: Plot Plan | <input checked="" type="checkbox"/> Attachment O: Monitoring/Recordkeeping/Reporting/Testing Plans |
| <input checked="" type="checkbox"/> Attachment F: Detailed Process Flow Diagram(s) | <input checked="" type="checkbox"/> Attachment P: Public Notice |
| <input checked="" type="checkbox"/> Attachment G: Process Description | <input type="checkbox"/> Attachment Q: Business Confidential Claims |
| <input type="checkbox"/> Attachment H: Material Safety Data Sheets (MSDS) | <input type="checkbox"/> Attachment R: Authority Forms |
| <input checked="" type="checkbox"/> Attachment I: Emission Units Table | <input type="checkbox"/> Attachment S: Title V Permit Revision Information |
| <input checked="" type="checkbox"/> Attachment J: Emission Points Data Summary Sheet | <input checked="" type="checkbox"/> Application Fee |

Please mail an original and three (3) copies of the complete permit application with the signature(s) to the DAQ, Permitting Section, at the address listed on the first page of this application. Please DO NOT fax permit applications.

FOR AGENCY USE ONLY – IF THIS IS A TITLE V SOURCE:

- Forward 1 copy of the application to the Title V Permitting Group and:
- For Title V Administrative Amendments:
 - NSR permit writer should notify Title V permit writer of draft permit,
- For Title V Minor Modifications:
 - Title V permit writer should send appropriate notification to EPA and affected states within 5 days of receipt,
 - NSR permit writer should notify Title V permit writer of draft permit.
- For Title V Significant Modifications processed in parallel with NSR Permit revision:
 - NSR permit writer should notify a Title V permit writer of draft permit,
 - Public notice should reference both 45CSR13 and Title V permits,
 - EPA has 45 day review period of a draft permit.

All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.

ATTACHMENT A: BUSINESS CERTIFICATE

**WEST VIRGINIA
STATE TAX DEPARTMENT
BUSINESS REGISTRATION
CERTIFICATE**

ISSUED TO:
**THE HARRISON COUNTY COAL COMPANY
71 CAMP RUN ROAD
MANNINGTON, WV 26585-0000**

BUSINESS REGISTRATION ACCOUNT NUMBER: 2294-1449

This certificate is issued on: **04/17/2014**

*This certificate is issued by
the West Virginia State Tax Commissioner
in accordance with Chapter 11, Article 12, of the West Virginia Code*

*The person or organization identified on this certificate is registered
to conduct business in the State of West Virginia at the location above.*

This certificate is not transferrable and must be displayed at the location for which issued

This certificate shall be permanent until cessation of the business for which the certificate of registration was granted or until it is suspended, revoked or cancelled by the Tax Commissioner.

Change in name or change of location shall be considered a cessation of the business and a new certificate shall be required.

TRAVELING/STREET VENDORS: Must carry a copy of this certificate in every vehicle operated by them.
CONTRACTORS, DRILLING OPERATORS, TIMBER/LOGGING OPERATIONS: Must have a copy of this certificate displayed at every job site within West Virginia.

00010502020000





STATE OF WEST VIRGINIA
State Tax Department, Revenue Division
P. O. Box 2666
Charleston, WV 25330-2666



Earl Ray Tomblin, Governor

Mark W. Matkovich, Tax Commissioner

THE HARRISON COUNTY COAL COMPANY
46226 NATIONAL RD W
SAINT CLAIRSVILLE OH 43950-8742

Letter Id: L2002992192
Issued: 04/17/2014
Account #: 2294-1449

00010502010000



RE: Business Registration Certificate

The West Virginia State Tax Department would like to thank you for registering your business. Enclosed is your Business Registration Certificate. This certificate shall be permanent until cessation of business or until suspended, revoked or cancelled. Changes in name, ownership or location are considered a cessation of business; a new Business Registration Certificate and applicable fees are required. Please review the certificate for accuracy.

This certificate must be prominently displayed at the location for which issued. Engaging in business without conspicuously posting a West Virginia Business Registration Certificate in the place of business is a crime and may subject you to fines per W.Va. Code § 11-9.

When contacting the State Tax Department, refer to the appropriate account number listed on the back of this page. The taxes listed may not be all the taxes for which you are responsible. Account numbers for taxes are printed on the tax returns mailed by the State Tax Department. Failure to timely file tax returns may result in penalties for late filing.

Should the nature of your business activity or business ownership change, your liability for these and other taxes will change accordingly.

To learn more about these taxes and the services offered by the West Virginia State Tax Department, visit our web site at www.wvtax.gov.

Enclosure

atL006 v.4

Save a stamp and your time. You can now view, file and pay taxes at <https://mytaxes.wvtax.gov>
More taxes will be available for online access in the future.

TAX	FILING FREQUENCY	ACCOUNT NUMBER
Business Registration Tax		2294-1449
Coal Severance Tax	Coal Severance Monthly	2300-1330
Combined Sales & Use Tax	Combined Sales & Use Monthly	2300-7973
Corp. Income & Franchise Tax	Corp Inc & Franchise Annual	2292-5050
WC/Additional Severance Tax	WC/Add Sev. Monthly	2300-9831
Withholding Tax	Withholding Quarterly	2300-2827

Figure B-1. Area Map for the Harrison County Preparation Plant



ATTACHMENT C: INSTALLATION AND STARTUP SCHEDULE

Installation and operation of the new equipment will not occur until the revised R13 permit has been issued.

ATTACHMENT D: REGULATORY DISCUSSION

This section documents the applicability determinations made for federal and state air quality regulations. Federal and WVDEP state regulations that are potentially applicable to the Harrison County Preparation Plant are listed in Tables D-1 and D-2. Notes are provided for each applicability determination briefly summarizing why each regulation is considered applicable.

Table D-1. Federal Applicability

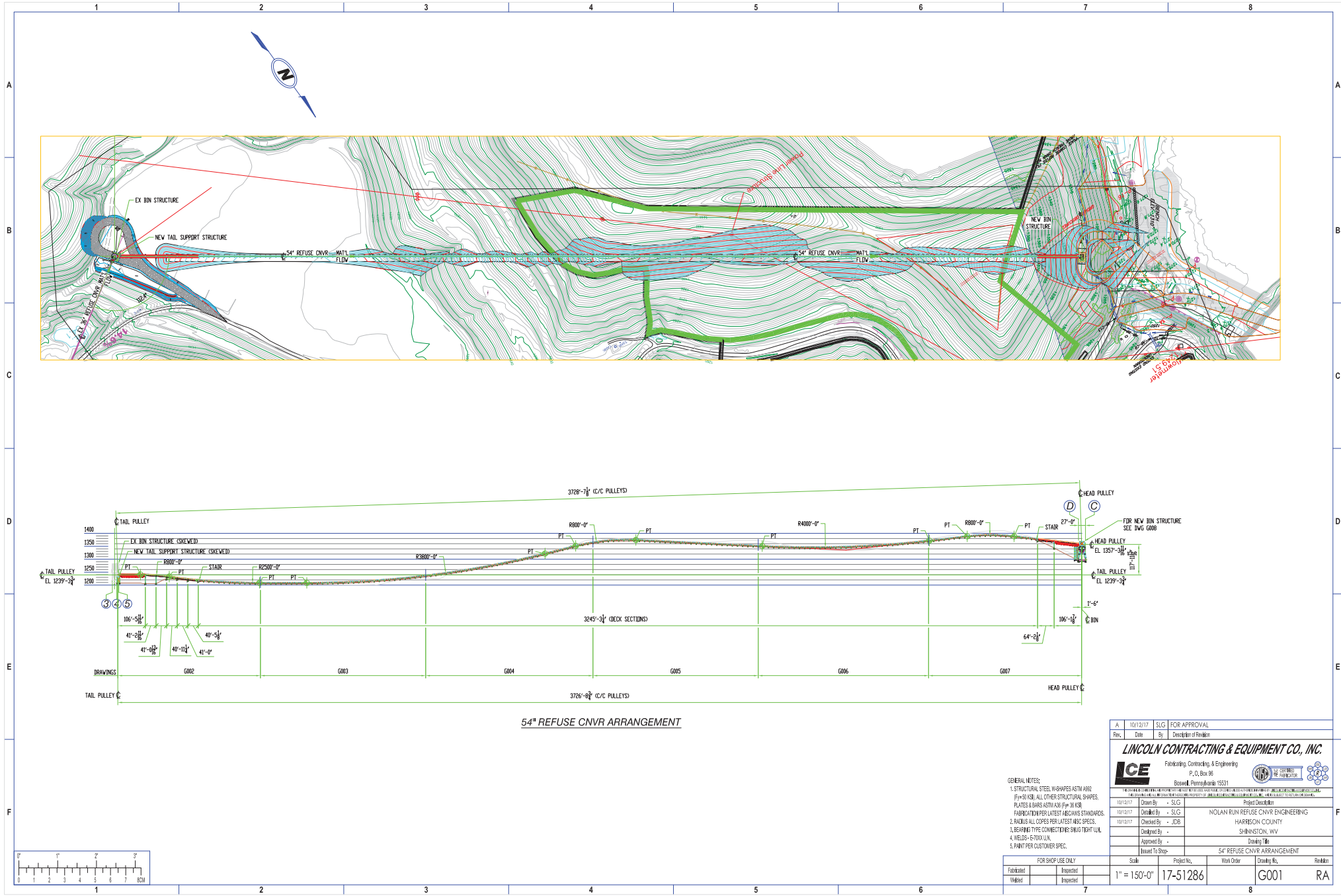
Regulation	Applicability
40 CFR 60, Subpart A – “General Provisions”	These general requirements are applicable to stationary sources that are subject to a source-specific NSPS that references 40 CFR 60, Subpart A. HCCC is required to comply with Subpart Y.
40 CFR 60, Subpart Y – “Standards of Performance for Coal Preparation and Processing Plants”	The new conveyor and refuse bin are subject to the NSPS Y. HCCC will comply with the opacity limitation and the applicable monitoring, recordkeeping, and reporting requirements outlined in this subpart.
40 CFR 70 – “State Operating Programs”	HCCC is submitting a simultaneous request for a minor permit modification to incorporate the proposed changes into the R30 operating permit.

Table D-2. State Rule Applicability

Rule	Applicability
45CSR5 – “To Prevent and Control Particulate Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations, and Coal Refuse Disposal Areas”	HCCC is subject to the standards and provisions in 45CSR5. The refuse conveyor and refuse bin will be subject to these provisions. HCCC will comply with this rule by observing good operating practices to minimize dust generation.
45CSR13 – “Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, and Procedures for Evaluation”	Generally applicable. HCCC is required to apply for a Class II administrative update for the proposed change to the refuse conveyor and refuse bin.
45CSR16 – “Standards of Performance for New Stationary Sources Pursuant to 40 CFR Part 60”	The new conveyor and refuse bin are subject to the NSPS Y. HCCC will comply with the opacity limitation and the applicable monitoring, recordkeeping, and reporting requirements outlined in this subpart.
45CSR22 – “Air Quality Management Fee Program”	Generally applicable.
45CSR30 – “Requirements for Operating Permits”	HCCC is submitting a simultaneous request for a minor permit modification to incorporate the proposed changes into the R30 operating permit.

