West Virginia Department of Environmental Protection
Division of Air Quality

Title V Operating Permit Revision

Earl Ray Tomblin
Governor

Randy C. Huffman
Cabinet Secretary

For Minor Modification Permitting Action Under 45CSR30 and Title V of the Clean Air Act

Permit Action Number: MM01 **SIC:** 4911
Name of Permittee: Morgantown Energy Associates
Facility Name/Location: Morgantown Plant
County: Monongalia
Facility Address: 555 Beechurst Avenue, Morgantown, WV 26505

Description of Permit Revision: The purpose of this revision is to incorporate the requirements of permit R14-0007C; address MATS technical corrections approved by U.S. EPA; incorporate MATS compliance extensions; and replace CAIR with Transport Rule requirements.

Title V Permit Information:
Permit Number: R30-06100027-2014
Issued Date: January 24, 2014
Effective Date: February 7, 2014
Expiration Date: January 24, 2019

Directions To Facility: From Charleston take Interstate 79 North to Exit 152. Bear right onto Fairmont Rd (US-19) approximately 1.9 miles. Turn right onto Holland Ave. (US-19) approximately 1.4 miles to University Avenue. Turn left on Beechurst Ave. Facility is located on the left approximately 0.8 miles.

THIS PERMIT REVISION IS ISSUED IN ACCORDANCE WITH THE WEST VIRGINIA AIR POLLUTION CONTROL ACT (W.VA. CODE §§ 22-5-1 ET SEQ.) AND 45CSR30 - "REQUIREMENTS FOR OPERATING PERMITS." THE PERMITTEE IDENTIFIED AT THE FACILITY ABOVE IS AUTHORIZED TO OPERATE THE STATIONARY SOURCES OF AIR POLLUTANTS IDENTIFIED HEREIN IN ACCORDANCE WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.

William F. Durham
Director

8-30-2016
Date Issued

Permit Number: **R30-06100027-2014**
Permittee: **Morgantown Energy Associates**
Permittee Mailing Address: **555 Beechurst Avenue, Morgantown, West Virginia 26505**

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — 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:	Morgantown, Monongalia County, West Virginia
Facility Mailing Address:	555 Beechurst Avenue, Morgantown, West Virginia 26505
Telephone Number:	304-284-2500
Type of Business Entity:	Partnership
Facility Description:	Cogeneration (Steam and Electric) Service
SIC Codes:	Primary: 4911; Secondary: N/A; Tertiary: N/A
UTM Coordinates:	589.20 km Easting • 4388.10 km Northing • Zone 17

Permit Writer: Denton McDerment

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.

Table of Contents

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

1.1. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
Fuel Handling					
S001A	Vents 1 & 2	Elevating Conveyor 1	1989	500 TPH	ES 1 / BH 1 & 2
S001B	Vents 1 & 2	TP001B - Elevating Conveyor 1 to Reversible Feed Conveyor 1	1989	500 TPH	ES 1 / BH 1 & 2
S001C	Vents 1 & 2	Reversible Feed Conveyor 1	1989	500 TPH	ES 1 / BH 1 & 2
S001D	Vent 1	TP001D - Reversible Feed Conveyor 1 to Coal Silo 1	1989	500 TPH	ES 1 / BH 1
S001E	Vent 1	Coal Silo 1	1989	2,100 Tons	ES 1 / BH 1
S001F	Vents 1 & 2	TP001F - Elevating Conveyor 1 to Emergency Bypass Conveyor	2001	120 TPH	ES 1 / BH 1 & 2
S002A	Vent 2	TP002A - Reversible Feed Conveyor 1 to Gob Storage Silo 1	1989	500 TPH	ES 1 / BH 2
S002B	Vent 2	Gob Storage Silo 1	2001	2,100 Tons	ES 1 / BH 2
S003A	Vent 3	TP003A – Coal Silo 1 to Weigh Belt Conveyor 1	1989	60 TPH	ES 2 / BH 3
S003B	Vent 3	TP003B – Gob Storage Silo 1 to Weigh Belt Conveyor 2	1989	60 TPH	ES 2 / BH 3
S003C	Vent 3	Weigh Belt Conveyor 1	1989	60 TPH	ES 2 / BH 3
S003D	Vent 3	Weigh Belt Conveyor 2	2001	60 TPH	ES 2 / BH 3
S003E	Vent 3	TP003E - Weigh Belt Conveyor 1& 2 to Grinding Mill	1989	60 TPH	ES 2 / BH 3
S003F	Vent 3	TP003F - Weigh Belt Conveyor 1& 2 to Hammer Mill	1989	60 TPH	ES 2 / BH 3
S003G	Vent 3	TP003G – Emergency Mill Feed System Hopper 1 to En-mass Elevating Conveyor 1	1989	60 TPH	ES 2 / BH 3
S003H	Vent 3	En-mass Elevating Conveyor 1	1989	60 TPH	ES 2 / BH 3
S003I	Vent 3	TP003I – En-mass Elevating Conveyor 1 to Mill Inlet Chute System	1989	60 TPH	ES 2 / BH 3
S003J	Vent 3	Grinding Mill 1	1989	60 & 90 TPH	ES 2 / BH 3
S003K	Vent 3	Hammer Mill 1	1989	60 TPH	ES 2 / BH 3
S004A	Vent 4	TP004A – Grinding Mill 1 to Mill Collecting Conveyor 1	1989	60 & 90 TPH	ES 3 / BH 4
S004B	Vent 4	TP004B – Hammer Mill 1 to Mill Collecting Conveyor 1	1989	60 TPH	ES 3 / BH 4

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S004C	Vent 4	TP004C – Baghouse 4 Dust Discharge to Mill Collecting Conveyor 1	1989	5 TPH (est.)	ES 3 / BH 4
S004D	Vent 4	Mill Collecting Conveyor 1	2001	120 TPH	ES 3 / BH 4
S004E	Vent 4	TP004E – Mill Collecting Conveyor 1 to Elevating Conveyor 2	1989	120 TPH	ES 3 / BH 4
S004F	Vent 4	TP004F – Baghouse 3 Dust Discharge to Mill Collecting Conveyor 1	1989	12 TPH	ES 3 / BH 4
S004G	Vent 4	Elevating Conveyor 2 (Bottom Half)	2001	120 TPH	ES 3 / BH 4
S005A	Vent 5	Elevating Conveyor 2 (Top Half)	1989	120 TPH	ES 4 / BH 5
S005B	Vent 5	TP005B – Elevating Conveyor 2 to Fuel Bin 1	1989	120 TPH	ES 4 / BH 5
S005C	Vent 5	TP005C – Elevating Conveyor 2 to Fuel Bin 2	1989	120 TPH	ES 4 / BH 5
S005D	Vent 5	Fuel Bin 1	1989	375 Tons	ES 4 / BH 5
S005E	Vent 5	Fuel Bin 2	1989	375 Tons	ES 4 / BH 5
S005F	Vent 5	Emergency Bypass Conveyor	2001	120 TPH	ES 4 / BH 5
Limestone Handling					
S006A	Vent 6	TP006A – Transfer from Truck to Limestone Unloading Hopper 1	1989	37.5 TPH	BE 2 / BH 6
S006B	Vent 6	TP006B – Transfer from Truck to Limestone Unloading Hopper 2	1989	37.5 TPH	BE 2 / BH 6
S006C	Vent 6	Limestone Unloading Hopper 1	1989	75 TPH	BE 2 / BH 6
S006D	Vent 6	Limestone Unloading Hopper 2	1989	75 TPH	BE 2 / BH 6
S007A	Vent 7 & 8	TP007A – Transfer from Limestone Unloading Hopper 1 to Pneumatic Conveying System 1	1989	75 TPH	PCS 1
S007B	Vent 7 & 8	TP007B – Transfer from Limestone Unloading Hopper 2 to Pneumatic Conveying System 1	1989	75 TPH	PCS 1
S007C	Vent 7 & 8	TP007C – Transfer from Truck to Pneumatic Conveying System 1	1989	75 TPH	PCS 1
S007D	Vent 7	TP007D – Transfer from Pneumatic Conveying System 1 to Limestone Silo 1	1989	75 TPH	ES 5 / BVF 1
S007E	Vent 7	Limestone Silo 1	1989	1,160 Tons	ES 5 / BVF 1
S008A	Vent 8	TP008A – Transfer from Limestone Silo 1 to Pneumatic Conveying System 1	1989	75 TPH	PCS 1
S008B	Vent 8	TP008B – Transfer from Pneumatic Conveying System 1 to Limestone Bin 1	1989	75 TPH	ES 6 / BVF 2
S008C	Vent 8	Limestone Bin 1	1989	250 Tons	ES 6 / BVF 2

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S008D	Vent 8	TP008D– Limestone Bin 1 to Gravimetric Feeder/Conveyor A	1989	10 TPH	ES 6 / BVF 2
S008E	Vent 8	Gravimetric Feeder/Conveyor A	1989	10 TPH	ES 6 / BVF 2
S008F	Vent 8	TP008F– Gravimetric Feeder/Conveyor A to Rotary Valve A	1989	10 TPH	ES 6 / BVF 2
S008G	Vent 8	TP008G– Limestone Bin 1 to Gravimetric Feeder/Conveyor B	1989	10 TPH	ES 6 / BVF 2
S008H	Vent 8	Gravimetric Feeder/Conveyor B	1989	10 TPH	ES 6 / BVF 2
S008I	Vent 8	TP008I– Gravimetric Feeder/Conveyor B to Rotary Valve B	1989	10 TPH	ES 6 / BVF 2
Boiler & Associated Equipment					
S009A	STACK1	TP009A - Limestone Feeder Rotary Valve A to Pneumatic Conveying System 2	1989	10 TPH	PCS / BH 7 & 8
S009B	STACK1	TP009B - Limestone Feeder Rotary Valve B to Pneumatic Conveying System 2	1989	10 TPH	PCS / BH 7 & 8
S009C	STACK1	TP009C - Pneumatic Conveying System 2 to CFB Boiler 1	1989	10 TPH	PCS / BH 7 & 8
S009D	STACK1	TP009D - Pneumatic Conveying System 2 to CFB Boiler 2	1989	10 TPH	PCS / BH 7 & 8
S009E	STACK1	TP009E – Fuel Bin 1 to Enclosed Conveying System 7	1989	46 TPH	ES / BH 7 & 8
S009F	STACK1	TP009F – Fuel Bin 2 to Enclosed Conveying System 7	1989	46 TPH	ES / BH 7 & 8
S009G	STACK1	Enclosed Conveying System 7 to CFB Boiler 1	1989	46 TPH	ES / BH 7 & 8
S009H	STACK1	Enclosed Conveying System 7 to CFB Boiler 2	1989	46 TPH	ES / BH 7 & 8
S009J	STACK1	Ahlstrom Pyroflow CFB Boiler/Cyclone #1	1989, SNCR 2016	375 mmBtu/hr	Limestone Injection, BH 8, SNCR
S009K	STACK1	Ahlstrom Pyroflow CFB Boiler/Cyclone #2	1989, SNCR 2016	375 mmBtu/hr	Limestone Injection, BH 7, SNCR
S009L	STACK1	Zurn Auxiliary Boiler #1	1989	132 mmBtu/hr	LNB
S009M	STACK1	Zurn Auxiliary Boiler #2	1989	132 mmBtu/hr	LNB
Ash Handling					
S010A	Vent 9	TP010A – CFB Boiler 1 Bottom Ash Screw A to Drag Chain Conveyor 101	1989	16.5 TPH	ES 8 / BVF 3

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S010B	Vent 9	TP010C – CFB Boiler 1 Bottom Ash Screw B to Drag Chain Conveyor 101	1989	16.5 TPH	ES 8 / BVF 3
S010C	Vent 9	TP010E – CFB Boiler 1 Bottom Ash Screw C to Drag Chain Conveyor 101	1989	16.5 TPH	ES 8 / BVF 3
S010D	Vent 9	Drag Chain Conveyor 101	1989	16.5 TPH	ES 8 / BVF 3
S010E	Vent 9	TP010I – CFB Boiler 2 Bottom Ash Screw A to Drag Chain Conveyor 201	1989	16.5 TPH	ES 8 / BVF 3
S010F	Vent 9	TP010K – CFB Boiler 2 Bottom Ash Screw B to Drag Chain Conveyor 201	1989	16.5 TPH	ES 8 / BVF 3
S010G	Vent 9	TP010M – CFB Boiler 2 Bottom Ash Screw C to Drag Chain Conveyor 201	1989	16.5 TPH	ES 8 / BVF 3
S010H	Vent 9	Drag Chain Conveyor 201	1989	16.5 TPH	ES 8 / BVF 3
S010I	Vent 9	TP010Q – Drag Chain Conveyor 101 to Clinker Grinder 1	1989	16.5 TPH	ES 8 / BVF 3
S010J	Vent 9	TP010S – Drag Chain Conveyor 201 to Clinker Grinder 3	1989	16.5 TPH	ES 8 / BVF 3
S010K	Vent 9	Clinker Grinder 1	1989	16.5 TPH	ES 8 / BVF 3
S010L	Vent 9	Clinker Grinder 3	1989	16.5 TPH	ES 8 / BVF 3
S010M	Vent 9	TP010Y – Clinker Grinder 1 to Bottom Ash Holding Bin 1	1989	16.5 TPH	ES 8 / BVF 3
S010N	Vent 9	TP010AA – Clinker Grinder 3 to Bottom Ash Holding Bin 1	1989	16.5 TPH	ES 8 / BVF 3
S010O	Vent 9	Bottom Ash Holding Bin	1989	76.5 Tons	ES 8 / BVF 3
S011A	Vent 10	TP011A – Bottom Ash Holding Bin Discharge A to Vacuum Conveying System A	1989	50 TPH	ES 3 / VCS A / FS A
S011B	Vent 10	TP011B – Bottom Ash Holding Bin Discharge B to Vacuum Conveying System B	1989	50 TPH	ES 3 / VCS B / FS B
S011C	Vent 10	TP011C – Bottom Ash Holding Bin Discharge C to Vacuum Conveying System C	1989	50 TPH	ES 3 / VCS C / FS C
S011D	Vent 10	TP011D – CFB No. 1 Air Heater Hopper to Vacuum Conveying System A	1989	50 TPH	ES 3 / VCS A / FS A
S011E	Vent 10	TP011E – CFB No. 2 Air Heater Hopper to Vacuum Conveying System C	1989	50 TPH	ES 3 / VCS C / FS C
S011F	Vent 10	TP011F – CFB No. 1 Baghouse Row 1 Discharge to Vacuum Conveying System A	1989	50 TPH	ES 3 / VCS A / FS A
S011G	Vent 10	TP011G – CFB No. 1 Baghouse Row 2 Discharge to Vacuum Conveying System B	1989	50 TPH	ES 3 / VCS B / FS B

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S011H	Vent 10	TP011H – CFB No. 2 Baghouse Row 1 Discharge to Vacuum Conveying System B	1989	50 TPH	ES 3 / VCS B / FS B
S011I	Vent 10	TP011I – CFB No. 2 Baghouse Row 2 Discharge to Vacuum Conveying System C	1989	50 TPH	ES 3 / VCS C / FS C
S011J	Vent 10	Filter/Separator A Exhaust	1989	50 TPH	ES 3 / VCS A / FS A
S011K	Vent 10	Filter/Separator B Exhaust	1989	50 TPH	ES 3 / VCS B / FS B
S011L	Vent 10	Filter/Separator C Exhaust	1989	50 TPH	ES 3 / VCS C / FS C
S012A	Vent 11	TP012A – Filter/Separator A to Ash Silo1	1989	50 TPH	ES 9 / BH 9
S012B	Vent 11	TP012B – Filter/Separator B to Ash Silo1	1989	50 TPH	ES 9 / BH 9
S012C	Vent 11	TP012C – Filter/Separator A to Ash Silo1	1989	50 TPH	ES 9 / BH 9
S012D	Vent 11	Ash Silo1	1989	1,300 Tons	ES 9 / BH 9
S012E	Vent 11	TP012E – Ash Silo to Truck	1989	300 TPH	BH 9 / BE 4 / AC 1
S012F	Vent 11	TP012FE – Ash Silo to Truck	1989	300 TPH	BH 9 / BE 4 / AC 2
Fuel Receiving & Emergency Fuel Feed Fugitives					
S00F1	Fugitive Emission 1	TP00F1 – Transfer from Truck to Fuel Unloading Hopper/Vibratory Feeder 1	1989	250 TPH	BE 1 / WS 1
S00F2	Fugitive Emission 2	Fuel Unloading Hopper 1	1989	250 TPH	BE 1 / WS 1
S00F3	Fugitive Emission 3	Vibratory Feeder 1	1989	250 TPH	BE 1 / ES 1
S00F4	Fugitive Emission 4	TP00F4 – Transfer from Truck to Fuel Unloading Hopper/Vibratory Feeder 2	1989	250 TPH	BE 1 / WS 2
S00F5	Fugitive Emission 5	Fuel Unloading Hopper 2	1989	250 TPH	BE 1 / WS 2
S00F6	Fugitive Emission 6	Vibratory Feeder 2	1989	250 TPH	BE 1 / ES 1
S00F7	Fugitive Emission 7	TP00F7 – Vibratory Feeder 2 to Transfer Conveyor 1	1989	250 TPH	BE 1 / ES 1 / WS 3
S00F8	Fugitive Emission 8	TP00F8 – Vibratory Feeder 1 to Transfer Conveyor 1	1989	250 TPH	BE 1 / ES 1 / WS 4
S00F9	Fugitive Emission 9	Transfer Conveyor 1	1989	500 TPH	BE 1 / ES 1

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S00F10	Fugitive Emission 10	TP00F10 – Transfer Conveyor 1 to Elevating Conveyor 1	1989	500 TPH	BE 1 / ES 1 / WS 5
S00F11	Fugitive Emission 11	TP00F11 – Dribble Chute 1 to Dribble Chute Catch Bin 1	1989	N/A	BE 1
S00F12	Fugitive Emission 12	Dribble Chute Catch Bin 1	1989	N/A	BE 1
S00F13	Fugitive Emission 13	TP00F13 – Dribble Chute Catch Bin 1 to Dribble Chute Conveyor 1	1989	N/A	BE 1
S00F14	Fugitive Emission 14	TP00F14 – Dribble Chute Conveyor 1 to Transfer Conveyor 1	1989	N/A	BE 1
S00F15	Fugitive Emission 15	TP00F15 – Front End Loader to Emergency Mill Feed System Hopper 1	1989	60 TPH	N/A
S00F16	Fugitive Emission 16	Emergency Mill Feed System Hopper 1	1989	60 TPH	N/A
Storage Tank Fugitives					
S00F17	Fugitive Emission 17	A.S.T. 01 Acid Tank	1989	5,800 Gallons	N/A
S00F18	Fugitive Emission 18	A.S.T. 02 Caustic Tank	1989	5,800 Gallons	N/A
S00F21	Fugitive Emission 21	A.S.T. 05 Turbine Oil Tank	1989	2,378 Gallons	N/A
S00F22	Fugitive Emission 22	A.S.T. 06 EHC Oil Storage Tank	1989	105 Gallons	N/A
S00F23	Fugitive Emission 23	A.S.T. 07 Water Treatment Phosphate Tank	1989	1,600 Gallons	N/A
S00F24	Fugitive Emission 24	A.S.T. 08 Water Treatment Corrosion Inhibitor Tank	1989	400 Gallons	N/A
S00F25	Fugitive Emission 25	A.S.T. 09 Water Treatment Oxygen Scavenger Tank	1989	400 Gallons	N/A
Paved Roadway Fugitives					
S00F26	Fugitive Emission 26	Plant Roadway	1989	N/A	Paved / Water Cleaning

[1] AC – Ash Conditioner; BH – Baghouse; BE – Building Enclosure; BVF – Bin Vent Filter; ES – Enclosed System; FS – Filter Separator; LNB – Low NO_x Burners; PCS – Pneumatic Conveying System; SNCR – Selective Non-Catalytic Reduction system; VCS – Vacuum Conveying System; WS – Water Spray.

1.2. 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
~~R13-1085B/R14-7B~~	~~April 20, 1993~~
R14-0007C	April 5, 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	**PM_{10}**	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	**SNCR**	Selective Non Catalytic Reduction
HAP	Hazardous Air Pollutant	**SO_2**	Sulfur Dioxide
HON	Hazardous Organic NESHAP	**TAP**	Toxic Air Pollutant
HP	Horsepower	**TBtu**	Trillion British Thermal Units
lbs/hr *or* lb/hr	Pounds per Hour	**TPY**	Tons per Year
LDAR	Leak Detection and Repair	**TRS**	Total Reduced Sulfur
m	Thousand	**TSP**	Total Suspended Particulate
MACT	Maximum Achievable Control Technology	**USEPA**	United States Environmental Protection Agency
mm	Million	**UTM**	Universal Transverse Mercator
mmBtu/hr	Million British Thermal Units per Hour	**VEE**	Visual Emissions Evaluation
$mmft^3$/hr *or* mmcf/hr	Million Cubic Feet Burned per Hour	**VOC**	Volatile Organic Compounds
NA *or* N/A	Not Applicable	**LEE**	Low emitting EGU
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]

3.1.9. **Fugitive Particulate Matter Control.** No person shall 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. Sources of fugitive particulate matter associated with fuel burning units shall include, but not be limited to, the following:

a. Stockpiling of ash or fuel either in the open or in enclosures such as silos;

b. Transport of ash in vehicles or on conveying systems, to include spillage, tracking, or blowing of particulate matter from or by such vehicles or equipment; and

c. Ash or fuel handling systems and ash disposal areas.

Compliance with this streamlined condition will ensure compliance with ~~45CSR13/14 –~~ Permit No. ~~R13-1085/R14-7 "Other Requirement (B)(1)(e)"~~ R14-0007, requirement 5.1.3.

(In addition to the emission units that vent through the emission points identified in Section 5.0., also included are Em. Unit IDs S009A, S009B, S009C, S009D, S009E, S009F, S009G, and S009H which vent through Em. Pt. ID Stack 1.)

[45CSR§2-5; 45CSR14, R14-0007, 5.1.3.]

3.1.10. All plant roads and haulways shall be paved and shall be kept clean by appropriate measures to minimize the emission or entrainment of fugitive particulate matter.
~~[45CSR13/14 – Permit No. R13-1085/R14-7 Specific Requirement (A)(7)~~ 45CSR14, R14-0007, 3.1.7.; 45CSR§2-5.1.]

