



west virginia department of environmental protection

Appendix M: Electric Generating Units (EGUs)

West Virginia Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

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EGUs
Permanently Retired

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Kammer Plant
Permanent Retirement on June 1, 2015

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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

October 22, 2015

Mr. D. L. Moyer
Plant Manager
American Electric Power
P. O. Box K
Moundsville, WV 26041

Re: Kammer Plant
Permit No. R30-05100006-2009

Dear Mr. Moyer:

AEP's request for Title V permit R30-05100006-2009 for the Kammer Plant to be placed inactive is hereby granted. This determination is based upon the following:

- 1) Your letter dated June 30, 2015 informing the Division of Air Quality (DAQ) that the electric generating units (Units 1, 2, and 3) were permanently retired on June 1, 2015;
- 2) Submittal of a Certified Emissions Statement (CES) Registration Form dated July 28, 2015 for emissions from the coal and limestone handling equipment that will remain in place at the Kammer Plant;
- 3) Approval of Class I Administrative Update R13-1582D on October 14, 2015 which removed coal processing equipment from the permit that if installed would have caused the facility to become subject to 40 C.F.R. 60 Subpart Y.

With the shutdown of the electric generating units, only the coal and limestone handling systems at the facility will remain operational. The CES Registration Form indicated that emissions from the coal and limestone handling systems are not major for criteria pollutants and hazardous air pollutants (HAPs); are not subject to a standard, limitation or other requirement promulgated under §111 or §112 of the Clean Air Act; and are not an affected source under the Acid Rain Program of Title IV of the 1990 Clean Air Act Amendments. Therefore, the coal and limestone handling systems are not subject to Title V.

The Title V operating permit for this facility will be placed inactive. Also, as requested in your letter dated July 24, 2015, DAQ acknowledges the withdrawal of your Title V renewal application for the Kammer Plant received on November 4, 2013. If any changes are made at the

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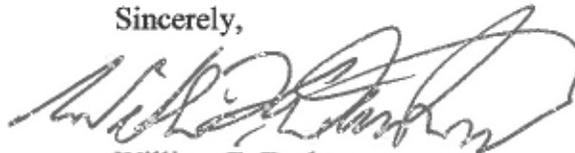
facility which would cause the source to become subject to Title V, a complete application to obtain a Title V operating permit must be submitted within twelve (12) months after commencing operation of the change which triggered Title V applicability.

Since the source is no longer subject to 45CSR30, payment of fees under 45CSR30 based on emissions will no longer be required and the facility will pay fees required under 45CSR22 and shall maintain a Certificate to Operate in accordance with 45CSR§22-4.1 for operation of the coal and limestone handling systems. The facility shall begin paying fees under 45CSR22 for the operating year beginning on July 1, 2015.

After thorough review and internal discussion, the agency has elected not to pursue the Title V fees for emissions from the Kammer Plant for the calendar year 2014. Please note that this decision reflects neither an official agency policy nor adoption of AEP's position regarding the timing and assessment of Title V fees. This decision applies only to the Title V fees for the aforementioned facility for calendar year 2014 emissions. It should not be considered dispositive for any purpose, including but not limited to current or future Title V fee issues.

If you have any questions, please feel free to contact Carrie McCumbers, Title V Program Manager, at (304) 926-0499 ext. 1226.

Sincerely,



William F. Durham
Director

cc: Gregory J. Wooten
AEP Air Quality Services Engineer

Kanawha River Plant
Permanent Retirement on June 1, 2015

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west virginia department of environmental protection

Division of Air Quality
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Charleston, WV 25304
Phone: 304 926 0475 • FAX: 304 926 0479

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

November 30, 2016

Aaron M. Sink
American Electric Power
1 Riverside Plaza
Columbus, OH 43215

RE: Kanawha River Plant
Plant ID No. 039-00006

Dear Mr. Sink:

AEP's request for the Title V permit R30-03900006-2015, for the Kanawha River Plant, to be placed inactive is hereby granted. This determination is based upon your letter, dated June 30, 2016, informing the Division of Air Quality that the Kanawha River Plant was permanently retired on June 1, 2015.

The Title V operating permit for this facility will be considered to be surrendered, meaning that the permit cannot be used by American Electric Power nor any other entity which may purchase the facility or equipment. If operations were to be restarted in the future, the facility would have to complete the permitting process as a new facility.

After thorough review and internal discussion, the agency has elected not to pursue the Title V fees for emissions from the Kanawha River Plant for calendar year 2015. Please note that this decision reflects neither an official agency policy nor an adoption of AEP's position regarding the timing and assessment of Title V fees. This decision applies only to the Title V fees for the aforementioned facility for calendar year 2015 emissions. It should not be considered dispositive for any purpose, including, but not limited to, current or future Title V fee issues.

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Letter to Aaron M. Sink
November 30, 2016
Page 2

Should you have any questions concerning this matter, please contact the Title V Program Manager, Carrie McCumbers, at 304-926-0499 x1226.

Sincerely,



William F. Durham
Director

WFD/jlr

c: Gregory J. Wooten
Air Quality Services

Promoting a healthy environment.

Philip Sporn Plant
Permanent Retirement on June 1, 2015

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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

November 30, 2016

Debra L. Osborne
American Electric Power
1 Riverside Plaza
Columbus, OH 43215

RE: Philip Sporn Plant
Plant ID No. 053-00001

Dear Ms. Osborne:

AEP's request for the Title V permit R30-05300001-2015, for the Philip Sporn Plant, to be placed inactive is hereby granted. This determination is based upon your letter, dated May 13, 2016, informing the Division of Air Quality that the Philip Sporn Plant was permanently retired on June 1, 2015.

The Title V operating permit for this facility will be considered to be surrendered, meaning that the permit cannot be used by American Electric Power nor any other entity which may purchase the facility or equipment. If operations were to be restarted in the future, the facility would have to complete the permitting process as a new facility.

After thorough review and internal discussion, the agency has elected not to pursue the Title V fees for emissions from the Philip Sporn Plant for calendar year 2015. Please note that this decision reflects neither an official agency policy nor an adoption of AEP's position regarding the timing and assessment of Title V fees. This decision applies only to the Title V fees for the aforementioned facility for calendar year 2015 emissions. It should not be considered dispositive for any purpose, including, but not limited to, current or future Title V fee issues.

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Letter to Debra L. Osborne
November 30, 2016
Page 2

Should you have any questions concerning this matter, please contact the Title V Program Manager, Carrie McCumbers, at 304-926-0499 x1226.

Sincerely,



William F. Durham
Director

WFD/jlr

c: Jeff Novotny
AEP Air Quality Services

Promoting a healthy environment.

**Coal-Fired EGUs
Equipped With SNCR-Trim**

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Monongahela Power Company
Fort Martin Power Station
R30-06100001-2015
Title V Permit to Operate

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West Virginia Department of Environmental Protection
Division of Air Quality

Earl Ray Tomblin
Governor

Randy C. Huffman
Cabinet Secretary

Permit to Operate



Pursuant to
Title V
of the Clean Air Act

Issued to:
Monongahela Power Company
Fort Martin Power Station
R30-06100001-2015

A handwritten signature in blue ink, appearing to read "William F. Durham", written over a horizontal line.

William F. Durham

Director

Issued: November 2, 2015 • Effective: November 16, 2015
Expiration: November 2, 2020 • Renewal Application Due: May 2, 2020

Permit Number: **R30-06100001-2015**
Permittee: **Monongahela Power Company**
Facility Name: **Fort Martin Power Station**
Permittee Mailing Address: **800 Cabin Hill Drive, Greensburg, PA 15601**

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:	Maidsville, Monongalia County, West Virginia
Facility Mailing Address:	State Route 53, Maidsville, WV 26541
Telephone Number:	724-838-6133
Type of Business Entity:	LLC
Facility Description:	Electric Generating Service
SIC Codes:	Primary – 4911; Secondary – N/A; Tertiary – N/A
UTM Coordinates:	591.91 km Easting • 4395.95 km Northing • Zone 17

Permit Writer: Robert Mullins

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

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

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

1.1 Emission Units

Table 1.1:

