

West Virginia Department of Environmental Protection

Division of Air Quality

*Earl Ray Tomblin
Governor*

*Randy C. Huffman
Cabinet Secretary*

Permit to Modify



R13-0075H

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:

**Appalachian Power Company
Mountaineer Plant
053-00009**

*William F. Durham
Director*

Issued: DRAFT • Effective: DRAFT

This permit will supercede and replace Permit R13-0075G.

Facility Location: New Haven, Mason County, West Virginia

Mailing Address: PO Box 419
New Haven, WV 25265

Facility Description: Power Plant

NAICS Codes: 221112

UTM Coordinates: 419.04 km Easting • 4,314.7 km Northing • Zone 17

Permit Type: Modification

Description of Change:

Voluntary heat input capacity limit on the two auxiliary boiler in order to meet the definition of "Limited Use" boiler per 40 CFR 63 Subpart DDDDD.

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.

The source is subject to 45CSR30. Changes authorized by this permit must also be incorporated into the facility's Title V operating permit. Commencement of the operations authorized by this permit shall be determined by the appropriate timing limitations associated with Title V permit revisions per 45CSR30.

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1.0 Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Design Capacity	Control Device
1S	3E	Steam Generator #1	15,020 mmbtu/hr	ESP/SCR
2S	2E	Auxiliary Boiler #1	600 mmbtu/hr	N
3S	2E	Auxiliary Boiler #2	600 mmbtu/hr	N
4S	4E	Emergency Quench Pump	80 hp	N
5S	5E	Limestone Material Handling System	1000 TPH	N
6S	6E, 7E, 8E 9E	Gypsum Material Handling System	1500 TPH	Baghouses
7S	10E, 11E, 12E	Limestone Material Processing System	400 TPH	Baghouses
	FL3-3,CRL-3		350 TPH	FE
8S	13E	Magnesium Hydroxide System	1050 gal/hr	N
10S	15E, 16E	Hydrated Lime System	4.08 TPH	Baghouse
11S	17E, 18E	Trona System	2.5 TPH	Baghouse
12S	19E,20E, 21E	Chloride Purge Stream Treatment System	448 GPM	Baghouses
13S	22E	Sulfuric Acid Tank	6000 Gallon	N
14S	23E	Hydrochloric Acid Tank	6000 Gallon	N
15S	24E	Mine Link Conveyor	1800 tph	Baghouse

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 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

CAAA	Clean Air Act Amendments	NO_x	Nitrogen Oxides
CBI	Confidential Business Information	NSPS	New Source Performance Standards
CEM	Continuous Emission Monitor	PM	Particulate Matter
CES	Certified Emission Statement	PM_{2.5}	Particulate Matter less than 2.5µm in diameter
C.F.R. or CFR	Code of Federal Regulations	PM₁₀	Particulate Matter less than 10µm in diameter
CO	Carbon Monoxide	Ppb	Pounds per Batch
C.S.R. or CSR	Codes of State Rules	pph	Pounds per Hour
DAQ	Division of Air Quality	ppm	Parts per Million
DEP	Department of Environmental Protection	Ppmv or ppmv	Parts per million by volume
dscm	Dry Standard Cubic Meter	PSD	Prevention of Significant Deterioration
FOIA	Freedom of Information Act	psi	Pounds per Square Inch
HAP	Hazardous Air Pollutant	SIC	Standard Industrial Classification
HON	Hazardous Organic NESHAP	SIP	State Implementation Plan
HP	Horsepower	SO₂	Sulfur Dioxide
lbs/hr	Pounds per Hour	TAP	Toxic Air Pollutant
LDAR	Leak Detection and Repair	TPY	Tons per Year
M	Thousand	TRS	Total Reduced Sulfur
MACT	Maximum Achievable Control Technology	TSP	Total Suspended Particulate
MDHI	Maximum Design Heat Input	USEPA	United States Environmental Protection Agency
MM	Million	UTM	Universal Transverse Mercator
MMBtu/hr or mmbtu/hr	Million British Thermal Units per Hour	VEE	Visual Emissions Evaluation
MMCF/hr or mmcf/hr	Million Cubic Feet per Hour	VOC	Volatile Organic Compounds
NA	Not Applicable	VOL	Volatile Organic Liquids
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

- 2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*

2.4. Term and Renewal

- 2.4.1. This permit supercedes and replaces previously issued Permit R13-0075G. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

2.5. Duty to Comply

- 2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-0075, R13-0075A, R13-0075B, R13-0075C, R13-0075D, R13-0075E, R13-0075F, R13-0075G and R13-0075H and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
[45CSR§§13-5.11 and 13-10.3]
- 2.5.2. 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;
- 2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;
- 2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

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 administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records 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.