ATTACHMENT E: PLOT PLAN

E:\Active\17-51286 - Harrison County - Nolan Run Refuse Cnvr Engineering\FinalDwgs\GA\51286\G001RA.dwg, 10/18/2017 3:42:50 PM, Bluebeam PDF

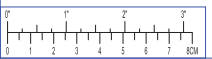


54" REFUSE CNVR ARRANGEMENT

- GENERAL NOTES:
1. STRUCTURAL STEEL, W/SHAPES ASTM A500
 2. PIPING, ALL OTHERS STRUCTURAL SHAPES, PLATES & GASKETS ASTM A36 (F=36 KSI). FABRICATED PER LATEST AISC'S STANDARDS.
 3. RADIUS ALL COPES PER LATEST AISC'S SPECS.
 4. BEARING TYPE CONNECTIONS SHAW TIGHT UN.
 5. WELDS - E-7018 UN.
 6. PAINT PER CUSTOMER SPEC.

Rev.	Date	By	Description of Revision
A	10/12/17	SLG	FOR APPROVAL

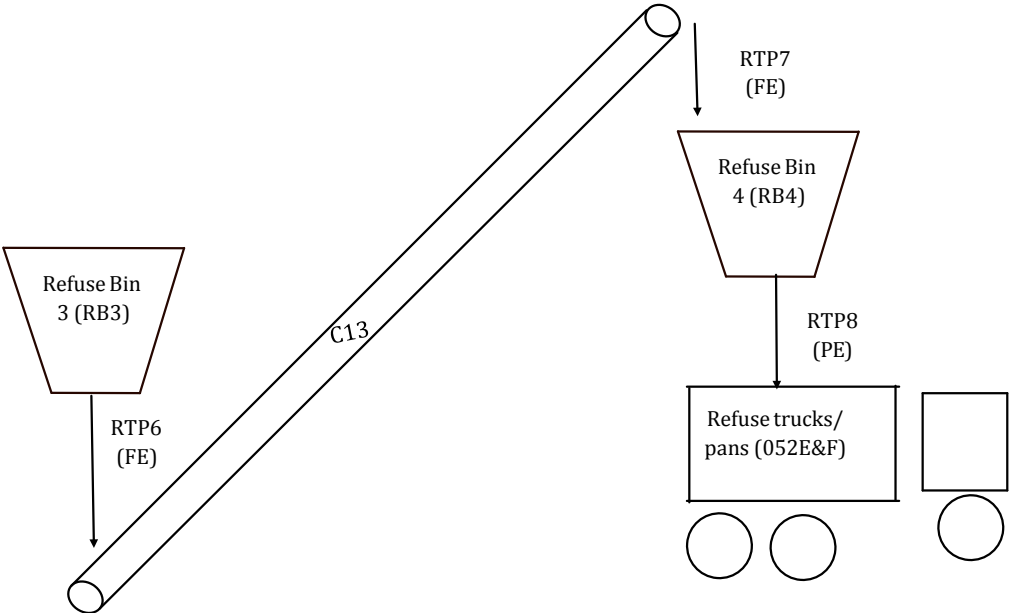
LINCOLN CONTRACTING & EQUIPMENT CO., INC. Fabricating, Contracting, & Engineering P.O. Box 96 Board, Pennsylvania 15331		
10/12/17 10/12/17 10/12/17	Drawn By - SLG Detail By - SLG Checked By - JDB	
Project Description NOLAN RUN REFUSE CNVR ENGINEERING HARRISON COUNTY SHINNSTON, WV		Drawing Title 54" REFUSE CNVR ARRANGEMENT
Scale 1" = 150'-0"		Project No. 17-51286
Work Order G001		Recheck RA



ATTACHMENT F: PROCESS FLOW DIAGRAM

Attachment F - Process Flow Diagram

Harrison County Preparation Plant - Refuse Beltline Project



ATTACHMENT G: PROCESS DESCRIPTION

Operations at the Harrison County Preparation Plant consist of conveying the raw coal procured from an existing mine portal to two (2) raw coal storage silos. From the raw coal storage silos, coal is conveyed to a breaker building, where the raw coal is screened and separated into two (2) distinct material streams: the refuse stream is crushed, conveyed to a rock storage bin, and ultimately transported to refuse storage piles by refuse trucks, and the “plant feed” coal is conveyed to a raw coal storage silo and the raw coal stockpile, and ultimately transported to the wet wash preparation plant. The project will not involve increases of the permitted hourly or annual maximum throughput of any other process equipment at the Harrison County Preparation Plant.

Two types of material exit the preparation plant. The first type of material is refuse. The refuse is conveyed to one (1) of three (3) refuse storage bins before ultimately being transferred to the refuse disposal area via truck. The second type of material exiting the preparation plant is clean coal, which is raw coal that has been screened, sized, and washed in the preparation plant. From the wet wash preparation plant, clean coal is either conveyed to two (2) storage silos and ultimately loaded out via railcars or transported to the Harrison Power Station.

As described throughout this application, HCCC proposes to install a new refuse conveyor that will receive refuse from the existing refuse bin #3. The conveyor will carry coal refuse material uphill to a new refuse storage bin. The new refuse storage bin will dump into trucks which will carry the refuse to the disposal area. The primary objective of the project is to minimize the required truck traffic uphill.

ATTACHMENT I: EMISSION UNITS TABLE

ATTACHMENT J: EMISSION POINTS DATA SUMMARY SHEET

**Attachment J
EMISSION POINTS DATA SUMMARY SHEET**

Table 1: Emissions Data															
Emission Point ID No. (Must match Emission Units Table & Plot Plan)	Emission Point Type ¹	Emission Unit Vented Through This Point (Must match Emission Units Table & Plot Plan)		Air Pollution Control Device (Must match Emission Units Table & Plot Plan)		Vent Time for Emission Unit (chemical processes only)		All Regulated Pollutants - Chemical Name/CAS ³ (Speciate VOCs & HAPS)	Maximum Potential Uncontrolled Emissions ⁴		Maximum Potential Controlled Emissions ⁵		Emission Form or Phase (At exit conditions, Solid, Liquid or Gas/Vapor)	Est. Method Used ⁶	Emission Concentration ⁷ (ppmv or mg/m ⁴)
		ID No.	Source	ID No.	Device Type	Short Term ²	Max (hr/yr)		lb/hr	ton/yr	lb/hr	ton/yr			
RTP7	Fugitive	C13	Refuse Conveyor	FE	Enclosure	N/A	N/A	PM	0.48	1.32	0.10	0.26	Solid	EE	N/A
								PM ₁₀	0.23	0.62	0.05	0.12	Solid	EE	N/A
								PM _{2.5}	0.03	0.09	0.01	0.02	Solid	EE	N/A
RTP8	Fugitive	RB4	Refuse Bin	PE	Enclosure	N/A	N/A	PM	0.48	1.32	0.24	0.66	Solid	EE	N/A
								PM ₁₀	0.23	0.62	0.11	0.31	Solid	EE	N/A
								PM _{2.5}	0.03	0.09	0.02	0.05	Solid	EE	N/A

The EMISSION POINTS DATA SUMMARY SHEET provides a summation of emissions by emission unit. Note that uncaptured process emission unit emissions are not typically considered to be fugitive and must be accounted for on the appropriate EMISSIONS UNIT DATA SHEET and on the EMISSION POINTS DATA SUMMARY SHEET. Please note that total emissions from the source are equal to all vented emissions, all fugitive emissions, plus all other emissions (e.g. uncaptured emissions). Please complete the FUGITIVE EMISSIONS DATA SUMMARY SHEET for fugitive emission activities.

¹ Please add descriptors such as upward vertical stack, downward vertical stack, horizontal stack, relief vent, rain cap, etc.

² Indicate by "C" if venting is continuous. Otherwise, specify the average short-term venting rate with units, for intermittent venting (ie., 15 min/hr). Indicate as many rates as needed to clarify frequency of venting (e.g., 5 min/day, 2 days/wk).

³ List all regulated air pollutants. Speciate VOCs, including all HAPs. Follow chemical name with Chemical Abstracts Service (CAS) number. **LIST** Acids, CO, CS₂, VOCs, H₂S, Inorganics, Lead, Organics, O₃, NO, NO₂, SO₂, SO₃, all applicable Greenhouse Gases (including CO₂ and methane), etc. **DO NOT LIST** H₂, H₂O, N₂, O₂, and Noble Gases.

⁴ Give maximum potential emission rate with no control equipment operating. If emissions occur for less than 1 hr, then record emissions per batch in minutes (e.g. 5 lb VOC/20 minute batch).

⁵ Give maximum potential emission rate with proposed control equipment operating. If emissions occur for less than 1 hr, then record emissions per batch in minutes (e.g. 5 lb VOC/20 minute batch).

⁶ Indicate method used to determine emission rate as follows: MB = material balance; ST = stack test (give date of test); EE = engineering estimate; O = other (specify).

⁷ Provide for all pollutant emissions. Typically, the units of parts per million by volume (ppmv) are used. If the emission is a mineral acid (sulfuric, nitric, hydrochloric or phosphoric)

ATTACHMENT K: FUGITIVE EMISSIONS DATA SUMMARY SHEET

Attachment K

FUGITIVE EMISSIONS DATA SUMMARY SHEET

The FUGITIVE EMISSIONS SUMMARY SHEET provides a summation of fugitive emissions. Fugitive emissions are those emissions which could not reasonably pass through a stack, chimney, vent or other functionally equivalent opening. Note that uncaptured process emissions are not typically considered to be fugitive, and must be accounted for on the appropriate EMISSIONS UNIT DATA SHEET and on the EMISSION POINTS DATA SUMMARY SHEET.

Please note that total emissions from the source are equal to all vented emissions, all fugitive emissions, plus all other emissions (e.g. uncaptured emissions).

APPLICATION FORMS CHECKLIST - FUGITIVE EMISSIONS
1.) Will there be haul road activities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If YES, then complete the HAUL ROAD EMISSIONS UNIT DATA SHEET.
2.) Will there be Storage Piles? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If YES, complete Table 1 of the NONMETALLIC MINERALS PROCESSING EMISSIONS UNIT DATA SHEET.
3.) Will there be Liquid Loading/Unloading Operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If YES, complete the BULK LIQUID TRANSFER OPERATIONS EMISSIONS UNIT DATA SHEET.
4.) Will there be emissions of air pollutants from Wastewater Treatment Evaporation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If YES, complete the GENERAL EMISSIONS UNIT DATA SHEET.
5.) Will there be Equipment Leaks (e.g. leaks from pumps, compressors, in-line process valves, pressure relief devices, open-ended valves, sampling connections, flanges, agitators, cooling towers, etc.)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If YES, complete the LEAK SOURCE DATA SHEET section of the CHEMICAL PROCESSES EMISSIONS UNIT DATA SHEET.
6.) Will there be General Clean-up VOC Operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If YES, complete the GENERAL EMISSIONS UNIT DATA SHEET.
7.) Will there be any other activities that generate fugitive emissions? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If YES, complete the GENERAL EMISSIONS UNIT DATA SHEET or the most appropriate form.
If you answered "NO" to all of the items above, it is not necessary to complete the following table, "Fugitive Emissions Summary."