Source ID	Emission Point ID	Equipment Description	Design Capacity	Year Installed / Modified	Pollution Control Device ID	Fugitive Dust Control System/ Control Device
B1	STACK 1	Boiler # 1 – Combustion Engineering, tangentially fired, balanced-draft, supercritical boiler.	4,984 mmBtu/hr	1967	ESP # 1p – Universal Oil Products – High Efficiency, Collection plate area – 276,480 sq.ft. Particulate loading – 3.55 grains/cu.ft. Installed 1967. ESP # 1s – In series with ESP #1p -Belco – Model No. 39(12-33x13)4x39-24, Collection plate area – 474,552 sq.ft. Particulate loading – 0.15 grains/cu.ft. Installed 1982.	N/A
B2	STACK 2	Boiler # 2 – Babcock & Wilcox.	4,984 mmBtu/hr	1968	ESP # 2p – Universal Oil Products – High Efficiency, Collection plate area – 276,480 sq.ft. Particulate loading – 3.55 grains/cu.ft. Installed 1967. ESP # 2s – In series with ESP #2p -Belco – Model No. 39(12-33x13)4x39-24, Collection plate area – 474,552 sq.ft. Particulate loading – 0.15 grains/cu.ft. Installed 1982.	N/A
BU-1	BU-1	Barge Unloader	1400 TPH	1967	PE	PE
SB-1	SB-1	Surge Bin	900 Tons	1967	FE	FE
BC-1	BC-1	Conveyor # 1 - Conveyor from Coal Barge Unloader to Surge Bin	1400 TPH	1967	PE	PE
BC-2	BC-2	Conveyor # 2 - Conveyor from Surge Bin to Bradford Breaker	950 TPH	1967	PE	PE
BB-1	BB-1	Bradford Breaker	950 TPH	1967	FE	FE
RC-1 RC-2	RC-1 RC-2	Reclaim Hoppers	475 TPH each	1967	PE	PE
BC-3	BC-3	Conveyor # 3 – Conveyor from Reclaim Hopper to Bradford Breaker	950 TPH	1967	PE	PE

Source ID	Emission Point ID	Equipment Description	Design Capacity	Year Installed / Modified	Pollution Control Device ID	Fugitive Dust Control System/ Control Device
BC-4	BC-4	Conveyor # 4- Conveyor from Bradford Breaker to BC-5	950 TPH	1967	PE	PE
BC-5 BC-5A	BC-5 BC-5A	Conveyors #5/5A – conveyors from Bradford Breaker to Coal Storage Pile	950 TPH each	1967	PE	PE
BC-7A BC-7B	BC-7A BC-7B	Conveyors #7A/7B – Conveyors from Coal Storage pile to Transfer house	500 TPH each	1967	PE	PE
BC-8A BC-8B	BC-8A BC-8B	Conveyors #8A/8B – Conveyors from Transfer House to Boiler House Conveyors	500 TPH each	1967	PE	PE
BC-9A1 BC-9A2 BC-10A BC-10B	BC-9A1 BC-9A2 BC-10A BC-10B	Conveyors # 9A1/9A2 Conveyors # 10A/10B – Boiler House Conveyors to Unit # 1 Coal Storage Silos	500 TPH each	1967	PE	PE
BC-9B1 BC-9B2 BC-11A BC-11B	BC-9B1 BC-9B2 BC-11A BC-11B	Conveyors # 9B1/9B2 Conveyors # 11A/11B – Boiler House Conveyors to Unit # 2 Coal Storage Silos	500 Tons each	1967	PE	PE
CS-1	AS-1	Unit 1 Coal Silos (1A,B,C,D,E,F)	500 Tons each	1967	N/A	Dust Collector
CS-2	AS-1	Unit 2 Coal Silos (2A,B,C,D,E)	550 Tons each	1967	N/A	Dust Collector
FAS-1	FAS-1	Unit # 1 Fly Ash Silo	1650 Tons	1967	FE	FE
FAS-2	FAS-2	Unit # 2 Fly Ash Silo	1650 Tons	1967	FE	FE
BAS-1A BAS-1B	BAS-1A BAS-1B	Unit # 1 Bottom Ash Silos	12,000 cu.ft	1967	FE/WS	FE/WS
BAS-2A BAS-2B	BAS-2A BAS-2B	Unit # 2 Bottom Ash Silos	12,000 cu.ft	1967	FE/WS	FE/WS
ES-1	ES-1	Economizer Ash Silos	2,093 cu.ft	1967	FE/WS	FE/WS
CT-1 CT-2	CT-1 CT-2	2 Cooling Towers (once through) – Marley (Manufacturer)	250,000 gpm each	1967	N/A	NA
CCB	CCB	Ash/CCB Disposal area	N/A	1967	N/A	WT
CST-1	Coal Stockpile	Coal Stockpile	1,000,000 Tons	1967	N/A	MD
EDG-1	Emergency Diesel Generator No. 1	Emergency Diesel Generator No. 1	320KW	1987	N/A	N/A

Source ID	Emission Point ID	Equipment Description	Design Capacity	Year Installed / Modified	Pollution Control Device ID	Fugitive Dust Control System/ Control Device
EDG-2	Emergency Diesel Generator No. 2	Emergency Diesel Generator No. 2	320 KW	1989	N/A	N/A
PR	PR	Paved Roadways	NA	1967	N/A	WT
UPR	UPR	Unpaved Roadways	NA	1967	N/A	WT
WASTE-WATER	Fort Martin Wastewater Operations	Fort Martin Wastewater Treatment Operations (Insignificant Activity)	2,812 MMgal/year	N/A	N/A	N/A
Insig Tanks	N/A	Insignificant Storage Tanks (Insignificant Activity)	N/A	N/A	N/A	N/A

Note: MD=Minimize Drop Height, FE=Fully Enclosed, PE=Partially Enclosed, WS=Water Spray, WT=Water Truck

Table 1.2:

Source ID	Equipment Description / Location	Design Capacity	Year Installed/ Modified
A23FM	Dozer No. 2 Fuel Oil Storage Tank	15,000 gallons	1967
A39FM	Em. Diesel generator No. 2 Fuel Oil Tank	275 gallons	1991
A55FM	No. 2 Fuel Oil Storage Tank	100,000 gallons	1995
A56FM	No. 2 Fuel Oil Storage Tank	100,000 gallons	1995
A190FM	No.2 Fuel Oil Storage Tank	300 gallons	2008
A202FM (EDQP-T001)*	No.2 Fuel Oil Storage Tank	300 gallons	2008
A203FM (EDQP-T002)*	No.2 Fuel Oil Storage Tank	300 gallons	2008
A204FM (EDQP-T003)*	No.2 Fuel Oil Storage Tank	300 gallons	2009
A211FM	No.2 Fuel oil Storage Tank	1,000 gallons	2009

* Scrubber Quench Pump Fuel Tanks

Table 1.3:

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
Blr 1A	Aux Blr Stack	Auxiliary Boiler 1A	2007	115.3 mmbtu/hr	Low NO _x burners & FGR
Blr 1B	Aux Blr Stack	Auxiliary Boiler 1B	2007	115.3 mmbtu/hr	Low NO _x burners & FGR

Table: 1.4:

Emission Unit ID	Emission Unit Description	Year Installed	Control Device
LUC-1	Limestone Unloading Crane	2007	PE
LSH-1	Limestone Surge Hopper	2007	WS
LBF-1	Weigh Belt Feeder 1	2007	WS
LBF-2	Weigh Belt Feeder 2	2007	WS
L-1	Limestone Receiving and Stacker Conveyor	2007	FE
TC-1	Limestone Pile Telescopic Chute	2007	WS
LSP	Limestone Storage Pile	2007	
RPF-1A	Limestone Reclaim Rotary Plow Feeder	2007	Underground
RPF-1B	Limestone Reclaim Rotary Plow Feeder	2007	Underground
L-2	Limestone Reclaim Conveyor	2007	Underground
L-3A	Limestone Transfer Conveyor	2007	Underground
GTT-2	Gypsum/Limestone Transfer Tower (shared)	2007	WS/FE
L-3B	Limestone Transfer Conveyor	2007	WS/FE
LTT-1	Limestone Transfer Tower	2007	WS/FE
L-4	Limestone Transfer Conveyor	2007	WS/FE
LDG-1	Limestone Diverter Gate	2007	PE
DC-1	Limestone Day Silo 1	2007	Bin Vent Filter
DC-2	Limestone Day Silo 2	2007	Bin Vent Filter
BM-1	Ball Mill 1	2007	WS
BM-2	Ball Mill 2	2007	WS
VBF-1	Gypsum Vacuum Belt Filter 1	2007	PE
VBF-2	Gypsum Vacuum Belt Filter 2	2007	PE
G-1A	Gypsum Conveyor	2007	FE
G-1B	Gypsum Conveyor	2007	FE
G-2A	Gypsum Conveyor	2007	FE
G-2B	Gypsum Conveyor	2007	FE
G-3	Gypsum Stackout Conveyor	2007	FE
GPC	Gypsum Pipe Conveyor	2007	FE
GTT-3	Gypsum Transfer Tower	2007	FE
G-4	Gypsum Stackout Conveyor	2007	FE
GSP	Gypsum Storage Pile	2007	N/A

Table 1.5:

Emission Unit ID	Emission Point ID	Emission Unit Description (Make, Model, Serial No.)	Year Installed	Design Capacity (bhp/rpm)
EDQP-1	EDQP-1	Clarke/JW6H-UF38 Emergency Generator	2008	252/1750
EDQP-2	EDQP-2	Clarke/JW6H-UF38 Emergency Generator	2008	252/1750
EDQP-3	EDQP-3	Clarke/JW6H-UF38 Emergency Generator	2009	252/1750
EDQP-T001	EDQP-T001	#2 Fuel Oil Storage Tank (300 gal)	2008	NA
EDQP-T002	EDQP-T002	#2 Fuel Oil Storage Tank (300 gal)	2008	NA
EDQP-T003	EDQP-T003	#2 Fuel Oil Storage Tank(300 gal)	2009	NA