2.7. Duty to Supplement and Correct Information

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.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-4]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-5.4.]

2.10. Major Permit Modification

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.

[45CSR§13-5.1]

2.11. Inspection and Entry

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.

2.12. Emergency

- 2.12.1. An "emergency" means any situation arising from sudden and reasonable 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.

- 2.12.2. 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 Section 2.12.3 are met.
- 2.12.3. 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. 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 must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.
- 2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- 2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should 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.

2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

2.15. Property Rights

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

2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. [45CSR§13-10.1]

2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

2.19. Credible Evidence

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 defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency 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, suffer, allow or permit 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.
[40CFR§61.145(b) and 45CSR§34]
- 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. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5.]
- 3.1.6. **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 45 C.S.R. 11.
[45CSR§11-5.2.]

3.2. Monitoring Requirements

[Reserved]

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 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as 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. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- 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 sixty (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; and,
 3. A statement of compliance or noncompliance with each permit or rule condition.

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

3.4. Recordkeeping Requirements

- 3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.
- 3.4.2. **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§4. *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.
- 3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
- 3.5.3. **Correspondence.** 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, or mailed first class 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 25304-2345

If to the USEPA:

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. **Operating Fee.**

3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a Certified Emissions Statement (CES) and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. Maximum emissions to the atmosphere from Steam Generator #1 (ID # 1S) shall not exceed the following limits:

Pollutant	lb/hr	Averaging Time	TPY
Nitrogen Oxides	10,514	3-hours	46,051
Sulfur Dioxide	18,024	3-hours	78,945
Carbon Monoxide	427	24-hours	1,870
Particulate Matter	598	6-hours	2,620
PM ₁₀	138	6-hours	603
Volatile Organic Compounds	51	24-hours	224

4.1.2 Emissions from Steam Generator #1 (ID #1S) shall be vented to and controlled by the electrostatic precipitator (ID #1C), prior to the release to the atmosphere. The electrostatic precipitator shall be designed to achieve a minimum collection efficiency of 99.7% for particulate matter.

4.1.3 Maximum emissions to the atmosphere from Auxiliary Boiler #1 (ID # 2S) shall not exceed the following limits:

Limits applicable before January 31, 2016:

Pollutant	Hourly Emissions (lb/hr)	Annual Emissions (ton/year)
Nitrogen Oxides	113	495
Sulfur Dioxide	401	1,757
Carbon Monoxide	28	123
PM-10	6	27
Volatile Organic Compounds	1	5

Limits applicable beginning January 31, 2016:

Pollutant	Hourly Emissions (lb/hr)	Annual Emissions (ton/year)
Nitrogen Oxides	99.67	43.65
Sulfur Dioxide	353.82	154.97
Carbon Monoxide	24.92	10.91
PM-10	4.98	2.18
Volatile Organic Compounds	1.00	0.44

4.1.4 Maximum emissions to the atmosphere from Auxiliary Boiler #2 (ID # 3S) shall not exceed the following limits:

Limits applicable before January 31, 2016:

Pollutant	Hourly Emissions (lb/hr)	Annual Emissions (ton/year)
Nitrogen Oxides	113	495
Sulfur Dioxide	401	1,757
Carbon Monoxide	28	123
PM-10	6	27
Volatile Organic Compounds	1	5

Limits applicable beginning January 31, 2016

Pollutant	Hourly Emissions (lb/hr)	Annual Emissions (ton/year)
Nitrogen Oxides	99.67	43.65
Sulfur Dioxide	353.82	154.97
Carbon Monoxide	24.92	10.91
PM-10	4.98	2.18
Volatile Organic Compounds	1.00	0.44

4.1.5 Maximum fuel feed rate to Auxiliary Boiler #1 (ID#2S) and Auxiliary Boiler #2 (ID#3S) shall not exceed 135,500 gallons of fuel oil per day respectively. The percent sulfur of the fuel oil shall not exceed 0.5%.