FUGITIVE EMISSIONS SUMMARY	All Regulated Pollutants - Chemical Name/CAS ¹	Maximum Potential Uncontrolled Emissions ²		Maximum Potential Controlled Emissions ³		Est. Method Used ⁴
		lb/hr	ton/yr	lb/hr	ton/yr	
Haul Road/Road Dust Emissions Paved Haul Roads	N/A	N/A	N/A	N/A	N/A	N/A
Unpaved Haul Roads	N/A	N/A	N/A	N/A	N/A	N/A
Storage Pile Emissions	N/A	N/A	N/A	N/A	N/A	N/A
Loading/Unloading Operations	N/A	N/A	N/A	N/A	N/A	N/A
Wastewater Treatment Evaporation & Operations	N/A	N/A	N/A	N/A	N/A	N/A
Equipment Leaks	N/A	N/A	N/A	N/A	N/A	N/A
General Clean-up VOC Emissions	N/A	N/A	N/A	N/A	N/A	N/A
Other(specify). – Conveyor, Refuse Bin	PM	0.96	2.63	0.34	0.92	EE
	PM ₁₀	0.46	1.25	0.16	0.44	EE
	PM _{2.5}	0.07	0.19	0.02	0.07	EE

¹ List all regulated air pollutants. Speciate VOCs, including all HAPs. Follow chemical name with Chemical Abstracts Service (CAS) number. LIST Acids, CO, CS₂, VOCs, H₂S, Inorganics, Lead, Organics, O₃, NO, NO₂, SO₂, SO₃, all applicable Greenhouse Gases (including CO₂ and methane), etc. DO NOT LIST H₂, H₂O, N₂, O₂, and Noble Gases.

² Give rate with no control equipment operating. If emissions occur for less than 1 hr, then record emissions per batch in minutes (e.g. 5 lb VOC/20 minute batch).

³ Give rate with proposed control equipment operating. If emissions occur for less than 1 hr, then record emissions per batch in minutes (e.g. 5 lb VOC/20 minute batch).

⁴ Indicate method used to determine emission rate as follows: MB = material balance; ST = stack test (give date of test); EE = engineering estimate; O = other

ATTACHMENT L: EMISSIONS UNIT DATA SHEET

Attachment L
EMISSIONS UNIT DATA SHEET
GENERAL

To be used for affected sources other than asphalt plants, foundries, incinerators, indirect heat exchangers, and quarries.

Identification Number (as assigned on *Equipment List Form*):

<p>1. Name or type and model of proposed affected source:</p> <p>Refuse conveyor and bin</p>
<p>2. On a separate sheet(s), furnish a sketch(es) of this affected source. If a modification is to be made to this source, clearly indicated the change(s). Provide a narrative description of all features of the affected source which may affect the production of air pollutants.</p>
<p>3. Name(s) and maximum amount of proposed process material(s) charged per hour:</p> <p>Refuse Conveyor -- 800 tph coal refuse charged Refuse Bin -- 800 tph coal refuse charged</p>
<p>4. Name(s) and maximum amount of proposed material(s) produced per hour:</p> <p>N/A</p>
<p>5. Give chemical reactions, if applicable, that will be involved in the generation of air pollutants:</p> <p>N/A</p>

* The identification number which appears here must correspond to the air pollution control device identification number appearing on the *List Form*.

6. Combustion Data (if applicable):					
(a) Type and amount in appropriate units of fuel(s) to be burned:					
N/A					
(b) Chemical analysis of proposed fuel(s), excluding coal, including maximum percent sulfur and ash:					
N/A					
(c) Theoretical combustion air requirement (ACF/unit of fuel):					
N/A	@	N/A	°F and	N/A	psia.
(d) Percent excess air: N/A					
(e) Type and BTU/hr of burners and all other firing equipment planned to be used:					
N/A					
(f) If coal is proposed as a source of fuel, identify supplier and seams and give sizing of the coal as it will be fired:					
N/A					
(g) Proposed maximum design heat input: N/A × 10 ⁶ BTU/hr.					
7. Projected operating schedule:					
Hours/Day	24	Days/Week	7	Weeks/Year	52

8. Projected amount of pollutants that would be emitted from this affected source if no control devices were used:

@	N/A	°F and	N/A	psia
a. NO _x	-	lb/hr	-	grains/ACF
b. SO ₂	-	lb/hr	-	grains/ACF
c. CO	-	lb/hr	-	grains/ACF
d. PM ₁₀	0.46	lb/hr	-	grains/ACF
e. Hydrocarbons	-	lb/hr	-	grains/ACF
f. VOCs	-	lb/hr	-	grains/ACF
g. Pb	-	lb/hr	-	grains/ACF
h. Specify other(s)				
PM2.5	0.07	lb/hr	-	grains/ACF
		lb/hr		grains/ACF
		lb/hr		grains/ACF
		lb/hr		grains/ACF

NOTE: (1) An Air Pollution Control Device Sheet must be completed for any air pollution device(s) used to control emissions from this affected source.
 (2) Complete the Emission Points Data Sheet.

9. Proposed Monitoring, Recordkeeping, Reporting, and Testing
 Please propose monitoring, recordkeeping, and reporting in order to demonstrate compliance with the proposed operating parameters. Please propose testing in order to demonstrate compliance with the proposed emissions limits.

MONITORING
 See Attachment O

RECORDKEEPING
 See Attachment O

REPORTING
 See Attachment O

TESTING
 See Attachment O

MONITORING. PLEASE LIST AND DESCRIBE THE PROCESS PARAMETERS AND RANGES THAT ARE PROPOSED TO BE MONITORED IN ORDER TO DEMONSTRATE COMPLIANCE WITH THE OPERATION OF THIS PROCESS EQUIPMENT OPERATION/AIR POLLUTION CONTROL DEVICE.

RECORDKEEPING. PLEASE DESCRIBE THE PROPOSED RECORDKEEPING THAT WILL ACCOMPANY THE MONITORING.

REPORTING. PLEASE DESCRIBE THE PROPOSED FREQUENCY OF REPORTING OF THE RECORDKEEPING.

TESTING. PLEASE DESCRIBE ANY PROPOSED EMISSIONS TESTING FOR THIS PROCESS EQUIPMENT/AIR POLLUTION CONTROL DEVICE.

10. Describe all operating ranges and maintenance procedures required by Manufacturer to maintain warranty
 N/A

ATTACHMENT N: SUPPORTING EMISSIONS CALCULATIONS

Table N-1. Project Potential Emissions Summary

PRE-PROJECT POTENTIAL EMISSIONS

	PM (tpy)	PM₁₀ (tpy)	PM_{2.5} (tpy)
Transfers	94.3	44.6	6.8
Crushing/Screening	188.6	89.8	13.5
Roads	423.7	125.1	12.5
Piles	84.9	40.4	6.1
Miscellaneous ^a	-	-	-
TOTAL	791.5	299.9	38.8

PROJECT EMISSIONS INCREASES

	PM (tpy)	PM₁₀ (tpy)	PM_{2.5} (tpy)
Transfers	0.9	0.4	0.1
Crushing/Screening	-	-	-
Roads	-	-	-
Piles	-	-	-
Miscellaneous	-	-	-
TOTAL	0.92	0.44	0.07

POST-PROJECT POTENTIAL EMISSIONS

	PM (tpy)	PM₁₀ (tpy)	PM_{2.5} (tpy)
Transfers	95.2	45.0	6.8
Crushing/Screening	188.6	89.8	13.5
Roads	423.7	125.1	12.5
Piles	84.9	40.4	6.1
Miscellaneous	-	-	-
TOTAL	792.4	300.3	38.9

Table N-2. Transfer Points

EMISSIONS CALCULATIONS

Flow Diagram ID	Emission Source Description	Transfer Capacity (tph) (tpy)		PM Emission Factor ^a (lb/ton)	Contr. Effic. ^b (%)	Moist. Content (%)	Potential to Emit			
							PM (lb/hr)		PM (tpy)	
							Controlled	Uncontrolled	Controlled	Uncontrolled
RTP7	NEW Conveyor (C13) NEW to refuse bin (RB4)	800	4,380,000	0.0006	80	6.5	0.10	0.48	0.26	1.32
RTP8	NEW Refuse bin 4 (RB4) to NEW refuse trucks/pans (052G)	800	4,380,000	0.0006	50	6.5	0.24	0.48	0.66	1.32
TOTAL PM							0.34	0.96	0.92	2.63
TOTAL PM₁₀^c							0.16	0.46	0.44	1.25
TOTAL PM_{2.5}^d							0.02	0.07	0.07	0.19

EMISSION FACTORS AND ASSUMPTIONS

a. Transfer Points (batch and continuous drop operation)

AP42, Section 13.2.4.3, Aggregate Handling and Storage Piles

$$\text{Particulate (lb/ton)} = k \cdot (0.0032) \cdot (U/5)^{1.3} / (M/2)^{1.4}$$

where: k = particle size multiplier (0.74 for TSP; 0.35 for PM₁₀; 0.053 for PM_{2.5})
 U = mean wind speed (@ 6.2 mph for all sources)
 M = material moisture content (%)

b. Control efficiency for full and partial enclosure taken from application instructions for G10-D available from WVDEP.

c. Total PM₁₀ Emissions = Total PM Emissions * (kPM10/kPM)

d. Total PM_{2.5} Emissions = Total PM Emissions * (kPM2.5/kPM)

ATTACHMENT O: MONITORING, RECORDKEEPING, REPORTING AND TESTING PLANS

Refer to the suggested Title V permit language in Attachment S for HCCC's proposed monitoring, recordkeeping, reporting, and testing measures.

ATTACHMENT P: AFFADAVIT OF PUBLICATION

Attachment P includes a copy of the public notice HCCC will submit to the TIMES WEST VIRGINIAN for publication. A certificate of publication will be provided to the WV DEP after the notice has been published.

AIR QUALITY PERMIT NOTICE

Notice of Application

NOTICE IS GIVEN that Harrison County Coal Company has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a Class II Administrative Permit Update to install a new conveyor and refuse bin at the Harrison County Preparation Plant, in Shinnston, in Harrison County, West Virginia. The latitude and longitude coordinates are 39.402984, -80.364170.

The applicant estimates the total increased potential to discharge the following Regulated Air Pollutants will be: Particulate Matter – 0.92 tons per year; Particulate Matter (10 micron diameter or less) – 0.44 tons per year; and Particulate Matter (2.5 micron diameter or less) – 0.07 tons per year.

Startup of operation is planned to begin after issuance of the permit. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE, Charleston, WV 25304, for at least 30 calendar days from the date of publication of this notice.

Any questions regarding this Class II Administrative Permit Update application should be directed to the DAQ at (304) 926-0499, extension 1250 during normal business hours.

Dated this the XX day of January, 2018.

By: Harrison County Coal Company
Robert D. Moore
Vice President
46226 National Road W
St. Clairsville, OH 43950
740-338-3100

ATTACHMENT S: TITLE V REVISION

Attachment S
Title V Permit Revision Information

1. New Applicable Requirements Summary	
Mark all applicable requirements associated with the changes involved with this permit revision:	
<input checked="" type="checkbox"/> SIP	<input type="checkbox"/> FIP
<input checked="" type="checkbox"/> Minor source NSR (45CSR13)	<input type="checkbox"/> PSD (45CSR14)
<input type="checkbox"/> NESHAP (45CSR15)	<input type="checkbox"/> Nonattainment NSR (45CSR19)
<input checked="" type="checkbox"/> Section 111 NSPS (Subpart(s) <u>Y</u>)	<input type="checkbox"/> Section 112(d) MACT standards (Subpart(s) _____)
<input type="checkbox"/> Section 112(g) Case-by-case MACT	<input type="checkbox"/> 112(r) RMP
<input type="checkbox"/> Section 112(i) Early reduction of HAP	<input type="checkbox"/> Consumer/commercial prod. reqts., section 183(e)
<input type="checkbox"/> Section 129 Standards/Reqts.	<input type="checkbox"/> Stratospheric ozone (Title VI)
<input type="checkbox"/> Tank vessel reqt., section 183(f)	<input type="checkbox"/> Emissions cap 45CSR§30-2.6.1
<input type="checkbox"/> NAAQS, increments or visibility (temp. sources)	<input type="checkbox"/> 45CSR27 State enforceable only rule
<input type="checkbox"/> 45CSR4 State enforceable only rule	<input type="checkbox"/> Acid Rain (Title IV, 45CSR33)
<input type="checkbox"/> Emissions Trading and Banking (45CSR28)	<input type="checkbox"/> Compliance Assurance Monitoring (40CFR64) ⁽¹⁾
<input type="checkbox"/> NO _x Budget Trading Program Non-EGUs (45CSR1)	<input type="checkbox"/> NO _x Budget Trading Program EGUs (45CSR26)
<p>⁽¹⁾ If this box is checked, please include Compliance Assurance Monitoring (CAM) Form(s) for each Pollutants Specific Emission Unit (PSEU) (See Attachment H to Title V Application). If this box is not checked, please explain why Compliance Assurance Monitoring is not applicable:</p> <p style="padding-left: 40px;">N/A</p>	

2. Non Applicability Determinations
<p>List all requirements, which the source has determined not applicable to this permit revision and for which a permit shield is requested. The listing shall also include the rule citation and a rationale for the determination.</p> <p>N/A</p>
<input type="checkbox"/> Permit Shield Requested <i>(not applicable to Minor Modifications)</i>

All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.