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
R13-2705	6/22/2007
R13-2711A	11/14/2007
G60-C006A	1/10/2011

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		
CEM	Continuous Emission Monitor	PM	Particulate Matter
CES	Certified Emission Statement	PM₁₀	Particulate Matter less than 10µm in diameter
C.F.R. or CFR	Code of Federal Regulations		
CO	Carbon Monoxide	pph	Pounds per Hour
C.S.R. or CSR	Codes of State Rules	ppm	Parts per Million
DAQ	Division of Air Quality	PSD	Prevention of Significant Deterioration
DEP	Department of Environmental Protection	psi	Pounds per Square Inch
FOIA	Freedom of Information Act	SIC	Standard Industrial Classification
HAP	Hazardous Air Pollutant		
HON	Hazardous Organic NESHAP	SIP	State Implementation Plan
HP	Horsepower	SO₂	Sulfur Dioxide
lbs/hr or lb/hr	Pounds per Hour	TAP	Toxic Air Pollutant
LDAR	Leak Detection and Repair	TPY	Tons per Year
m	Thousand	TRS	Total Reduced Sulfur
MACT	Maximum Achievable Control Technology	TSP	Total Suspended Particulate
mm	Million	USEPA	United States Environmental Protection Agency
mmBtu/hr	Million British Thermal Units per Hour		
mmft³/hr or mmcf/hr	Million Cubic Feet Burned per Hour	UTM	Universal Transverse Mercator
NA or N/A	Not Applicable	VEE	Visual Emissions Evaluation
NAAQS	National Ambient Air Quality Standards	VOC	Volatile Organic Compounds
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. **CAIR NO_x Annual Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix B) 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.]
- 3.1.10. **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 B) 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.]
- 3.1.11. **CAIR SO₂ Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix B) and the CAIR permit requirements set forth in 45CSR41 for each CAIR SO₂ 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 SO₂ allowance to or from the compliance account of the CAIR SO₂ 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.]

3.1.12. **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.
[45CSR§2-5.1]
- d. "Fugitive Particulate Matter" under 3.1.12. means any and all particulate matter generated by any operation involving or associated with the combustion of fuel in fuel burning units which, if not confined, would be emitted directly into the open air from points other than a stack outlet.
[45CSR§2-2.11]

3.2. Monitoring Requirements

None.

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:
 - a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.

- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
 1. The permit or rule evaluated, with the citation number and language.
 2. The result of the test for each permit or rule condition.
 3. A statement of compliance or non-compliance with each permit or rule condition.

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

3.4. Recordkeeping Requirements

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

[45CSR§30-5.1.c.2.A., 45CSR13, R13-2705, 4.3.1 and R13-2711, 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. 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.]

3.5. 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

None.

3.7. Permit Shield

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

Non-Applicable Requirement	Emission Unit (Point ID)	Reason for Non-Applicability
45CSR5	Facility-Wide	Rule to Prevent and Control Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations, and Coal Disposal Areas is not applicable to the facility because 45CSR 2 is applicable. (per 45CSR§§5-2.4.b,2.14)
45CSR§10-8	Blr 1A & Blr 1B (Aux Blr Stack)	The auxiliary boilers burn distillate fuel only and, as per 45CSR§10-10.3 are exempt from 45CSR§10-8.
45CSR17	Facility-Wide	Rule to Prevent and Control Particulate Matter Air Pollution from Material Handling, Preparation, Storage, and Other Sources of Fugitive Particulate Matter is not applicable because 45CSR2 is applicable, as stated in section 6.1 of 45CSR17.
40 C.F.R. 60 Subpart Da	B1 (Stack 1), B2 (Stack 2)	Boilers B1 and B2 commenced construction prior to September 18, 1978.
40 C.F.R 60 Subpart K	Facility-Wide	Fort Martin Power Station does not have any tanks storing petroleum liquids (as defined in 40 C.F.R. §60.111) that were constructed after June 11, 1973 and prior to May 19, 1978 and exceed 40,000 gallons in capacity.
40 C.F.R. 60 Subpart Ka	Facility-Wide	Fort Martin Power Station does not have any tanks storing petroleum liquids (as defined in 40 C.F.R. §60.111a) that were constructed after May 18, 1978 and prior to July 23, 1984 and exceed 40,000 gallons in capacity.

Non-Applicable Requirement	Emission Unit (Point ID)	Reason for Non-Applicability
40 C.F.R 60 Subpart Kb	Facility-Wide	Fort Martin Power Station has no tanks constructed after July 23, 1984 that (a) exceed 75m ³ (19,813 Gal) in capacity and store a volatile organic liquid (as defined in 40 C.F.R. §60.111b), (b) have a design capacity greater than or equal to 75m ³ but less than 151m ³ storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa (2.18 psia) or (c) exceed 151 m ³ (39,890 Gal) in capacity and store a volatile organic liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa (0.51 psia).

4.0 Source-Specific Requirements [Boiler # 1(STACK 1), Boiler # 2(STACK 2), Auxiliary Boiler 1A (Aux Boiler Stack), Auxiliary Boiler 1B (Aux Boiler Stack)]

4.0.1. Emergency Operating Scenarios

In the event of an unavoidable shortage of fuel having characteristics or specifications necessary to comply with the visible emission standard set forth in permit condition 4.1.1. of this permit, or any emergency situation or condition creating a threat to public safety or welfare, the Secretary may grant an exemption to the otherwise applicable visible emission standards for a period not to exceed fifteen (15) days, provided that visible emissions during that period do not exceed a maximum six (6) minute average of thirty (30) percent and that a reasonable demonstration is made by the owner or operator that the weight emission standards under permit conditions 4.1.3. of this permit, will not be exceeded during the exemption period.
[45CSR§2-10.1]

Due to unavoidable malfunction of equipment or inadvertent fuel shortages, emissions exceeding those provided for in this rule may be permitted by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the equipment malfunction or fuel shortage. In cases of major equipment failure or extended shortages of conforming fuels, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director.
[45CSR§10-9.1]

4.1. Limitations and Standards

Particulate Matter

- 4.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average.
[45CSR§2-3.1.]
- 4.1.2. Compliance with the visible emission requirements of 45CSR§2-3.1 (Section 4.1.1 of this permit) shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 and as described in the approved monitoring plan. Continuous opacity monitors shall not be required on fuel burning units which employ wet scrubbing systems for emission control.
[45CSR§2-3.2, 45CSR§2A-6]
- 4.1.3. Particulate matter emissions from each stack (STACK1 & STACK2) shall not exceed 249.2 lb/hr.
[45CSR§2-4.1.a.]
- 4.1.4. Particulate matter emissions from Auxiliary Boiler Stack shall not exceed 20.7 lb/hr.
[45CSR§2-4.1.b.]
- 4.1.5. The addition of sulfur oxides to a combustion unit exit gas stream for the purpose of improving emissions control equipment efficiency shall be reviewed by the Director. No person shall cause, suffer, allow or permit the addition of sulfur oxides as described above unless written approval for such addition is provided by the Director.
[45CSR§2-4.4.]

- 4.1.6. The owner or operator of a fuel burning unit(s) shall demonstrate compliance with 45CSR§2-3 by periodic testing in accordance with 40 CFR Part 60, Appendix A, Method 9, or a certified continuous opacity monitoring system, as approved by the Director, and 45CSR§2-4 by periodic particulate matter stack testing, 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. The owner or operator shall conduct such testing at a frequency to be established by the Director.
[45CSR§2-8.1.a.]
- 4.1.7. The owner or operator of a fuel burning unit(s) shall monitor compliance with 45CSR§2-3 (Sections 4.1.1 & 4.1.2 of this permit) as set forth in an approved monitoring plan (attached in Appendix A) for each emission unit.
[45CSR§2-8.2.a.]
- 4.1.8. The owner or operator of a fuel burning unit(s) shall maintain on-site all records of monitored data established in the monitoring plan pursuant to 45CSR§2-8.2.a (Section 4.1.7 of this permit). Such records shall be made available to the Director or his duly authorized representative upon request. Such records shall be retained on-site for a minimum of five years.
[45CSR§2-8.3.a.]
- 4.1.9. The owner or operator shall submit a periodic exception report to the Director, in a manner and at a frequency to be established by the Director. Such exception report shall provide details of all excursions outside the range of measured emissions or monitored parameters established in an approved monitoring plan, and shall include, but not be limited to, the time of the excursion, the magnitude of the excursion, the duration of the excursion, the cause of the excursion and the corrective action taken.
[45CSR§2-8.3.b, 45CSR2A]
- 4.1.10. The visible emission standards set forth in 45CSR§2-3 (Section 4.1.1 of this permit) shall apply at all times except in periods of start-ups, shutdowns and malfunctions. Where the Director believes that start-ups and shutdowns are excessive in duration and/or frequency, the Director may require an owner or operator to provide a written report demonstrating that such frequent start-ups and shutdowns are necessary.
[45CSR§2-9.1.]
- 4.1.11. At all times, including periods of start-ups, shutdowns and malfunctions, owners and operators shall, to the extent practicable, maintain and operate any fuel burning unit(s) including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, visible emission observations, review of operating and maintenance procedures and inspection of the source.
[45CSR§2-9.2]
- 4.1.12. **Electric Utility Steam Generating Units (EGU) MACT, 40 CFR 63, Subpart UUUUU:**
- a. The coal-fired Electric Utility Steam Generating Units B1 and B2 shall comply with all applicable requirements for existing affected sources, pursuant to 40 CFR 63, Subpart UUUUU “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units” no later than April 16, 2016, in accordance with the one year compliance extension approved by WV DEP via letter dated December 28, 2012, or as amended by US EPA.