- 4.1.5.1 Beginning January 31, 2016, the annual heat input to each auxiliary boiler (2S and 3S) shall not exceed 525,600 mmbtu/year.
- 4.1.6 The emergency quench pump (4S) shall not be operated more than 500 hours per year.
- 4.1.7 The amount of limestone unloaded from barges (conveyor ZU-CV-70001) shall not exceed 1500 tons per hour nor 1,092,000 tons per year based on a 12 month rolling total. For the purposes of this permit a 12 month rolling total means the sum of material throughput at the end of any given month for the previous 12 months.
- 4.1.8 The amount of limestone processed at the facility (conveyor ZU-CV-70005) shall not exceed 400 tons per hour nor 802,560 tons per year based on a 12 month rolling total.
- 4.1.9 The amount of gypsum loaded out to barge (conveyor ZB-CV-70011) shall not exceed 250 tons per hour nor 1,448,000 tons per year based on a 12 month rolling total.
- 4.1.10 The amount of gypsum and Chloride Purge Stream Waste Water Treatment Plant solids belted to the landfill (Conveyor ZB-CV-70003) shall not exceed 1700 tons per hour nor 4,026,000 tons per year based on a 12 month rolling total.
- 4.1.11 The amount of gypsum CPS Waste Water Treatment Plant solids trucked to the landfill shall not exceed 694 tons per hour nor 4,026,000 tons per year based on a 12 month rolling total.
- 4.1.12 The amount of magnesium hydroxide used at the facility shall not exceed 10,512,000 gallons per year based on a 12 month rolling total..
- 4.1.13 The amount of hydrated lime used at the facility shall not exceed 35,916 tons per year based on a 12 month rolling total..
- 4.1.14 The amount of Trona used at the facility shall not exceed 21,900 tons per year based on a 12 month rolling total.
- 4.1.15 The permittee shall not cause, suffer, allow or permit any source of fugitive particulate matter to operate that is not equipped with a fugitive particulate matter control system. This system shall be operated and maintained in such a manner as to minimize the emission of fugitive particulate matter. **[45CSR2.5.1]**
- 4.1.16 The permittee shall maintain a water truck on site and in good operating condition, and shall utilize same to apply water 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 spraybar shall be equipped with spray nozzles, of sufficient size and number, so as to provide adequate coverage to the area being treated.

The pump delivering the water shall be of sufficient size and capacity so as to be capable of delivering to the spray nozzle(s) an adequate quantity of water and at a sufficient pressure, so as to assure that the treatment process will minimize the atmospheric entrainment of fugitive particulate emissions

generated from the haulroads and work areas where mobile equipment is used.

Additionally, at least twice per year the permittee shall apply a mixture of water and an environmentally acceptable dust control additive hereafter referred to as solution to all unpaved haul roads. The solution shall have a concentration of dust control additive sufficient to minimize the atmospheric entrainment of fugitive particulate emissions that may be generated from haulroads.

For paved haulroads, the use of a wet road sweeper is an acceptable alternative to a water truck as long as it is operated in such a manner as to assure minimization of the atmospheric entrainment of fugitive particulate emissions

4.1.17 The amount of gypsum from the emergency pile and CPS WWTP solids trucked to the landfill shall not exceed 694 tons per hour nor 162,400 tons per year based on a 12 month rolling total.

4.1.18 The amount of chemicals received for the CPS WWTP shall not exceed the following:

Chemical	Hourly Rate	Annual Rate
Ferric Chloride	20 gal. per hour	74,000 gal/yr
Hydrochloric Acid	25 gal. per hour	108,000 gal/yr
Sulfuric Acid	10 gal. per hour	43,000 gal/yr
Hydrated Lime	920 lb/hr	2000 ton/yr

4.1.19. The amount of coal unloaded from the mine conveyor (M5) shall not exceed 1800 tons per hour nor 3,000,000 tons per year based on a 12 month rolling total.

4.1.20 The amount of limestone processed through Roll Crusher 7S shall not exceed 350 tons per hour nor 216,000 tons per year based on a 12 month rolling total.

4.1.21. **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.]

4.1.22 Auxiliary boilers 2S and 3S shall comply with all applicable requirements of 40 CFR 63 Subpart DDDDD no later than January 31, 2016.

[40 CFR §63.7495(b)]

4.1.23 The permittee shall complete an initial tune up of auxiliary boilers 2S and by following the procedures described in §63.7540(a)(10)(i) through (vi) no later than the compliance date specified in §63.7495.

[40 CFR §63.7510(e)]

- 4.1.24 The permittee shall complete a tune-up of auxiliary boilers 2S and 3S every 5 years as specified in paragraphs (a)(10)(i) through (vi) of 40 C.F.R. §7540 to demonstrate continuous compliance.
[40 CFR §63.7540(a)(12)]