3.1.11. ~~**CAIR NO_x Annual Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix A) and the CAIR permit requirements set forth in 45CSR39 for each CAIR NO_x Annual source. The complete CAIR Permit Application shall be the CAIR Permit portion of the Title V permit administered in accordance with 45CSR30.~~
~~**[45CSR§§39-6.1.b. and 20.1.]**~~

~~a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§39-2 and, upon recordation by the Administrator under sections 51 through 57, or 60 through 62 of 45CSR39, every allocation, transfer, or deduction of a CAIR NO_x Annual allowance to or from the compliance account of the CAIR NO_x Annual source covered by the permit.~~
~~**[45CSR§39-23.2.]**~~

~~b. Except as provided in 45CSR§39-23.2, the Secretary will revise the CAIR Permit portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.~~
~~[45CSR§39-24.1.]~~

TR NOx Annual Trading Program. The permittee shall comply with the standard requirements set forth in the attached Transport Rule (TR) Trading Program Title V Requirements (see Appendix A).
[40 C.F.R. §97.406]

3.1.12. **~~CAIR NO_x Ozone Season Trading Program.~~** ~~The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix A) and the CAIR permit requirements set forth in 45CSR40 for each CAIR NO_x Ozone Season source. The complete CAIR Permit Application shall be the CAIR Permit portion of the Title V permit administered in accordance with 45CSR30.~~
~~[45CSR§§40-6.1.b. and 20.1.]~~

~~a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§40-2 and, upon recordation by the Administrator under sections 51 through 57, or 60 through 62 of 45CSR40, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from the compliance account of the CAIR NO_x Ozone Season source covered by the permit.~~
~~[45CSR§40-23.2.]~~

~~b. Except as provided in 45CSR§40-23.2, the Secretary will revise the CAIR Permit portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.~~
~~[45CSR§40-24.1.]~~

TR NOx Ozone Season Trading Program. The permittee shall comply with the standard requirements set forth in the attached Transport Rule (TR) Trading Program Title V Requirements (see Appendix A).
[40 C.F.R. §97.506]

3.1.13. **~~CAIR SO_2 Trading Program.~~** ~~The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix A) and the CAIR permit requirements set forth in 45CSR41 for each CAIR SO_2 source. The complete CAIR Permit Application shall be the CAIR Permit portion of the Title V permit administered in accordance with 45CSR30.~~
~~[45CSR§§41-6.1.b. and 20.1.]~~

~~a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§41-2 and, upon recordation by the Administrator under sections 51 through 57, or 60 through 62 of 45CSR41, every allocation, transfer, or deduction of a CAIR SO_2 allowance to or from the compliance account of the CAIR SO_2 source covered by the permit.~~
~~[45CSR§41-23.2.]~~

~~b. Except as provided in 45CSR§41-23.2, the Secretary will revise the CAIR Permit portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.~~
~~[45CSR§41-24.1.]~~

TR SO_2 Group 1 Trading Program. The permittee shall comply with the standard requirements set forth in the attached Transport Rule (TR) Trading Program Title V Requirements (see Appendix A).
[40 C.F.R. §97.606]

3.1.14. **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 1.1 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. **[45CSR14, R14-0007, 4.1.18.; 45CSR§13-5.11.]**

3.2. Monitoring Requirements

3.2.1. 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, 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]

3.4. 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.; 45CSR14-R14-0007, 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.]

3.4.4. **Recordkeeping – Dust Control.** The permittee shall maintain records indicating the use of any dust suppressants or any other suitable dust control measures applied at the facility. The permittee shall also inspect all fugitive dust control systems weekly from May 1 through September 30 and monthly from October 1 through April 30 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 and shall state any maintenance or corrective actions taken as a result of the weekly and/or monthly inspections, the times the fugitive dust control system(s) were inoperable and any corrective actions taken.
[45CSR§30-5.1.c.]

3.4.5. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.1, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

[45CSR14, R14-0007, 4.4.2.]

3.4.6. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.1, 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.

[45CSR14, R14-0007, 4.4.3.]

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. There is no facility-wide compliance plan since a responsible official certified compliance with all applicable requirements in the renewal application for this Title V operating permit.

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.

a. **40 C.F.R. 60 Subpart Dc** - ***Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.*** Each of the boilers (CFB and auxiliary) has a maximum design heat input capacity greater than 100 MMBtu/hr. Therefore, in accordance with 40 C.F.R. §60.40c(a), the boilers are not subject to Subpart Dc.

b. **40 C.F.R. 60 Subpart K** - ***Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to***

May 19, 1978. None of the tanks at the facility are greater than 40,000 gallons capacity. Therefore, in accordance with applicability criteria §60.110(a), Subpart K does not apply to the facility's tanks.

c. **40 C.F.R. 60 Subpart Ka** - ***Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.*** None of the tanks at the facility are greater than 40,000 gallons capacity. Therefore, in accordance with applicability criteria §60.110a(a), Subpart Ka does not apply to the facility's tanks.

d. **40 C.F.R. 60 Subpart Kb** - ***Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.*** None of the tanks at the facility are greater than 75-m^3 (19,812.9 gallons) capacity. Therefore, in accordance with applicability criteria §60.110b(a), Subpart Kb does not apply to the facility's tanks.

e. **40 C.F.R. 60 Subpart OOO** – ***Standards of Performance for Nonmetallic Mineral Processing Plants.*** In accordance with §60.670(a)(1), this NSPS applies to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. The permittee's facility operates some of this equipment. Under §60.671, the NSPS defines a *nonmetallic mineral* to include limestone, but neither coal nor gob (i.e., waste or refuse coal) are included. Therefore, this Subpart does not apply to the equipment used to process coal or gob at the facility. Also under §60.671, the NSPS defines a *Nonmetallic mineral processing plant* to mean "any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants, or any other facility processing nonmetallic minerals except as provided in §60.670(b) and (c)." The key to evaluating the facility with respect to this definition is the language "crush or grind". Even though limestone is a *nonmetallic mineral* as defined in the NSPS, it is not crushed or ground at the facility. Limestone is received already crushed and ground to the appropriate size, and is not subsequently crushed or ground at the facility. This operating scenario agrees with the process flow diagrams in the 2008 renewal application, and was confirmed by the permittee in technical correspondence (6/03/08 e-mail). Therefore, this Subpart does not apply to the processing of limestone at the facility.

f. **40 C.F.R. 60 Subpart CCCC** - ***Standards of Performance for Commercial and Industrial Solid Waste Incineration Units.*** The CFB Boilers are not commercial and industrial solid waste incineration (CISWI) units as defined in §60.2265. This is due to the fact that they are fired by a blend of virgin bituminous coal and coal refuse as well as natural gas for startup purposes. All of these fuels meet the definition of "traditional fuels" in 40 CFR §241.2 and hence are not considered solid wastes.

g. **40 C.F.R. 63 Subpart Q** – ***National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.*** After review of the permittee's Process Flow Schematic and Equipment Table in the 2008 renewal application, it was determined that the facility does not have an *industrial process cooling tower*, which is defined in §63.401. Therefore, the facility does not meet the applicability criteria of §63.400(a), and hence this MACT does not apply to the facility.

h. **40 C.F.R. 63 Subpart T** - ***National Emission Standards for Halogenated Solvent Cleaning.*** The batch cold solvent cleaning machine at the facility does not utilize any solvent containing methylene chloride (CAS No. 75-09-2), perchloroethylene (CAS No. 127-18-4), trichloroethylene (CAS No. 79-01-6), 1,1,1-trichloroethane (CAS No. 71-55-6), carbon tetrachloride (CAS No. 56-23-5) or chloroform (CAS

No. 67-66-3), or any combination of these halogenated HAP solvents, in a total concentration greater than 5 percent by weight, as a cleaning and/or drying agent.

i. **40 C.F.R. 63 Subpart JJJJJJ - *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.*** The facility is not an area source of HAP emissions; therefore, it does not meet the applicability criteria of this regulation.

j. **40 C.F.R. 98 Subpart D - *Electricity Generation.*** Facility is not subject to the Acid Rain Program and is not required to monitor and report CO_2 mass emissions year-round according to 40 C.F.R. Part 75.

k. **45CSR5 – *To Prevent and Control Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas.*** A "Coal Preparation Plant" is defined under 45CSR§5-2.4., and this definition includes any facility that prepares coal by crushing, and further such definition includes all coal handling operations associated with a crushing process. The permittee crushes coal at the facility using a grinding mill (Em. Unit ID S003J) and hammer mill (Em. Unit ID S003K), and there is coal handling equipment associated with the crushing. However, since the facility is subject to 45CSR2, according to 45CSR§5-2.4.b. the *facility* is not included in the definition of a "Coal Preparation Plant". Therefore, 45CSR5 does not apply to the facility, and particularly its coal crushing operations and associated coal handling.

l. **45CSR7 – *To Prevent and Control Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations.*** Since the facility is subject to 45CSR2, 45CSR§7-10.1. provides an exemption from 45CSR7.

m. **45CSR17 – *To Prevent and Control Particulate Matter Air Pollution from Material Handling, Preparation, Storage and Other Sources of Fugitive Particulate Matter.*** The facility is characterized by the handling and storage of materials that have the potential to produce fugitive particulate if not properly controlled. However, since the facility is subject to 45CSR2, it is not subject to this rule in accordance with the exemption granted in 45CSR§17-6.1.

n. **45CSR33 – *Acid Rain Provisions and Permits* and 40 C.F.R. Part 72 – *Permits Regulation.*** The facility is exempt from "Acid Rain" requirements in accordance with the exemption granted under 40 C.F.R. §72.6(b)(5). It follows, then, that the facility is also exempt from the corresponding state rule 45CSR33.

4.0 CFB Boilers (S009J, S009K) and Auxiliary Boilers (S009L, S009M) [emission point ID: *STACK1*]

4.1. Limitations and Standards

4.1.1. Visible Emissions from each stack shall not exceed ten (10) percent opacity based on a six minute block average. *Compliance with this streamlined limit ensures compliance with 40 C.F.R. §60.42Da(b) for the CFB boilers.*
[45CSR§2-3.1.; 40 C.F.R. §60.42Da(b); 45CSR16; 45CSR14, R14-0007, 4.1.17.m.]

4.1.2. The addition of sulfur oxides to a combustion unit exit gas stream for the purpose of improving emissions control equipment is prohibited unless written approval for such addition is provided by the Director.
[45CSR§2-4.4.]

4.1.3. The visible emission standards of condition 4.1.1. shall apply at all times except in periods of start-ups, shutdowns and malfunctions.
[45CSR§2-9.1.]

4.1.4. Any fuel burning unit(s) including associated air pollution control equipment, shall at all times, including periods of start-up, shutdowns, and malfunctions, to the extent practicable, be maintained and operated in a manner consistent with good air pollution control practice for minimizing emissions.
[45CSR§2-9.2.; 45CSR16; 40 C.F.R. §60.11(d)]

4.1.5. ~~The fuel to be fired in CFB boilers 1 & 2 shall have a percent maximum sulfur content of 3.5 and a percent maximum ash content of 51.7 based on a 30 day rolling average of the daily as-fired fuel samples (analyzed on an as-received basis).~~

Emissions of nitrogen oxides (NO_x), expressed as NO_2, emitted to the atmosphere from each of the CFB boilers shall not exceed the following limits to the corresponding averaging periods.

a. NO_x concentration shall not exceed 293 ppmvd corrected to 3% oxygen on a 24-hr average basis.

b. NO_x emission rate shall not exceed 0.40 lb/MMBtu on a 30 day rolling average.

c. The permittee shall operate the SNCR in such manner as to maintain compliance with the above NO_x limits and in Condition 4.1.9.

[45CSR14, R14-0007, 4.1.3. ~~45CSR13/14-Permit No. R13-1085/R14-7-Modification Application Volume 1 Section 5.0 "Affected Source Sheet" page 46 Item 2.A.(4); 45CSR§30-5.1.c.~~]

4.1.6. ~~The sulfur dioxide reduction efficiency from each of the two (2) circulating fluidized bed boilers shall be no less than 94.6% on a 30 day rolling average basis in accordance with 40 C.F.R. §60.49Da(b). *[Compliance with this streamlined limit ensures compliance with the 70 percent reduction requirement in 40 C.F.R. §60.43Da(a)(2).]*~~

Sulfur Dioxide (SO_2) emissions emitted to the atmosphere from each of the CFB boilers shall not exceed the following limits to the corresponding averaging periods.

a. SO_2 emission rate shall not exceed 0.40 lb/MMBtu on a 30 day rolling average.
[40 C.F.R. §60.43Da(g)]

b. SO_2 concentration of no greater than 215 ppmvd corrected to 3.0 percent oxygen on a 24-hour average.

c. The SO_2 reduction efficiency from each unit shall not be less than 94.6% on a 30-day rolling average. *Compliance with this underlying permit requirement ensures compliance with the 70 percent reduction requirement in 40 C.F.R. §60.43Da(a)(2).*
[40 C.F.R. §§ 60.43Da(a)(2) and 60.43Da(g)]

[~~45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(6)~~ 45CSR14, R14-0007, 4.1.2. and 4.1.2.a. through c.; 45CSR16; 40 C.F.R. §§60.43Da(a)(2), and 60.43Da(g)~~, and 60.49Da(b)~~]

4.1.7. ~~**CFB Boilers.** Air pollutant emissions from the stack serving the two permitted circulating fluidized bed boilers shall not exceed any of the following limitations during which either or both of the subject boilers are in operation:~~ Particulate Matter (PM) emissions emitted to the atmosphere from each of the CFB boilers shall not exceed the following limits to the corresponding averaging periods.

~~Pollutant~~	~~lbm/hr~~	~~lbm/mmBtu~~	~~Concentration~~
~~Particulate Matter~~	~~22.5 (1)~~	~~0.03 (2)~~	~~0.016 gr/dscf @ 3.5% O_2~~
~~Sulfur Dioxide~~	~~285 (24-hr average)~~	~~0.40 (3) (30-day rolling average)~~	~~215 ppmvd @ 3.0% O_2 (24-hr average)~~
~~Nitrogen Oxides (NO_2)~~	~~300 (24-hr average)~~	~~0.40 (4) (30-day rolling average)~~	~~293 ppmvd @ 3.0% O_2 (24-hr average)~~
~~Volatile Organic Compounds~~	~~5.55~~	~~0.0074~~	~~N/A~~
~~Carbon Monoxide~~	~~117.5~~	~~0.157~~	~~188 ppmvd @ 3.0% O_2 (24-hr average)~~
~~Lead~~	~~0.13~~	~~N/A~~	~~N/A~~
~~Mercury~~	~~0.021~~	~~N/A~~	~~N/A~~
~~Fluorides~~	~~0.4~~	~~N/A~~	~~N/A~~
~~Beryllium~~	~~0.0002~~	~~N/A~~	~~N/A~~
~~Arsenic~~	~~0.002~~	~~N/A~~	~~N/A~~
~~Radionuclides~~	~~0.0009~~	~~N/A~~	~~N/A~~

~~*(1) Compliance with this streamlined PM mass rate limit assures compliance with 45CSR§2-4.1.a.*~~
~~*(2) Compliance with the above R13/R14 permit PM emission limitation of 0.03 lb/mmBtu constitutes compliance with the 0.03 lb/mmBtu limit under 40 C.F.R. §60.42Da(a).*~~
~~*(3) Compliance with the above R13/R14 permit SO_2 limit assures compliance with 40 C.F.R. §60.43Da(a)(2).*~~
~~*(4) Compliance with the above R13/R14 permit NO_x heat rate limit of 0.40 lbm/mmBtu assures compliance with the 0.50 lb/mmBtu limit in 40 C.F.R. §60.44Da(a)(1).*~~

a. PM emission rate shall not exceed 0.03 lb/MMBtu of heat input on a 30-day rolling average.
[45CSR§2-4.1.a., and 40 C.F.R. §60.42Da(a)]

b. PM concentration of no greater than 0.016 grains per dscf corrected to 3.5 percent oxygen.

[~~45CSR13/14 – Permit No. R13-1085/R14-7 Specific Requirement (A)(1)~~ 45CSR14, R14-0007, 4.1.1., 4.1.1.a., and 4.1.1.b.; 45CSR16; 40 C.F.R. §§60.42Da(a), ~~60.43Da(a)(2), 60.43Da(g), 60.44Da(a)(1), and 60.48Da(a); 45CSR§30-5.1.c.~~]

4.1.8. **~~Auxiliary Boilers.~~** ~~During those periods when neither of the two fluidized bed boilers are in operation but steam demand for West Virginia University requires operation of either or both of the gas-fired auxiliary boilers, air pollutant emissions from the main stack venting the two natural gas-fired boilers shall not exceed the following:~~ The following conditions and requirements are specific to the auxiliary boilers (ID S009L and S009M):

a. During those periods when neither of the two fluidized bed boilers are in operation but steam demand for the West Virginia University requires operation of either or both of the gas-fired auxiliary boilers, emission from the common stack shall not exceed the emission limits in Table 4.1.8.a.

Table 4.1.8.a. Emission Limits for the Auxiliary Boilers

Pollutant	lbm/hr	lbm/mmBtu
Particulate Matter	~~1.2~~ 1.20	0.0045
Sulfur Dioxide	0.14	5.3×10^{-4}
Nitrogen Oxides	~~50.0~~ 50	0.189 *
Volatile Organic Compounds	1.95	0.0074
Carbon Monoxide	~~10.0~~ 10	0.038

* Emission limit shall be demonstrated on a 30-day rolling average basis. **[40 C.F.R. §60.44b(i)]**

Compliance with these streamlined PM and SO_2 time-rate limits assures compliance with 45CSR§2-4.1.b. and 45CSR§10-3.3.f., respectively. Compliance with this streamlined NO_x heat-rate limit assures compliance with 40 C.F.R. §60.44b(a)(1)(ii).

[~~45CSR13/14 – Permit No. R13-1085/R14-7 Specific Requirement (A)(2);~~ 45CSR14, R14-0007, 4.1.16.a.; 45CSR§2-4.1.b.; 45CSR§10-3.3.f.; 40 C.F.R. §60.44b(a)(1)(ii); 45CSR16]

4.1.9. **~~CFB and Auxiliary Boilers.~~** ~~During periods when the steam demand for West Virginia University requires the combined operation of the circulating fluidized bed boilers and the auxiliary boilers, air pollutant emissions from the main stack venting those operations shall not exceed the following:~~

During periods when the CFB boilers are in operation, the emissions from Stack 1 shall not exceed the following emission limitations:

a. Particulate matter emission shall not exceed 22.5 pounds per hour. *Compliance with this streamlined PM limit assures compliance with 45CSR§2-4.1.a. for the CFB boilers (S009J, S009K).*

b. When the auxiliary boiler(s) are in operation, the PM emission rate shall not exceed 0.022 lb/MMBtu. *Compliance with this streamlined PM limit assures compliance with 40 C.F.R. §60.42Da(a) for the CFB boilers (S009J, S009K).*

c. Sulfur dioxide emission shall not exceed 285 pounds per hour on a 24-hour average basis. *Compliance with this streamlined SO_2 limit assures compliance with 45CSR§10-3.3.f. for the auxiliary boilers (S009L, S009M).*

d. Nitrogen oxides (NO_x) emission shall not exceed 300 pounds per hour on a 24-hours average basis.

e. Carbon monoxide (CO) emissions shall not exceed 117.5 pounds per hour except when the auxiliary boiler(s) are in operation as well, then the CO emission rate shall not exceed 127.5 pounds per hour.

f. Volatile organic compounds (VOC) emissions shall not exceed 5.5 pounds per hour except when the auxiliary boiler(s) are in operation as well, then the VOC emission rate shall not exceed 7.5 pounds per hour.

g. Lead emissions shall not exceed 0.13 pound per hour.

h. Mercury emissions shall not exceed 0.021 lb/hr.

i. Fluorides emissions shall not exceed 0.4 pounds per hour.

j. Beryllium emissions shall not exceed 0.0002 pounds per hour.

k. Arsenic emissions shall not exceed 0.002 pounds per hour.

l. Radionuclides emissions shall not exceed 0.0009 pounds per hour.

~~Pollutant~~	~~lbm/hr~~	~~lbm/mmBtu~~
~~Particulate Matter~~	~~22.5 (2)~~	~~0.022 (4)~~
~~Sulfur Dioxide (1)~~	~~285 (24-hr average) (3)~~	~~0.40 (4)~~ ~~(30-day rolling average)~~
~~Nitrogen Oxides (NO_2) (1)~~	~~300 (24-hr average)~~	~~0.40 (5)~~ ~~(30-day rolling average)~~
~~Volatile Organic Compounds~~	~~7.5~~	~~0.0074~~
~~Carbon Monoxide~~	~~127.5~~	~~0.1257~~
~~Lead~~	~~0.13~~	~~N/A~~
~~Mercury~~	~~0.021~~	~~N/A~~
~~Fluorides~~	~~0.4~~	~~N/A~~
~~Beryllium~~	~~0.0002~~	~~N/A~~
~~Arsenic~~	~~0.002~~	~~N/A~~
~~Radionuclides~~	~~0.0009~~	~~N/A~~

~~(1) Compliance shall be demonstrated via continuous emissions monitoring.~~

~~(2) Compliance with this streamlined PM limit assures compliance with 45CSR§2-4.1.a. for the CFB boilers (S009J, S009K).~~

~~(3) Compliance with this streamlined SO_2 limit assures compliance with 45CSR§10-3.3.f. for the auxiliary boilers (S009L, S009M).~~

~~(4) Compliance with these streamlined PM and SO_2 limits assures compliance with 40 C.F.R. §§60.42Da(a) and 60.43Da(a)(2), respectively.~~

~~*(5) Compliance with this streamlined NO_x limit assures compliance with 40 C.F.R. §60.44b(a)(1)(ii) for the auxiliary boilers (S009L, S009M). Compliance with this streamlined NO_x limit assures compliance with 40 C.F.R. §60.44Da(a)(1) for the CFB boilers (S009J, S009K).*~~

[~~45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(3);~~ 45CSR14, R14-0007, 4.1.17.; 45CSR§2-4.1.a.; 45CSR§10-3.3.f.; 40 C.F.R. §§60.42Da(a)~~, 60.43Da(a)(2), 60.43Da(g),~~ 60.44Da(a)(1); ~~40 C.F.R. §§60.44b(a)(1)(ii) and 60.44b(i);~~ 45CSR16]

4.1.10. **Compliance Date for 40 C.F.R. 63 Subpart DDDDD.** If you have an existing boiler or process heater, you must comply with 40 C.F.R. 63 Subpart DDDDD no later than January 31, 2016, except as provided in 40 C.F.R. §63.6(i).
[40 C.F.R. §63.7495(b); 45CSR34] (Auxiliary Boilers S009L and S009M)

4.1.11. **Annual Tune-up for 40 C.F.R. 63 Subpart DDDDD.** If your unit is a new or existing boiler or process heater without a continuous oxygen trim system and with heat input capacity of 10 million Btu per hour or greater, you must conduct an annual tune-up of the boiler or process heater as specified in 40 C.F.R. §63.7540 (paragraphs (i) through (vi) of this condition). Units in the Gas 1 subcategory will conduct this tune-up as a work practice for all regulated emissions under 40 C.F.R. 63 Subpart DDDDD.