- b. If required to conduct an initial compliance demonstration by performance testing as specified in §63.10011(a), you must submit a Notification of Compliance Status (NOCS) report according to §63.9(h)(2)(ii). The NOCS report must contain all of the information specified in §63.10030(e)(1)-(7), as applicable. If required to submit a Notification of Compliance Status pursuant to 40 CFR 63, Subpart UUUUU, the permittee shall also submit a complete application for significant modification to the Title V permit to incorporate the specific requirements of the rule no later than the maximum time allowed for the NOCS submittal in 40 CFR §63.10030(e). If requested, this Title V permitting deadline may be changed upon written approval by the Director. The permittee shall request the change in writing at least 30 days prior to the application due date.

[45CSR34; 40 C.F.R 63, Subpart UUUUU, 45CSR§30-6.5.b.]

Nitrogen Oxides (NO_x)

- 4.1.13. Nitrogen oxides emissions from STACK1 & STACK2 shall not exceed NO_x limits specified in the Acid Rain Permit (Appendix D).

[45CSR33]

Sulfur Dioxide (SO₂)

- 4.1.14. Sulfur dioxide emissions from each stack (STACK1 & STACK2) shall not exceed 15,451 lb/hr.

[45CSR§10-3.3.d.]

- 4.1.15. Sulfur dioxide emissions from the Auxiliary Boiler Stack shall not exceed 737.9 lb/hr.

[45CSR§10-3.3.f.]

- 4.1.16. Compliance with the allowable sulfur dioxide emission limitations from fuel burning units shall be based on a continuous twenty-four (24) hour averaging time. Emissions shall not be allowed to exceed the weight emissions standards for sulfur dioxide as set forth in 45CSR10, except during one (1) continuous twenty-four (24) hour period in each calendar month. During this one (1) continuous twenty-four hour period, emissions shall not be allowed to exceed such weight emission standards by more than ten percent (10%) without causing a violation of 45CSR10. A continuous twenty-four (24) hour period is defined as one (1) calendar day.

[45CSR§10-3.8.] (STACK1, STACK2, Aux Blr Stack)

Acid Rain Program

- 4.1.17. Unit No. 1 and Unit No. 2 are Phase II Acid Rain affected units under 45CSR33, as defined by 40 C.F.R § 72.6, and as such are required to meet the requirements of 40 CFR §§ 72, 73, 74, 75, 76, 77 and 78. These requirements include, but are not limited to:

- a. Hold an Acid Rain permit (Acid Rain Permit is included in Appendix D);
- b. Hold allowances, as of the allowance transfer deadline, in the unit's compliance sub-account of not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit;
- c. Comply with the applicable Acid Rain emissions for sulfur dioxide;
- d. Comply with the applicable Acid Rain emissions for nitrogen oxides;

- e. Comply with the monitoring requirements of 40 CFR 75 and section 407 of the Clean Air Act of 1990 and regulations implementing section 407 of the Act;
- f. Submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72, Subpart I and 40 CFR 75.

[45CSR33, 40 C.F.R. Parts 72, 73, 74, 75, 76, 77, 78.]

Auxiliary Boilers Only

4.1.18. Emissions from the Boilers (1A&1B) shall not exceed the following:

Pollutant	Boiler 1A		Boiler 1B		Total	
	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
SO ₂	64.19	28.12	64.19	28.12	128.38	56.24
NO _x	20.44	8.95	20.44	8.95	40.88	17.9
CO	4.09	1.79	4.09	1.79	8.18	3.58
VOC	0.16	0.07	0.16	0.07	0.32	0.14
PM	2.72	1.19 ¹	2.72	1.19 ¹	5.44	2.38
PM ₁₀	1.88	0.82	1.88	0.82	3.76	1.64
Formaldehyde	0.03	0.02	0.03	0.02	0.06	0.02
Total HAPs	0.05	0.02	0.05	0.02	0.10	0.03

¹PM Filterable plus PM₁₀ condensable

[45CSR13, R13-2705, 4.1.1]

- 4.1.19. The auxiliary boilers shall fire exclusively No. 2 fuel oil with a maximum sulfur content of 0.50%.
[45CSR13, R13-2705, 4.1.2]
- 4.1.20. Annual fuel use for each auxiliary boiler shall not exceed 716,279 gallons per year.
[45CSR13, R13-2705, 4.1.3]
- 4.1.21. Annual hours of operation for each auxiliary boiler shall not exceed 876 hours per year.
[45CSR13, R13-2705, 4.1.4]
- 4.1.22. The annual capacity factor for each auxiliary boiler shall be less than or equal to 10%.
[45CSR34, 40C.F.R §63.7575]
- 4.1.23. Visible emissions from the auxiliary boiler stack shall not exceed 10% opacity based on a six minute block average.
[45CSR§2-3.1., 45CSR13, R13-2705, 4.1.8]
- 4.1.24. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate pollution control equipment- low NO_x Burners & FGR and associated monitoring equipment in a manner consistent with safety and good air pollution control practices

for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.

[45CSR§13-5.11., 45CSR13, R13-2705, 4.1.9]

4.1.25. Industrial, Commercial, and Institutional Boilers and Process Heaters MACT, 40 CFR 63, Subpart DDDDD:

a. Limited-use boilers and process heaters must complete a tune-up every 5 years as specified in §63.7540. They are not subject to the emission limits in Tables 1 and 2 or 11 through 13 to this subpart, the annual tune-up, or the energy assessment requirements in Table 3 to this subpart, or the operating limits in Table 4 to this subpart. Initial tune-up must be conducted by January 31, 2016.

[45CSR34; 40 C.F.R §§63.7500(c), 63.7495(b), and Table 3 to 40 C.F.R. 63 Subpart DDDDD]

b. If your boiler or process heater has a continuous oxygen trim system that maintains an optimum air to fuel ratio, or a heat input capacity of less than or equal to 5 million Btu per hour and the unit is in the units designed to burn gas 1; units designed to burn gas 2 (other); or units designed to burn light liquid subcategories, or meets the definition of limited-use boiler or process heater in §63.7575, you must conduct a tune-up of the boiler or process heater every 5 years as specified in paragraphs (a)(10)(i) through (vi) of §63.7540 to demonstrate continuous compliance. You may delay the burner inspection specified in paragraph (a)(10)(i) of §63.7540 until the next scheduled or unscheduled unit shutdown, but you must inspect each burner at least once every 72 months.

[45CSR34; 40 C.F.R. §63.7540(a)(12)]

c. Each 5-year tune-up specified in §63.7540(a)(12) must be conducted no more than 61 months after the previous tune-up.

[45CSR34; 40 C.F.R §63.7515(d)]

d. For each unit that meets the definition of limited-use boiler or process heater, you must keep fuel use records for the days the boiler or process heater was operating.

[45CSR34; 40 C.F.R §63.7525(k)]

4.2. Monitoring Requirements

4.2.1. Compliance with the visible emission requirements for STACK1, STACK2 & Aux Boiler Stack shall be determined as outlined in section I.A. and I.B. of the “Monitoring and Recordkeeping Plan 45CSR2 and 45CSR10” which is attached in Appendix A of this permit.

[45CSR§§2-3.2. & 8.2.]

4.2.2. The Electrostatic Precipitator (ESP) secondary voltage and secondary current shall be measured continuously using a voltmeter and ammeter integrated into the ESP Unit, and both shall be recorded no less than four times per hour, equally spaced over each hour. The total power (P) input to the ESP is the sum of the products of secondary voltage (V) and current (I) in each field and shall be calculated and recorded in accordance with Section 4.4.7 of this permit.

[45CSR§30-5.1.c., 40 C.F.R. § 64.3(b)(1), and 40 C.F.R. § 64.3(b)(4)(ii)]

4.2.3. The permittee shall calibrate, maintain, and operate the instrumentation used to measure the secondary voltage and secondary current in Section 4.2.2. of this permit in accordance with manufacturer’s specifications.