3. Suggested Title V Draft Permit Language

Are there any changes involved with this Title V Permit revision outside of the scope of the NSR Permit revision? Yes No If Yes, describe the changes below.

Also, please provide **Suggested Title V Draft Permit language** for the proposed Title V Permit revision (including all applicable requirements associated with the permit revision and any associated monitoring /recordkeeping/ reporting requirements), OR attach a marked up pages of current Title V Permit. Please include appropriate citations (Permit or Consent Order number, condition number and/or rule citation (e.g. 45CSR§7-4.1)) for those requirements being added / revised.

5.1.12

5.3.3.

4. Active NSR Permits/Permit Determinations/Consent Orders Associated With This Permit Revision

Permit or Consent Order Number	Date of Issuance	Permit/Consent Order Condition Number
R13-2306E	07/11/2016	
	/ /	
	/ /	

5. Inactive NSR Permits/Obsolete Permit or Consent Orders Conditions Associated With This Revision

Permit or Consent Order Number	Date of Issuance	Permit/Consent Order Condition Number
	MM/DD/YYYY	
	/ /	
	/ /	

6. Change in Potential Emissions

Pollutant	Change in Potential Emissions (+ or -), TPY
PM	+0.92
PM ₁₀	+0.44
PM _{2.5}	+0.07

7. Certification For Use Of Minor Modification Procedures (Required Only for Minor Modification Requests)

Note: This certification must be signed by a responsible official. Applications without a signed certification will be returned as incomplete. The criteria for allowing the use of Minor Modification Procedures are as follows:

- i. Proposed changes do not violate any applicable requirement;
- ii. Proposed changes do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
- iii. Proposed changes do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient air quality impacts, or a visibility increment analysis;
- iv. Proposed changes do not seek to establish or change a permit term or condition for which there is no underlying applicable requirement and which permit or condition has been used to avoid an applicable requirement to which the source would otherwise be subject (synthetic minor). Such terms and conditions include, but are not limited to a federally enforceable emissions cap used to avoid classification as a modification under any provision of Title I or any alternative emissions limit approved pursuant to regulations promulgated under § 112(j)(5) of the Clean Air Act;
- v. Proposed changes do not involve preconstruction review under Title I of the Clean Air Act or 45CSR14 and 45CSR19;
- vi. Proposed changes are not required under any rule of the Director to be processed as a significant modification;

Notwithstanding subparagraph 45CSR§30-6.5.a.1.A. (items i through vi above), minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in rules of the Director which are approved by the U.S. EPA as a part of the State Implementation Plan under the Clean Air Act, or which may be otherwise provided for in the Title V operating permit issued under 45CSR30.

Pursuant to 45CSR§30-6.5.a.2.C., the proposed modification contained herein meets the criteria for use of Minor permit modification procedures as set forth in Section 45CSR§30-6.5.a.1.A. The use of Minor permit modification procedures are hereby requested for processing of this application.

(Signed): _____ <i>(Please use blue ink)</i>	Date: _____ / _____ / _____ <i>(Please use blue ink)</i>
Named (typed): <i>Robert D. Moore</i>	Title: <i>Vice President</i>

Note: Please check if the following included (if applicable):

<input type="checkbox"/>	Compliance Assurance Monitoring Form(s)
<input checked="" type="checkbox"/>	Suggested Title V Draft Permit Language

All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.

TITLE V PERMIT REDLINE

This section includes a redline strikeout version of the appropriate pages of the exiting Title V permit.

*West Virginia Department of Environmental Protection
Division of Air Quality*

*Earl Ray Tomblin
Governor*

*Randy C. Huffman
Cabinet Secretary*

Permit to

Operate



*Pursuant to
Title V
of the Clean Air Act*

Issued to:
Harrison County Coal Company
R30-03300018-2016

*William F. Durham
Director*

*Issued: September 7, 2016 • Effective: September 21, 2016
Expiration: September 7, 2021 • Renewal Application Due: March 7, 2021*

Permit Number: **R30-03300018-2016**
Permittee: **Harrison County Coal Company**
Facility Name: **Harrison County Facility**
Mailing Address: **Route 1, Box 26**
Shinnston, WV 26431

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 C Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Facility Location:	Shinnston, Harrison County, West Virginia
Mailing Address:	Same as above
Telephone Number:	(304) 795-1214
Type of Business Entity:	Corporation
Facility Description:	Coal Preparation Plant
SIC Codes:	1222
UTM Coordinates:	554.82 km Easting \$ 4361.54 km Northing \$ Zone 17

Permit Writer: Beena Modi

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.

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Appendix A&B- Recordkeeping Forms

1.0 Emission Units and Active R13, R14, and R19 Permits

1.1 Emission Units

Source ID	Emission Point ID	Equipment Description	Design Capacity		Date of Construction/Modification ¹	Control Device ID	Control Device ²
			TPH	TPY			
Raw Coal from Deep Mine Circuit							
MB1	E-MB1 (TP1)	Mine Portal Belt	5,000	15,768,000	C 2005	NA	FE
MB2	E-MB2 (TP2)	Silo Feed Belt	5,000	15,768,000	C 2005	NA	FE
MB3	E-MB3 (TP3)	Silo Transfer Belt	5,000	15,768,000	C 2005	NA	FE
RCS2	E-RCS2 (TP4)	Raw Coal Storage Silo 2 - 10,000 capacity	-----	15,768,000 combined	C 2005	NA	FE
RCS3	E-RCS3 (TP5)	Raw Coal Storage Silo 3 - 10,000 ton capacity	-----		C 2005	NA	FE
MB4	E-MB4 (TP6)	Silo Reclaim Belt	4,000	15,768,000	C 2005	NA	FE
MB5	E-MB5 (TP7)	Overland Mine Belt 1	4,000	15,768,000	C 2005	NA	FE
MB6	E-MB6 (TP8)	Overland Mine Belt 2	4,000	15,768,000	C 2005	NA	FE
A1	A003	Conveyor and Transfer Point	4,000	15,768,000	C 1994	DA003	FE
A2	A005	Conveyor and Transfer Point	4,000	15,768,000	C 1994	DA005	FE
A006	A006, A007	Scalping Screen A1 (rotary breaker building) and Transfer Points	4,000	15,768,000	C 1994	DA005	FE
A006A	A006A, A007A, A010	Rotary Breaker A1 (rotary breaker building) and Transfer Points (drop to A008, drop to rock bin, drop to pan)	1,000	3,942,000	C 1994	DA005, DA008	FE
010A	010A, A011	Rock Bin 1 - 100 ton capacity - and transfer point	-----	175,200	C 1994	DA008, D033	FE
A3A	A007A	Conveyor and Transfer Point	4,000	15,768,000	C 1994	DA005A	FE
A3	003B, A009	Conveyor and Transfer Point	4,000	15,768,000	C 1994	D004	FE
Raw Coal from Minecar/Truck Dump Building Circuit							
037 ³	037, 037A, 038, 039, 040, 041	Clean/Raw Coal Stockpile 2 - 240,000 ton capacity (wind erosion, grading, pan load-in, pan reclaim, truck load-in, endloader loadout)	-----	10,512,000	C 1968	N/A	MC
001 ³	001,001C	Rotary Dump and Truck Dump	1,200	100,000	C 1968	D001	PE
001A ³	001A	Scalping Screen 1	1,200	100,000	C 1968	D002	FE
001B ³	001B	Crusher 1	1,200	100,000	C 1968	D002	FE
C1 ³ (002)	002A, 003B	Conveyor and Transfer Points (raw coal to silo or conveyor)	1,200	100,000	C 1968	D004	FE
003 ³	003A	Raw Coal Silo 1 - 6,000 ton capacity	-----	15,768,000	C 1968	D005	FE
C2 (004)	005	Conveyor and Transfer Point (raw coal to stockpile)	4,000	10,000,000	C 1994	D006	FE

Source ID	Emission Point ID	Equipment Description	Design Capacity		Date of Construction/ Modification ¹	Control Device ID	Control Device ²
			TPH	TPY			
006	006, 012, 006A, 042, 043	Raw Coal Stockpile 1 - 750,000 ton capacity (wind erosion, pan reclaim, grading, truck load-in, pan load-in)	-----	10,000,000	M 2015 C 1968	D011	ST, UC
C3, C4	007, 009	Conveyors (2) and Transfer Points (plant feed)	2,800	15,768,000	C 2002	D007, D009	FE, PE(TP-007)
Prep Plant and Clean Coal Circuit							
060	010C	Preparation Plant (raw & wet)	2,800	15,768,000	C 2002	D060, D040, D041	MC, EM, ES
D040 ³	P003	Exhaust Fan and Dust Collector 1; removes PM from prep plant	N/A	N/A	C 1968	N/A	N/A
D041 ³	P003	Scrubber; removes PM from prep plant	N/A	N/A	C 1968	N/A	N/A
C16	061	Conveyor and Transfer Point	1,800	15,768,000	C 2002	D061	FE
C17	62	Conveyor and Transfer Point	1,800	15,768,000	C 2002	D062	FE
C18	063	Conveyor and Transfer Point	1,800	15,768,000	C 2002	D063	FE
017 ³	017A	Clean Coal Silo 1 - 10,000 ton capacity	-----	15,768,000	C 1968	D016	FE
C19	064	Conveyor and Transfer Point	1,800	15,768,000	C 2002	D064	FE
069	065	Clean Coal Silo - 25,000 ton capacity	4,000	15,768,000	C 2002	D065	FE
C20	066	Conveyor and Transfer Point	4,000	15,768,000	C 2002	D066	FE
C7A	067	Conveyor and Transfer Point	4,000	15,768,000	C 2002	D067	FE
C7	019, 021A	Conveyor and Transfer Points (clean coal to rail loadout or by-pass)	4,000	15,768,000	C 2002	D018	FE
SC1	STP2	Sample System Feed Conveyor	5	43,800	C 2002	NA	FE
CR1	STP3	Sample System Pulverizer	5	43,800	C 2002	NA	FE
SC2	STP4	Sample System Return Conveyor	5	43,800	C 2002	NA	FE
020 ³	021	Railroad Loadout 1 - 100 ton capacity	4,000	15,768,000	C 1968	D019	FE, TC
C8 ³	023	Conveyor and Transfer Point (rail loadout by-pass belt)	1,200	10,512,000	C 1968	D023	PE(conveyor), FE (TP)
C9 ³	024A	Conveyor and Transfer Point (initial belt in power plant feed)	1,300	11,388,000	C 1968	D042	PE, EM
D042 ³	P002	Exhaust Fan 2 and Dust Collector 2; removes PM from transfer point	N/A	N/A	C 1968	N/A	N/A
C10 ³	N/A	Conveyor and Transfer Point (second belt in power plant feed)	1,300	11,388,000	C 1968	N/A	FE
032	032, 033, 032A, 033A, 035, 036	Clean Coal Stockpile 1 - 40,000 ton capacity (wind erosion, reclaim to conveyor, grading, dozer to reclaim, truck load-in, pan load-in)	-----	8,760,000	C 1968	D028, D033	UC, MC
C12 (034)	034A	Conveyor and Transfer Point (clean coal destock feeder)	1,200	10,512,000	C 1968	D023	PE(conveyor), FE (TP)