(i) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

(ii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

(iii) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection;

(iv) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NO_X requirement to which the unit is subject;

(v) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and

(vi) Maintain on-site and submit, if requested by the Administrator, an annual report containing the information in paragraphs (vi)(A) through (C) of this condition.

(A) The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

(B) A description of any corrective actions taken as a part of the tune-up; and

(C) The type and amount of fuel used over the 12 months prior to the tune-up, but only if the

unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

You must conduct an annual performance tune-up according to §63.7540(a)(10). Each annual tune-up specified in §63.7540(a)(10) must be no more than 13 months after the previous tune-up.

If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup.

You must complete an initial tune-up by following the procedures described in paragraphs (i) through (vi) of this condition no later than the compliance date specified in 40 C.F.R.§63.7495(b) (condition 4.1.10.), except as specified in paragraph (j) of 40 C.F.R.§63.7510.

[40 C.F.R. §63.7500(a)(1), Table 3, Item #3; 40 C.F.R. §§ 63.7505(a), 63.7510(e), 63.7515(d), 63.7540(a)(10) and (a)(10)(i) through (vi), 63.7540(a)(13); 45CSR34; 45CSR14, R14-0007, 4.1.16.b.] (Auxiliary Boilers S009L and S009M)

4.1.12. **One-time Energy Assessment for 40 C.F.R. 63 Subpart DDDDD.** If your unit is an existing boiler or process heater located at a major source facility, not including limited use units, you must have a one-time energy assessment performed by a qualified energy assessor. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy assessment requirements in Table 3 to 40 C.F.R. 63 Subpart DDDDD, satisfies the energy assessment requirement. A facility that operates under an energy management program compatible with ISO 50001 that includes the affected units also satisfies the energy assessment requirement. The energy assessment must include the following with extent of the evaluation for items a. to e. appropriate for the on-site technical hours listed in applicable section (1) of the definition of *Energy assessment* in 40 C.F.R. §63.7575: The energy assessment for facilities with affected boilers and process heaters with a combined heat input capacity of less than 0.3 trillion Btu (TBtu) per year will be 8 on-site technical labor hours in length maximum, but may be longer at the discretion of the owner or operator of the affected source. The boiler system(s) and any on-site energy use system(s) accounting for at least 50 percent of the affected boiler(s) energy (e.g., steam, hot water, process heat, or electricity) production, as applicable, will be evaluated to identify energy savings opportunities, within the limit of performing an 8-hour on-site energy assessment.

a. A visual inspection of the boiler or process heater system.

b. An evaluation of operating characteristics of the boiler or process heater systems, specifications of energy using systems, operating and maintenance procedures, and unusual operating constraints.

c. An inventory of major energy use systems consuming energy from affected boilers and process heaters and which are under the control of the boiler/process heater owner/operator.

d. A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage.

e. A review of the facility's energy management practices and provide recommendations for improvements consistent with the definition of energy management practices, if identified.

f. A list of cost-effective energy conservation measures that are within the facility's control.

g. A list of the energy savings potential of the energy conservation measures identified.

h. A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments.

You must complete the one-time energy assessment specified in this condition no later than the compliance date specified in 40 C.F.R. §63.7495(b) (condition 4.1.10.), except as specified in paragraph (j) of 40 C.F.R. §63.7510.

[40 C.F.R. §63.7500(a)(1), Table 3, Item #4; 40 C.F.R. §§ 63.7505(a) and 63.7510(e); 45CSR34] (Auxiliary Boilers S009L and S009M)

4.1.13. At all times, you must operate and maintain any affected source (as defined in 40 C.F.R. §63.7490), including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
[40 C.F.R. §63.7500(a)(3); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.1.14. **Compliance Date for 40 C.F.R. 63 Subpart UUUUU and Compliance Extensions.** If you have an existing EGU, you must comply with 40 C.F.R. 63 Subpart UUUUU no later than April 16, 2015~~.~~ unless a one-year extension is granted and then the compliance deadline is extended to April 16, 2016. An additional extension for up to three (3) years for compliance with the acid gas standard may be granted for waste coal facilities which would extend the compliance deadline for Hydrogen Chloride (HCl) or the alternate Sulfur Dioxide (SO_2) emission limitation to April 16, 2019. The facility received a one-year extension for MATS compliance and an additional one-year extension for the acid gas standard. Effective April 16, 2017, the SO_2 emission rate shall not exceed the limit in condition 4.1.17. on a 30 boiler operating day rolling average.
[40 C.F.R. §63.9984(b); 45CSR34; 45CSR14, R14-0007C, 4.1.1.c. and 4.1.2.d.; WVDAQ Director's Letter "Conditional Approval for Extension of Compliance NESHAP: Coal- and Oil-Fired Electric Utility Steam Generating Units, 40 C.F.R. 63 Subpart UUUUU" to Mr. Todd Shirley, Morgantown Energy Associates, dated December 15, 2014; WVDAQ Director's Letter "Conditional Approval for Extension of Compliance from HCl Requirements" to Mr. Todd Shirley, Morgantown Energy Associates, dated April 15, 2016; §112(i)(3)(B)] (CFB Boilers S009J and S009K)

4.1.15. You must demonstrate that compliance has been achieved, by conducting the required performance tests and other activities, no later than 180 days after the applicable date in paragraph (b) of 40 C.F.R. §63.9984 (condition 4.1.14.).

~~For existing affected sources a tune-up may occur prior to April 16, 2012, so that existing sources without neural networks have up to 42 calendar months (3 years from promulgation plus 180 days) after the date that is specified for your source in 40 C.F.R. §63.9984 and according to the applicable provisions in 40 C.F.R. §63.7(a)(2) as cited in Table 9 to 40 C.F.R. 63 Subpart UUUUU to demonstrate compliance with this requirement. If a tune-up occurs prior to such date, the source must maintain adequate records to show that the tune-up met the requirements of this standard.~~

a. **Filterable Particulate Matter (PM)**. Before October 13, 2016, the permittee shall either demonstrate initial compliance with the filterable particulate matter (PM) standard (Condition 4.1.16.) or demonstrate that the CFB boilers qualify as a low emitting EGU (LEE) for filterable PM in accordance with 40 C.F.R. §63.10005(h).

b. **Acid Gases**. Before October 13, 2017, the permittee shall demonstrate initial and continuous compliance with the applicable hydrogen chloride (HCl) standard in Subpart UUUUU to Part 63 or the alternative to the HCl standard, which is the SO_2 standard (Condition 4.1.17.), using SO_2 CEMS in accordance with Condition 4.2.1.

c. **Mercury (Hg)**. Before October 13, 2016, the permittee shall demonstrate initial compliance with the mercury standard of 40 C.F.R. §63.10005(a) (Condition 4.1.18.) or demonstrate that the CFB boilers qualify as a low emitting EGU (LEE) for mercury in accordance with 40 C.F.R. §63.10005(h).

d. **Tune-up Work Practice**. For an existing EGU without a neural network, a tune-up, following the procedures in §63.10021(e), must occur within 6 months (180 days) after April 16, 2016. If a tune-up occurs prior to April 16, 2016, you must keep records showing that the tune-up met all rule requirements.

[40 C.F.R. §§ 63.9984(f) and 63.10005(f); 45CSR34; 45CSR14, R14-0007, 4.1.13., 4.1.14., and 4.1.15.; WVDAQ Director's Letter "Conditional Approval for Extension of Compliance from HCl Requirements" to Mr. Todd Shirley, Morgantown Energy Associates, dated April 15, 2016; §112(i)(3)(B)] (CFB Boilers S009J and S009K)

4.1.16. **Filterable Particulate Matter (PM) Emission Limitation for 40 C.F.R. 63 Subpart UUUUU.** If your EGU is in the coal-fired unit not low rank virgin coal subcategory, for filterable particulate matter (PM), you must meet the emission limit 0.030 lb/MMBtu or 0.30 lb/MWh (gross output), by collecting a minimum of 1 dscm per run according to applicable test methods in Table 5 to Subpart UUUUU.
[40 C.F.R. §63.9991(a)(1), Table 2, Item #1.a.; 40 C.F.R. §63.10000(a); 45CSR34; 45CSR14, R14-0007C, 4.1.1.c.] (CFB Boilers S009J and S009K) ~~***This requirement is subject to the compliance date in condition 4.1.14.***~~

4.1.17. **Sulfur Dioxide (SO_2) Emission Limitation for 40 C.F.R. 63 Subpart UUUUU.** If your EGU is in the coal-fired unit not low rank virgin coal subcategory, for sulfur dioxide (SO_2), you must meet the emission limit 0.20 lb/MMBtu or 1.5 lb/MWh (gross basis), using SO_2 CEMS according to applicable methods in Table 5 and procedures in Table 7 to 40 C.F.R. 63 Subpart UUUUU.

You may use the alternate SO_2 limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU only if your EGU:

(1) Has a system using wet or dry flue gas desulfurization technology (this includes limestone injection into a fluidized bed combustion unit, as per the definition of *Dry flue gas desulfurization technology* in 40 C.F.R. §63.10042) and an SO_2 continuous emissions monitoring system (CEMS) installed on the ~~unit~~ EGU; and

(2) At all times, you operate the wet or dry flue gas desulfurization technology (this includes limestone injection into a fluidized bed combustion unit, as per the definition of *Dry flue gas desulfurization technology* in 40 C.F.R. §63.10042) and the SO_2 CEMS installed on the ~~unit~~ EGU consistent with 40 C.F.R. §63.10000(b) (permit condition 4.1.22.).

The permittee shall operate a dry flue gas desulfurization system for the unit at all times consistent with 40 C.F.R. §63.10000(b). Compliance with this requirement is satisfied through the use of limestone injection into the CFB boilers coupled with the fabric filter collection system.

[40 C.F.R. §63.9991(a)(1), Table 2, Item #1.b.; 40 C.F.R. §63.10021(a), Table 7, Item #1; 40 C.F.R. §§63.9991(c)(1) and (2); 40 C.F.R. §63.10000(a); 45CSR34; 45CSR14, R14-0007, 4.1.2.d. and 4.1.2.e.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.18. **Mercury (Hg) Emission Limitation for 40 C.F.R. 63 Subpart UUUUU.** If your EGU is in the coal-fired unit not low rank virgin coal subcategory, for mercury (Hg), you must meet the emission limit 1.2 lb/TBtu or 0.013 lb/GWh, using LEE testing for 30 boiler operating days with ~~10 days maximum~~ sampling period consistent with that given in section 5.2.1. of appendix A to Subpart UUUUU per Method 30B run or Hg CEMS or sorbent trap monitoring system only using applicable methods in Table 5 to Subpart UUUUU.
[40 C.F.R. §63.9991(a)(1), Table 2, Item #1.c.; 40 C.F.R. §63.10000(a); 45CSR34; 45CSR14, R14-0007, 4.1.6.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.19. **Tune-up Work Practice Standard for 40 C.F.R. 63 Subpart UUUUU**. If your EGU is an existing EGU, you must conduct a tune-up of the EGU burner and combustion controls at least each 36 calendar months as specified in 40 C.F.R. §63.10021(e). Each performance tune-up specified in §63.10021(e) must be no more than 36 calendar months after the previous performance tune-up.

Conduct periodic performance tune-ups of your EGU(s), as specified in paragraphs (1) through (9) of this condition. For your first tune-up, you may perform the burner inspection any time prior to the tune-up or you may delay the first burner inspection until the next scheduled EGU outage provided you meet the requirements of §63.10005. Subsequently, you must perform an inspection of the burner at least once every 36 calendar months unless your EGU employs neural network combustion optimization during normal operations in which case you must perform an inspection of the burner and combustion controls at least once every 48 calendar months. If your EGU is offline when a deadline to perform the tune-up passes, you shall perform the tune-up work practice requirements within 30 days after the re-start of the affected unit.

(1) As applicable, inspect the burner and combustion controls, and clean or replace any components of the burner or combustion controls as necessary upon initiation of the work practice program and at least once every required inspection period. Repair of a burner or combustion control component requiring special order parts may be scheduled as follows:

(i) Burner or combustion control component parts needing replacement that affect the ability to optimize NO_X and CO must be installed within 3 calendar months after the burner inspection,

(ii) Burner or combustion control component parts that do not affect the ability to optimize NO_X and CO may be installed on a schedule determined by the operator;

(2) As applicable, inspect the flame pattern and make any adjustments to the burner or combustion controls necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available, or in accordance with best combustion engineering practice for that burner type;

(3) As applicable, observe the damper operations as a function of mill and/or cyclone loadings, cyclone and pulverizer coal feeder loadings, or other pulverizer and coal mill performance parameters, making adjustments and effecting repair to dampers, controls, mills, pulverizers, cyclones, and sensors;

(4) As applicable, evaluate windbox pressures and air proportions, making adjustments and effecting repair to dampers, actuators, controls, and sensors;

(5) Inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly. Such inspection may include calibrating excess O_2 probes and/or sensors, adjusting overfire air systems, changing software parameters, and calibrating associated actuators and dampers to ensure that the systems are operated as designed. Any component out of calibration, in or near failure, or in a state that is likely to negate combustion optimization efforts prior to the next tune-up, should be corrected or repaired as necessary;

(6) Optimize combustion to minimize generation of CO and NO_X . This optimization should be consistent with the manufacturer's specifications, if available, or best combustion engineering practice for the applicable burner type. NO_X optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, adjusting combustion zone temperature profiles, and add-on controls such as SCR and SNCR; CO optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, and adjusting combustion zone temperature profiles;

(7) While operating at full load or the predominantly operated load, measure the concentration in the effluent stream of CO and NO_X in ppm, by volume, and oxygen in volume percent, before and after the tune-up adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). You may use portable CO, NO_X and O_2 monitors for this measurement. EGU's employing neural network optimization systems need only provide a single pre- and post-tune-up value rather than continual values before and after each optimization adjustment made by the system;

(8) Maintain on-site and submit, if requested by the Administrator, an annual report containing the information in paragraphs (1) through (9) of this condition including:

(i) The concentrations of CO and NO_X in the effluent stream in ppm by volume, and oxygen in volume percent, measured before and after an adjustment of the EGU combustion systems;

(ii) A description of any corrective actions taken as a part of the combustion adjustment; and

(iii) The type(s) and amount(s) of fuel used over the 12 calendar months prior to an adjustment, but only if the unit was physically and legally capable of using more than one type of fuel during that period; and

~~(9) Report the dates of the initial and subsequent tune-ups as follows:~~

~~(i) If the first required tune-up is performed as part of the initial compliance demonstration, report the date of the tune-up in hard copy (as specified in 40 C.F.R. § 63.10030 (4.5.12.)) and electronically (as specified in 40 C.F.R.§ 63.10031 (condition 4.5.19.(4))). Report the date of each subsequent tune-up electronically (as specified in 40 C.F.R §63.10031 (condition 4.5.19.(4))).~~

~~(ii) If the first tune-up is not conducted as part of the initial compliance demonstration, but is postponed until the next unit outage, report the date of that tune-up and all subsequent tune-ups electronically, in accordance with 40 C.F.R §63.10031 (condition 4.5.19.(4)).~~

(9) Report the dates of the initial and subsequent tune-ups in hard copy, as specified in §63.10031(f)(5) (condition 4.5.19.(5)), until April 16, 2017. After April 16, 2017, report the date of all tune-ups electronically, in accordance with §63.10031(f). The tune-up report date is the date when tune-up requirements in paragraphs (6) and (7) of this condition are completed.

[40 C.F.R. §63.9991(a)(1), Table 3, Item #1; 40 C.F.R. §§63.10021(e) and (e)(1) through (9); 40 C.F.R. §63.10021(a), Table 7, Item #5; 40 C.F.R. §63.10000(e); 40 C.F.R. §63.10005(e); 40 C.F.R. §63.10006(i)(1); 45CSR34; 45CSR14, R14-0007, 4.1.8.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14., and must initially be completed by the date specified in condition 4.1.15.***

4.1.20. **Startup Work Practice Standard for 40 C.F.R. 63 Subpart UUUUU**. If your EGU is a coal-fired EGU during startup you must operate all CMS during startup. Startup means either the first-ever firing of fuel in a boiler for the purpose of producing electricity, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on site use). For startup of a unit, you must use ~~clean fuels, either~~ natural gas ~~or distillate oil or a combination of clean fuels~~ for ignition. Once you convert to firing coal, residual oil, or solid oil-derived fuel, you must engage all of the applicable control technologies except dry scrubber and SCR. You must start your dry scrubber and SCR systems, if present, appropriately to comply with relevant standards applicable during normal operation. You must comply with all applicable emissions limits at all times except for periods that meet the definitions of startup and shutdown in this subpart. You must keep records during startup periods ~~of startup~~. You must provide reports concerning activities and startup periods ~~of startup~~, as specified in §63.10021(i) (condition 4.5.16.a.(1)).
[40 C.F.R. §63.9991(a)(1), Table 3, Item #3; 40 C.F.R. §63.10021(a), Table 7, Item #6; 40 C.F.R. §63.10000(a); 40 C.F.R. §63.10005(j); 40 C.F.R. §63.10011(g); 45CSR34; 45CSR14, R14-0007, 4.1.9. and 4.1.10.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.21. **Shutdown Work Practice Standard for 40 C.F.R. 63 Subpart UUUUU**. ~~If your EGU is a coal-fired EGU during shutdown you must operate all CMS during shutdown. Shutdown means the cessation of operation of a boiler for any purpose. Shutdown begins either when none of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on-site use) or at the point of no fuel being fired in the boiler. Shutdown ends when there is both no electricity being generated and no fuel being fired in the boiler. During shutdown, you must operate all applicable control technologies while firing coal, residual oil, or solid oil-derived fuel.~~

You must operate all CMS during shutdown. You must also collect appropriate data, and you must calculate the pollutant emission rate for each hour of shutdown for those pollutants for which a CMS is used.

While firing coal, residual oil, or solid oil-derived fuel during shutdown, you must vent emissions to the main stack(s) and operate all applicable control devices and continue to operate those control devices after the cessation of coal, residual oil, or solid oil-derived fuel being fed into the EGU and for as long as possible thereafter considering operational and safety concerns. In any case, you must operate your controls when necessary to comply with other standards made applicable to the EGU by a permit limit or a rule other than this Subpart and that require operation of the control devices.

If, in addition to the fuel used prior to initiation of shutdown, another fuel must be used to support the

shutdown process, that additional fuel must be one or a combination of the clean fuels defined in §63.10042 and must be used to the maximum extent possible, taking into account considerations such as not compromising boiler or control device integrity.

You must comply with all applicable emissions limits at all times except ~~for periods that meet the definitions of startup and shutdown in this subpart~~ during startup periods and shutdown periods at which time you must meet this work practice. ~~You must keep records during periods of shutdown.~~ You must collect monitoring data during shutdown periods, as specified in §63.10020(a). You must keep records during shutdown periods, as provided in §§63.10032 and 63.10021(h). Any fraction of an hour in which shutdown occurs constitutes a full hour of shutdown. You must provide reports concerning activities and shutdown periods ~~of shutdown~~, ~~as specified in~~ as specified in §63.10021(i) (condition 4.5.16.a.(1)).
[40 C.F.R. §63.9991(a)(1), Table 3, Item #4; 40 C.F.R. §63.10021(a), Table 7, Item #7; 40 C.F.R. §63.10000(a); 40 C.F.R. §63.10005(j); 40 C.F.R. §63.10011(g); 45CSR34; 45CSR14, R14-0007, 4.1.9. and 4.1.11.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.22. At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
[40 C.F.R. §63.10000(b); 45CSR34; 45CSR14, R14-0007, 4.1.7.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.23. You must determine the fuel whose combustion produces the least uncontrolled emissions, *i.e.*, the cleanest fuel, either natural gas or distillate oil, that is available on site or accessible nearby for use during periods of startup or shutdown. Your cleanest fuel, either natural gas or distillate oil, for use during periods of startup or shutdown determination may take safety considerations into account.
[40 C.F.R. §§63.10011(f)(1) and (2); 45CSR34] (CFB Boilers S009J and S009K)

4.1.24. Emissions of carbon monoxide (CO) emitted to the atmosphere from each of the CFB boilers shall not exceed the following limits to the corresponding averaging periods.

a. CO concentration shall not exceed 188 ppmvd corrected to 3 % oxygen on a 24-hr average.

b. CO emissions rate shall not exceed 0.157 lb/MMBtu.

[45CSR14, R14-0007, 4.1.4.]

4.1.25. Emissions of volatile organic compounds (VOC) emitted to the atmosphere from each of the CFB boilers shall not exceed 0.0074 lb/MMBtu.
[45CSR14, R14-0007, 4.1.5.]