[45CSR§30-5.1.c. and 40 C.F.R. § 64.3(b)(3)]

- 4.2.4. Reserved.
- 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 4.4.8.(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 4.5.5.(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. **Excursions** – An excursion shall be defined as a 3-hour block average total ESP secondary power less than the following: Boiler #1 – 225 kW; and Boiler #2 – 270 kW. Refer to conditions 4.4.8., 4.4.9., and 4.5.5. for recordkeeping and reporting requirements for excursions.
[40 C.F.R. § 64.6(c)(2); 45CSR§30-5.1.c.]

4.3. Testing Requirements

- 4.3.1. The owner or operator shall conduct, or have conducted, tests to determine the compliance of Boiler # 1 (STACK 1) & Boiler # 2 (STACK 2) with the particulate matter weight emission standards (in lbs/hr).

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 Secretary. Such tests shall be conducted in accordance with the schedule set forth in the following table based on the results of the previous tests.

Annual	after three successive tests indicate mass emission rates $\leq 50\%$ 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 $\geq 80\%$ of weight emission standard	Annual
Once/2 years	after two successive tests indicate mass emission rates $\leq 50\%$ 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 $\geq 80\%$ of weight emission standard	Annual
Once/3 years	any tests indicates a mass emission rate $\leq 50\%$ of weight emission standard	Once/3 years
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 $\geq 80\%$ of weight emission standard	Annual

[45CSR§2-8.1., 45CSR§2A-5.2]

4.4. Recordkeeping Requirements

4.4.1. The owner or operator shall maintain records of the operating schedule and the quantity and quality of fuel consumed in each fuel burning unit as outlined in “45CSR2 Monitoring Plan” attached as Appendix A of this permit. Such records are to be maintained on-site and made available to the Director or his duly authorized representative upon request.

[45CSR§2-8.3.c.]

Auxiliary Boilers Only

4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For air pollution control equipment, low NOx Burners & FGR, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

[45CSR13, R13-2705, 4.3.2]

- 4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For air pollution control equipment, low NOx Burners & FGR, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:
- a. The equipment involved.
 - b. Steps taken to minimize emissions during the event.
 - c. The duration of the event.
 - d. The estimated increase in emissions during the event.

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

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

[45CSR13, R13-2705, 4.3.3]

- 4.4.4. In order to determine compliance with condition 4.1.20 of this permit the permittee shall keep certified monthly records of the amount of fuel consumed by each auxiliary boiler.
[45CSR13, R13-2705, 4.3.4]
- 4.4.5. In order to determine compliance with condition 4.1.21 of this permit the permittee shall keep certified daily records of the number of hours of operation of each auxiliary boiler.
[45CSR13, R13-2705, 4.3.5]
- 4.4.6. For units in the limited use subcategory, the Permittee must keep a copy of the federally enforceable permit that limits the annual capacity factor to less than or equal to 10 percent and fuel use records for the days the boiler or process heater was operating.
[45CSR34; 40 C.F.R. §63.7555(d)(3) and §63.7525(k)]

Boilers #1 and #2

- 4.4.7. The total secondary Electrostatic Precipitator power input (in kW) shall be calculated and recorded no less than four times per hour, equally spaced over each hour, in an electronic data acquisition system and averaged on a 3 hour basis.
[45CSR§30-5.1.c. and 40 CFR. §64.9(b)]
- 4.4.8. **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.]

4.4.9. 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.]

4.5. Reporting Requirements

- 4.5.1. The designated representative shall electronically report SO₂, NO_x, and CO₂ emissions data and information as specified in 40 C.F.R. § 75.64 to the Administrator of USEPA, quarterly. Each electronic report must be submitted within thirty (30) days following the end of each calendar quarter.
[45CSR33, 40 C.F.R. § 75.64]

- 4.5.2. Compliance with the periodic exception reporting of permit condition 4.1.9. shall be demonstrated as outlined in "45CSR2 Monitoring Plan" attached as Appendix A of this permit.
[45CSR§2-8.3.b.]

- 4.5.3. The owner or operator of a fuel burning unit(s) subject to this rule (45CSR2) shall report to the Director any malfunction of such unit or its air pollution control equipment which results in any excess particulate matter emission rate or excess opacity (i.e., emissions exceeding the standards in 45CSR§2-3 and 45CSR§2-4) as provided in one of the following subdivisions:

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

The excess opacity period does not exceed thirty (30) minutes within any 24-hour period; and

Excess opacity does not exceed 40%.

- 4.5.3.2. The owner or operator shall report to the Director any malfunction resulting in excess particulate matter or excess opacity, not meeting the criteria set forth in subdivision 45CSR§2- 9.3.a (Section 4.5.3.1 of this permit), by telephone, telefax, or e-mail 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 detailed explanation of the factors involved or causes of the malfunction;

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

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

The maximum opacity measured or observed during the malfunction;

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

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]

4.5.4. For a facility subject only to a requirement to conduct a 5-year tune up according to §63.7540(a)(12), they may submit only a compliance report as specified in §§63.7550(b)(1) through (b)(4) instead of a semi-annual compliance report. The report shall contain the following information:

- (1) Company and Facility name and address.
- (2) Process unit information, emissions limitations, and operating parameter limitations.
- (3) Date of report and beginning and ending dates of the reporting period.
- (4) The total operating time during the reporting period.
- (5) Include the date of the most recent tune-up for each unit subject to only the requirement to conduct an annual, biennial, or 5-year tune-up according to §63.7540(a)(10), (11), or (12) respectively. Include the date of the most recent burner inspection if it was not done annually, biennially, or on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown.

[40 C.F.R. §§63.7550(b) and (c)(1)] (*Btr 1A and Btr 1B*)

4.5.5. **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 semi-annual monitoring report under permit condition 3.5.6.
- (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.]

- 4.5.6. For an affected facility that combusts residual oil and meets the criteria under §§60.46b(e)(4), 60.44b(j), or (k), the owner or operator shall maintain records of the nitrogen content of the residual oil combusted in the affected facility and calculate the average fuel nitrogen content for the reporting period. The nitrogen content shall be determined using ASTM Method D4629 (incorporated by reference, see §60.17), or fuel suppliers. If residual oil blends are being combusted, fuel nitrogen specifications may be prorated based on the ratio of residual oils of different nitrogen content in the fuel blend.

[45CSR16, 40C.F.R § 60.49b(e)] (Blr 1A and Blr 1B)

- 4.5.7. The owner or operator of an affected facility who elects to demonstrate that the affected facility combusts only very low sulfur oil, natural gas, wood, a mixture of these fuels, or any of these fuels (or a mixture of these fuels) in combination with other fuels that are known to contain an insignificant amount of sulfur in §60.42b(j) or §60.42b(k) shall obtain and maintain at the affected facility fuel receipts from the fuel supplier that certify that the oil meets the definition of distillate oil and gaseous fuel meets the definition of natural gas as defined in §60.41b and the applicable sulfur limit. For the purposes of this section, the distillate oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Reports shall be submitted to the Administrator certifying that only very low sulfur oil meeting this definition, natural gas, wood, and/or other fuels that are known to contain insignificant amounts of sulfur were combusted in the affected facility during the reporting period.

[45CSR16, 40C.F.R § 60.49b(r)(1)] (Blr 1A and Blr 1B)

4.6. Compliance Plan

None

5.0 Source-Specific Requirements [A55FM & A56FM]

5.1 Limitations and Standards

- 5.1.1. The owner or operator of each storage vessel shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. These records shall be kept for the life of the source.
[45CSR16, 40 C.F.R §§60.116b(a) and (b)]

5.2 Monitoring Requirements

- 5.2.1. The owner or operator of each storage vessel with a design capacity greater than or equal to 151 cubic meter (39,890 gallons) storing a liquid with a maximum true vapor pressure that is normally less than 5.2 kPa (0.754 psi) shall notify the Administrator and Director within 30 days when the maximum true vapor pressure of the liquid exceeds 5.2 kPa (0.754psi).
[45CSR16, 40 C.F.R §60.116b(d)]

5.3 Testing Requirements

None

5.4 Recordkeeping Requirements

- 5.4.1. Except as provided in 40 C.F.R §§60.116b (f) and (g, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m³ storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa or with a design capacity greater than or equal to 75 m³ but less than 151 m³ storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.
[45CSR16, 40 C.F.R. §60.116b(c)]

5.5 Reporting Requirements

None

5.6 Compliance Plan

None

6.0 Source-Specific Requirements For Gypsum Handling

6.1 Limitations and Standards

- 6.1.1. Emissions from the bin vent filters covered by this permit shall not exceed the following:

Source	PM		PM ₁₀	
	gr/dscf	tpy	gr/dscf	tpy
VBF-1 ⁽¹⁾	0.01	0.04	0.01	0.04
VBF-2 ⁽²⁾	0.01	0.04	0.01	0.04

[45CSR13, R13-2711, 4.1.1]

Notes: (1) Bin Vent Filter is a control device for Limestone Day Silo 1(Em unit ID DC-1)
 (2) Bin Vent Filter is a control device for Limestone Day Silo 2(Em unit ID DC-2)

- 6.1.2. The amount of limestone unloaded from barges shall not exceed 500 tons per hour nor 543,120 tons per year based on a 12 month rolling total. For the purposes of this permit a 12 month rolling total means the sum of material throughput at the end of any given month for the previous 12 months.
 [45CSR13, R13-2711, 4.1.2]
- 6.1.3. The amount of gypsum produced shall not exceed 981,120 tons per year based on a 12 month rolling total.
 [45CSR13, R13-2711, 4.1.3]
- 6.1.4. The permittee shall not cause, suffer, allow or permit any source of fugitive particulate matter to operate that is not equipped with a fugitive particulate matter control system. This system shall be operated and maintained in such a manner as to minimize the emission of fugitive particulate matter.
 [45CSR§2-5.1, 45CSR13, R13-2711, 4.1.4]
- 6.1.5. The permittee shall maintain a water truck on site and in good operating condition, and shall utilize same to apply water as often as is necessary in order to minimize the atmospheric entrainment of fugitive particulate emissions that may be generated from haulroads and other work areas where mobile equipment is used. The spraybar shall be equipped with spray nozzles, of sufficient size and number, so as to provide adequate coverage to the area being treated.