Source ID	Emission Point ID	Equipment Description	Design Capacity		Date of Construction/Modification ¹	Control Device ID	Control Device ²
			TPH	TPY			
Refuse Circuit							
C21	068	Conveyor and Transfer Point (2010 - increased the maximum hourly throughput from 500 TPH to 800 TPH)	800	4,380,000	M 2010 C 2002	D068	FE
C11 (026)	027	Conveyor and Transfer Point (refuse) (2010 - increased the maximum hourly throughput from 500 TPH to 800 TPH)	800	4,380,000	M 2010 C 1981	D027	FE
C11A (026A)	C11A	Refuse Conveyor and Transfer Point (2010 - increased the maximum hourly throughput from 500 TPH to 800 TPH)	800	4,380,000	M 2010 C 1981	D027A	FE
028	029, 030	Refuse Bin 1 - 100 ton capacity - and Transfer Points (2010 - increased the maximum hourly throughput from 500 TPH to 800 TPH)	-----	4,380,000 ³	M 2010 C 1981	N/A	FE
C11B	C11B	Refuse Conveyor and Transfer Point (2010 - increased the maximum hourly throughput from 500 TPH to 800 TPH)	800	4,380,000	M 2010 C 1981	N/A	FE
RB2	RTP3	Refuse Bin 2 - 300 ton capacity - and Transfer Points (2010 - increased the maximum hourly throughput from 500 TPH to 800 TPH)	-----	4,380,000 ³	M 2010 C 1981	N/A	FE
<u>C13</u>	<u>RTP8</u>	<u>Refuse Conveyor and Transfer Point</u>	<u>800</u>	<u>4,380,000</u>	<u>C 2018</u>	<u>N/A</u>	<u>FE</u>
<u>RB4</u>	<u>RTP9</u>	<u>Refuse Bin 4 - 300 ton capacity - and Transfer Points</u>	<u>800</u>	<u>4,380,000</u>	<u>C 2018</u>	<u>N/A</u>	<u>PE</u>
C11C	C11C	Refuse Conveyor	800	4,380,000	C 2010	NA	PE
RB3	RB3	Refuse Bin 3 - 300 ton capacity - and Transfer Points	-----	4,380,000 ³	C 2010	NA	FE
Miscellaneous							
031 ³	031, 031A	Refuse Disposal Area 1(wind erosion, grading)	-----	-----	C 1968	D033	WT
048A ³	048A	Lime Storage Silo 1 - 50 ton capacity			C 1971	N/A	FE
048B ³	048B	Lime Storage Silo 2 - 50 ton capacity			C 1971	N/A	FE
047 ³	047	Rock Dust Bin 1 - 50 ton capacity			C 1968	N/A	FE
052A-F	052A-F	Haulroads	N/A	N/A	N/A	D033	WT

¹ In accordance with 40 CFR 60 Subpart Y, coal processing and conveying equipment, coal storage systems, and coal transfer and loading systems constructed, reconstructed, or modified on or before April 28, 2008 shall not discharge gases which exhibit 20 percent opacity or greater. Coal processing and conveying equipment, coal storage systems, and coal transfer and loading systems constructed, reconstructed, or modified after April 28, 2008 shall not discharge gases which exhibit 10 percent opacity or greater. For open storage piles constructed, reconstructed, or modified after May 27, 2009, the permittee shall prepare and operate in accordance with a fugitive coal dust emissions control plan that is appropriate for site conditions.

² FE - Full Enclosure; PE - Partial Enclosure; ST - Stacking Tube; WS - Water Sprays; N - None.

- ³ These pieces of equipment are considered grand-fathered since they were constructed before June 1, 1974 for 45CSR13 and October 24, 1974 for 40 CFR 60 Subpart Y and have not been modified since then.
- ⁴ The maximum annual throughput for 028, RB2 and RB3 combined shall not exceed 4,380,000 TPY. (This is for informational purposes, not an applicable requirement)

1.1. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

Permit Number	Date of Issuance
13-2306E	07/11/2016

2.0 General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

2.2. Acronyms

CAAA	Clean Air Act Amendments	NSPS	New Source Performance Standards
CBI	Confidential Business Information	PM	Particulate Matter
CEM	Continuous Emission Monitor	PM₁₀	Particulate Matter less than 10µm in diameter
CES	Certified Emission Statement	pph	Pounds per Hour
C.F.R. or CFR	Code of Federal Regulations	ppm	Parts per Million
CO	Carbon Monoxide	PSD	Prevention of Significant Deterioration
C.S.R. or CSR	Codes of State Rules	psi	Pounds per Square Inch
DAQ	Division of Air Quality	SIC	Standard Industrial Classification
DEP	Department of Environmental Protection	SIP	State Implementation Plan
FOIA	Freedom of Information Act	SO₂	Sulfur Dioxide
HAP	Hazardous Air Pollutant	TAP	Toxic Air Pollutant
HON	Hazardous Organic NESHAP	TPY	Tons per Year
HP	Horsepower	TRS	Total Reduced Sulfur
lbs/hr or lb/hr	Pounds per Hour	TSP	Total Suspended Particulate
LDAR	Leak Detection and Repair	USEPA	United States Environmental Protection Agency
m	Thousand	UTM	Universal Transverse Mercator
MACT	Maximum Achievable Control Technology	VEE	Visual Emissions Evaluation
mm	Million	VOC	Volatile Organic Compounds
mmBtu/hr	Million British Thermal Units per Hour		
mmft³/hr or mmcf/hr	Million Cubic Feet Burned per Hour		
NA or N/A	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		
NO_x	Nitrogen Oxides		

2.3. Permit Expiration and Renewal

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.
[45CSR§30-5.1.b.]
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.
[45CSR§30-4.1.a.3.]
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.
[45CSR§30-6.3.b.]
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.
[45CSR§30-6.3.c.]

2.4. Permit Actions

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[45CSR§30-5.1.f.3.]

2.5. Reopening for Cause

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
- a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
 - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
 - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.
[45CSR§30-6.4.]

2.7. Minor Permit Modifications

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.
[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.
[45CSR§30-6.5.b.]

2.9. Emissions Trading

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.
[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
 - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
 - c. The change shall not qualify for the permit shield.
 - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
 - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

[45CSR§30-5.8]

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

[45CSR§30-5.8.a.]

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.
- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
 - b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
 - c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times (including all times in which the facility 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 to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
 - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

- 2.16.1. 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 this 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 determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

[45CSR§30-5.1.f.2.]

2.17. Emergency

- 2.17.1. 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 the 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 preventative maintenance, careless or improper operation, or operator error.

[45CSR§30-5.7.a.]

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

[45CSR§30-5.7.b.]

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. 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 the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

- 2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

[45CSR§30-5.7.d.]

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

[45CSR§30-5.2.a.]

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

2.19. Duty to Provide Information

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

[45CSR§30-4.2.]

2.21. Permit Shield

- 2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

[45CSR§30-5.1.e.]

2.24. Property Rights

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

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.
[45CSR§30-5.1.a.2.]

3.0 Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

[40 C.F.R. 82, Subpart F]

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

[40 C.F.R. 68]

3.2. Monitoring Requirements

- 3.2.1. None

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:
 - a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
 - b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
 - c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
 1. The permit or rule evaluated, with the citation number and language.
 2. The result of the test for each permit or rule condition.
 3. A statement of compliance or non-compliance with each permit or rule condition.

[WV Code §§ 22-5-4(a)(14-15) and 45CSR13]

- 3.3.2. At such reasonable times as the Director may designate, the owner or operator of a coal preparation plant may be required to conduct or have conducted stack tests to determine the dust loading in exhaust gases and mass emission rates of particulate matter. All tests to determine compliance with exhaust gas dust concentrations and particulate matter mass emission rates shall be conducted in accordance with Methods 1-5 of 40 CFR Part 60, Appendix A provided that all compliance tests must consist of not less than three (3) test runs, test run duration shall not be less than sixty (60) minutes, and not less than thirty (30) standard cubic feet of exhaust gas must be sampled during each test run. Should the Director exercise his option to conduct such tests, the operator will provide all necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment and the required safety equipment such as scaffolding, railings, ladders, etc., to comply with generally accepted good safety practices.

[45CSR§5-12.1]

- 3.3.3. Any stack venting thermal dryer exhaust gases and/or air table exhaust gases or exhaust gases or air from any air pollution control device shall include straight runs of sufficient length to establish flow patterns consistent with acceptable stack sampling procedures. Flow straightening devices shall be required where cyclonic gas flow would exist in the absence of such devices.

[45CSR§5-12.6]

3.4. Recordkeeping Requirements

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
 - a. The date, place as defined in this permit and time of sampling or measurements;
 - b. The date(s) analyses were performed;
 - c. The company or entity that performed the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A., 45CSR13, R13-2306, 4.4.1.]

3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

[45CSR§30-5.1.c.2.B.]

3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§30-5.1.c. State-Enforceable only.]

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

[45CSR§§30-4.4. and 5.1.c.3.D.]

3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

[45CSR§30-5.1.c.3.E.]

3.5.3. Except for the electronic submittal of the annual certification to the USEPA as required in 3.5.5 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, mailed first class or by private carrier with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street SE
Charleston, WV 25304

Phone: 304/926-0475
FAX: 304/926-0478

If to the US EPA:

Associate Director
Office of Air Enforcement and Compliance
Assistance (3AP20)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.
[45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The annual certification to the USEPA shall be submitted in electronic format only. It shall be submitted by e-mail to the following address: R3_APD_Permits@epa.gov. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.
[45CSR§30-5.3.e.]
- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.
[45CSR§30-5.1.c.3.A.]
- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.
- 3.5.8. **Deviations.**
- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
 2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
 3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
 4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.
[45CSR§30-5.1.c.3.B.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.
[45CSR§30-4.3.h.1.B.]