4.1.26. If the permittee elects to demonstrates compliance with PM and/or Hg emissions limit of Condition 4.1.16. and/or Condition 4.1.18,, respectively, through use of a continuous monitoring system (CMS), where a CMS includes a continuous parameter monitoring system (CPMS) as well as a continuous emissions monitoring

system (CEMS), the permittee must develop a site-specific monitoring plan and submit this site-specific monitoring plan in accordance with Conditions 3.5.1. at least 60 days before the initial performance evaluation (where applicable) of the CMS. The site-specific monitoring plan shall include the information specified in 40 C.F.R. §§63.10000(d)(5)(i) through (d)(5)(vii). The permittee must operate and maintain the CMS according to the site-specific monitoring plan.
[45CSR14, R14-0007, 4.1.12.; 40 C.F.R. §§63.10000(d)(1), (d)(2), and (d)(3); 45CSR34]

4.2. Monitoring Requirements

4.2.1. The owner or operator shall install, calibrate, certify, operate, maintain, and record the output of continuous monitoring systems that measure all Opacity, SO_2, NO_x, and O_2 or CO_2 emissions from emission point *Stack 1* as specified in 40 C.F.R. Part 60, Subpart Da for the CFB boilers; and NO_x as specified in 40 C.F.R. Part 60, Subpart Db for the auxiliary boilers. Alternatively, the SO_2, NO_X and O_2 or CO_2 CEMS shall be certified, operated, and maintained in accordance with the requirements of 40 C.F.R. Part 75, provided that the relevant requirements of 40 CFR §§60.49Da(b)(4), (c)(2), and (d) are met. Recordkeeping and reporting shall be conducted pursuant to Subparts F and G in 40 C.F.R. Part 75.
~~*Compliance with this streamlined provision assures compliance 45CSR13/14 - Permit No. R13-1085/R14-7 "Other Requirement (B)(1)(d)".*~~

NO_x CEMS: The NO_x CEMS shall be certified, operated, and maintained in accordance with the requirements of 40 CFR 75. For use of NO_x CEMS used to demonstrate compliance for the auxiliary boilers (S009L and S009M), the permittee shall also meet the requirements of 40 CFR §60.49b. Data reported to meet the requirements of 40 CFR §60.49b for the auxiliary boilers shall not include data substituted using the missing data procedures in Subpart D of Part 75 of Chapter 40, nor shall the data have been bias adjusted according to the procedures of Part 75 of Chapter 40. **[40 C.F.R. §60.48b(b)(2)]**

Diluent Monitor: The oxygen (O_2) or carbon dioxide (CO_2) content of the flue gas shall be monitored at the location where SO_2 and NO_x are monitored. Each monitor shall comply with the performance and quality assurance requirements of 40 CFR 75.

i. If the permittee use an oxygen (O_2) or carbon dioxide (CO_2) CEMS to convert measured pollutant concentrations to the units of emissions limit in Condition 4.1.17., the O_2 or CO_2 concentrations shall be monitored at a location that represents emissions to the atmosphere, i.e., at the outlet of the EGU, downstream of all emission control devices. The permittee must install, certify, maintain, and operate the CEMS according to part 75 of this chapter. Use only quality-assured O_2 or CO_2 data in the emissions calculations; do not use part 75 substitute data values. **[40 C.F.R. §63.10010(b)]**

Flow Monitor: The volumetric flow rate of the flue gas shall be monitored at the location where SO_2 and NO_x are monitored. Each monitor shall comply with the performance and quality assurance requirements of 40 CFR 75. **[40 C.F.R. §60.49Da(m)]**

COMS: Exhaust gas opacity from Stack 1 shall be monitored using a continuous opacity monitoring system for the purpose of demonstrating compliance with Condition 4.1.1. The permittee shall install calibrate, maintain, and operate the COMS in accordance with Performance Specification (PS) 1 in 40 CFR Part 60, Appendix B. **[40 C.F.R. §§60.49Da(a) and (a)(1); 45CSR§2-8.2.a.1., and 45CSR§2A-6.2.]**

[45CSR16; 40 C.F.R. § 60.49Da, 40 C.F.R. §60.48b, 40 C.F.R. §60.13; ~~45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (B)(1)(d);~~ 45CSR13, R14-0007, 4.2.1., 4.2.1.a., 4.2.1.b., 4.2.1.c., 4.2.1.d., and 4.2.1.e.; 45CSR§10-8.2.c.1.; 40 C.F.R. §§ 64.3(a), 64.3(b), 64.3(d)(1), and 64.6(c)(1); 40 C.F.R. §§60.49Da(b)(4), (c)(2), and (d)]

4.2.2. Compliance with the visible emission requirements of 45CSR§2-3.1. (condition 4.1.1.) shall be determined in accordance with 40 C.F.R. Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems and as described in the approved monitoring plan. Compliance with the weight emission limit (4.1.9.) shall be demonstrated by periodic particulate matter stack testing (4.3.1. and 4.3.12.), conducted in accordance with the appropriate test method set forth in the Appendix to 45CSR2 or other equivalent EPA approved method approved by the Director. Such testing shall be conducted at a frequency to be established by the Director. [*Permit ~~R13-1085/R14-7B~~ R14-0007 serves as the approved monitoring plan.*]
[45CSR§§2-3.2. and 8.1.a., 45CSR§2A-6]

4.2.3. Compliance with the visible emissions limit (4.1.1.) shall be monitored as set forth in the approved monitoring plan for each emission unit. [*Permit ~~R13-1085/R14-7B~~ R14-0007 serves as the approved monitoring plan.*]
[45CSR§2-8.2.a.]

4.2.4. **Commencement of operation**. The permittee shall conduct the monitoring required under 40 C.F.R. Part 64 upon issuance of this permit that includes such monitoring.
[40 C.F.R. § 64.7(a); 45CSR§30-5.1.c.]

4.2.5. **Proper Maintenance** – At all times, the permittee shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
[40 C.F.R. § 64.7(b); 45CSR§30-5.1.c.]

4.2.6. **Continued Operation** – Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of 40 C.F.R. Part 64, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
[40 C.F.R. § 64.7(c); 45CSR§30-5.1.c.]

4.2.7. **Documentation of Need for Improved Monitoring** – After approval of monitoring under 40 C.F.R. Part 64, if the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly notify the Director and, if necessary,

submit a proposed modification to the permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.
[40 C.F.R. § 64.7(e); 45CSR§30-5.1.c.]

4.2.8. **Quality Improvement Plan (QIP) –** Based on the results of a determination made under permit condition 4.4.3.(2), the Administrator or the Director may require the permittee to develop and implement a QIP. Consistent with 40 C.F.R. §64.6(c)(3), the permittee is limited to an accumulation of exceedances or excursions no greater than five (5) percent of the operating time for the boilers during a reporting period, prior to requiring the implementation of a QIP. If a QIP is required, then it shall be developed, implemented, and modified as required according to 40 C.F.R. §§ 64.8(b) through (e). Refer to permit condition 4.5.6.(2)(iii) for the reporting required when a QIP is implemented.
[40 C.F.R. § 64.8; 45CSR§30-5.1.c.]

4.2.9. **Supplementary Actions prior to an Excursion** – For CAM purposes, normal operation shall be between 0% and 6% opacity on a six-minute block basis during any one-hour period. Opacity greater than 6% (six-minute block) triggers the following supplementary actions.

a. Monitor the opacity as the baghouses (which are dedicated to either CFB#1 or CFB#2) go through a manually initiated cleaning cycle. The opacity will increase when the compartment with the problem or leaking bag goes through the cleaning cycle.
b. Once the problem compartment is identified, the compartment will be isolated and appropriate corrective measures will be taken.

[40 C.F.R. § 64.3(a); 45CSR§§30-5.1.c. and 12.7.]

4.2.10. **Excursions** – An excursion shall be defined as opacity greater than eight (8) percent during any six-minute period during any one-hour period after supplementary action (as defined in condition 4.2.9.) has been taken. An excursion will not be deemed to have occurred if the opacity exceeds 8% during the cleaning cycle specified in condition 4.2.9.a. If the opacity exceeds 8% before the permittee has time to perform the supplementary actions in condition 4.2.9., an excursion will be deemed to have occurred. Refer to conditions 4.4.3., 4.4.4., and 4.5.6. for recordkeeping and reporting requirements for excursions.
[40 C.F.R. § 64.6(c)(2); 45CSR§30-5.1.c.]

4.2.11. *40 C.F.R. 63 Subpart UUUUU affected units utilizing common stack with non-affected units.*

(i) When one or more affected units shares a common stack with one or more non-affected units, you shall either:

(A) Install the required CEMS, PM CPMS, and sorbent trap monitoring systems in the ducts leading to the common stack from each affected unit; or

(B) Install the required CEMS, PM CPMS, and sorbent trap monitoring systems described in this section in the common stack and attribute all of the emissions measured at the common stack to the affected unit(s).

(ii) If you choose the common stack monitoring option:

(A) For each hour in which valid data are obtained for all parameters, you must calculate the pollutant emission rate and

(B) You must assign the calculated pollutant emission rate to each unit that shares the common stack.

[40 C.F.R. §63.10010(a)(3); 45CSR34; 45CSR14, R14-0007, 4.2.1.a.i.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.12. **Specifications and Operation of SO_2 CEMS for 40 C.F.R. 63 Subpart UUUUU**.

(1) If you use an SO_2 CEMS, you must install the monitor at the outlet of the EGU, downstream of all emission control devices, and you must certify, operate, and maintain the CEMS according to 40 C.F.R. part 75.

(2) For on-going QA, the SO_2 CEMS must meet the applicable daily, quarterly, and semiannual or annual requirements in sections 2.1 through 2.3 of appendix B to 40 C.F.R. part 75, with the following addition: You must perform the linearity checks required in section 2.2 of appendix B to 40 C.F.R. part 75 if the SO_2 CEMS has a span value of 30 ppm or less.

(3) Calculate and record a 30-boiler operating day rolling average SO_2 emission rate in the units of the standard, updated after each new boiler operating day. Each 30-boiler operating day rolling average emission rate is the average of all of the valid hourly SO_2 emission rates in the ~~preceding~~ 30 boiler operating ~~days~~ day period.

(4) Use only unadjusted, quality-assured SO_2 concentration values in the emissions calculations; do not apply bias adjustment factors to the part 75 SO_2 data and do not use part 75 substitute data values. For startup or shutdown hours (as defined in §63.10042) the default gross output and the diluent cap are available for use in the hourly SO_2 emission rate calculations, as described in §63.10007(f). Use a flag to identify each startup or shutdown hour and report a special code if the diluent cap or default gross output is used to calculate the SO_2 emission rate for any of these hours.

[40 C.F.R. §§63.10010(f)(1) through (4); 45CSR34; 45CSR14, R14-0007, 4.2.1.a.ii., iii., and iv.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.13. You must operate the monitoring system and collect data at all required intervals at all times that the affected EGU is operating, except for periods of monitoring system malfunctions or out-of-control periods (see 40 C.F.R. §63.8(c)(7) of this part), and required monitoring system quality assurance or quality control activities, including, as applicable, calibration checks and required zero and span adjustments. You are required to affect monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.
[40 C.F.R. §63.10020(b); 45CSR34] (CFB Boilers S009J and S009K, SO_2 CEMS) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.14. You may not use data recorded during EGU startup or shutdown ~~or monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, or required monitoring system quality assurance or control activities~~ in calculations used to report emissions, except as otherwise provided in §§63.10000(c)(1)(vi)(B) and 63.10005(a)(2)(iii) ~~or operating levels~~. In addition, data recorded during monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or

monitoring system out-of-control periods, or required monitoring system quality assurance or control activities may not be used in calculations used to report emissions or operating levels. You must use all the quality-assured data collected during all other periods in assessing the operation of the control device and associated control system.
[40 C.F.R. §63.10020(c); 45CSR34; 45CSR14, R14-0007, 4.4.4.i.] (CFB Boilers S009J and S009K, SO_2 CEMS) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.15. Except for periods of monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments), failure to collect required data is a deviation from the monitoring requirements.
[40 C.F.R. §63.10020(d); 45CSR34; 45CSR14, R14-0007, 4.4.4.j.] (CFB Boilers S009J and S009K, SO_2 CEMS) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.16. Except as otherwise provided in 40 C.F.R. §63.10020(c) (condition 4.2.14.), if you use a CEMS to measure SO_2 , PM, or Hg emissions, or using a sorbent trap monitoring system to measure Hg emissions, you must demonstrate continuous compliance by using all quality-assured hourly data recorded by the CEMS (or sorbent trap monitoring system) and the other required monitoring systems (e.g., flow rate, CO_2 , O_2 , or moisture systems) to calculate the arithmetic average emissions rate in units of the standard on a continuous 30-boiler operating day (or, if alternate emissions averaging is used for Hg, 90-boiler operating day) rolling average basis, updated at the end of each new boiler operating day. Use Equation 8 in 40 C.F.R. §63.10021(b) to determine the 30- (or, if applicable, 90-) boiler operating day rolling average.
[40 C.F.R. §63.10021(b); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.17. If you use an oxygen (O_2) or carbon dioxide (CO_2) CEMS to convert measured pollutant concentrations to the units of the applicable emissions limit, the O_2 or CO_2 concentrations shall be monitored at a location that represents emissions to the atmosphere, *i.e.*, at the outlet of the EGU, downstream of all emission control devices. You must install, certify, maintain, and operate the CEMS according to part 75 of this chapter. Use only quality-assured O_2 or CO_2 data in the emissions calculations; do not use part 75 substitute data values.
[40 C.F.R. §63.10010(b); 45CSR34] (CFB Boilers S009J and S009K, SO_2 CEMS) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.18. NO_x & SO_2 CEMS: The permittee shall obtain emission data for at least 18 hours in at least 22 out of 30 successive boiler operating days. If this minimum data requirement cannot be met with CEMS, the permittee shall supplement emission data with other monitoring systems approved by the Administrator or the reference methods and procedures as described in 40 CFR §60.49Da(h) for SO2 and Test Method 7 or 7A for NOx.
[45CSR14, R14-0007, 4.2.1.h.; 40 C.F.R. §60.49Da(f)(1) and §60.48b(f); 45CSR16]

4.2.19. NO_x and SO_2 Emissions: The permittee shall determine 30 day rolling average for each of the CFB boilers for NO_x and SO_2, in accordance with 40 C.F.R. §60.48Da, which is to be expressed in lb/MMBtu. The permittee shall determine the 30 day rolling average of NO_x in accordance with 40 C.F.R. §60.48b, which is to be expressed in lb/MMBtu.
[45CSR14, R14-0007, 4.2.1.i.; 40 C.F.R. §60.48Da and §60.48b; 45CSR16]

4.2.20. The permittee shall install, calibrate, maintain, and operate an "as fired" fuel monitoring system (upstream of coal pulverizers) meeting the requirements of Method 19 of Appendix A of Part 60 be used to determine potential SO_2 emissions in place of a continuous SO_2 emission monitor at the inlet to the SO_2 control device

as required under 40 C.F.R. §60.49Da(b)(1). The permittee shall use the output data from the "as fired" system and SO_2 CEMS to determine compliance with the percent SO_2 reduction of Condition 4.1.6.c. in accordance with 40 CFR §60.50Da(c) on daily and 30 successive boiler operating days basis. Such records of this monitoring system, data collected, and calculated values shall be maintained in accordance with Condition 3.2.1.
[45CSR14, R14-0007, 4.2.2.; 40 C.F.R. §§ 60.49Da(b) and (b)(3), and §§60.50Da(a) and (c); 45CSR16]

4.2.21. On or before the date an EGU is subject to this subpart, you must install, certify, operate, maintain, and quality assure each monitoring system necessary for demonstrating compliance with the work practice standards for PM or non-mercury HAP metals during startup periods and shutdown periods. You must collect, record, report, and maintain data obtained from these monitoring systems during startup periods and shutdown periods.
[40 C.F.R. §63.10000(l); 45CSR34]

4.3. Testing Requirements

4.3.1. Compliance with the particulate matter emission limitations under condition 4.1.7.a. and 4.1.7.b. and 40 C.F.R. §60.42Da(a) shall be demonstrated in accordance with 40 C.F.R. §60.8, 40 C.F.R. §60.48Da, 40 C.F.R. §60.50Da, and 45CSR2 Appendix - Compliance Test Procedures for 45CSR2.
~~[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(1)~~ 45CSR§30-5.1.c.]

4.3.2. Compliance with the sulfur dioxide emission limitation and sulfur dioxide reduction requirements under conditions ~~4.1.7.~~ 4.1.6., and 4.1.9.c. and as required by 40 C.F.R. §60.43Da(a), shall be demonstrated in accordance with 40 C.F.R. §60.8, 40 C.F.R. §60.48Da, 40 C.F.R. §60.49Da and 40 C.F.R. §60.50Da, except that compliance with the maximum SO_2 emission limitation (in units of ppmvd and lb/hr) shall be demonstrated for each and all fixed twenty-four hour periods. Compliance with the SO_2 emission limitations in units of lb/mmBtu and SO_2 percent reduction shall be demonstrated based on the rolling average of 30 successive boiler operating days.
~~[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(1)(c);~~ 40 C.F.R. §60.43Da(g); 45CSR16; 45CSR§30-5.1.c.]

4.3.3. Compliance with the nitrogen oxides emission limitation under condition ~~4.1.7.~~ 4.1.5. shall be demonstrated in accordance with 40 C.F.R. §60.8, 40 C.F.R. §60.48Da, 40 C.F.R. §60.49Da, and 40 C.F.R. §60.50Da.
~~[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(2)~~ 45CSR§30-5.1.c.]

4.3.4. Compliance with the nitrogen oxides emission limitations under condition 4.1.8. shall be demonstrated in accordance with 40 C.F.R. §60.8, 40 C.F.R. §60.46b, 40 C.F.R. §60.48b and 40 C.F.R. §60.49b.
~~[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(3)~~ 45CSR§30-5.1.c.]

4.3.5. Compliance with the volatile organic compound emission limitation under conditions ~~4.1.7.,~~ 4.1.8., and 4.1.9. shall be demonstrated in accordance with 40 C.F.R. 60, Appendix A - Method 25 or 25A.
~~[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(4)~~ 45CSR§30-5.1.c.]

4.3.6. Compliance with the carbon monoxide emission limitations under conditions ~~4.1.7.,~~ 4.1.8., and 4.1.9. shall be demonstrated in accordance with 40 C.F.R. 60 Appendix A - Method 10.
~~[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(5)~~ 45CSR§30-5.1.c.]

4.3.7. The owner or operator shall conduct a test at least once every five (5) years to determine the compliance of the CFB Boilers 1 & 2 with the carbon monoxide (CO) limits of condition 4.1.9. Such tests shall be conducted

in accordance with 40 CFR 60 Appendix A - Method 10. A compliance test shall be conducted no later than eighteen (18) months of the issuance date of this permit. An emission factor shall be determined from the test results and updated from the results of each subsequent test. The emission factor shall be used for compliance demonstration for periods between tests.
[45CSR§30-5.1.c.]

4.3.8. Compliance with the emission limitation for lead under condition ~~4.1.7.~~ 4.1.9. shall be demonstrated in accordance with 40 C.F.R. 60 Appendix A - Method 12.
[~~45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(6)~~ 45CSR§30-5.1.c.]

4.3.9. Compliance with the emission limitation for mercury under condition ~~4.1.7.~~ 4.1.9. shall be demonstrated in accordance with 40 C.F.R. Part 60, Appendix A, Method 30B.
[~~45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(7)~~ 45CSR§30-5.1.c.]

4.3.10. Compliance with the emission limitation for fluorides under condition ~~4.1.7.~~ 4.1.9. shall be demonstrated in accordance with 40 C.F.R. 60, Appendix A - Method 13.
[~~45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(8)~~ 45CSR§30-5.1.c.]

4.3.11. Compliance with the emission limitation for beryllium under condition ~~4.1.7.~~ 4.1.9. shall be demonstrated in accordance with 40 C.F.R. 61, Appendix B - Method 104.
[~~45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(9)~~ 45CSR§30-5.1.c.]

4.3.12. The owner or operator shall conduct, or have conducted, tests to determine the compliance of CFB Boilers 1 & 2 with the particulate matter mass emission limitations. Such tests shall be conducted in accordance with the appropriate method set forth in 45CSR2 Appendix – Compliance Test Procedures for 45CSR2, or other equivalent EPA approved method approved by the Director. Such tests shall be conducted in accordance with the schedule set forth in the following table.

Test	Test Results	Testing Frequency
Annual	after three successive tests indicate mass emission rates ≤50% of weight emission standard	Once/3 years
Annual	after two successive tests indicate mass emission rates between 50% and 80 % of weight emission standard	Once/2 years
Annual	any tests indicates a mass emission rate ≥80% of weight emission standard	Annual
Once/2 years	after two successive tests indicate mass emission rates ≤50% of weight emission standard	Once/3 years
Once/2 years	any tests indicates a mass emission rate between 50% and 80 % of weight emission standard	Once/2 years
Once/2 years	any tests indicates a mass emission rate ≥80% of weight emission standard	Annual
Once/3 years	any tests indicates a mass emission rate ≤50% of weight emission standard	Once/3 years

Test	Test Results	Testing Frequency
Once/3 years	any test indicates mass emission rates between 50% and 80 % of weight emission standard	Once/2 years
Once/3 years	any test indicates a mass emission rate ≥80% of weight emission standard	Annual

At this renewal the last testing was completed on April 3, 2012 and the next testing shall be conducted no later than April 3, 2015.

[45CSR§2-8.1., 45CSR§2A-5.2.]

4.3.13. For coal-fired units, initial performance testing is required for all pollutants, to demonstrate compliance with the filterable particulate matter (PM) and mercury (Hg) emission limits (conditions 4.1.16. and 4.1.18., respectively).

(i) For a coal-fired EGU, you may conduct the initial performance testing in accordance with 40 C.F.R. §63.10005(h), to determine whether the ~~unit~~ EGU qualifies as a low emitting EGU (LEE) for filterable particulate matter (PM) and mercury (Hg).

(ii) For a qualifying LEE for Hg emissions limits, you must conduct a 30-day performance test using Method 30B at least once every 12 calendar months to demonstrate continued LEE status (refer to permit condition 4.3.27.(1)(ii) for the specific number of days between performance tests). For affected units meeting the LEE requirements of 40 C.F.R. §63.10005(h), you must repeat the performance test once every year for Hg according to Table 5 of 40 C.F.R. 63 Subpart UUUUU and 40 C.F.R. §63.10007. Should subsequent emissions testing results show the unit does not meet the LEE eligibility requirements, LEE status is lost. If this should occur, for Hg, you must install, certify, maintain, and operate a Hg CEMS or a sorbent trap monitoring system in accordance with appendix A to 40 C.F.R. 63 Subpart UUUUU, within 6 calendar months of losing LEE eligibility. Until the Hg CEMS or sorbent trap monitoring system is installed, certified, and operating, you must conduct Hg emissions testing quarterly (according to Item #4 in Table 7 to 40 C.F.R. 63 Subpart UUUUU), except as otherwise provided in 40 C.F.R. §63.10021(d)(1). You must have 3 calendar years of testing and CEMS or sorbent trap monitoring system data that satisfy the LEE emissions criteria to reestablish LEE status.