The pump delivering the water shall be of sufficient size and capacity so as to be capable of delivering to the spray nozzle(s) an adequate quantity of water and at a sufficient pressure, so as to assure that the treatment process will minimize the atmospheric entrainment of fugitive particulate emissions generated from the haulroads and work areas where mobile equipment is used.

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

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

[45CSR13, R13-2711, 4.1.5]

- 6.1.6. **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 Table 1.4 of Section 1.0, and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR§13-5.11., 45CSR13, R13-2711, 4.1.6]

6.2. Monitoring Requirements

- 6.2.1. For the purposes of determining compliance with condition 6.1.2 of this permit, the permittee shall maintain monthly records of the amount of limestone unloaded from barges. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
[45CSR13, R13-2711, 4.2.1]
- 6.2.2. For the purposes of determining compliance with condition 6.1.3 of this permit, the permittee shall maintain monthly records of the amount of gypsum produced. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
[45CSR13, R13-2711, 4.2.2]
- 6.2.3. For the purposes of determining compliance with condition 6.1.5 of this permit, the permittee shall maintain records of the amount of dust control additive used at the facility and the dates the solution was applied. These records shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
[45CSR13, R13-2711, 4.2.3]

6.3. Testing Requirements

- 6.3.1. From May 1 through October 30 of each year the permittee will perform weekly visible emissions observations of the fugitive dust control systems in accordance with USEPA Method 9. Records of the VEs shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
[45CSR13, R13-2711, 4.3.1]
- 6.3.2. From November 1 through April 30 of each year the permittee will perform monthly visible emissions observations of the fugitive dust control systems in accordance with USEPA Method 9. Records of the VEs shall be maintained on site for a period of not less than five (5) years. The records shall be certified and made available to the Director or a duly authorized representative of the Director upon request.
[45CSR13, R13-2711, 4.3.2]

6.4. Recordkeeping Requirements

- 6.4.1. **Record of Maintenance of Air Pollution Control Equipment.** For all air pollution control equipment listed in Table 1.4 of Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
[45CSR13, R13-2711, 4.4.2]

6.4.2. Record of Malfunctions of Air Pollution Control Equipment. For all air pollution control equipment listed in Table 1.4 of Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

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

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

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

[45CSR13, R13-2711, 4.4.3]

6.5. Reporting Requirements

None

6.6. Compliance Plan

None

7.0 Source-Specific Requirements [Emergency Generators: EDG-1, EDG-2, EDQP-1, EDQP-2, EDQP-3]

7.1. Limitations and Standards

7.1.1. The permittee is authorized to operate the emission units in Table 1.5 (Section 1.0) with following emission limits in accordance with all terms and conditions of the 45CSR13 G60-C Class II General Permit (Appendix C).

Source ID#	Nitrogen Oxides		Carbon Monoxide		Volatile Organic Compounds	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
EDQP-1	4.13	1.03	0.48	0.12	0.15	0.04
EDQP-2	4.13	1.03	0.48	0.12	0.15	0.04
EDQP-3	4.13	1.03	0.48	0.12	0.15	0.04

[45CSR13, G60-C006](EDQP-1, EDQP-2, EDQP-3)

7.1.2. Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to subpart IIII, for all pollutants.
 [45CSR16, 40CFR §60.4205(c)](EDQP-1, EDQP-2, EDQP-3)

7.1.3. Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel.
 [45CSR16, 40CFR §60.4207(b)](EDQP-1, EDQP-2, EDQP-3)

7.1.4. All registered facilities under Class II General Permit G60-C are subject to Sections 1.0, 2.0, 3.0, and 4.0.

The following sections of Class II General Permit G60-C apply to the registrant:

Section 5	Reciprocating Internal Combustion Engines (R.I.C.E.)	<input checked="" type="checkbox"/>
Section 6	Tanks	<input checked="" type="checkbox"/>
Section 7	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (40CFR60 Subpart IIII)	<input checked="" type="checkbox"/>
Section 8	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (40CFR60 Subpart JJJJ)	<input type="checkbox"/>

[45CSR13, G60-C006](EDQP-1, EDQP-2, EDQP-3)

7.1.5. The Permittee must comply with the requirements in Table 2c of 40 C.F.R. 63 Subpart ZZZZ for existing emergency CI RICE engines less than or equal to 500 hp located at a major source of HAPs.
 [45CSR34, 40 C.F.R. §63.6602](EDG-1, EDG-2)

7.1.6. The permittee must meet the following requirement, except during periods of startup:

- a. Change oil and filter every 500 hours of operation or annually, whichever comes first.

- b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
- c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

During periods of startup the permittee must minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

[45CSR34, Table 2c of 40 C.F.R. 63 Subpart ZZZZ; 40 C.F.R. §63.6625(h)](EDG-1, EDG-2)

- 7.1.7. Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in 40 C.F.R. §§63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in 40 C.F.R. §63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 C.F.R. §80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.
[45CSR34, 40 C.F.R. §63.6604(b)](EDG-1, EDG-2)
- 7.1.8. The permittee must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
[45CSR34, 40 C.F.R. §63.6625(e)](EDG-1, EDG-2)
- 7.1.9. The permittee must install a non-resettable hour meter if one is not already installed.
[45CSR34, 40 C.F.R. §63.6625(f)](EDG-1, EDG-2)
- 7.1.10. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2c of 40 C.F.R. 63 Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c of 40 C.F.R. 63 Subpart ZZZZ. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.
[45CSR34, 40 C.F.R. §63.6625(i)](EDG-1, EDG-2)
- 7.1.11. Any operation of the existing emergency stationary RICE engines other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year is prohibited according to 40 C.F.R. §§63.6640(f)(1)-(4).

- a. There is no time limit on the use of emergency stationary RICE in emergency situations.
- b. You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of §63.6640 for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of §63.6640 counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).
 - (i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.
 - (ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.
 - (iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.
- c. Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of §63.6640. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[45CSR34, 40 C.F.R. §§63.6640(f)(1) through (3)](EDG-1, EDG-2)

- 7.1.12. The Permittee must comply with the general provisions of 40 C.F.R. Part 63 except the following which do not apply: 40 C.F.R. §§63.7(b) and (c), 40 C.F.R. §§63.8(e), (f)(4), and (f)(6), and 40 C.F.R. §§63.9(b)-(e), (g), and (h).

[45CSR34, 40 C.F.R. §63.6645(a)(5)](EDG-1, EDG-2)

- 7.1.13. The permittee must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Table 2c of 40 C.F.R. 63 Subpart ZZZZ that apply according to the methods specified in Table 6 of 40 C.F.R. 63 Subpart ZZZZ as follows.

- a. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or
- b. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

[45CSR34, 40 C.F.R. §63.6640(a) and Table 6 of 40 C.F.R. 63 Subpart ZZZZ] (EDG-1, EDG-2)

7.1.14. The Permittee must comply with the following general requirements:

- a. The permittee must be in compliance with the emission limitations, operating limitations, and other requirements of 40 C.F.R. 63 Subpart ZZZZ that apply at all times.
- b. At all times the permittee 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. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the 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.

[45CSR34, 40 C.F.R. §63.6605] (EDG-1, EDG-2)

7.2. Monitoring Requirements

7.2.1. None.

7.3. Testing Requirements

7.3.1. None.

7.4. Recordkeeping Requirements

7.4.1. The permittee must keep the following records in accordance with 40 C.F.R. §63.6655:

- (a) The permittee must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) accordance with the manufacturer's written instructions or your own maintenance plan (if applicable) for existing emergency engines.