3.6. Compliance Plan

- 3.6.1. None

3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

None

4.0. Source-Specific Requirements [Refuse Disposal area]

4.1. Limitations and Standards

- 4.1.1. In order to prevent and control air pollution from coal refuse disposal areas, the operation of coal refuse disposal areas shall be conducted in accordance with the standards established by 45CSR§5-7.
[45CSR§5-7.1.] [Refuse Disposal Area 1 (031)]
- 4.1.2. Coal refuse is not to be deposited on any coal refuse disposal area unless the coal refuse is deposited in such a manner as to minimize the possibility of ignition of the coal refuse.
[45CSR§5-7.2.] [Refuse Disposal Area 1 (031)]
- 4.1.3. Coal refuse disposal areas shall not be so located with respect to mine openings, tipples, or other mine buildings, unprotected coal outcrops or steam lines that these external factors will contribute to the ignition of the coal refuse on such coal refuse disposal areas.
[45CSR§5-7.3.] [Refuse Disposal Area 1 (031)]
- 4.1.4. Vegetation and combustible materials shall not be left on the ground at the site where a coal refuse pile is to be established, unless it is rendered inert before coal refuse is deposited on such site.
[45CSR§5-7.4.] [Refuse Disposal Area 1 (031)]
- 4.1.5. Coal refuse shall not be dumped or deposited on a coal refuse pile known to be burning, except for the purpose of controlling the fire or where the additional coal refuse will not tend to ignite or where such dumping will not result in statutory air pollution.
[45CSR§5-7.5.] [Refuse Disposal Area 1 (031)]
- 4.1.6. Materials with low ignition points used in the production or preparation of coal, including but not limited to wood, brattice cloth, waste paper, rags, oil and grease, shall not be deposited on any coal refuse disposal area or in such proximity as will reasonably contribute to the ignition of a coal refuse disposal area.
[45CSR§5-7.6.] [Refuse Disposal Area 1 (031)]
- 4.1.7. Garbage, trash, household refuse, and like materials shall not be deposited on or near any coal refuse disposal area.
[45CSR§5-7.7.] [Refuse Disposal Area 1 (031)]
- 4.1.8. The deliberate ignition of a coal refuse disposal area or the ignition of any materials on such an area by any person or persons is prohibited.
[45CSR§5-7.8.] [Refuse Disposal Area 1 (031)]
- 4.1.9. With respect to all burning coal refuse disposal areas, the person responsible for the coal refuse disposal areas or the land on which the coal refuse disposal areas are located shall use due diligence to control air pollution from the coal refuse disposal areas. Consistent with the declaration of policy and purpose set forth in W. Va. Code §22-5-1, the Director shall determine what constitutes due diligence with respect to each such burning coal refuse disposal area. When a study of any burning coal refuse disposal area by the Director establishes that air pollution exists or may be created, the person responsible for the coal refuse disposal area or the land on which the coal refuse disposal area is located shall submit to the Director a report setting forth satisfactory methods and procedures to eliminate, prevent or reduce the air pollution. The report shall be submitted within such time as the Director shall specify. The report for the elimination, prevention or reduction of air pollution shall contain sufficient information, including, completion dates, to establish that the corrective measures can be executed with due diligence. If approved by the Director, the corrective measures and completion dates shall be embodied in a consent order issued pursuant to W. Va. Code §§ 22-5-1 et seq. If the report is not submitted as requested or if the Director determines that the methods and procedures set forth in the report

are not adequate to reasonably control the air pollution he or she shall issue an order requiring the elimination, prevention or reduction of the air pollution.

[45CSR§5-8.3.] [Refuse Disposal Area 1 (031)]

4.2. Monitoring Requirements

N/A

4.3. Testing Requirements

N/A

4.4. Recordkeeping Requirements

N/A

4.5. Reporting Requirements

N/A

4.6. Compliance Plan

N/A

5.0. Source-Specific Requirements

5.1. Limitations and Standards

- 5.1.1. Compliance with all annual throughput limits shall be determined using a 12 month rolling total. For example, a 12 month rolling total shall mean the sum of raw coal received by the facility at any given time for the previous twelve (12) consecutive calendar months.
[45CSR13, R13-2306, 4.1.2.]
- 5.1.2. **Facility Throughput Limitation.** The throughput of coal to be handled or processed through the preparation plant, Transfer Point 060, shall not exceed 2,800 tons per hour (TPH) or 15,768,000 tons per year (TPY).
[45CSR13, R13-2306, 4.1.3.]
- 5.1.3. **Fugitive Dust Control Systems Weekly Check.** The permittee shall inspect all fugitive dust control systems weekly to ensure that they are operated and maintained in conformance with their designs. The permittee shall maintain records of all scheduled and non-scheduled maintenance. Records shall be maintained on site for a period of no less than five (5) years stating any maintenance or corrective actions taken as a result of the weekly inspections, and the times the fugitive dust control system(s) are inoperable and any corrective actions taken.
[45CSR13, R13-2306, 4.1.4.]
- 5.1.4. **Dust Suppressants/Control Measures.** The permittee shall maintain daily records indicating the use of any dust suppressants or any other suitable dust control measures applied at the facility. These records shall be maintained on site for a period of no less than five (5) years.
[45CSR13, R13-2306, 4.1.5.]
- 5.1.5. **Records of Throughput and Hours of Operation.** The permittee shall maintain records of the coal throughput and the hours of operation. Compliance with the hourly throughput limit shall be demonstrated by dividing the calendar month's total throughput by the number of hours operated in the same calendar month to obtain an hourly average. By the fifteenth day of each calendar month, the permittee shall calculate the hourly averaged throughput of the previous calendar month. These records shall be maintained on site for a period of no less than five (5) years.
[45CSR13, R13-2306, 4.1.6.]
- 5.1.6. **Water Truck Requirement.** The permittee shall maintain a water truck on site and in good operating condition, and shall utilize same to apply water, or a mixture of water and an environmentally acceptable dust control additive, hereinafter referred to as solution, as often as is necessary in order to minimize the atmospheric entrainment of fugitive particulate emissions that may be generated from haulroads and other work areas where mobile equipment is used.
- The spray bar shall be equipped with commercially available spray nozzles, of sufficient size and number, so as to provide adequate coverage to the surface being treated.
- The pump delivering the water, or solution, shall be of sufficient size and capacity so as to be capable of delivering to the spray nozzle(s) an adequate quantity of water, or solution, and at a sufficient pressure.
[45CSR13, R13-2306, 4.1.7.]
- 5.1.7. **Freeze Protection Requirement.** A freeze protection plan shall be incorporated and maintained to insure all wet suppression systems remain operational at all times.
[45CSR13, R13-2306, 4.1.8.]

- 5.1.8. **Opacity Limit.** No person shall cause, suffer, allow or permit emission of particulate matter into the open air from any fugitive dust control system which is twenty percent (20%) opacity or greater.
[45CSR§5-3.4, 45CSR13, R13-2306, 4.1.9.]
- 5.1.9. **Fugitive Dust Control System.** No person shall cause, suffer, allow or permit a coal preparation plant or handling operation to operate that is not equipped with a fugitive dust control system. This system shall be operated and maintained in such a manner as to minimize the emission of particulate matter into the open air.
[45CSR§5-6.1, 45CSR13, R13-2306, 4.1.10.]
- 5.1.10. **Dust Control.** The owner or operator of a coal preparation plant or handling operation shall maintain dust control of the premises and owned, leased, or controlled access roads by paving, or other suitable measures. Good operating practices shall be observed in relation to stockpiling, car loading, breaking, screening, and general maintenance to minimize dust generation and atmospheric entrainment.
[45CSR§5-6.2, 45CSR13, R13-2306, 4.1.11.]
- 5.1.11. **Standards for Particulate Matter.** On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.
[45CSR16, 40CFR§60.254(a), 45CSR13, R13-2306, 4.1.18.]
- 5.1.12. **Standards for Particulate Matter.** On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified after April 28, 2008, must meet the requirements in paragraphs (1) and (3) of this section. [Conveyors C21, C11, C11A, C11B, ~~and C11C, and C13~~; Refuse Bin 1 (028); Refuse Bin 2 (RB2), ~~and~~ Refuse Bin 3 (RB3), ~~and Refuse Bin 4 (RB4)~~.]
[40CFR§60.254(b)]
- (1) Except as provided in paragraph (3) of this section, the owner or operator must not cause to be discharged into the atmosphere from the affected facility any gases which exhibit 10 percent opacity or greater.
[40CFR§60.254(b)(1)]
- (3) Equipment used in the loading, unloading, and conveying operations of open storage piles are not subject to the opacity limitations of paragraph (1) of this section.
[40CFR§60.254(b)(3)]
- [45CSR16, 45CSR13, R13-2306, 4.1.19.]
- 5.1.13. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR§13-5.11., 45CSR13, R13-2306, 4.1.13.]
- 5.1.14. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.
[45CSR16, 40 CFR§60.11(d), 45CSR13, R13-2306, 4.1.17.]

- 5.1.15 The permittee shall not exceed the maximum hourly and annual throughput rates and other criteria outlined in the table in Section 1.0 Emission Units.
[45CSR13, R13-2306, 4.1.1.]
- 5.1.16 No person shall construct, modify or relocate any coal preparation plant or coal handling operation without first obtaining a permit in accordance with the provisions of W. Va. Code §22-5-1 et seq. and the Director's rules for review and permitting of new or modified sources.
[45CSR§5-10.1., 45CSR13, R13-2306, 4.1.12.]
- 5.1.17 At the time a stationary source is alleged to be in compliance with an applicable emission standard and at reasonable times to be determined by the Secretary thereafter, appropriate tests consisting of visual determinations or conventional in-stack measurements or such other tests the Secretary may specify shall be conducted to determine compliance.
[45CSR§13-6.1., 45CSR13, R13-2306, 4.1.14.]
- 5.1.18 The Secretary may suspend or revoke a permit or general permit registration if, after six (6) months from the date of issuance, the holder of the permit cannot provide the Secretary, at the Secretary's request, with written proof of a good faith effort that construction, modification, or relocation, if applicable, has commenced. Such proof shall be provided not later than thirty (30) days after the Secretary's request. If construction or modification of a stationary source is discontinued for a period of eighteen (18) months or longer, the Secretary may suspend or revoke the permit or general permit registration.
[45CSR§13-10.2., 45CSR13, R13-2306, 4.1.15.]
- 5.1.19 The Secretary may suspend or revoke a permit or general permit registration if the plans and specifications upon which the approval was based or the conditions established in the permit are not adhered to. Upon notice of the Secretary's intent to suspend, modify or revoke a permit, the permit holder may request a conference with the Secretary in accordance with the provisions of W.Va Code § 22-5-5 to show cause why the permit or general permit registration should not be suspended, modified or revoked.
[45CSR§13-10.3., 45CSR13, R13-2306, 4.1.16.]
- 5.1.20 **Fugitive Coal Dust Emission Control Plan for Subpart Y-**
The owner or operator of an open storage pile, which includes the equipment used in the loading, unloading, and conveying operations of the affected facility, constructed, reconstructed, or modified after May 27, 2009, must prepare and operate in accordance with a submitted fugitive coal dust emissions control plan that is appropriate for the site conditions as specified in paragraphs (c)(1) through (6) of this section.
- (1) The fugitive coal dust emissions control plan must identify and describe the control measures the owner or operator will use to minimize fugitive coal dust emissions from each open storage pile.
 - (2) For open coal storage piles, the fugitive coal dust emissions control plan must require that one or more of the following control measures be used to minimize to the greatest extent practicable fugitive coal dust: Locating the source inside a partial enclosure, installing and operating a water spray or fogging system, applying appropriate chemical dust suppression agents on the source (when the provisions of paragraph (c)(6) of this section are met), use of a wind barrier, compaction, or use of a vegetative cover. The owner or operator must select, for inclusion in the fugitive coal dust emissions control plan, the control measure or measures listed in this paragraph that are most appropriate for site conditions. The plan must also explain how the measure or measures selected are applicable and appropriate for site conditions. In addition, the plan must be revised as needed to reflect any changing conditions at the source.
 - (3) Any owner or operator of an affected facility that is required to have a fugitive coal dust emissions control plan may petition the Administrator to approve, for inclusion in the plan for the affected facility, alternative control measures other than those specified in paragraph (c)(2) of this section as specified in

paragraphs (c)(3)(i) through (iv) of this section.