(iii) For a qualifying LEE for PM, you must conduct a performance test at least once every 36 calendar months to demonstrate continued LEE status (refer to permit condition 4.3.27.(1)(iii) for the specific number of days between performance tests). For affected units meeting the LEE requirements of 40 C.F.R. §63.10005(h), you must repeat the performance test once every 3 years according to Table 5 of 40 C.F.R. 63 Subpart UUUUU and 40 C.F.R. §63.10007. Should subsequent emissions testing results show the unit does not meet the LEE eligibility requirements, LEE status is lost. If this should occur, for PM, you must conduct emissions testing quarterly (according to Item #4 in Table 7 to 40 C.F.R. 63 Subpart UUUUU), except as otherwise provided in 40 C.F.R. §63.10021(d)(1).

(iv) If your coal-fired EGU does not qualify as a LEE for filterable particulate matter (PM), you must demonstrate compliance through an initial performance test and you must monitor continuous

performance through either use of a particulate matter continuous parametric monitoring system (PM CPMS), a PM CEMS, or, for an existing EGU, compliance performance testing repeated quarterly (according to Item #4 in Table 7 to 40 C.F.R. 63 Subpart UUUUU).

(vi) If your coal-fired EGU does not qualify as a LEE for Hg, you must demonstrate initial and continuous compliance through use of a Hg CEMS or a sorbent trap monitoring system, in accordance with appendix A to 40 C.F.R. 63 Subpart UUUUU.

For candidate LEE units, use the results of the performance testing described in 40 C.F.R. §63.10005(h) to determine initial compliance with the applicable emission limit(s) in Table 2 to 40 C.F.R. 63 Subpart UUUUU and to determine whether the unit qualifies for LEE status.

[40 C.F.R. §§63.10000(c)(1)(i), (ii), (iii), (iv), and (vi); 40 C.F.R. §63.10005(h); 40 C.F.R. §§63.10006(b)(1) and (2); 40 C.F.R. §63.10011(a); 40 C.F.R. §63.10011(d); 40 C.F.R. §63.10021(a), Table 7, Item #4; 45CSR34; 45CSR14, R14-0007, 4.2.1.f., 4.2.1.g., 4.3.1., and 4.3.2.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.14. *General Initial Compliance Requirements*. For each of your affected EGUs, you must demonstrate initial compliance with each applicable emissions limit in Table 2 of 40 C.F.R. 63 Subpart UUUUU (condition 4.1.16. for PM; condition 4.1.17. for SO_2; condition 4.1.18. for Hg) through performance testing. Where two emissions limits are specified for a particular pollutant (e.g., a heat input-based limit in lb/MMBtu and ~~an electrical~~ a gross output-based limit in lb/MWh), you may demonstrate compliance with either emission limit. For a particular compliance demonstration, you may be required to conduct one or more of the following activities in conjunction with performance testing: collection of data, e.g., hourly ~~electrical load~~ gross output data (megawatts); establishment of operating limits according to 40 C.F.R. §63.10011 and Tables 4 and 7 to 40 C.F.R. 63 Subpart UUUUU; and CMS performance evaluations. In all cases, you must demonstrate initial compliance no later than the applicable date in paragraph (f) of 40 C.F.R. §63.10005 (condition 4.1.15.) for tune-up work practices for existing EGUs~~,~~; the date that compliance must be demonstrated, as given in 40 C.F.R. §63.9984 (conditions 4.1.14., 4.1.15.) for other requirements for existing EGUs.

(1) To demonstrate initial compliance with an applicable emissions limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU using stack testing, the initial performance test generally consists of three runs at specified process operating conditions using approved methods.

(2) To demonstrate initial compliance using an SO_2 CEMS, the initial performance test shall consist~~s~~ of 30 boiler operating days. ~~of data collected by the initial compliance demonstration date specified in 40 C.F.R. §63.10005 with the certified monitoring system.~~ If the CMS is certified prior to the compliance date (or, if applicable, the approved extended compliance date), the test shall begin with the first operating day on or after that date, except as otherwise provided in paragraph (b) of §63.10005. If the CMS is not certified prior to the compliance date, the test shall begin with the first operating day after certification testing is successfully completed. In all cases, the initial 30- or 90- operating day averaging period must be completed on or before the date that compliance must be demonstrated (i.e., 180 days after the applicable compliance date).

(i) The ~~30-boiler operating day~~ CMS performance test must demonstrate compliance with the SO_2 emissions limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU.

[40 C.F.R. §§63.10005(a), 63.10005(a)(1), 63.10005(a)(2), and 63.10005(a)(2)(i); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.15. *Performance testing requirements.* If you choose to use performance testing to demonstrate initial compliance with the applicable emissions limits in Tables 2 of 40 C.F.R. 63 Subpart UUUUU (condition 4.1.16. for PM; condition 4.1.17. for SO_2; condition 4.1.18. for Hg) for your EGUs, you must conduct the tests according to 40 C.F.R. §63.10007 and Table 5 to 40 C.F.R. 63 Subpart UUUUU. For the purposes of the initial compliance demonstration, you may use test data and results from a performance test conducted prior to the date on which compliance is required as specified in 40 C.F.R. §63.9984 (permit condition 4.1.14.), provided that the following conditions are fully met:

(1) For a performance test based on stack test data, the test was conducted no more than 12 calendar months prior to the date on which compliance is required as specified in 40 C.F.R. §63.9984;

(2) For a performance test based on data from a certified CEMS, the test consists of all valid CMS data recorded in the 30 boiler operating days immediately preceding that date;

(3) The performance test was conducted in accordance with all applicable requirements in 40 C.F.R. §63.10007 and Table 5 to 40 C.F.R. 63 Subpart UUUUU;

(4) A record of all parameters needed to convert pollutant concentrations to units of the emission standard (e.g., stack flow rate, diluent gas concentrations, hourly ~~electrical loads~~ gross outputs) is available for the entire performance test period; and

(5) For each performance test based on stack test data, you certify, and keep documentation demonstrating, that the EGU configuration, control devices, and fuel(s) have remained consistent with conditions since the prior performance test was conducted.

(6) For performance stack test data that are collected prior to the date that compliance must be demonstrated and are used to demonstrate initial compliance with applicable emissions limits, the interval for subsequent stack tests begins on the date that compliance must be demonstrated.

[40 C.F.R. §§63.10005(b), and 63.10005(b)(1) through ~~(5)~~(6); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.16. *CMS requirements.* If, for a particular emission or operating limit, you are required to (or elect to) demonstrate initial compliance using a continuous monitoring system, the CMS must pass a performance evaluation prior to the initial compliance demonstration. If a CMS has been previously certified under another state or federal program and is continuing to meet the on-going quality-assurance (QA) requirements of that program, then, provided that the certification and QA provisions of that program meet the applicable requirements of 40 C.F.R. §§ 63.10010(b) through (h), an additional performance evaluation of the CMS is not required under 40 C.F.R. 63 Subpart UUUUU.

For an affected coal-fired EGU, you may demonstrate initial compliance with the applicable SO_2 emissions limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU through use of an SO_2 CEMS installed and operated in accordance with 40 C.F.R. part 75 or Appendix B to 40 C.F.R. 63 Subpart UUUUU, as applicable. You may also demonstrate compliance with a filterable PM emission limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU through use of a PM CEMS installed, certified, and operated in accordance with 40 C.F.R. §63.10010(i). Initial compliance is achieved if the arithmetic average of 30-boiler operating days of quality-assured CEMS data, expressed in units of the standard (see 40 C.F.R. §63.10007(e)), meets the applicable SO_2 or PM emissions limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU. Use Equation 19-19 of Method 19 in appendix A-7 to 40 C.F.R. part 60 to calculate the 30-boiler operating day average emissions rate.

[40 C.F.R. §§63.10005(d), and 63.10005(d)(1); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.17. Except as otherwise provided in 40 C.F.R. §63.10007, you must conduct all required performance tests according to 40 C.F.R. §63.7(d), (e), (f), and (h). You must also develop a site-specific test plan according to the requirements in 40 C.F.R. §63.7(c).
[40 C.F.R. §63.10007(a); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.18. If you use SO_2 CEMS to determine compliance with a 30-boiler operating day rolling average emission limit, you must collect data for all nonexempt unit operating conditions (see 40 C.F.R. §63.10011(g) and Table 3 to 40 C.F.R. 63 Subpart UUUUU).
[40 C.F.R. §63.10007(a)(1); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.19. If you conduct performance testing with test methods in lieu of continuous monitoring, operate the unit at maximum normal operating load conditions during each periodic (e.g., quarterly) performance test. Maximum normal operating load will be generally between 90 and 110 percent of design capacity but should be representative of site specific normal operations during each test run.
[40 C.F.R. §63.10007(a)(2); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.20. You must conduct each performance test (including traditional 3-run stack tests, 30-boiler operating day tests based on CEMS data (or sorbent trap monitoring system data), and 30-boiler operating day Hg emission tests for LEE qualification) according to the requirements in Table 5 to 40 C.F.R. 63 Subpart UUUUU.
[40 C.F.R. §63.10007(b); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.21. Except for a 30-boiler operating day performance test based on CEMS (or sorbent trap monitoring system) data, where the concept of test runs does not apply, you must conduct a minimum of three separate test runs for each performance test, as specified in 40 C.F.R. §63.7(e)(3). Each test run must comply with the minimum applicable sampling time or volume specified in Table 2 to 40 C.F.R. 63 Subpart UUUUU. Sections 63.10005(d) and (h) (conditions 4.3.16. and 4.3.13.), respectively, provide special instructions for conducting performance tests based on CEMS or sorbent trap monitoring systems, and for conducting emission tests for LEE qualification.
[40 C.F.R. §63.10007(d); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.22. To use the results of performance testing to determine compliance with the applicable emission limits in Table 2 to 40 C.F.R. 63 Subpart UUUUU, proceed as in 40 C.F.R. §§63.10007(e)(1) through (3).
[40 C.F.R. §63.10007(e); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.23. Upon request, you shall make available to the EPA Administrator such records as may be necessary to determine whether the performance tests have been done according to the requirements of 40 C.F.R. §63.10007.
[40 C.F.R. ~~§63.10007(f)~~ §63.10007(g); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.24. For ~~a unit~~ an EGU that uses a CEMS to measure SO_2 for initial compliance, the ~~first~~ initial performance test shall consist of a 30-boiler operating day average emission rate obtained with certified CEMS ~~after the~~ expressed in units of the standard. If the monitoring system is certified prior to the applicable ~~date in 40 C.F.R. §63.9984 (or, if applicable,~~ compliance date, the initial averaging period shall begin either with: The first boiler operating day on or after the compliance date; or 30 boiler operating days prior to that date, as described in 40 C.F.R. §63.10005(b)~~(2)), expressed in units of the standard, is the initial performance test~~. In all cases, the initial 30-boiler operating day averaging period must be completed on or before the date that compliance must be demonstrated, in accordance with §63.9984(f). Initial compliance is demonstrated if the results of the performance test meet the applicable SO_2 emission limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU.
[40 C.F.R. §63.10011(c)(2); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.25. *Notification of performance test.* When you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 30 days before the performance test is scheduled to begin.
[40 C.F.R. 63.10030(d); 45CSR34; 45CSR14, R14-0007, 4.3.1. and 4.3.2.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.26. If a performance test on a non-mercury LEE shows emissions in excess of 50 percent of the emission limit and if you choose to reapply for LEE status, you must conduct performance tests at the appropriate frequency given in section (c) through (e) of 40 C.F.R. §63.10006 for that pollutant until all performance tests over a consecutive 3-year period show compliance with the LEE criteria.
[40 C.F.R. §63.10006(h); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.27. *Time between performance tests.*

(1) Notwithstanding the provisions of §63.10021(d)(1), the requirements listed in paragraphs (g) and (h) of 63.10006, and the requirements of paragraph (3) of this condition, you must complete performance tests for your EGU as follows:

(i) At least 45 calendar days, measured from the test's end date, must separate performance tests conducted every quarter;

(ii) For annual testing:

(A) At least 320 calendar days, measured from the test's end date, must separate performance tests;

(B) At least 320 calendar days, measured from the test's end date, must separate annual sorbent trap mercury testing for 30-boiler operating day LEE tests;

(C) At least 230 calendar days, measured from the test's end date, must separate annual sorbent trap mercury testing for 90-boiler operating day LEE tests; and

(iii) At least 1,050 calendar days, measured from the test's end date, must separate performance tests conducted every 3 years.

(2) For units demonstrating compliance through quarterly emission testing, you must conduct a performance test in the 4th quarter of a calendar year if your EGU has skipped performance tests in the first 3 quarters of the calendar year.

(3) If your EGU misses a performance test deadline due to being inoperative and if 168 or more boiler operating hours occur in the next test period, you must complete an additional performance test in that period as follows:

(i) At least 15 calendar days must separate two performance tests conducted in the same quarter.

(ii) At least 107 calendar days must separate two performance tests conducted in the same calendar year.

(iii) At least 350 calendar days must separate two performance tests conducted in the same 3 year period.

[40 C.F.R. §63.10006(f); 45CSR34; 45CSR14, R14-0007, 4.3.1. and 4.3.2.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.28. If you elect to (or are required to) use CEMS to continuously monitor Hg, HCl, HF, SO_2, or PM emissions (or, if applicable, sorbent trap monitoring systems to continuously collect Hg emissions data), the default values in §§63.10007(f)(1) and (2) are available for use in the emission rate calculations during startup periods or shutdown periods (as defined in §63.10042). For the purposes of 40 C.F.R. 63 Subpart UUUUU, these default values are not considered to be substitute data.
[40 C.F.R. §63.10007(f); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4. Recordkeeping Requirements

4.4.1. Records of the operating schedule and quantity and quality of fuel consumed shall be maintained on site for each fuel burning unit and made available to the Director or his duly authorized representative upon request. Such records shall include, but not be limited to the date and time of start-up and shutdown and for:

a. *Pipeline quality natural gas* – The quantity of fuel consumed on a monthly basis,

b. *Coal* – Ash and BTU analysis from daily as-fired fuel samples required per condition 4.1.5. and the quantity of fuel consumed on a daily basis.

Note: Compliance with the daily as-fired fuel sampling frequency required by 40 C.F.R. §60.49Da(b)(3) shall ensure compliance with the less stringent frequency requirement for each shipment specified in 45CSR§2A-7.1.a.4.

[45CSR§2-8.3.c.; 45CSR§2A-7.1.a.; 40 C.F.R. §60.49Da(b)(3); 45CSR16; 45CSR14, R14-0007, 4.4.4.d.i. and 4.4.5.]

4.4.2. Records of monitored data established in the monitoring plan shall be maintained on site and shall be made available to the Director or his duly authorized representative upon request.
[45CSR§2-8.3.a.]

4.4.3. **Response to Excursions or Exceedances**

(1) Upon detecting an excursion or exceedance, the permittee shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable

(2) Determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process

[40 C.F.R. § 64.7(d); 45CSR§30-5.1.c.]

4.4.4. **General recordkeeping requirements for 40 C.F.R. Part 64 (CAM)**
The permittee shall comply with the recordkeeping requirements specified in permit conditions 3.4.1. and 3.4.2. The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to 40 C.F.R. §64.8 (4.2.8.) and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under 40 C.F.R. Part 64 (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).
[40 C.F.R. § 64.9(b); 45CSR§30-5.1.c.]

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 40 C.F.R. 63 Subpart DDDDD, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in 40 C.F.R. §63.10(b)(2)(xiv).

(2) Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations as required in 40 C.F.R. §63.10(b)(2)(viii).

[40 C.F.R. §63.7555(a); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.4.6. You must maintain records of the calendar date, time, occurrence and duration of each startup and shutdown. **[40 C.F.R. §63.7555(i); 45CSR34] (Auxiliary Boilers S009L and S009M)** ***This requirement is subject to the compliance date in condition 4.1.10.***

4.4.7. You must maintain records of the type(s) and amount(s) of fuels used during each startup and shutdown. **[40 C.F.R. §63.7555(j); 45CSR34] (Auxiliary Boilers S009L and S009M)** ***This requirement is subject to the compliance date in condition 4.1.10.***

4.4.8. **Format and Retention of Records for 40 C.F.R. 63 Subparts DDDDD and UUUUU**

(a) Your records must be in a form suitable and readily available for expeditious review, according to 40 C.F.R. §63.10(b)(1).

(b) As specified in 40 C.F.R. §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 40 C.F.R. §63.10(b)(1). You can keep the records off site for the remaining 3 years.

[40 C.F.R. §§63.7560(a), (b), and (c); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

[40 C.F.R. §§63.10033(a), (b), and (c); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.9. 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 40 C.F.R. 63 Subpart UUUUU, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in 40 C.F.R. §63.10(b)(2)(xiv).

(2) Records of performance stack tests, fuel analyses, or other compliance demonstrations and performance evaluations, as required in 40 C.F.R. §63.10(b)(2)(viii).

[40 C.F.R. §63.10032(a); 45CSR34; 45CSR14, R14-0007, 4.4.4.a.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.10. For each CEMS, you must keep records according to paragraphs (1) through (4) of this condition.

(1) Records described in § 63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in 40 C.F.R. §63.8(d)(3).

(3) Request for alternatives to relative accuracy test for CEMS as required in 40 C.F.R. §63.8(f)(6)(i).

(4) Records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period.

[40 C.F.R. §63.10032(b); 45CSR34; 45CSR14, R14-0007, 4.4.4.b.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.11. You must keep the records required in Table 7 to 40 C.F.R. 63 Subpart UUUUU (conditions 4.1.17., 4.3.13.(ii), 4.3.13.(iii), 4.3.13.(iv), 4.1.19., 4.1.20., and 4.1.21.) to show continuous compliance with each emission limit and operating limit that applies to you.
[40 C.F.R. §§63.10032(c) and 63.10021(h); 45CSR34; 45CSR14, R14-0007, 4.4.4.c.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.12. For each EGU subject to an emission limit, you must also keep the records in paragraphs (1) and (3) of this condition.

(1) You must keep records of monthly fuel use by each EGU, including the type(s) of fuel and amount(s) used.

(3) For an EGU that qualifies as an LEE under 40 C.F.R. §63.10005(h), you must keep annual records that document that your emissions in the previous stack test(s) continue to qualify the unit for LEE status for an applicable pollutant, and document that there was no change in source operations including fuel composition and operation of air pollution control equipment that would cause emissions of the pollutant to increase within the past year.

[40 C.F.R. §§63.10032(d)(1) and (3); 45CSR34; 45CSR14, R14-0007, 4.4.4.d.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.13. ~~You~~ Should you choose to rely on paragraph (1) of the definition of "startup" in 63.10042 for your EGU, you must keep records of the occurrence and duration of each startup ~~and/~~or shutdown.
[40 C.F.R. §§63.10032(f) and 63.10021(h); 45CSR34; 45CSR14, R14-0007, 4.4.4.e.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.14. You must keep records of the occurrence and duration of each malfunction of an operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

[40 C.F.R. §63.10032(g); 45CSR34; 45CSR14, R14-0007, 4.4.4.f.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.15. You must keep records of actions taken during periods of malfunction to minimize emissions in accordance with 40 C.F.R. §63.10000(b) (condition 4.1.22.), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
[40 C.F.R. §63.10032(h); 45CSR34; 45CSR14, R14-0007, 4.4.4.g.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.16. You must keep records of the type(s) and amount(s) of fuel used during each startup or shutdown.
[40 C.F.R. §§63.10032(i) and 63.10021(h); 45CSR34; 45CSR14, R14-0007, 4.4.4.h.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.17. *Continuous Monitoring Requirements*. Records of maintenance, calibration checks, and output data, shall be maintained in accordance with condition 3.4.2. The permittee must monitor and collect data according to 40 C.F.R. §63.10020 and the site-specific monitoring plan required in Condition 4.1.26.
[45CSR14, R14-0007, 4.2.1.j.]

4.4.18. The permittee shall record and maintain records as specified in the following for the two auxiliary boilers:

a. The amount of natural gas combusted during each day and calculate the annual capacity factor. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

b. All records shall be maintained in accordance with Condition 3.4.2.

[40 C.F.R. §60.49b(d)(1); 45CSR16; 45CSR14, R14-0007, 4.4.6.]

4.5. Reporting Requirements

4.5.1. ~~The permittee shall comply with the reporting requirements under 40 C.F.R. §60.51Da except that all required reports shall be certified to the USEPA Administrator and to the Department of Environmental Protection, Division of Air Quality Director in accordance with 40 C.F.R. §60.51Da(j).~~ For Subpart Da Reporting for SO2 and PM from the CFB boilers, the permittee shall submit reports to the Director and Administrator semiannually. The reporting periods shall begin on January 1 and July 1 with the end of the reporting periods ending on June 30 and December 31 respectively. These reports shall be postmarked by 30 days following the end of the reporting period. Such reports shall contain the following information.

a. For SO_2, the following information is reported to the Director for each 24-hour period.

i. Calendar date.

ii. The average SO2 emission rates (lb/MMBtu) for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the emission standards; and, description of corrective actions taken.

iii. The percent reduction of the potential combustion concentration of SO_2 for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the standard; and, description of corrective actions taken.

iv. Identification of the boiler operating days for which pollutant or diluent data have not been obtained by an approved method for at least 75 percent of the hours of operation of the facility; justification for not obtaining sufficient data; and description of corrective actions taken.

v. Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, or malfunction.

vi. Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.

vii. Identification of the times when the pollutant concentration exceeded full span of the CEMS.

viii. Description of any modifications to CEMS which could affect the ability of the CEMS to comply with Performance Specifications 2 or 3.

ix. If the minimum quantity of emission data as required by 40 CFR §60.49Da (Condition 4.2.1.) is not obtained for any 30 successive boiler operating days, the following information obtained under the requirements of 40 CFR §60.48Da(h) is reported to the Administrator for that 30-day period:

1. The number of hourly averages available for outlet emission rates (no) and inlet emission rates (ni) as applicable.

2. The standard deviation of hourly averages for outlet emission rates (s_o) and inlet emission rates (s_i) as applicable.

3. The lower confidence limit for the mean outlet emission rate (E_o^*) and the upper confidence limit for the mean inlet emission rate (E_i^*) as applicable.

4. The applicable potential combustion concentration.

5. The ratio of the upper confidence limit for the mean outlet emission rate (E_o^*) and the allowable emission rate (E_{std}) as applicable.

x. For any periods for which opacity, SO_2 or NO_X emissions data are not available, the owner or operator of the affected facility shall submit a signed statement indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability.

xi. The responsible official of permitted facility shall submit a signed statement indicating whether:

1. The required CEMS calibration, span, and drift checks or other periodic audits have or have not been performed as specified.