4.2. Monitoring Requirements

- 4.2.1. To determine compliance with requirement 4.1.1 of this permit, the permittee shall monitor and maintain Continuous Emission Monitors (CEMs) for Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) on Steam Generator #1 (ID # 1S). These records shall be maintained on site for a period of not less than five (5) years and certified records shall be made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.2 To determine compliance with requirement 4.1.3, 4.1.4, and 4.1.5, the permittee shall monitor and maintain records of the maximum fuel feed rate to Auxiliary Boiler #1 (ID# 2S) and Auxiliary Boiler #2 (ID# 3S) and sulfur content of the fuel oil. In addition, to determine compliance with 4.1.5.1, the permittee shall maintain records of the monthly fuel feed rate and fuel heat content. These records shall be maintained on site for a period of not less than five (5) years and certified records shall be made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.3 For the purposes of determining compliance with condition 4.1.6 of this permit, the permittee shall maintain monthly records of the number of hours the emergency quench pump is operated. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.4 For the purposes of determining compliance with condition 4.1.7 of this permit, the permittee shall maintain monthly records of the amount of limestone unloaded from barges. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.5 For the purposes of determining compliance with condition 4.1.8 of this permit, the permittee shall maintain monthly records of the amount of limestone processed at the facility. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.6 For the purposes of determining compliance with condition 4.1.9 of this permit, the permittee shall maintain monthly records of the amount of gypsum loaded out to barges. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.7 For the purposes of determining compliance with condition 4.1.10 of this permit, the permittee shall maintain monthly records of the amount of gypsum and CPS WWTP Solids belted to the landfill. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.

- 4.2.8 For the purposes of determining compliance with condition 4.1.11 of this permit, the permittee shall maintain monthly records of the amount of gypsum and CPS WWTP solids trucked to the landfill. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.9 For the purposes of determining compliance with condition 4.1.12 of this permit, the permittee shall maintain monthly records of the amount of magnesium hydroxide used at the facility. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.10 For the purposes of determining compliance with condition 4.1.13 of this permit, the permittee shall maintain monthly records of the amount of hydrated lime used at the facility. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.11 For the purposes of determining compliance with condition 4.1.14 of this permit, the permittee shall maintain monthly records of the amount of Trona used at the facility. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.12 For the purposes of determining compliance with condition 4.1.16 of this permit, the permittee shall maintain records of the amount of dust control additive used at the facility and the dates the solution was applied. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.13 For the purposes of determining compliance with condition 4.1.17 of this permit, the permittee shall maintain monthly records of the amount of gypsum from the emergency pile and CPS WWTP solids trucked to the landfill. These records shall be maintained on site for a period of not less than five (5) years. These records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.14 For the purposes of determining compliance with condition 4.1.18 of this permit, the permittee shall maintain monthly records of the amount of chemicals used at the CPS WWTP facility. These records shall be maintained on site for a period of not less than five (5) years. These records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.15 For the purposes of determining compliance with condition 4.1.19 of this permit, the permittee shall maintain monthly records of the amount of coal received from the mine conveyor. These records shall be maintained on site for a period of not less than five (5) years. These records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
- 4.2.16 For the purposes of determining compliance with condition 4.1.20 of this permit, the permittee shall maintain monthly records of the amount of limestone processed through the roll crusher. Alternatively, the permittee may keep records certifying the maximum hourly capacity of the crusher

and the daily hours of operation of said crusher. These records shall be maintained on site for a period of not less than five (5) years. These records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.

4.3. Testing Requirements

[Reserved]

4.4. Recordkeeping Requirements

4.4.1. **Record of Monitoring.** 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.

4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, 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.
- 4.4.4. In order to determine compliance with 4.2..2, the permittee shall maintain records of the monthly fuel feed rate and fuel heat content.
- 4.4.5 You must keep records according to paragraphs (1) and (2) of this condition.
- (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in §63.10(b)(2)(xiv).
 - (2) Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations as required in §63.10(b)(2)(viii).
- [40 CFR §63.7555(a)]**
- 4.4.6 You must maintain records of the calendar date, time, occurrence and duration of each startup and shutdown.
- [40 CFR §63.7555(i)]**
- 4.4.7 You must maintain records of the type(s) and amount(s) of fuels used during each startup and shutdown.
- [40 CFR §63.7555(j)]**
- 4.4.8 All records required to comply with 40 CFR 63 Subpart DDDDD shall be kept in the following form:
- (a) Your records must be in a form suitable and readily available for expeditious review, according to §63.10(b)(1).
 - (b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
 - (c) You must keep each record on site, or they must be accessible from on site (for example, through a computer network), for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You can keep the records off site for the remaining 3 years.

[40 CFR §63.7560]

- 4.4.9 For each unit that meets the definition of limited-use boiler or process heater, you must keep fuel use records for the days the boiler or process heater was operating.
[40 CFR §63.7525(k)]

CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached _____, representing the period beginning _____ and ending _____, and any supporting documents appended hereto, is true, accurate, and complete.

Signature¹ _____ Date _____
(please use blue ink) Responsible Official or Authorized Representative

Name and Title _____ Title _____
(please print or type) Name

Telephone No. _____ Fax No. _____

¹ This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

- a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (I) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or
 - (ii) the delegation of authority to such representative is approved in advance by the Director;
- b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of USEPA); or
- d. The designated representative delegated with such authority and approved in advance by the Director.