- (i) The petition must include a description of the alternative control measures, a copy of the fugitive coal dust emissions control plan for the affected facility that includes the alternative control measures, and information sufficient for EPA to evaluate the demonstrations required by paragraph (c)(3)(ii) of this section.
 - (ii) The owner or operator must either demonstrate that the fugitive coal dust emissions control plan that includes the alternate control measures will provide equivalent overall environmental protection or demonstrate that it is either economically or technically infeasible for the affected facility to use the control measures specifically identified in paragraph (c)(2).
 - (iii) While the petition is pending, the owner or operator must comply with the fugitive coal dust emissions control plan including the alternative control measures submitted with the petition. Operation in accordance with the plan submitted with the petition shall be deemed to constitute compliance with the requirement to operate in accordance with a fugitive coal dust emissions control plan that contains one of the control measures specifically identified in paragraph (c)(2) of this section while the petition is pending.
 - (iv) If the petition is approved by the Administrator, the alternative control measures will be approved for inclusion in the fugitive coal dust emissions control plan for the affected facility. In lieu of amending this subpart, a letter will be sent to the facility describing the specific control measures approved. The facility shall make any such letters and the applicable fugitive coal dust emissions control plan available to the public. If the Administrator determines it is appropriate, the conditions and requirements of the letter can be reviewed and changed at any point.
- (4) The owner or operator must submit the fugitive coal dust emissions control plan to the Administrator or delegated authority as specified in paragraphs (c)(4)(i) and (c)(4)(ii) of this section.
- (i) The plan must be submitted to the Administrator or delegated authority prior to startup of the new, reconstructed, or modified affected facility, or 30 days after the effective date of this rule, whichever is later.
 - (ii) The plan must be revised as needed to reflect any changing conditions at the source. Such revisions must be dated and submitted to the Administrator or delegated authority before a source can operate pursuant to these revisions. The Administrator or delegated authority may also object to such revisions as specified in paragraph (c)(5) of this section.
- (5) The Administrator or delegated authority may object to the fugitive coal dust emissions control plan as specified in paragraphs (c)(5)(i) and (c)(5)(ii) of this section.
- (i) The Administrator or delegated authority may object to any fugitive coal dust emissions control plan that it has determined does not meet the requirements of paragraphs (c)(1) and (c)(2) of this section.
 - (ii) If an objection is raised, the owner or operator, within 30 days from receipt of the objection, must submit a revised fugitive coal dust emissions control plan to the Administrator or delegated authority. The owner or operator must operate in accordance with the revised fugitive coal dust emissions control plan. The Administrator or delegated authority retain the right, under paragraph (c)(5) of this section, to object to the revised control plan if it determines the plan does not meet the requirements of paragraphs (c)(1) and (c)(2) of this section.
- (6) Where appropriate chemical dust suppression agents are selected by the owner or operator as a control measure to minimize fugitive coal dust emissions, (1) only chemical dust suppressants with Occupational

Safety and Health Administration (OSHA)-compliant material safety data sheets (MSDS) are to be allowed; (2) the MSDS must be included in the fugitive coal dust emissions control plan; and (3) the owner or operator must consider and document in the fugitive coal dust emissions control plan the site-specific impacts associated with the use of such chemical dust suppressants.

[40CFR§§60.254(c) (1) through (6), 45CSR16] (006)

5.2. Monitoring Requirements

- 5.2.1. The permittee shall conduct monitoring/recordkeeping/reporting as follows for all emissions units listed in the table in Section 1.0 [Not required for stockpiles (006, 031, 032 and 037) and haulroads (037A, 006A, 031A, 032A and 052A - F)]:
- a. An initial visible emissions evaluation in accordance with 40 C.F.R. 60 Appendix A, Method 9 shall be performed within ninety (90) days of permit issuance for each emission unit with a visible emissions requirement in this permit unless such evaluation was performed within the consecutive 12-month period preceding permit issuance. This initial evaluation shall consist of three 6-minute averages during one consecutive 60 minute period. The initial evaluation shall be conducted at each emissions unit during the period of maximum expected visible emissions under unit and facility operations. A visible emissions evaluation shall be conducted for each emission unit at least once every consecutive 12-month period in accordance with 40 C.F.R. 60 Appendix A, Method 9. This annual evaluation shall consist of a minimum of 24 consecutive observations for each emission unit.
 - b. Each emissions unit with a visible emissions limit contained in this permit shall be observed visually at least once each calendar week during periods of facility operation for a sufficient time interval to determine if the unit has any visible emissions using 40 C.F.R. 60 Appendix A, Method 22. If visible emissions from any of the emissions units are observed during these weekly observations, or at any other time, that appear to exceed 50 percent of the allowable visible emission requirement for the emission unit, visible emissions evaluations in accordance with 40 C.F.R. 60 Appendix A, Method 9 shall be conducted as soon as practicable, but no later than twenty-four (24) hours from the time of the observation. A Method 9 evaluation shall not be required under permit requirement 5.2.1.b if the visible emissions condition is corrected in a timely manner; the emissions unit is operating at normal operating conditions; and, the cause and corrective measures taken are recorded.
 - c. If the initial, or any subsequent, visible emissions evaluation indicates visible emissions in excess of 50 percent of the allowable visible emissions requirement for a given emission unit, a visible emissions evaluation shall be performed for that unit at least once every consecutive 14-day period in accordance with 40 C.F.R. 60 Appendix A, Method 9. If subsequent visible emissions evaluations indicate visible emissions less than or equal to 50 percent of the allowable visible emissions requirement for the emission unit for 3 consecutive evaluation periods, the emission unit may comply with the visible emissions testing requirements of permit requirement 5.2.1.b in lieu of those established in this condition.
 - d. A record of each visible emissions observation shall be maintained, including any data required by 40 C.F.R. 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable visible emissions requirement, the results of the observation, and the name of the observer.
[45CSR13, R13-2306, 4.2.1, 45CSR§30-5.1.c.]

5.3. Testing Requirements

- 5.3.1. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, the owner or operator of such facility shall conduct performance test(s) and furnish a written report of the results of such performance test(s).
[45CSR16, 40CFR§60.8(a), 45CSR13, R13-2306, 4.3.1.]

5.3.2. Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).
[45CSR16, 40CFR§60.11(b), 45CSR13, R13-2306, 4.3.2.]

5.3.3. **Performance Tests and Other Compliance Requirements for Subpart Y - Performance Tests.** An owner or operator of each affected facility that commenced construction, reconstruction, or modification after April 28, 2008 [Conveyors C21, C11, C11A, C11B, ~~and~~ C11C, and C13; Refuse Bin 1 (028); Refuse Bin 2 (RB2), ~~and~~ Refuse Bin 3 (RB3), and Refuse Bin 4 (RB4)], must conduct performance tests according to the requirements of §60.8 and the methods identified in §60.257 to demonstrate compliance with the applicable emission standards in Subpart Y as specified in paragraph (2) of this section.
[40CFR§60.255(b)]

(2) For each affected facility subject to an opacity standard, an initial performance test must be performed. Thereafter, a new performance test must be conducted according to the requirements in paragraphs (2)(i) and (ii) of this section, as applicable, except as provided for in 40C.F.R. §§60.255(e) and (f) of this section. Performance test and other compliance requirements for coal truck dump operations are specified in 40C.F.R. §60.255(h).

[40CFR§60.255(b)(2)]

(i) If any 6-minute average opacity reading in the most recent performance test exceeds half the applicable opacity limit, a new performance test must be conducted within 90 operating days of the date that the previous performance test was required to be completed.

[40CFR§60.255(b)(2)(i)]

(ii) If all 6-minute average opacity readings in the most recent performance are equal to or less than half the applicable opacity limit, a new performance test must be conducted within 12 calendar months of the date that the previous performance test was required to be completed.

[40CFR§60.255(b)(2)(ii)]

[45CSR16, 45CSR13, R13-2306, 4.3.4.]

5.3.4. **Performance Tests and Other Compliance Requirements for Subpart Y - Monitoring Visible Emissions or Digital Opacity Compliance System.** As an alternative to meeting the requirements in 40C.F.R. §60.255(b)(2) [*see permit condition 5.3.3. above*], an owner or operator of an affected facility that commenced construction, reconstruction, or modification after April 28, 2008, may elect to comply with the requirements in paragraph (1) of this section.
[40CFR§60.255(f)]

(1) Monitor visible emissions from each affected facility according to the requirements in paragraphs (1)(i) through (iii) of this section.

[40CFR§60.255(f)(1)]

(i) Conduct one daily 15-second observation each operating day for each affected facility (during normal operation) when the coal preparation and processing plant is in operation. Each observation must be recorded as either visible emissions observed or no visible emissions observed. Each observer determining the presence of visible emissions must meet the training requirements specified in §2.3 of Method 22 of appendix A-7 of this part. If visible emissions are observed during any 15-second observation, the owner or operator must adjust the operation of the affected facility and demonstrate within 24 hours that no visible emissions are observed from the affected facility. If visible emissions are observed, a Method 9, of appendix A-4 of this part, performance test must be conducted within 45 operating days.

[40CFR§60.255(f)(1)(i)]

- (ii) Conduct monthly visual observations of all processes and control equipment. If any deficiencies are observed, the necessary maintenance must be performed as expeditiously as possible.

[40CFR§60.255(f)(1)(ii)]

- (iii) Conduct a performance test using Method 9 of Appendix A-4 of this part at least once every 5 calendar years for each affected facility.

[40CFR§60.255(f)(1)(iii)]

- (2) Prepare a written site-specific monitoring plan for a digital opacity compliance system for approval by the Administration or delegated authority. The plan shall require observations of at least one digital image every 15 seconds for 10-minute periods (during normal operation) every operating day. An approvable monitoring plan must include a demonstration that the occurrences of visible emissions are not in excess of 5 percent of the observation period. For reference purposes in preparing the monitoring plan, *see* OAQPS “Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems.” This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Group (D243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods. The monitoring plan approved by the Administrator delegated authority shall be implemented by the owner or operator.

[40CFR§60.255(f)(2)]

[45CSR16, 45CSR13, R13-2306, 4.3.6.]

- 5.3.5. **Performance Tests and Other Compliance Requirements for Subpart Y - COMS.** As an alternative to meeting the requirements in 40C.F.R. §60.255(b)(2) [*see permit condition 5.3.3. above*], an owner or operator of an affected facility that commenced construction, reconstruction, or modification after April 28, 2008, subject to a visible emissions standard under this subpart may install, operate, and maintain a continuous opacity monitoring system (COMS). Each COMS used to comply with provisions of this subpart must be installed, calibrated, maintained, and continuously operated according to the requirements in 40C.F.R. §§60.255(g)(1) and (2).

[45CSR16, 40CFR§60.255(g), 45CSR13, R13-2306, 4.3.7.]

- 5.3.6. **Performance Tests and Other Compliance Requirements for Subpart Y.** If any affected coal processing and conveying equipment (e.g., breakers, crushers, screens, conveying systems), coal storage systems, or other coal transfer and loading systems that commenced construction, reconstruction, or modification after April 28, 2008, are enclosed in a building do not exceed any of the standards in §60.254 that apply to the affected facility, then the facility shall be deemed to be in compliance with such standards.

[45CSR16, 40CFR§60.255(c), 45CSR13, R13-2306, 4.3.5.]

- 5.3.7. **Test Methods and Procedures for Subpart Y.** The owner or operator must determine compliance with the applicable opacity standards as specified in paragraphs (1) through (3) of this section.

[40CFR§60.257(a)]

- (1) Method 9 of Appendix A-4 of this part and the procedures in §60.11 must be used to determine opacity, with the exceptions specified in paragraphs 5.3.7(1)(i) and (ii).

[40CFR§60.257(a)(1)]

- (i) The duration of the Method 9 of Appendix A-4 of this part performance test shall be 1 hour (ten 6-minute averages).