2. The data used to show compliance was or was not obtained in accordance with approved methods and procedures of this part and is representative of plant performance.

3. The minimum data requirements have or have not been met; or, the minimum data requirements have not been met for errors that were unavoidable.

4. Compliance with the standards has or has not been achieved during the reporting period.

xii. For the purposes of the reports required under 40 CFR §60.7, periods of excess emissions are defined as all 6-minute periods during which the average opacity exceeds the applicable opacity standards under 40 CFR §60.42Da(b). Opacity levels in excess of the applicable opacity standard and the date of such excesses are to be submitted to the Administrator each calendar quarter.

[~~45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(1)(f)~~ 45CSR14, R14-0007, 4.5.1.; 40 C.F.R. §60.19(d) and §§60.51Da(b), (c), (f), (h), and (i); 45CSR16]

4.5.2. Compliance with the periodic exception reporting of permit condition 4.5.5. shall be demonstrated by quarterly reports in accordance with 40 C.F.R. §60.7(c).
[40 C.F.R. §60.7; 45CSR16]

4.5.3. Excess opacity periods meeting the following conditions may be reported on a quarterly basis unless otherwise required by the Director:

a. The excess opacity period does not exceed thirty (30) minutes within any twenty-four (24) hour period; and,

b. Excess opacity does not exceed forty percent (40%).

[45CSR§2-9.3.a.]

4.5.4. Except as provided in permit condition 4.5.3. above, the owner or operator shall report to the Director by telephone, telefax, or e-mail any malfunction of CFB #1 or CFB #2 or their associated air pollution control equipment, which results in any excess particulate matter or excess opacity, by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Director within thirty (30) days providing the following information:

a. A detailed explanation of the factors involved or causes of the malfunction;

b. The date, and time of duration (with starting and ending times) of the period of excess emissions;

c. An estimate of the mass of excess emissions discharged during the malfunction period;

d. The maximum opacity measured or observed during the malfunction;

e. Immediate remedial actions taken at the time of the malfunction to correct or mitigate the effects of the malfunction; and

f. A detailed explanation of the corrective measures or program that will be implemented to prevent a recurrence of the malfunction and a schedule for such implementation.

[45CSR§2-9.3.b.]

4.5.5. A periodic exception report shall be submitted to the Director, in a manner and at a frequency to be established by the Director.
[45CSR§2-8.3.b.]

4.5.6. **General reporting requirements for 40 C.F.R. Part 64 (CAM)**

(1) On and after the date specified in 40 C.F.R. §64.7(a) by which the permittee must use monitoring that meets the requirements of 40 C.F.R. 64, the permittee shall submit CAM monitoring reports with the quarterly excess emissions reports. A copy of the CAM monitoring reports generated within the semi-annual monitoring report period shall be included with the semi-annual monitoring report under permit condition 3.5.6. Incorporation by reference within the semi-annual monitoring report is not acceptable.

(2) A report for monitoring under 40 C.F.R. 64 shall include, at a minimum, the information required under permit condition 3.5.8. and the following information, as applicable:

(i) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

(ii) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

(iii) A description of the actions taken to implement a QIP during the reporting period as specified in 40 C.F.R. §64.8. Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

[40 C.F.R. §64.9(a); 45CSR§30-5.1.c.]

4.5.7. If you own or operate an existing unit designed to burn gas 1 subcategory, you must submit a signed statement in the Notification of Compliance Status report that indicates that you conducted a tune -up of the unit (condition 4.1.11.).
[40 C.F.R. §63.7530(d); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.8. You must include with the Notification of Compliance Status a signed certification that the energy assessment was completed according to Table 3 to 40 C.F.R. 63 Subpart DDDDD (condition 4.1.12.) and is an accurate depiction of your facility at the time of the assessment.
[40 C.F.R. §63.7530(e); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.9. **Notification of Compliance Status for 40 C.F.R. 63 Subpart DDDDD**. You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in 40 C.F.R. §63.7545(e).

(1) A description of the affected unit(s) including identification of which subcategories the unit is in, the design heat input capacity of the unit, a description of the add-on controls used on the unit to comply with this subpart, description of the fuel(s) burned, including whether the fuel(s) were a secondary material determined by you or the EPA through a petition process to be a non-waste under § 241.3 of this chapter, whether the fuel(s) were a secondary material processed from discarded non-

hazardous secondary materials within the meaning of § 241.3 of this chapter, and justification for the selection of fuel(s) burned during the compliance demonstration

(6) A signed certification that you have met all applicable emission limits and work practice standards.

(7) If you had a deviation from any emission limit, work practice standard, or operating limit, you must also submit a description of the deviation, the duration of the deviation, and the corrective action taken in the Notification of Compliance Status report.

(8) In addition to the information required in 40 C.F.R. §63.9(h)(2), your notification of compliance status must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

(i) "This facility complies with the required initial tune-up according to the procedures in 40 C.F.R. §63.7540(a)(10)(i) through (vi)." (condition 4.1.11.(i) through (vi))

(ii) "This facility has had an energy assessment performed according to 40 C.F.R. §63.7530(e)." (condition 4.1.12.)

The notification must be sent to the Director (and a copy to U.S. EPA) before the close of business on the 60th day following the completion of both the initial annual tune-up (condition 4.1.11.) and one-time energy assessment (condition 4.1.12.).

[40 C.F.R. §§ 63.7530(f), 63.7545(a), 63.7545(e)(1), (7), (8)(i) and (ii); 40 C.F.R. §§63.9(a)(4)(ii) and 63.9(h)(2)(ii); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.10. You must report each instance in which you did not meet each work practice standard in Table 3 to 40 C.F.R. 63 Subpart DDDDD that apply to you (conditions 4.1.11. and 4.1.12.). These instances are deviations from the work practice standards in 40 C.F.R. 63 Subpart DDDDD. These deviations must be reported according to the requirements in 40 C.F.R. §63.7550 (condition 4.5.11.).
[40 C.F.R. §63.7540(b); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.11. You must submit a Compliance report for 40 C.F.R. 63 Subpart DDDDD containing:

a. The information in §63.7550(c)(5)(i) through (iv) and (xiv), which is:

(i) Company and Facility name and address.

(ii) Process unit information, emissions limitations, and operating parameter limitations.

(iii) Date of report and beginning and ending dates of the reporting period.

(iv) The total operating time during the reporting period.

(xiv) Include the date of the most recent tune-up for each unit subject to only the requirement to conduct an annual tune-up according to 40 C.F.R. §63.7540(a)(10). Include the date of the

most recent burner inspection if it was not done annually and was delayed until the next scheduled or unscheduled unit shutdown.

b. If there are no deviations from the requirements for work practice standards in Table 3 to 40 C.F.R. 63 Subpart DDDDD that apply to you (conditions 4.1.11. and 4.1.12.), a statement that there were no deviations from the work practice standards during the reporting period.

You must submit the report every year according to the requirements in 40 C.F.R. §63.7550(b), which are:

(1) The first compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in 40 C.F.R. §63.7495 (condition 4.1.10.) and ending on July 31 or January 31, whichever date is the first date that occurs at least 1 year after the compliance date that is specified for your source in 40 C.F.R. §63.7495 (condition 4.1.10.).

(2) The first annual compliance report must be postmarked or submitted no later than January 31.

(3) Each subsequent annual compliance report must cover the 1-year period from January 1 to December 31.

(4) Each subsequent annual compliance report must be postmarked or submitted no later than January 31.

You must submit all reports required by Table 9 of 40 C.F.R. 63 Subpart DDDDD electronically using CEDRI that is accessed through the EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to 40 C.F.R. 63 Subpart DDDDD is not available in CEDRI at the time that the report is due the report you must submit the report to the Administrator at the appropriate address listed in 40 C.F.R. §63.13. At the discretion of the Administrator, you must also submit these reports, to the Administrator in the format specified by the Administrator.

[40 C.F.R. §§63.7550(a), (b), and (c)(1); 40 C.F.R. §63.7550(h)(3); 45CSR34; 45CSR14, R14-0007, 4.5.7.] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.12. **Notification of Compliance Status for 40 C.F.R. 63 Subpart UUUUU**. You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration ~~according to~~ in accordance with the requirements in 40 C.F.R. §§ 63.10030(e) and 63.9(h)(2)(ii). The Notification of Compliance Status report must contain all the information specified in paragraphs (1) through (7) of this condition, as applicable.

(1) A description of the affected source(s), including identification of ~~which~~ the subcategory of the source ~~is in~~, the design capacity of the source, a description of the add-on controls used on the source, description of the fuel(s) burned, including whether the fuel(s) were determined by you or EPA through a petition process to be a non-waste under 40 C.F.R. 241.3, whether the fuel(s) were processed from discarded non-hazardous secondary materials within the meaning of 40 C.F.R. 241.3, and justification for the selection of fuel(s) burned during the performance test.

(2) Summary of the results of all performance tests and fuel analyses and calculations conducted to demonstrate initial compliance including all established operating limits.

(3) Identification of whether you plan to demonstrate compliance with each applicable emission limit through performance testing; fuel moisture analyses; performance testing with operating limits (e.g., use of PM CPMS); CEMS; or a sorbent trap monitoring system.

(4) Identification of whether you plan to demonstrate compliance by emissions averaging.

(5) A signed certification that you have met all applicable emission limits and work practice standards.

(6) If you had a deviation from any emission limit, work practice standard, or operating limit, you must also submit a brief description of the deviation, the duration of the deviation, emissions point identification, and the cause of the deviation in the Notification of Compliance Status report.

(7) In addition to the information required in 40 C.F.R. §63.9(h)(2), your notification of compliance status must include the following:

(i) A summary of the results of the annual performance tests and documentation of any operating limits that were reestablished during this test, if applicable. If you are conducting stack tests once every 3 years consistent with 40 C.F.R. ~~§63.10006(b)~~ §63.10005(h)(1)(i), the date of ~~the last three~~ each stack ~~tests~~ test conducted during the previous 3 years, a comparison of ~~the~~ emission level you achieved in ~~the last three~~ each stack ~~tests~~ test conducted during the previous 3 years to the 50 percent emission limit threshold required in 40 C.F.R. §63.10006(i), and a statement as to whether there have been any operational changes since the last stack test that could increase emissions.

(ii) Certifications of compliance, as applicable, and must be signed by a responsible official stating:

(A) "This EGU complies with the requirements in §63.10021(a) to demonstrate continuous compliance." and

(B) "No secondary materials that are solid waste were combusted in any affected unit."

(iii) For each of your existing EGUs, identification of each emissions limit as specified in Table 2 to 40 C.F.R. 63 Subpart UUUUU with which you plan to comply.

(A) You may switch from a mass per heat input to a mass per gross output limit (or vice-versa), provided that:

(1) You submit a request that identifies for each EGU or EGU emissions averaging group involved in the proposed switch both the current and proposed emission limit;

(2) Your request arrives to the Administrator at least 30 calendar days prior to the date that the switch is proposed to occur;

(3) Your request demonstrates through performance stack test results completed within 30 days prior to your submission, compliance for each EGU or EGU emissions averaging group with both the mass per heat input and mass per gross output limits;

(4) You revise and submit all other applicable plans, e.g., monitoring and emissions averaging, with your request; and

(5) You maintain records of all information regarding your choice of emission limits.

(B) You begin to use the revised emission limits starting in the next reporting period, after receipt of written acknowledgement from the Administrator of the switch.

(C) From submission of your request until start of the next reporting period after receipt of written acknowledgement from the Administrator of the switch, you demonstrate compliance with both the mass per heat input and mass per gross output emission limits for each pollutant for each EGU or EGU emissions averaging group.

(8) Identification of whether you plan to rely on paragraph (1) or (2) of the definition of "startup" in §63.10042.

[40 C.F.R. §§ 63.10005(k), 63.10011(e), 63.10030(a), and 63.10030(e); 45CSR34; 45CSR14, R14-0007, 4.5.2.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.13. Reserved. ~~You must report the results of performance tests and performance tune-ups within 60 days after the completion of the performance tests and performance tune-ups. The reports for all subsequent performance tests must include all applicable information required in 40 C.F.R. §63.10031 (permit conditions 4.5.16., 4.5.17., 4.5.18., 4.5.19.).~~
~~**[40 C.F.R. §63.10006(j); 45CSR34] (CFB Boilers S009J and S009K)** ***This requirement is subject to the compliance date in condition 4.1.14.***~~

4.5.14. You must submit the reports required under 40 C.F.R. §63.10031. CEMS data shall be submitted using EPA's Emissions Collection and Monitoring Plan System (ECMPS) Client Tool. Other data, including CEMS performance test detail reports, shall be submitted in the file format generated through use of EPA's Electronic Reporting Tool, the Compliance and Emissions Data Reporting Interface, or alternate electronic file format, all as provided for under 40 C.F.R. §63.10031 (conditions 4.5.16., 4.5.17., 4.5.18., 4.5.19.).
[40 C.F.R. §63.10021(f); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.15. You must report each instance in which you did not meet an applicable emissions limit or operating limit in Tables 2 and 3 to 40 C.F.R. 63 Subpart UUUUU or failed to conduct a required tune-up (conditions 4.1.16. through 4.1.21.). These instances are deviations from the requirements of 40 C.F.R. 63 Subpart UUUUU. These deviations must be reported according to 40 C.F.R. §63.10031 (condition 4.5.16.c.).
[40 C.F.R. §63.10021(g); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.16. You must submit a Compliance report for 40 C.F.R. 63 Subpart UUUUU containing:

a. Information required in 40 C.F.R. §§63.10031(c)(1) through (4) and (6) through (9), which is:

(1) The information required by the summary report located in 40 C.F.R. §63.10(e)(3)(vi).

(2) The total fuel use by each affected source subject to an emission limit, for each calendar month within the semiannual reporting period, including, but not limited to, a description of the fuel, whether the fuel has received a non-waste determination by EPA or your basis for concluding that the fuel is not a waste, and the total fuel usage amount with units of measure.

(3) Indicate whether you burned new types of fuel during the reporting period. If you did burn new types of fuel you must include the date of the performance test where that fuel was in use.

(4) Include the date of the most recent tune-up for each ~~unit subject to the requirement to conduct a performance tune-up according to 40 C.F.R. §63.10021(e)~~ EGU. ~~Include the date of the most recent burner inspection if it was not done every 36 (or 48) months and was delayed until the next scheduled unit shutdown.~~ The date of the tune-up is the date the tune-up provisions specified in §§63.10021(e)(6) and (7) were completed.

(6) You must report emergency bypass information annually from EGUs with LEE status.

(7) A summary of the results of the annual performance tests and documentation of any operating limits that were reestablished during the test, if applicable. If you are conducting stack tests once every 3 years to maintain LEE status, consistent with §63.10006(b), the date of each stack test conducted during the previous 3 years, a comparison of emission level you achieved in each stack test conducted during the previous 3 years to the 50 percent emission limit threshold required in §63.10005(h)(1)(i), and a statement as to whether there have been any operational changes since the last stack test that could increase emissions.

(8) A certification.

(9) If you have a deviation from any emission limit, work practice standard, or operating limit, you must also submit a brief description of the deviation, the duration of the deviation, emissions point identification, and the cause of the deviation.

b. If there are no deviations from any emission limitation (emission limit and operating limit) that applies to you and there are no deviations from the requirements for work practice standards in Table 3 to 40 C.F.R. 63 Subpart UUUUU that apply to you, a statement that there were no deviations from the emission limitations and work practice standards during the reporting period. If there were no periods during which the CMSs, including continuous emissions monitoring system, and operating parameter monitoring systems, were out-of-control as specified in 40 C.F.R. §63.8(c)(7), a statement that there were no periods during which the CMSs were out-of-control during the reporting period; and

c. If you have a deviation from any emission limitation (emission limit and operating limit) or work practice standard during the reporting period, the report must contain the information in 40 C.F.R. §63.10031(d) (section d. of this condition). If there were periods during which the CMSs, including continuous emissions monitoring systems and continuous parameter monitoring systems, were out-of-control, as specified in 40 C.F.R. §63.8(c)(7), the report must contain the information in 40 C.F.R. §63.10031(e) (condition 4.5.18.).

d. For each excess emissions occurring at an affected source where you are using a CMS to comply with that emission limit or operating limit, you must include the information required in 40 C.F.R. §63.10(e)(3)(v) in the compliance report specified in section a. of this condition.

e. If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded.

You must submit the report semiannually according to the requirements in 40 C.F.R. §60.10031(b) (condition 4.5.17.).

[40 C.F.R. §63.10031(a), Table 8, Item #1; 40 C.F.R. §§63.10031(c)(1) through (4) and (6) through (9); 40 C.F.R. §63.10031(d); 40 C.F.R. §63.10031(g); 40 C.F.R. §63.10021(i); 45CSR34; 45CSR14, R14-0007, 4.5.3.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.17. Unless the Administrator has approved a different schedule for submission of reports under 40 C.F.R. §63.10(a), you must submit each report by the date in Table 8 to 40 C.F.R. 63 Subpart UUUUU and according to the requirements in paragraphs (1) through (5) of this condition.

(1) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in 40 C.F.R. §63.9984 and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for your source in 40 C.F.R. §63.9984.

(2) The first compliance report must be postmarked or submitted electronically no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in 40 C.F.R. §63.9984.

(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent compliance report must be postmarked or submitted electronically no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) You may submit the first and subsequent compliance reports according to the dates in permit condition 3.5.6. instead of according to the dates in paragraphs (1) through (4) of this condition.

[40 C.F.R. §§63.10031(b)(1) through (5); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.18. You must report all deviations as defined in 40 C.F.R. 63 Subpart UUUUU in the semiannual monitoring report required by condition 3.5.6. If an affected source submits a compliance report pursuant to Table 8 to 40 C.F.R. 63 Subpart UUUUU (condition 4.5.16.) along with, or as part of, the semiannual monitoring report required by condition 3.5.6., and the compliance report includes all required information concerning deviations from any emission limit, operating limit, or work practice requirement in 40 C.F.R. 63 Subpart UUUUU, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. Submission of a compliance report does not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.
[40 C.F.R. §63.10031(e); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.19. As of January 1, 2012, and within 60 days after the date of completing each performance test, you must submit the results of the performance tests required by 40 C.F.R. 63 Subpart UUUUU according to 40 C.F.R. §63.10031(f).

(1) On or after April 16, 2017, within ~~Within~~ 60 days after the date of completing each CEMS (SO_2, PM, HCl, HF, and Hg) performance evaluation test, as defined in 40 C.F.R. §63.2 and required by 40 C.F.R. 63 Subpart UUUUU, you must submit the relative accuracy test audit (RATA) data (or, for PM CEMS, RCA and RRA data) required by 40 C.F.R. 63 Subpart UUUUU according to 40 C.F.R. §63.10031(f)(1).

(3) Reports for an SO_2 CEMS, a Hg CEMS or sorbent trap monitoring system, an HCl or HF CEMS, and any supporting monitors for such systems (such as a diluent or moisture monitor) shall be submitted using the ECMPS Client Tool, as provided for in Appendices A and B to 40 C.F.R. 63 Subpart UUUUU and 40 C.F.R. §63.10021(f) (condition 4.5.14.).

(4) On or after April 16, 2017, submit ~~Submit~~ the compliance reports required under paragraphs (c) and (d) of 40 C.F.R. §63.10031 (conditions 4.5.16.a.(1) through (4), and 4.5.16.d., respectively) and the notification of compliance status required under 40 C.F.R. §63.10030(e) (condition 4.5.12.) electronically according to 40 C.F.R. §63.10031(f)(4).

(5) All reports required by 40 C.F.R. 63 Subpart UUUUU not subject to the requirements in paragraphs (f) introductory text and (f)(1) through (4) of 40 C.F.R. §63.10031 (sub-conditions (1), (3), and (4) of this condition) must be sent to the Administrator at the appropriate address listed in 40 C.F.R. §63.13. If acceptable to both the Administrator and the owner or operator of a source, these reports may be submitted on electronic media. The Administrator retains the right to require submittal of reports subject to paragraphs (f) introductory text and (f)(1), (2), and (3) of 40 C.F.R. §63.10031 in paper format.

(6) Prior to April 16, 2017, all reports subject to electronic submissions in 40 C.F.R. §§63.10031(f) introductory text, (f)(1) and (4) shall be submitted to the EPA at the frequency specified in those paragraphs of 40 CFR §§63.10031(f) in electronic portable document format (PDF) using the ECMPS Client Tool. Each PDF version of a submitted report must include sufficient information to assess compliance and to demonstrate that the testing was done properly. The following data elements must be entered into the ECMPS Client Tool at the time of submission of each PDF file:

i. The facility name, physical address, mailing address (if different from the physical address), and county;

ii. The ORIS code (or equivalent ID number assigned by EPA's Clean Air Markets Division (CAMD)) and the Facility Registry System (FRS) ID;

iii. The EGU (or EGUs) to which the report applies. Report the EGU IDs as they appear in the CAMD Business System;

iv. If any of the EGUs in paragraph (6) iii. of this condition share a common stack, indicate which EGUs share the stack. If emissions data are monitored and reported at the common stack according to part 75 of this chapter, report the ID number of the common stack as it is represented in the electronic monitoring plan required under §75.53 of this chapter;

v. If any of the EGUs described in paragraph (6) iii. of this condition are in an averaging plan under §63.10009, indicate which EGUs are in the plan and whether it is a 30- or 90-day averaging plan;

vi. The identification of each emission point to which the report applies. An "emission point" is a point at which source effluent is released to the atmosphere, and is either a dedicated stack that serves one of the EGUs identified in paragraph (6) iii. of this condition or a common stack that serves two or more of those EGUs. To identify an emission point, associate it with the EGU or stack ID in the CAMD Business system or the electronic monitoring plan (*e.g.*, "Unit 2 stack," "common stack CS001," or "multiple stack MS001");

vii. The rule citation (*e.g.*, §63.10031(f)(1), §63.10031(f)(2), etc.) for which the report is showing compliance;

viii. The pollutant(s) being addressed in the report;

ix. The reporting period being covered by the report (if applicable);

x. The relevant test method that was performed for a performance test (if applicable);

xi. The date the performance test was conducted (if applicable); and

xii. The responsible official's name, title, and phone number.