[40 C.F.R. §63.6655(e)]

- (b) Existing emergency CI engines rated less than or equal to 500 HP at a major source that do not meet the standards applicable to non-emergency engines must keep records of the hours of operation of the engine as recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation; including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in 40 C.F.R. §63.6640(f)(2)(ii) or (iii) or 40 C.F.R. §63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

[40CFR63.6655(f)]

[45CSR34, 40C.F.R. §63.6655](EDG-1, EDG-2)

7.5. Reporting Requirements

- 7.5.1. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of 40 C.F.R. 63 Subpart ZZZZ, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.
[45CSR34, Footnote 1 of Table 2c of 40 C.F.R. Subpart ZZZZ](EDG-1, EDG-2)
- 7.5.2. The permittee must also report each instance in which the requirements in Table 8 of 40 C.F.R. 63 Subpart ZZZZ that apply were not met.
[45CSR34, 40C.F.R. §63.6640(e)] (EDG-1, EDG-2)

7.6. Compliance Plan

- 7.6.1. None.

8.0 Source-Specific Requirements [Limestone Crushing and Handling]

8.1. Limitations and Standards

8.1.1. Standard for Particulate Matter.

- (a) Affected facilities must meet the stack emission limits and compliance requirements in Table 2 of 40 C.F.R. 60 Subpart OOO within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.8. The requirements in Table 2 of 40 C.F.R. 60 Subpart OOO apply for affected facilities with capture systems used to capture and transport particulate matter to a control device.

Table 2 Applicable Requirements

For...	The owner or operator must meet a PM limit of...	And the owner or operator must meet an opacity limit of...	The owner or operator must demonstrate compliance with these limits by conducting...
Affected facilities (as defined in §§60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	0.05 g/dscm (0.022 gr/dscf)	7 percent for dry control devices	An initial performance test according to 40 C.F.R. §§60.8 and §60.675.

- (b) Affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of 40 C.F.R. 60 Subpart OOO within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11. The requirements in Table 3 of 40 C.F.R. 60 Subpart OOO apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

Table 3 Applicable Requirements

For...	The owner or operator must meet the following fugitive emissions limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in §§60.670 and 60.671)...	The owner or operator must meet the following fugitive emissions limit for crushers at which a capture system is not used ...	The owner or operator must demonstrate compliance with these limits by conducting ...
Affected facilities (as defined in §§60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	10 percent opacity	15 percent opacity	An initial performance test according to 40 C.F.R. §60.11 and 40 C.F.R. §60.675.

- (c) Reserved.

- (d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.
- (e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a) and (b) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits:
 - (1) Fugitive emissions from the building openings (except for vents as defined in §60.671) must not exceed 7 percent opacity; and
 - (2) Vents (as defined in §60.671) in the building must meet the applicable stack emission limits and compliance requirements in Table 2 of this subpart.
- (f) Any baghouse that controls emissions from only an individual, enclosed storage bin is exempt from the applicable stack PM concentration limit (and associated performance testing) in Table 2 of this subpart but must meet the applicable stack opacity limit and compliance requirements in Table 2 of this subpart. This exemption from the stack PM concentration limit does not apply for multiple storage bins with combined stack emissions.

[45CSR16; 40 C.F.R. §§60.672(a) through (f)] (LSH-1, LBF-1, LBF-2, L-1, TC-1, L-2, L-3A, GTT-2 (gypsum handling excluded), L-3B, LTT-1, L-4, LDG-1, DC-1, DC-2, BM-1, BM-2)

8.2. Monitoring Requirements

8.2.1. Reserved.

8.3. Testing Requirements

8.3.1. In conducting the performance tests required in 40 C.F.R. §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendices A-1 through A-7 of 40 C.F.R. Part 60 or other methods and procedures as specified in 40 C.F.R. §60.675, except as provided in 40 C.F.R. §60.8(b). Acceptable alternative methods and procedures are given in paragraph (e) of 40 C.F.R. §60.675.
[45CSR16; 40 C.F.R. §60.675(a)]

8.3.2. The owner or operator shall determine compliance with the PM standards in 40 C.F.R. §60.672(a) as follows:

- (1) Except as specified in paragraphs (e)(3) and (4) of 40 C.F.R. §60.675, Method 5 of Appendix A-3 of 40 C.F.R. Part 60 or Method 17 of Appendix A-6 of 40 C.F.R. Part 60 shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5 (40 CFR part 60, Appendix A-3), if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.
- (2) Method 9 of Appendix A-4 of 40 C.F.R. Part 60 and the procedures in 40 C.F.R. §60.11 shall be used to determine opacity.

[45CSR16; 40 C.F.R. §§60.675(b)(1) and (2)]

- 8.3.3. (c)(1) In determining compliance with the particulate matter standards in 40 C.F.R. §60.672(b) or §60.672(e)(1), the owner or operator shall use Method 9 of Appendix A-4 of 40 C.F.R. Part 60 and the procedures in 40 C.F.R. §60.11, with the following additions:
- (i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
 - (ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9 of Appendix A-4 of 40 C.F.R. Part 60, Section 2.1) must be followed.
 - (iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.
- (2) (i) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f) of this subpart OOO, using Method 9 (40 CFR part 60, Appendix A-4), the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations shall be 1 hour (ten 6-minute averages).
- (ii) The duration of the Method 9 (40 CFR part 60, Appendix A-4) observations may be reduced to the duration the affected facility operates (but not less than 30 minutes) for baghouses that control storage bins or enclosed truck or railcar loading stations that operate for less than 1 hour at a time.
- (3) When determining compliance with the fugitive emissions standard for any affected facility described under 40 C.F.R. §60.672(b) or 40 C.F.R. §60.672(e)(1) of this subpart, the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart OOO must be based on the average of the five 6-minute averages.

[45CSR16; 40 C.F.R. §§60.675(c)(1) through (3)]

- 8.3.4. To demonstrate compliance with the fugitive emission limits for buildings specified in 40 C.F.R. §60.672(e)(1), the owner or operator must complete the testing specified in paragraph (d)(1) and (2) of 40 C.F.R. §60.675. Performance tests must be conducted while all affected facilities inside the building are operating.
- (2) If the building encloses only affected facilities that commenced construction, modification, or reconstruction before April 22, 2008, and the owner or operator has previously conducted an initial Method 22 (40 CFR part 60, Appendix A-7) performance test showing zero visible emissions, then the owner or operator has demonstrated compliance with the opacity limit in 40 C.F.R. §60.672(e)(1). If the owner or operator has not conducted an initial performance test for the building before April 22, 2008, then the owner or operator must conduct an initial Method 9 (40 CFR part 60, Appendix A-4) performance test according to this section and 40 C.F.R. §60.11 to show compliance with the opacity limit in 40 C.F.R. §60.672(e)(1).

[45CSR16; 40 C.F.R. §60.675(d)(2)]

- 8.3.5. The owner or operator may use the alternatives of 40 C.F.R. §§60.675(e)(1) through (4) to the reference methods and procedures specified in 40 C.F.R. §60.675.
[45CSR16; 40 C.F.R. §60.675(e)]
- 8.3.6. For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in 40 C.F.R. §60.7(a)(6) and 40 C.F.R. §60.8(d) to a 7-day advance notification.
[45CSR16; 40 C.F.R. §60.675(g)]
- 8.3.7. If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in §60.671 of 40 C.F.R. 60 Subpart OOO) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.
[45CSR16; 40 C.F.R. §60.675(i)]

8.4. Recordkeeping Requirements

- 8.4.1. Reserved.

8.5. Reporting Requirements

- 8.5.1. The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in 40 C.F.R. §60.672, including reports of opacity observations made using Method 9 (40 CFR part 60, Appendix A-4) to demonstrate compliance with 40 C.F.R. §60.672(b), (e) and (f).
[45CSR16; 40 C.F.R. §60.676(f)]
- 8.5.2. A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.
- (1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.
[45CSR16; 40 C.F.R. §60.676(i)(1)]
- 8.5.3. Notifications and reports required under 40 C.F.R. 60 Subpart OOO and under 40 C.F.R. 60 subpart A to demonstrate compliance with 40 C.F.R. 60 Subpart OOO need only to be sent to the EPA Region or the State which has been delegated authority according to 40 C.F.R. §60.4(b).
[45CSR16; 40 C.F.R. §60.676(k)]

8.6. Compliance Plan

- 8.6.1. Reserved.

APPENDIX A

FORT MARTIN POWER STATION

REVISION 6
Monitoring and Recordkeeping Plan
45 CSR 2 and 45 CSR 10
Utility Boilers

September 10, 2015

Monitoring and Recordkeeping Plan
45 CSR 2 and 45 CSR 10
Utility Boilers

Facility Information:

Facility Name: Fort Martin Power Station

Facility Address: Fort Martin Power Station
Fort Martin Road
Maidsville, WV 26541

Facility Contact: Daniel L. Coldren
Director, Fort Martin
Telephone (304) 598-5250
FAX # (304) 598-5252

Environmental Contact: Tonia A. Downs
800 Cabin Hill Drive
Greensburg, PA. 15601
Telephone (724) 838-6057

Facility Description: (Plant ID # 061000001)

Fort Martin Power Station is a coal-fired electric generating facility with two main combustion units (Units 1 & 2) with in-service dates of 1967 and 1968 respectively, discharging through one stack with individual fiberglass liners for each unit (1 and 2). The fiberglass stack liners have an ID of 26 feet and exhaust at a height of approximately 550 feet from ground level. Units 1 and 2 have primary and secondary electrostatic precipitators (ESPs) in series with a 99+% removal efficiency and limestone scrubbers for SO₂ control. Fort Martin Power Station also has two oil-fired auxiliary boilers (1A and 1B) that discharge to a separate (auxiliary) stack. Each of these auxiliary boilers has a design heat input greater than 10mmBtu/hr making them subject to 45CSR 2 and 45 CSR 10.