[40CFR§60.257(a)(1)(i)]

- (ii) If, during the initial 30 minutes of the observation of a Method 9 of Appendix A-4 of this part performance test, all of the 6-minute average opacity readings are less than or equal to half the applicable opacity limit, then the observation period may be reduced from 1 hour to 30 minutes.

[40CFR§60.257(a)(1)(ii)]

- (2) To determine opacity for fugitive coal dust emissions sources, the additional requirements specified in paragraphs 5.3.7(2)(i) through (iii) must be used.

[40CFR§60.257(a)(2)]

- (i) The minimum distance between the observer and the emission source shall be 5.0 meters (16 feet), and the sun shall be oriented in the 140-degree sector of the back.

[40CFR§60.257(a)(2)(i)]

- (ii) The observer shall select a position that minimizes interference from other fugitive coal dust emissions sources and make observations such that the line of vision is approximately perpendicular to the plume and wind direction.

[40CFR§60.257(a)(2)(ii)]

- (iii) The observer shall make opacity observations at the point of greatest opacity in that portion of the plume where condensed water vapor is not present. Water vapor is not considered a visible emission.

[40CFR§60.257(a)(2)(iii)]

- (3) A visible emissions observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions specified in paragraphs (3)(i) through (iii) of this section are met.

[40CFR§60.257(a)(3)]

- (i) No more than three emissions points may be read concurrently.

[40CFR§60.257(a)(3)(i)]

- (ii) All three emissions points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.

[40CFR§60.257(a)(3)(ii)]

- (iii) If an opacity reading for any one of the three emissions points is within 5 percent opacity from the applicable standard (excluding readings of zero opacity), then the observer must stop taking readings for the other two points and continue reading just that single point.

[40CFR§60.257(a)(3)(iii)]

[45CSR16, 45CSR13, R13-2306, 4.3.9.]

- 5.3.8. **Test Methods and Procedures for Subpart Y.** The owner or operator must conduct all performance tests required by §60.8 to demonstrate compliance with the applicable emissions standards specified in §60.252 according to the requirements in §60.8 using the applicable test methods and procedures in 40C.F.R. §§60.257(b) (1) through (8).

[45CSR16, 40CFR§60.257(b), 45CSR13, R13-2306, 4.3.10.]

- 5.3.9. **Performance Tests and Other Compliance Requirements for Subpart Y - Performance Tests.** An owner or operator of each affected facility that commenced construction, reconstruction, or modification on or before April 28, 2008, must conduct performance tests required by §60.8 to demonstrate compliance with the applicable emission standards using the methods identified in §60.257.

[45CSR16, 40CFR§60.255(a), 45CSR13, R13-2306, 4.3.3.]

5.3.10 **Coal Truck Dump Operations.** The owner or operator of each affected coal truck dump operation that commenced construction, reconstruction, or modification after April 28, 2008, must meet the requirements specified in paragraphs (h)(1) through (3) of this section.

[40CFR§60.255(h)]

(1) Conduct an initial performance test using Method 9 of appendix A-4 of this part according to the requirements in paragraphs (h)(1)(i) and(ii).

[40CFR§60.255(h)(1)]

(i) Opacity readings shall be taken during the duration of three separate truck dump events. Each truck dump event commences when the truck bed begins to elevate and concludes when the truck bed returns to a horizontal position.

[40CFR§60.255(h)(1)(i)]

(ii) Compliance with the applicable opacity limit is determined by averaging all 15-second opacity readings made during the duration of three separate truck dump events.

[40CFR§60.255(h)(1)(ii)]

(2) Conduct monthly visual observations of all process and control equipment. If any deficiencies are observed, the necessary maintenance must be performed as expeditiously as possible.

[40CFR§60.255(h)(2)]

(3) Conduct a performance test using Method 9 of appendix A-4 of this part at least once every 5 calendar years for each affected facility.

[40CFR§60.255(h)(3)]

[45CSR16, 45CSR13, R13-2306, 4.3.8.]

5.4. Recordkeeping Requirements

5.4.1. **Record of Maintenance of Air Pollution Control Equipment.**

For all pollution control equipment listed in Section 1.0 of this permit, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

[45CSR13, R13-2306, 4.4.2.]

5.4.2. **Record of Malfunctions of Air Pollution Control Equipment.**

For all pollution control equipment listed in Section 1.0 of this permit, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the event.
- c. The duration of the event.
- d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

[45CSR13, R13-2306, 4.4.3.]

- 5.4.3. For the purposes of determining compliance with water truck usage set forth in 5.1.6, the permittee shall monitor water truck activity and maintain certified daily records, utilizing the attached form identified as Appendix A.

[45CSR13, R13-2306, 4.4.4.]

- 5.4.4. The permittee shall maintain records of all monitoring data required by Section 5.2.1 of this permit by documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE wind) during the visual emission check(s). An example form is supplied as Appendix B. Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent

[45CSR13, R13-2306, 4.4.5.]

5.5. Reporting Requirements

- 5.5.1. With regard to any testing required by the Director, the permittee shall submit to the Director of Air Quality and the Associate Director - Office of Enforcement and Permit Review (3AP12) of the U.S. EPA a test protocol detailing the proposed test methods, the date, and the time the proposed testing is to take place, as well as identifying the sampling locations and other relevant information. The test protocol must be received by the Director and the Associate Director no less than thirty (30) days prior to the date the testing is to take place. Test results shall be submitted to the Director and the Associate Director no more than sixty (60) days after the date the testing takes place.

[45CSR13, R13-2306, 4.5.2.]

- 5.5.2. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observation using 40CFR Part 60, Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

[45CSR13, R13-2306, 4.5.1.]

- 5.5.3. **Notification and Record Keeping.** Any owner or operator subject to the provisions of this part shall furnish written notification as follows:

[40CFR§60.7(a)]

A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date.

[40CFR§60.7(a)(1)]

A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

[40CFR§60.7(a)(3)]

[45CSR16, 45CSR13, R13-2306, 4.5.3.]

- 5.5.4. **Reporting for Subpart Y - Opacity Exceedances.** For the purposes of reports required under section 60.7(c), any owner or operator subject to the provisions of Subpart Y also shall report semiannually periods of excess emissions as follow:

[40CFR§60.258(b)]

(1) The owner or operator of an affected facility with a wet scrubber shall submit semiannual reports to the Administrator or delegated authority of occurrences when the measurements of the scrubber pressure loss, water supply flow rate, or pH of the wet scrubber liquid vary by more than 10 percent from the average determined during the most recent performance test.

[40CFR§60.258(b)(1)]

(2) The owner or operator of an affected facility with control equipment other than a wet scrubber shall submit semiannual reports to the Administrator or delegated authority of occurrences when the measurements of the reagent injection flow rate, as applicable, vary by more than 10 percent from the average determined during the most recent performance test.

[40CFR§60.258(b)(2)]

(3) All 6-minute average opacities that exceed the applicable standard.

[40CFR§60.258(b)(3)]

[45CSR16, 45CSR13, R13-2306, 4.5.5.]

5.5.5. **Reporting for Subpart Y - Results of Initial Performance Tests.** The owner or operator of an affected facility shall submit the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of section 60.8. The owner or operator who elects to comply with the reduced performance testing provisions of sections 60.255(c) or (d) shall include in the performance test report identification of each affected facility that will be subject to the reduced testing. The owner or operator electing to comply with section 60.255(d) shall also include information which demonstrates that the control devices are identical.

[45CSR16, 40CFR§60.258(c), 45CSR13, R13-2306, 4.5.6.]

5.5.6. **Reporting for Subpart Y - WebFIRE Data Base.** After July 11, 2011, within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with this subpart, the owner or operator of the affected facility must submit the test date to EPA by successfully entering the data electronically into EPA's WebFIRE data base available at <http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main>. *For performance tests that cannot be entered into WebFIRE (i.e. Method 9 of appendix A-4 of this part opacity performance tests) the owner or operator of the affected facility must mail a summary copy to United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; mail code D243-01; RTP, NC 27711.*

[45CSR16, 40CFR§60.258(d), 45CSR13, R13-2306, 4.5.7.]

5.5.7 The owner or operator of a coal preparation and processing plant that commenced construction, reconstruction, or modification after April 28, 2008, shall maintain in a logbook (written or electronic) on-site and make it available upon request. The logbook shall record the following:

[40CFR§60.258(a)]

(1) The manufacturer's recommended maintenance procedures and the date and time of any maintenance and inspection activities and the results of those activities. Any variance from manufacturer recommendation, if any, shall be noted.

[40CFR§60.258(a)(1)]

(2) The date and time of periodic coal preparation and processing plant visual observations, noting those sources with visible emissions along with corrective actions taken to reduce visible emissions. Results from the actions shall be noted.

[40CFR§60.258(a)(2)]

(3) The amount and type of coal processed each calendar month.

[40CFR§60.258(a)(3)]

- (4) The amount of chemical stabilizer or water purchased for use in the coal preparation and processing plant.
[40CFR§60.258(a)(4)]
- (5) Monthly certification that the dust suppressant systems were operational when any coal was processed and that manufacturer's recommendations were followed for all control systems. Any variance from the manufacturer's recommendations, if any, shall be noted.
[40CFR§60.258(a)(5)]
- (6) Monthly certification that the fugitive coal dust emissions control plan was implemented as described. Any variance from the plan, if any, shall be noted. A copy of the applicable fugitive coal dust emissions control plan and any letters from the Administrator providing approval of any alternative control measures shall be maintained with the logbook. Any actions, e.g. objections, to the plan and any actions relative to the alternative control measures, e.g. approvals, shall be noted in the logbook as well.
[40CFR§60.258(a)(6)]
- (7) For each bag leak detection system, the owner or operator must keep the records specified in paragraphs (a)(7)(i) through (iii) of this section.
[40CFR§60.258(a)(7)]
 - (i) Records of the bag leak detection system output;
[40CFR§60.258(a)(7)(i)]
 - (ii) Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection settings; and
[40CFR§60.258(a)(7)(ii)]
 - (iii) The date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, the cause of the alarm, an explanation of the actions taken, the date and time the cause of the alarm was alleviated, and whether the cause of the alarm was alleviated within 3 hours of the alarm.
[40CFR§60.258(a)(7)(iii)]
- (8) A copy of any applicable monitoring plan for a digital opacity compliance system and monthly certification that the plan was implemented as described. Any variance from plan, if any, shall be noted.
[40CFR§60.258(a)(8)]
- (9) During a performance test of a wet scrubber, and each operating day thereafter, the owner or operator shall record the measurements of the scrubber pressure loss, water supply flow rate, and pH of the wet scrubber liquid.
[40CFR§60.258(a)(9)]
- (10) During a performance test of control equipment other than a wet scrubber, and each operating day thereafter, the owner or operator shall record the measurements of the reagent injection flow rate, as applicable.
[40CFR§60.258(a)(10)]

[45CSR16, 45CSR13, R13-2306, 4.5.4.]

APPENDIX A ¹
Certified Daily and Monthly Water Usage By The Pressurized Water Truck

Harrison County Coal Company
Harrison County Preparation Plant
Company ID No. 033-00018
Permit No. R13-2306E

Month _____ Year _____

Day of Month	Water Truck Used? (Y/N)	Quantity of Water Applied² (gallons)	Name and Amount of Chemical Suppressants Added (gallons)	Comments³	Initials
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					

Notes: (1) The **CERTIFICATION OF DATA ACCURACY** statement appearing on the reverse side shall be completed and kept on site for a period of no less than five (5) years and shall be made available to the Director or his or her duly authorized representative upon request.
 (2) The quantity of water used may be estimated based on the volume of the tank and the number of times the water truck was refilled.
 (3) Use the comment section to explain why the water truck was not in use or was used sparingly.