[40 C.F.R. §§ 63.10031(f), 63.10031(f)(1), 63.10031(f)(3), 63.10031(f)(4), 63.10031(f)(5), 63.10031(f)(6); 45CSR34; 45CSR14, R14-0007, 4.3.1., 4.3.2., 4.5.4., 4.5.5., and 4.5.6.] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.20. You must submit all of the notifications in 40 C.F.R. §63.7(b) and §63.7(c), and §63.8 (e), by the dates specified.
[40 C.F.R. §§ 63.10030(a); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.6. Compliance Plan

4.6.1. There is no compliance plan since a responsible official certified compliance with all applicable requirements in the renewal application for this Title V operating permit.

5.0 Fuel, Limestone, and Ash Handling [emission point IDs: *Vent 1* through *Vent 11*, and *Fugitive Emission 1* through *Fugitive Emission 16*]

5.1. Limitations and Standards

5.1.1. Coal/coal refuse and limestone handling/storage facilities shall consist of the following, and particulate emissions shall be controlled as specified with maximum particulate emissions not to exceed the following:

	Type/Identity of Particulate Matter Control Equipment	Particulate Emission Limitation for Control Equipment Discharge lb/hr
Coal/Gob Receiving Hoppers (Truck)	Enclosure and Water/Chemical Dust Suppression System	
Coal/Gob Receiving Hopper (Emergency Use)	Minimize Drop Height	
Elevating Transfer Conveyor No. 1, Two Fuel Silos, Reversible Silo Feed Conveyor, Hopper Transfer Conveyor, and Transfer Points	Enclosure and Evacuation to Baghouse	0.0002
Elevating (Tripper) Conveyor No. 2 (top), Two Fuel Day Bins, and Transfer Points	Enclosure and Evacuation to Baghouse	0.0002
Mill Collecting Conveyor, Elevating Conveyor No. 2 base	Enclosure and Evacuation to Baghouse	0.0002
Two Coal/Gob Crushers (Grinding Mill, Hammer Mill), Emergency Fuel Feed Conveyor, Weigh Belt Conveyor	Enclosure and Evacuation to Baghouse	0.099
One 1,160 Ton Limestone Storage Silo	Baghouse	0.014
Limestone Truck Unloading Hopper	Enclosure and Evacuation to Baghouse	0.027
One Limestone Day Bin	Baghouse	0.005

[~~45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(4)~~ 45CSR14, R14-0007, 5.1.1.]

5.1.2. Visible Emissions from coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal (*Vents 1-5*) shall not exceed twenty (20) percent opacity except during periods of startup, shutdown, or malfunction.
[40 C.F.R. §§ 60.254(a) and 60.11(c); 45CSR16]

5.1.3. At all times, including periods of startup, shutdown, and malfunction, any affected facility [*coal processing and conveying equipment* as defined in 40 C.F.R. 60 Subpart Y] including associated air pollution control equipment shall, to the extent practicable, be maintained and operated in a manner consistent with good air pollution control practice for minimizing emissions. Determination that acceptable operating and maintenance procedures are being used, will be based on information available to the Secretary which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
[40 C.F.R. §60.11(d); 45CSR16]

5.1.4. Ash transfer, storage and loading facilities shall consist of the following and particulate emissions from the entire system shall be controlled as specified with maximum particulate emissions not to exceed the following:

	Type/Identity of Particulate Matter Control Equipment	Particulate Emission Limitation for Control Equipment Discharge lb/hr
Pneumatic System for Collected Flyash and Bottom Ash Handling, One 1300 Ton Ash Silo, Vacuum Blowers	Enclosure and Evacuation to Baghouse	0.028
Fully Sealed Mechanical System for Bottom Ash/Cooler Rejects, One 85 Ton Bottom Ash Silo	Baghouse	0.028
Flyash Transport (Silo Vent)	Baghouse	0.184
Wet Ash Loadout (Flyash and Bottom Ash)	Rotary dustless (wet) unloaders shall thoroughly wet ash prior to loading and handling. Ash loadout(s) shall be fully enclosed and evacuated to an ash silo baghouse during all ash loading.	

[~~45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(5)~~ 45CSR14, R14-0007, 5.1.2.]

5.1.5. There shall be no open stockpiling or storage of coal or coal refuse at the permitted facility.
[~~45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(8)~~ 45CSR14, R14-0007, 3.1.8.; 45CSR§2-5.1.a.]

5.1.6. All trucks delivering coal or coal refuse and trucks removing ash from the plant shall be fully covered or enclosed.
[~~45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(9)~~ 45CSR14, R14-0007, 3.1.9.; 45CSR§2-5.1.b.]

5.2. Monitoring Requirements

5.2.1. Reserved.

5.3. Testing Requirements

5.3.1. In order to demonstrate compliance with the opacity limitation in condition 5.1.2., the permittee shall conduct visible emission evaluations as follows for "affected facility" *Baghouse Vents (Vents 1-5):*

a. A visible emissions evaluation shall be conducted for each affected facility at least once every consecutive 12-month period in accordance with 40 C.F.R. Part 60 Appendix A, Method 9, or as provided in 40 C.F.R. §60.11. This annual evaluation shall consist of a minimum of 24 consecutive observations for each affected facility.
[45CSR§30-5.1.c.]

b. Each emissions unit with a visible emissions limit contained in this permit section shall be observed visually by a trained Method 22 observer at least each calendar week during periods of normal facility operation for a sufficient time interval to determine if the unit has any visible emissions. 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. Part 60 Appendix A, Method 9 shall be conducted as soon as practicable, but no later than one (1) month from the time of the observation. A Method 9 evaluation shall not be required under this sub-section (5.3.1.b.) if the visible emissions condition is corrected within 24 hours; the emissions unit is operating at normal operating conditions; and, the cause and corrective measures taken are recorded.
[45CSR§30-5.1.c.]

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. Part 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 sub-section 5.3.1.b. above, in lieu of those established in this condition.
[45CSR§30-5.1.c.]

Note: The term "Affected Facility" used in this permit means any of the following (NSPS or non-NSPS):
(1) Coal Processing and conveying equipment (including breakers and crushers)
(2) Coal Storage Systems.
(3) Coal Transfer and Loading Systems.

5.4. Recordkeeping Requirements

5.4.1. A record of each visible emissions observation shall be maintained on site, including any data required by 40 C.F.R. Part 60 Appendix A, Method 9. 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. Records shall state 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.
[45CSR§30-5.1.c.]

5.5. Reporting Requirements

5.5.1. Reserved.

5.6. Compliance Plan

5.6.1. There is no compliance plan since a responsible official certified compliance with all applicable requirements in the renewal application for this Title V operating permit.

Appendix A

~~CAIR Permit Application~~

Transport Rule Requirements

CAIR Permit Application

Page 1

For sources subject to the Clean Air Interstate Rule Trading Programs under 45CSR39, 45CSR40 and 45CSR41, the West Virginia Department of Environmental Protection, Division of Air Quality has prepared this CAIR Permit Application. Please refer to sections 21 and 22 of 45CSR39, 45CSR40 and 45CSR41, as applicable.

This submission is: ☑ **New** ☐ **Revised**

STEP 1
Identify the source by plant name, and ORIS or facility code

Morgantown Energy Associates	03-54-061-00027	10743
Plant Name	West Virginia ID Number	ORIS/Facility Code

STEP 2
Enter the unit ID# for each CAIR unit and indicate to which CAIR programs each unit is subject (by placing an "X" in the column)

Unit ID#	NO_x Annual	NO_x Ozone Season	SO_2 Annual
CFB1	X	X	X
CFB2	X	X	X

STEP 3
Read the standard requirements and the certification, enter the name of the CAIR designated representative, and sign and date

Standard Requirements

(a) Permit Requirements.

(1) The CAIR designated representative of each CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) required to have a Title V operating permit and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable) required to have a Title V operating permit at the source shall:

(i) Submit to the Secretary a complete CAIR permit application under 45CSR§39-22, 45CSR§40-22 and 45CSR§41-22 (as applicable) in accordance with the deadlines specified in 45CSR§39-21, 45CSR§40-21 and 45CSR§41-21 (as applicable); and

(ii) Submit in a timely manner any supplemental information that the Secretary determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

(2) The owners and operators of each CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) required to have a Title V operating permit and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable) required to have a Title V operating permit at the source shall have a CAIR permit issued by the Secretary under sections 20 through 24 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) for the source and operate the source and the unit in compliance with such CAIR permit.

(3) Except as provided in sections 80 through 88 of 45CSR39, 45CSR40 and 45CSR41, the owners and operators of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) that is not otherwise required to have a Title V operating permit and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable) that is not otherwise required to have a Title V operating permit are not required to submit a CAIR permit application and to have a CAIR permit, under sections 20 through 24 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) for such CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) and such CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable).

Plant Name: Morgantown Energy Associates

STEP 3, continued

(b) Monitoring, reporting and recordkeeping requirements.

(1) The owners and operators and the CAIR designated representative, of each CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable) at the source shall comply with the monitoring, reporting and recordkeeping requirements of sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable).

(2) The emissions measurements recorded and reported in accordance with sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) shall be used to determine compliance by each CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) with the CAIR NO_x Annual emissions limitation, CAIR NO_x Ozone Season emissions limitation and CAIR SO_2 emissions limitation (as applicable) under 45CSR§39-6.3, 45CSR§40-6.3 and 45CSR§41-6.3 (as applicable).

(c) Nitrogen oxides annual emissions requirements.

(1) As of the allowance transfer deadline for the 2009 control period and each control period thereafter, the owners and operators of each CAIR NO_x Annual source and each CAIR NO_x Annual unit at the source shall hold, in the source's compliance account, CAIR NO_x Annual allowances available for compliance deductions for the control period under 45CSR§39-54.1 in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_x Annual units at the source, as determined in accordance with sections 70 through 75 of 45CSR39.

(2) A CAIR NO_x Annual unit shall be subject to the requirements under 45CSR§39-6.3.a for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under subdivisions 70.2.a, 70.2.b, or 70.2.e of 45CSR39, and for each control period thereafter.

(3) A CAIR NO_x Annual allowance shall not be deducted, for compliance with the requirements under 45CSR§39-6.3.a, for the control period in a calendar year before the year for which the CAIR NO_x Annual allowance was allocated.

(4) CAIR NO_x Annual allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Allowance Tracking System accounts in accordance with sections 50 through 62, and 80 through 88 of 45CSR39.

(5) A CAIR NO_x Annual allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Annual Trading Program. No provision of the CAIR NO_x Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 45CSR§39-5 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR NO_x Annual allowance does not constitute a property right.

(7) Upon recordation by the Administrator under sections 40 through 62, and 80 through 88 of 45CSR39, every allocation, transfer, or deduction of a CAIR NO_x Annual allowance to or from a CAIR NO_x Annual source's compliance account is incorporated automatically in any CAIR permit of the source.

(d) Nitrogen oxides ozone season emissions requirements.

(1) As of the allowance transfer deadline for the 2009 ozone season and each ozone season thereafter, the owners and operators of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_x Ozone Season allowances available for compliance deductions for the ozone season under 45CSR§40-54.1 in an amount not less than the tons of total nitrogen oxides emissions for the ozone season from all CAIR NO_x Ozone Season units at the source, as determined in accordance with sections 70 through 75 of 45CSR40.

(2) A CAIR NO_x Ozone Season unit shall be subject to the requirements under 45CSR§40-6.3.a for the ozone season starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under subdivisions 70.2.a, 70.2.b, 70.2.c or 70.2.g of 45CSR40 and for each ozone season thereafter.

(3) A CAIR NO_x Ozone Season allowance shall not be deducted, for compliance with the requirements under 45CSR§40-6.3.a, for an ozone season in a calendar year before the year for which the CAIR NO_x Ozone Season allowance was allocated.

(4) CAIR NO_x Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Ozone Season Allowance Tracking System accounts in accordance with sections 50 through 62, and 80 through 88 of 45CSR40.

(5) A CAIR NO_x Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Ozone Season Trading Program. No provision of the CAIR NO_x Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 45CSR§40-5 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR NO_x Ozone Season allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subdivision 43.3, sections 51 through 57, 60 through 62, and 80 through 88 of 45CSR40, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

(e) Sulfur dioxide annual emission requirements.

(1) As of the allowance transfer deadline for the 2010 control period and each control period thereafter, the owners and operators of each CAIR SO_2 source and each CAIR SO_2 unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO_2 allowances available for compliance deductions for the control period, as determined in accordance with subsections 54.1 and 54.2 of 45CSR§41 in an amount not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO_2 units at the source, as determined in accordance with sections 70 through 75 of 45CSR41.

(2) A CAIR SO_2 unit shall be subject to the requirements under 45CSR§41-6.3.a for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under subdivisions 70.2.a, 70.2.b, or 70.2.e of 45CSR41 and for each control period thereafter.

(3) A CAIR SO_2 allowance shall not be deducted, for compliance with the requirements under 45CSR§41-6.3.a, for a control period in a calendar year before the year for which the CAIR SO_2 allowance was allocated.

(4) CAIR SO_2 allowances shall be held in, deducted from, or transferred into or among CAIR SO_2 Allowance Tracking System accounts in accordance with sections 51through 62, and 80 through 88 of 45CSR41.

(5) A CAIR SO_2 allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO_2 Trading Program. No provision of the CAIR SO_2 Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 45CSR§41-5 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR SO_2 allowance does not constitute a property right.

(7) Upon recordation by the Administrator under sections 51 through 57, 60 through 62, and 80 through 88 of 45CSR41, every allocation, transfer, or deduction of a CAIR SO_2 allowance to or from a CAIR SO_2 source's compliance account is incorporated automatically in any CAIR permit of the source.

Morgantown Energy Associates
Plant Name

CAIR Permit Application
Page 3

STEP 3, continued

(f) Excess emissions requirements.

(1) If a CAIR NO_x Annual source emits nitrogen oxides during any control period in excess of the CAIR NO_x Annual emissions limitation, then:

(i) The owners and operators of the source and each CAIR NO_x Annual unit at the source shall surrender the CAIR NO_x Annual allowances required for deduction under 45CSR§39-54.4.a and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or West Virginia Code §22-5-1 et seq; and

(ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 45CSR39, the Clean Air Act, and West Virginia Code §22-5-1 et seq.

(2) If a CAIR NO_x Ozone Season source emits nitrogen oxides during any ozone season in excess of the CAIR NO_x Ozone Season emissions limitation, then:

(i) The owners and operators of the source and each CAIR NO_x Ozone Season unit at the source shall surrender the CAIR NO_x Ozone Season allowances required for deduction under 45CSR§40-54.4.a and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or West Virginia Code §22-5-1 et seq; and

(ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 45CSR40, the Clean Air Act, and West Virginia Code §22-5-1 et seq.

(3) If a CAIR SO_2 source emits sulfur dioxide during any control period in excess of the CAIR SO_2 emissions limitation, then:

(i) The owners and operators of the source and each CAIR SO_2 unit at the source shall surrender the CAIR SO_2 allowances required for deduction under 45CSR§41-54.4.a and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or West Virginia Code §22-5-1 et seq; and

(ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 45CSR41, the Clean Air Act, and West Virginia Code §22-5-1 et seq.

(g) Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable) at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Secretary or the Administrator.

(i) The certificate of representation under 45CSR§39-13, 45CSR§40-13 and 45CSR§41-13 (as applicable) for the CAIR designated representative for the source and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable) at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 45CSR§39-13, 45CSR§40-13 and 45CSR§41-13 (as applicable) changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable), provided that to the extent that sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable).

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable) or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable) at the source shall submit the reports required under the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable) including those under sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable).

(h) Liability.

(1) Each CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) and each NO_x unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable) shall meet the requirements of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable).

(2) Any provision of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program or CAIR SO_2 Trading Program (as applicable) that applies to a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO_2 source (as applicable) or the CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO_2 source (as applicable) shall also apply to the owners and operators of such source and of the CAIR NO_x Annual units, CAIR NO_x Ozone Season units or CAIR SO_2 units (as applicable) at the source.

(3) Any provision of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program or CAIR SO_2 Trading Program (as applicable) that applies to a CAIR NO_x Annual unit, CAIR SO_2 unit or CAIR NO_x Ozone Season unit (as applicable) or the CAIR designated representative of a CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit or CAIR SO_2 unit (as applicable) shall also apply to the owners and operators of such unit.

(i) Effect on Other Authorities.

No provision of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable), a CAIR permit application, a CAIR permit, or an exemption under 45CSR§39-5, 45CSR§40-5, or 45CSR§41-5 (as applicable) shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO_2 source (as applicable) or CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_2 unit (as applicable) from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

CAIR Permit Application
Page 4

Plant Name
Morgantown Energy Associates

STEP 3, continued

Certification

I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

CAIR Designated Representative	Jesse R Locklar, Jr.	
Signature	Jesse R. Locklar, Jr.	Date 6/21/07

Transport Rule (TR) Trading Program Title V Requirements

Plant Name: Morgantown Energy Associates	West Virginia ID Number: 061-00027	ORIS/Facility Code: 10743

The TR subject unit(s), and the unit-specific monitoring provisions at this source, are identified in the following table(s). These unit(s) are subject to the requirements for the *TR NO_X Annual Trading Program, TR NO_X Ozone Season Trading Program, and the TR SO_2 Group 1 Trading Program*.

Unit ID: **S009J, S009K**					
Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO_2 monitoring) and 40 CFR part 75, subpart H (for NO_X monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO_2	X		----------		
NO_X	X	----------			
Heat input	X		----------		

1. The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435, (*TR NO_X Annual Trading Program)*, 97.530 through 97.535 *(TR NO_X Ozone Season Trading Program) and*, 97.630 through 97.635 *(TR SO_2 Group 1 Trading Program)*. The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable TR trading programs.

2. Owners and operators must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA's website at http://www.epa.gov/airmarkets/emissions/monitoringplans.html.

3. Owners and operators that want to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR part 75, subpart E and 40 CFR 75.66 and *97.435 (TR NOX Annual Trading Program), 97.535 (TR NOX Ozone Season Trading Program) and/or, 97.635 (TR SO2 Group 1 Trading Program)*. The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at http://www.epa.gov/airmarkets/emissions/petitions.html.

4. Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR *97.430 through 97.434 (TR NOX Annual Trading Program), 97.530 through 97.534 (TR NOX Ozone Season Trading Program) and/or, 97.630 through 97.634 (TR SO2 Group 1 Trading Program)* must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and *97.435 (TR NOX Annual Trading Program), 97.535 (TR NOX Ozone Season Trading Program) and/or 97.635 (TR SO2 Group 1 Trading Program)*. The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on EPA's website at http://www.epa.gov/airmarkets/emissions/petitions.html.

5. The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (*TR NOX Annual Trading Program*), 97.530 through 97.534 (*TR NOX Ozone Season Trading Program*) and/or, 97.630 through 97.634 (*TR SO2 Group 1 Trading Program*), and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B), may be used to add to or change this unit's monitoring system description.

TR NO_X Annual Trading Program requirements (40 CFR 97.406)

(a) Designated representative requirements.
The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.413 through 97.418.

(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR NO_X Annual source and each TR NO_X Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.431 (initial monitoring system certification and recertification procedures), 97.432 (monitoring system out-of-control periods), 97.433 (notifications concerning monitoring), 97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.430 through 97.435 shall be used to calculate allocations of TR NO_X Annual allowances under 40 CFR 97.411(a)(2) and (b) and 97.412 and to determine compliance with the TR NO_X Annual emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NO_X emissions requirements.

(1) TR NO_X Annual emissions limitation.

(i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NO_X Annual source and each TR NO_X Annual unit at the source shall hold, in the source's compliance account, TR NO_X Annual allowances available for deduction for such control period under 40 CFR 97.424(a) in an amount not less than the tons of total NO_X emissions for such control period from all TR NO_X Annual units at the source.

(ii). If total NO_X emissions during a control period in a given year from the TR NO_X Annual units at a TR NO_X Annual source are in excess of the TR NO_X Annual emissions limitation set forth in paragraph (c)(1)(i) above, then:

(A). The owners and operators of the source and each TR NO_X Annual unit at the source shall hold the TR NO_X Annual allowances required for deduction under 40 CFR 97.424(d); and

(B). The owners and operators of the source and each TR NO_X Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart AAAAA and the Clean Air Act.

(2) TR NO_X Annual assurance provisions.

(i). If total NO_X emissions during a control period in a given year from all TR NO_X Annual units at TR NO_X Annual sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_X emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NO_X Annual allowances available for deduction for such control period under 40 CFR 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.425(b), of multiplying— (A) The quotient of the amount by which the common designated representative's share of such NO_X emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO_X emissions exceeds the respective common designated representative's assurance level; and (B) The amount by which total

NO_X emissions from all TR NO_X Annual units at TR NO_X Annual sources in the state for such control period exceed the state assurance level.

(ii). The owners and operators shall hold the TR NO_X Annual allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

(iii). Total NO_X emissions from all TR NO_X Annual units at TR NO_X Annual sources in the State during a control period in a given year exceed the state assurance level if such total NO_X emissions exceed the sum, for such control period, of the state NO_X Annual trading budget under 40 CFR 97.410(a) and the state's variability limit under 40 CFR 97.410(b).

(iv). It shall not be a violation of 40 CFR part 97, subpart AAAAA or of the Clean Air Act if total NO_X emissions from all TR NO_X Annual units at TR NO_X Annual sources in the State during a control period exceed the state assurance level or if a common designated representative's share of total NO_X emissions from the TR NO_X Annual units at TR NO_X Annual sources in the state during a control period exceeds the common designated representative's assurance level.

(v). To the extent the owners and operators fail to hold TR NO_X Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

(A). The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

(B). Each TR NO_X Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart AAAAA and the Clean Air Act.

(3) Compliance periods.

(i). A TR NO_X Annual unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.

(ii). A TR NO_X Annual unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

(i). A TR NO_X Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR NO_X Annual allowance that was allocated for such control period or a control period in a prior year.

(ii). A TR NO_X Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NO_X Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR NO_X Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart AAAAA.

(6) Limited authorization. A TR NO_X Annual allowance is a limited authorization to emit one ton of NO_X during the control period in one year. Such authorization is limited in its use and duration as follows:

(i). Such authorization shall only be used in accordance with the TR NO_X Annual Trading Program; and

(ii). Notwithstanding any other provision of 40 CFR part 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR NO_X Annual allowance does not constitute a property right.

(d) Title V permit revision requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NO_X Annual allowances in accordance with 40 CFR part 97, subpart AAAAA.

(2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.430 through 97.435, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part

75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.406(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR NO_X Annual source and each TR NO_X Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i). The certificate of representation under 40 CFR 97.416 for the designated representative for the source and each TR NO_X Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.416 changing the designated representative.

(ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart AAAAA.

(iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR NO_X Annual Trading Program.

(2) The designated representative of a TR NO_X Annual source and each TR NO_X Annual unit at the source shall make all submissions required under the TR NO_X Annual Trading Program, except as provided in 40 CFR 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR parts 70 and 71.

(f) Liability.

(1) Any provision of the TR NO_X Annual Trading Program that applies to a TR NO_X Annual source or the designated representative of a TR NO_X Annual source shall also apply to the owners and operators of such source and of the TR NO_X Annual units at the source.

(2) Any provision of the TR NO_X Annual Trading Program that applies to a TR NO_X Annual unit or the designated representative of a TR NO_X Annual unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the TR NO_X Annual Trading Program or exemption under 40 CFR 97.405 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR NO_X Annual source or TR NO_X Annual unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

TR NO_X Ozone Season Trading Program Requirements (40 CFR 97.506)

(a) Designated representative requirements.
The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.513 through 97.518.

(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR NO_X Ozone Season source and each TR NO_X Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.530 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.531 (initial monitoring system certification and recertification procedures), 97.532 (monitoring system out-of-control periods), 97.533 (notifications concerning monitoring), 97.534 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.535 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.530 through 97.535 shall be used to calculate allocations of TR NO_X Ozone Season allowances under 40 CFR 97.511(a)(2) and (b) and 97.512 and to determine compliance with the TR NO_X Ozone Season emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.530 through 97.535 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NO_X emissions requirements.

(1) TR NO_X Ozone Season emissions limitation.

(i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NO_X Ozone Season source and each TR NO_X Ozone Season unit at the source shall hold, in the source's compliance account, TR NO_X Ozone Season allowances available for deduction for such control period under 40 CFR 97.524(a) in an amount not less than the tons of total NO_X emissions for such control period from all TR NO_X Ozone Season units at the source.

(ii). If total NO_X emissions during a control period in a given year from the TR NO_X Ozone Season units at a TR NO_X Ozone Season source are in excess of the TR NO_X Ozone Season emissions limitation set forth in paragraph (c)(1)(i) above, then:

(A). The owners and operators of the source and each TR NO_X Ozone Season unit at the source shall hold the TR NO_X Ozone Season allowances required for deduction under 40 CFR 97.524(d); and

(B). The owners and operators of the source and each TR NO_X Ozone Season unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart BBBBB and the Clean Air Act.

(2) TR NO_X Ozone Season assurance provisions.

(i). If total NO_X emissions during a control period in a given year from all TR NO_X Ozone Season units at TR NO_X Ozone Season sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_X emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NO_X Ozone Season allowances available for deduction for such control period under 40 CFR 97.525(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.525(b), of multiplying—

(A). The quotient of the amount by which the common designated representative's share of such NO_X emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state

for such control period, by which each common designated representative's share of such NO_X emissions exceeds the respective common designated representative's assurance level; and

(B). The amount by which total NO_X emissions from all TR NO_X Ozone Season units at TR NO_X Ozone Season sources in the state for such control period exceed the state assurance level.

(ii). The owners and operators shall hold the TR NO_X Ozone Season allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

(iii). Total NO_X emissions from all TR NO_X Ozone Season units at TR NO_X Ozone Season sources in the state during a control period in a given year exceed the state assurance level if such total NO_X emissions exceed the sum, for such control period, of the State NO_X Ozone Season trading budget under 40 CFR 97.510(a) and the state's variability limit under 40 CFR 97.510(b).

(iv). It shall not be a violation of 40 CFR part 97, subpart BBBBB or of the Clean Air Act if total NO_X emissions from all TR NO_X Ozone Season units at TR NO_X Ozone Season sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total NO_X emissions from the TR NO_X Ozone Season units at TR NO_X Ozone Season sources in the state during a control period exceeds the common designated representative's assurance level.

(v). To the extent the owners and operators fail to hold TR NO_X Ozone Season allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

(A). The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

(B). Each TR NO_X Ozone Season allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart BBBBB and the Clean Air Act.

(3) Compliance periods.

(i). A TR NO_X Ozone Season unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of May 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.530(b) and for each control period thereafter.

(ii). A TR NO_X Ozone Season unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.530(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

(i). A TR NO_X Ozone Season allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR NO_X Ozone Season allowance that was allocated for such control period or a control period in a prior year.

(ii). A TR NO_X Ozone Season allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NO_X Ozone Season allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR NO_X Ozone Season allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart BBBBB.

(6) Limited authorization. A TR NO_X Ozone Season allowance is a limited authorization to emit one ton of NO_X during the control period in one year. Such authorization is limited in its use and duration as follows:

(i). Such authorization shall only be used in accordance with the TR NO_X Ozone Season Trading Program; and

(ii). Notwithstanding any other provision of 40 CFR part 97, subpart BBBBB, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR NO_X Ozone Season allowance does not constitute a property right.

(d) Title V permit revision requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NO_X Ozone Season allowances in accordance with 40 CFR part 97, subpart BBBBB.

(2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.530 through 97.535, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.506(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR NO_X Ozone Season source and each TR NO_X Ozone Season unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i). The certificate of representation under 40 CFR 97.516 for the designated representative for the source and each TR NO_X Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.516 changing the designated representative.

(ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart BBBBB.

(iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR NO_X Ozone Season Trading Program.

(2) The designated representative of a TR NO_X Ozone Season source and each TR NO_X Ozone Season unit at the source shall make all submissions required under the TR NO_X Ozone Season Trading Program, except as provided in 40 CFR 97.518. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR parts 70 and 71.

(f) Liability.

(1) Any provision of the TR NO_X Ozone Season Trading Program that applies to a TR NO_X Ozone Season source or the designated representative of a TR NO_X Ozone Season source shall also apply to the owners and operators of such source and of the TR NO_X Ozone Season units at the source.

(2) Any provision of the TR NO_X Ozone Season Trading Program that applies to a TR NO_X Ozone Season unit or the designated representative of a TR NO_X Ozone Season unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the TR NO_X Ozone Season Trading Program or exemption under 40 CFR 97.505 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR NO_X Ozone Season source or TR NO_X Ozone Season unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

TR SO_2 Group 1 Trading Program requirements (40 CFR 97.606)

(a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.613 through 97.618.

(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR SO_2 Group 1 source and each TR SO_2 Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.631 (initial monitoring system certification and recertification procedures), 97.632 (monitoring system out-of-control periods), 97.633 (notifications concerning monitoring), 97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.630 through 97.635 shall be used to calculate allocations of TR SO_2 Group 1 allowances under 40 CFR 97.611(a)(2) and (b) and 97.612 and to determine compliance with the TR SO_2 Group 1 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) SO_2 emissions requirements.

(1) TR SO_2 Group 1 emissions limitation.

(i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR SO_2 Group 1 source and each TR SO2 Group 1 unit at the source shall hold, in the source's compliance account, TR SO_2 Group 1 allowances available for deduction for such control period under 40 CFR 97.624(a) in an amount not less than the tons of total SO_2 emissions for such control period from all TR SO_2 Group 1 units at the source.

(ii). If total SO_2 emissions during a control period in a given year from the TR SO_2 Group 1 units at a TR SO_2 Group 1 source are in excess of the TR SO_2 Group 1 emissions limitation set forth in paragraph (c)(1)(i) above, then:

(A). The owners and operators of the source and each TR SO_2 Group 1 unit at the source shall hold the TR SO_2 Group 1 allowances required for deduction under 40 CFR 97.624(d); and

(B). The owners and operators of the source and each TR SO_2 Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR part 97, subpart CCCCC and the Clean Air Act.

(2) TR SO_2 Group 1 assurance provisions.

(i). If total SO_2 emissions during a control period in a given year from all TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO_2 emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR SO_2 Group 1 allowances available for deduction for such control period under 40 CFR 97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.625(b), of multiplying—

(A). The quotient of the amount by which the common designated representative's share of such SO_2 emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such SO_2 emissions exceeds the respective common designated representative's assurance level; and

(B). The amount by which total SO_2 emissions from all TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the state for such control period exceed the state assurance level.

(ii). The owners and operators shall hold the TR SO_2 Group 1 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

(iii). Total SO_2 emissions from all TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the state during a control period in a given year exceed the state assurance level if such total SO_2 emissions exceed the sum, for such control period, of the state SO_2 Group 1 trading budget under 40 CFR 97.610(a) and the state's variability limit under 40 CFR 97.610(b).

(iv). It shall not be a violation of 40 CFR part 97, subpart CCCCC or of the Clean Air Act if total SO_2 emissions from all TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total SO_2 emissions from the TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the state during a control period exceeds the common designated representative's assurance level.

(v). To the extent the owners and operators fail to hold TR SO_2 Group 1 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

(A). The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

(B). Each TR SO_2 Group 1 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart CCCCC and the Clean Air Act.

(3) Compliance periods.

(i). A TR SO_2 Group 1 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.

(ii). A TR SO_2 Group 1 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

(i). A TR SO_2 Group 1 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR SO_2 Group 1 allowance that was allocated for such control period or a control period in a prior year.

(ii). A TR SO_2 Group 1 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR SO_2 Group 1 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR SO_2 Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart CCCCC.

(6) Limited authorization. A TR SO_2 Group 1 allowance is a limited authorization to emit one ton of SO_2 during the control period in one year. Such authorization is limited in its use and duration as follows:

(i). Such authorization shall only be used in accordance with the TR SO_2 Group 1 Trading Program; and

(ii). Notwithstanding any other provision of 40 CFR part 97, subpart CCCCC, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR SO_2 Group 1 allowance does not constitute a property right.

Appendix B

MATS Compliance Extension Letter (December 15, 2014)

west virginia department of environmental protection

Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone 304/926-0475 • FAX: 304/926-0479

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.wvdep.org

December 15, 2014

CERTIFIED MAIL
91 7199 9991 7031 5495 7960

Mr. Todd Shirley
Projects General Manager
Morgantown Energy Associates
555 Beechurst Avenue
Morgantown, West Virginia 26505

Re: Conditional Approval for Extension of Compliance
NESHAP: Coal- and Oil-Fired Electric Utility Steam Generating Units
40 CFR 63, Subpart UUUUU (Utility MACT)
Morgantown Energy Associates - CFB Boilers #1 and 2 Plant ID No. 061-00027

Mr. Shirley:

The West Virginia Department of Environmental Protection's Division of Air Quality received a request via letter dated November 17, 2014 and received November 18, 2014 from Morgantown Energy Associates (MEA) for a one-year compliance extension from the emission standards, work practice, and performance testing provisions of the *National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units* (Utility MACT) for the two (2) waste coal and coal-fired circulating fluidized bed (CFB) combustion units (375 MMBTU/hr each) with a combined total of 60 MW design located at the Morgantown, WV facility. MEA's letter states that compliance with the sulfur dioxide emission limit will be accomplished by increasing the limestone injection rates. Based on operational data, the increased limestone injection rate will increase nitrogen oxide generation, thereby requiring the installation of an air pollution control device to continue to meet existing nitrogen oxide permit limits. MEA provides cogeneration services that supply steam to West Virginia University and electricity to FirstEnergy.

Pursuant to the Division of Air Quality's Title V permitting authority and as the delegated NESHAP authority, a conditional one-year compliance extension to the requirements of the Utility MACT until April 16, 2016 is hearby granted to the following units at MEA's Morgantown plant:

Ahlstrom Pyroflow CFB Boiler/Cyclone #1 S009J, 375 MMBTU/hr, 30 MW design
Ahlstrom Pyroflow CFB Boiler/Cyclone #2 S009K, 375 MMBTU/hr, 30 MW design

This extension will enable MEA to install a new selective non-catalytic reduction (SNCR) to control nitrogen oxide emissions. Based on previous stack testing and analyses, MEA anticipates the CFBs at this facility will quality as a low emitting electric generating units (LEE) for mercury and filterable particulate matter under the Utility MACT, and therefore, emissions of air pollutants will be minimized during the compliance extension.

The compliance schedule required under 40 CFR 63.6.(i).6(i)(B), including activity dates, is listed below:

- Preliminary internal engineering of SNCR to be completed by last quarter 2014
- Evaluate SNCR bids by second quarter 2015
- Award SNCR bid and procurement of materials by last quarter 2015
- On-site construction and installation of emission control system will begin by fourth quarter 2015
- On-site construction and installation of emission control equipment will be completed by April 16, 2016
- Final Compliance to be achieved for CFB Boilers #1 and #2 by April 16, 2016

Please be aware that any activities that trigger a permitting requirement of this agency must obtain appropriate approval(s) from those program(s) in a timely manner.

This approval for a compliance extension is subject to the following conditions:

1. During the period of this compliance extension, MEA shall maintain and operate all existing control equipment, monitoring equipment, and perform work practice standards in a manner consistent with safety and good air pollution control practices for minimizing emissions of hazardous air pollutants (HAPs) and criteria pollutants. .

2. During the period of this compliance extension, MEA shall operate in compliance with all other applicable local, state, and federal regulations.

3. All activities required for construction and installation of equipment necessary to comply with the Utility MACT shall be completed as soon as practicable, but not later than the dates provided by MEA.

4. Performance testing, along with related monitoring, recordkeeping and reporting requirements for Utility MACT are extended commensurate with the conditional approval for extended compliance in this letter.

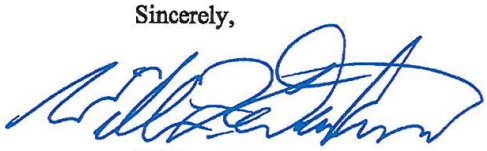
5. Progress reports shall be submitted to the DAQ on a semi-annual basis and shall continue until the completion of this compliance extension. The first reporting period shall encompass the reporting period January 1 - June 30. Reports shall be submitted to the DAQ no later than thirty (30) days from the end of each period, and contain the operational status of the units and progress towards meeting the milestone dates listed in this letter.

6. If MEA is unable to meet the activity dates listed in this letter, the agency shall be notified as soon as possible, but not to exceed seven (7) calendar days after becoming aware of delays. This notice must explain the delay and propose a revised compliance timeline with milestone dates in order to meet the April 16, 2016 extended Utility MACT compliance date.

Please be aware the agency may terminate an extension of compliance at an earlier date than designated if any specification regarding the dates by which steps toward compliance are to be taken, or other applicable requirements to which the compliance extension applies (for example, performance tests, notifications) are not being met.

Any compliance extension requests beyond April 16, 2016 must be made to the Administrator of the United States Environmental Protection Agency. Should you need any further assistance or additional information, please contact Renu Chakrabarty at (304) 926-0499, extension 1246 or Renu.M.Chakrabarty@wv.gov, or you may contact me at (304) 926-0499, extension 1966.

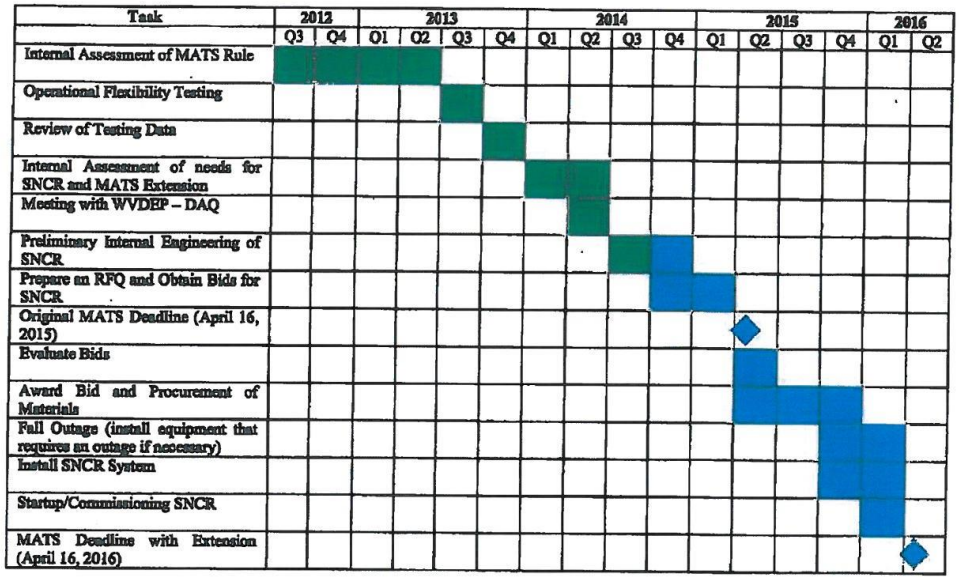
Sincerely,



William F. Durham
Director

Enclosure: Morgantown plant Gantt Chart compliance schedule attachment to November 17, 2014 MEA letter

Figure 1
Compliance Schedule



Any permitting modifications or changes will be coordinated with the WV DEP.

Appendix C

MATS HCl Requirements Compliance Extension Letter (April 15, 2016)

west virginia department of environmental protection

Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone 304/926-0475 • FAX: 304/926-0479

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov/daq

April 15, 2016

CERTIFIED MAIL
91 7199 9991 7035 6692 9517

Mr. Todd Shirley
Projects General Manager
Morgantown Energy Associates
555 Beechurst Avenue
Morgantown, West Virginia 26505

Re: §112(i)(3)(B) Conditional Approval for Extension of Compliance from HCl Requirements
NESHAP: Coal- and Oil-Fired Electric Utility Steam Generating Units
40 CFR 63, Subpart UUUUU (Utility MACT)
Morgantown Energy Associates - CFB Boilers #1 and 2 Plant ID No. 061-00027

Mr. Shirley:

The West Virginia Department of Environmental Protection's Division of Air Quality received a request via letter dated April 14, 2016 from Morgantown Energy Associates (MEA) for an additional one-year compliance extension from the hydrochloric acid (HCl) emission standards, work practice, and performance testing provisions, along with related monitoring, recordkeeping and reporting requirements, of the *National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units* (Utility MACT) for the two (2) waste coal and coal-fired circulating fluidized bed (CFB) combustion units (375 MMBTU/hr each) with a combined total of 60 MW design located at the Morgantown, WV facility. MEA's letter requests additional time to work with its suppliers to dry and cover mining waste in order to reduce emissions of certain substances listed as Hazardous Air Pollutants (HAPs). While §112(i)(3)(B) provides for up to three additional years, only one additional year has been requested.

As allowed by §112(i)(3)(B) and pursuant to the DAQ's Title V permitting authority and as the delegated NESHAP authority, a conditional additional one-year compliance extension to the HCl requirements of the Utility MACT until April 16, 2017 is hearby granted to the following units at MEA's Morgantown plant:

Ahlstrom Pyroflow CFB Boiler/Cyclone #1 S009J, 375 MMBTU/hr, 30 MW design
Ahlstrom Pyroflow CFB Boiler/Cyclone #2 S009K, 375 MMBTU/hr, 30 MW design

Please be aware that any activities that trigger a permitting requirement of this agency, or modify an existing permit condition, must obtain appropriate prior approval(s) from those program(s) in a timely manner.

Commensurate with this extension, the following permit conditions in R14-0007C are extended by one additional year (as shown in the below strikethrough/underline revisions):

> 4.1.2.d.
> Effective April 16, ~~2016~~ 2017, the SO_2 emission rate shall not exceed 0.20 lb/MMBtu or 1.5 lb/MWh (gross basis) on a 30 boiler operating day rolling average.
> **[40 CFR §§63.9991(c), §63.10005(a)(2)(i), Row 1b of Table 2 to Subpart UUUUU of Part 63 - Emission Limits for Existing EGUs, 45 CSR §10-3.1.]**
>
> 4.1.14.
> Before October 13, ~~2016~~ 2017, the permittee shall demonstrate initial and continuous compliance of the applicable hydrogen chloride (HCl) standard in Subpart UUUUU to Part 63 or the alternative to the HCl standard, which is the SO_2 standard (Condition 4.1.2.c), using SO_2 CEMS in accordance with Condition 4.2.1.
> **[40 CFR §63.9984(f), 63.10000(c)(1), (c)(1)(i) & (c)(1)(v)]**

This approval for a compliance extension is subject to the following conditions:

1. Final Compliance for all other emission limits and work practice provisions must be achieved for CFB Boilers #1 and #2 by April 16, 2016; performance testing, along with related monitoring, recordkeeping and reporting requirements to be completed within 120 days of this date.

2. During the period of this compliance extension, MEA shall maintain and operate all existing control equipment, monitoring equipment, and perform work practice standards in a manner consistent with safety and good air pollution control practices for minimizing emissions of hazardous air pollutants (HAPs) and criteria pollutants.

3. During the period of this compliance extension, MEA shall operate in compliance with all other applicable local, state, and federal regulations.

4. All activities required for construction and installation of equipment necessary to comply with the Utility MACT shall be completed as soon as practicable, but not later than the dates herein:

   a. On-site construction and installation and/or modification of emission control equipment and control system must be completed no later than April 16, 2017.

   b. Final Compliance with the HCl provisions of the Utility MACT must be achieved for CFB Boilers #1 and #2 by April 16, 2017.

5. Performance testing, along with related monitoring, recordkeeping and reporting requirements for the HCl provisions of the Utility MACT are extended commensurate with the conditional approval for extended compliance in this letter (that is, by 120 days from April 16, 2017).

6. Progress reports shall be submitted to the DAQ on a semi-annual basis and shall continue until the completion of this compliance extension. The first reporting period shall encompass the reporting period January 1 - June 30. Reports shall be submitted to the DAQ no later than thirty (30) days from the end of each period, and contain the operational status of the units and progress towards meeting the milestone dates listed in this letter.

7. If MEA is unable to meet the activities listed in this letter, the agency shall be notified as soon as possible, but not to exceed seven (7) calendar days after becoming aware of delays. This notice must explain the delay and propose a revised compliance timeline with milestone dates in order to meet the April 16, 2017 extended Utility MACT compliance date.

Please be aware the agency may terminate an extension of compliance at an earlier date than designated if any specification regarding the dates by which steps toward compliance are to be taken, or other conditions to the compliance extension are not being met.

Should you need any further assistance or additional information, please contact Renu Chakrabarty at (304) 926-0499, extension 1246 or Renu.M.Chakrabarty@wv.gov, or you may contact me at (304) 926-0499, extension 1966.

Sincerely,

William F. Durham
Director

cc: Josh Manley, Environmental Specialist, MEA - josh.manley@nrg.com
Nikos Singelis, Acting Division Director, Air Protection Division, US EPA Region III
David Campbell, Assoc. Dir., Office of Permits & State Programs, APD, US EPA Region III - campbell.dave@epa.gov
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