I. 45 CSR 2 Monitoring Plan:

In accordance with, §45-2-8.2.a., the following proposed plan is for monitoring compliance with the opacity limits found in §45-2-3:

A. Scrubbed Stacks 1 and 2

1. Applicable Standards:

Visible Emission Limit: 10% opacity based on a six-minute block average, 45 CSR 2, § 3.1.

2. Monitoring Methods

Per 45CSR§2-3.2, fuel burning units which employ wet scrubbing systems are not required to install continuous opacity monitors (COMS). The Fort Martin Power Station will demonstrate compliance utilizing the "Non-COMS Based Monitoring" option under 45CSR§2A-6.3

secondary current) for each field of the ESPs was collected during the full range of normal daily operations, in accordance with the WVDEP approved CAM test protocol. A TEOM 7000 Source Particulate Sampler was used to collect representative short-term continuous PM samples. The minimum power levels needed to demonstrate compliance with the 249.2 lbs/hr filterable PM limit were identified and reported for each unit, as follows:

Unit 1: 225 kW

Unit 2: 270 kW

45CSR§2A-6.3.a.6: Explanation of how Nominal Ranges were chosen

ESP power range is based on specifications of each precipitator, based on the total secondary power (sum of current x voltage) in each T/R set. The minimum unit-specific power levels above were determined during the CAM testing.

45CSR§2A-6.3.a.8: Response Plan to be Implemented during Excursions

If the ESP power input in any unit drops below the minimum level (Unit 1 = 225 kW; Unit 2 = 270 kW) for any period exceeding one hour, the owner or operator shall perform Method 9 readings for a minimum of six (6) minutes for each hour during the excursion. Such Method 9 readings shall continue each hour until four (4) successive six-minute observations demonstrate compliance.

c. Other Monitoring

In addition to the opacity and parametric monitoring, each unit will continue to be periodically tested for particulate matter using the prescribed schedule as outlined in 45CSR§2-8.1 and 45CSR§2A-5.2. Method 9 visible emission tests shall be conducted in conjunction with all weight emission testing as outlined in 45CSR§2A-5.1.a.

B. Auxiliary Stack 1A

1. **Applicable Standard:** 10% opacity based on a six-minute block average 45 CSR 2, § 3.1.

2. **Monitoring Method:**

Fort Martin Power Station has received approval from the Department of Air Quality (DAQ) Chief for alternative monitoring requirements and exemption from testing for the auxiliary boilers and the associated stack, pursuant to 45 CSR2 Section 8.4.a and 8.4.a.1. As an alternative to COMS monitoring, a Method 9 (visible emission) reading is conducted once a month, for a duration of 30 minutes, provided the following conditions are met: 1) The auxiliary boiler has operated at normal, stable load conditions for at least 24 consecutive hours, and 2) weather/lighting conditions are conducive to taking proper Method 9 readings.

II. 45 CSR 10 Monitoring Plan:

In accordance with § 8.2c of 45 CSR 10, following is the proposed plan for monitoring compliance with the sulfur dioxide weight emission standards expressed in § 3 of that rule:

A. Stacks 1 and 2

1. **Applicable Standard:** The product of 3.1 and the total actual heat inputs for all units discharging through the stacks in million BTU's per hour. Compliance with the SO₂ limit is based on a continuous 24-hour averaging time, 45 CSR 10, § 3.3d.
2. **Monitoring Method:** The method of monitoring SO₂ mass emissions from Stacks 1 and 2 will be Continuous Emission Monitors (CEMS). The CEMS are installed, maintained and operated in compliance with 40 CFR Part 75. As specified in 45 CSR 10, § 8.2.c.1, measurement with a certified CEMS shall satisfy the monitoring plan requirements.

B. Auxiliary Stack

1. **Applicable Standard:** The product of 3.2 and the total design heat inputs for Type "b" fuel burning units, discharging through the stacks in million BTU's per hour. Compliance with the SO₂ limit is based on a continuous 24-hour averaging time. Ref 45 CSR 10, § 3.3.f and 3.8.
2. **Monitoring, Recordkeeping, and Exception Reporting Requirements:** The Fort Martin Power Station auxiliary boilers (and stack) are exempt from the Testing, Monitoring, Recordkeeping, and Reporting requirements found under 45 CSR 10, § 8 in accordance with 45 CSR 10 § 10.3 because the fuel burning sources combust only distillate oil. 45 CSR 10, § 3.8 also contains the requirement for the development of a monitoring plan. Because the burning of distillate oil results in an SO₂ emission rate well below the standard, fuel sampling and analysis may continue to be performed at this facility, but will be done so at the discretion of the owner/operator. It is not required by this monitoring plan for the purposes of indicating compliance of the auxiliary boilers with SO₂ standards.

III. 45 CSR 2 Recordkeeping and Reporting Plan

A. Operating Schedule and Quality/Quantity of Fuel Burned

1. The owner or operator of a fuel burning unit(s) shall maintain records of the operating schedule, and the quality and quantity of fuel burned in each fuel burning unit as determined in 45 CSR 2A, § 7.1.a.
2. Pipeline quality natural gas only, if used: such record shall include, but not limited to, the date and time of start-up and shutdown, and the quantity of fuel consumed on a monthly basis as determined in 45 CSR 2A, § 7.1.a.1.
3. Distillate oil only: such records shall include, but not be limited to, the date and time of start-up and shutdown, the quantity of fuel consumed on a monthly basis as determined in 45 CSR 2A, § 7.1.a.2.
4. Coal only: such records shall include, but not be limited to, the date and time of start-up and shutdown, the quantity of fuel consumed on a daily basis and an ash, BTU and sulfur content analysis for each shipment as determined in 45 CSR 2A, § 7.1.a.4.
5. Alternative, and/or opportunity fuel(s): such records shall include, but not be limited to, the date and time of start-up and shutdown, and fuel quality analysis as approved by the director as determined by 45 CSR 2A, § 7.1.a.5.

6. Combination of fuels: the owner or operator shall comply with the applicable recordkeeping requirements of §§ 7.1.a.1 through 7.1.a.5 for each fuel burned as determined in 45 CSR 2A, § 7.1.a.6.

B. Record Maintenance

1. Records of all required monitoring data and support information shall be maintained on-site for a period of at least five (5) years from the date of monitoring, sampling, testing, measurement and reporting. Support information includes all calibration and maintenance records, electronic data files, and copies of all required reports.

C. Exception Reporting

1. A “Monitoring Summary Report” and/or an “Excursion and Monitoring Plan Performance Report” shall be submitted to the Director on a quarterly basis in accordance with 45CSR§2A-7.2.c. The Director may, on a case-by-case basis, require more frequent reporting if the Director deems it necessary to accurately assess the compliance status of the fuel burning unit(s). All reports required under 45CSR§2A-7.2.c shall be postmarked by the thirtieth (30th) day following the end of each calendar quarter. The Monitoring Summary Report shall be in a format approved by the Director. Ref: 45CSR§2A-7.2.c.

45CSR2A §7.2.c.1 – If the total number of excursions for the reporting period is less than one percent (1%) of the total number of readings for the reporting period and the number of readings missing for the reporting period is less than five percent (5%) of the total number of readings agreed upon in the monitoring plan for the reporting period, the Monitoring Summary Report shall be submitted to the Director; the Excursion and Monitoring System Performance report shall be maintained on-site and shall be submitted to the Director upon request.

45CSR2A §7.2.c.2 – If the number of excursions for the reporting period is one percent (1%) or greater of the total number of readings for the reporting period or the number of readings missing for the reporting period is five percent (5%) or greater of the total number of readings agreed upon in the monitoring plan for the reporting period, the Monitoring Summary Report and the Excursion and Monitoring Plan Performance Report shall both be submitted to the Director.

45CSR2A §7.2.c.3 – The Excursion and Monitoring Plan Performance Report shall be in a format approved by the Director and shall include, but not be limited to, the following information:

45 CSR 2A §7.2.c.3.A - The magnitude of each excursion and the starting and ending dates and times of each excursion (ESP power below minimum level)

45 CSR 2A §7.2.c.3.B - Specific identification of each excursion that occurs during startups, shutdowns and malfunctions.

45 CSR 2A §7.2.c.3.C - The nature and cause of any excursion (if known), and the corrective action taken and preventative measures adopted (if any).

45 CSR 2A §7.2.c.3.D - The date and time identifying each period during when data is unavailable, and the reason for data unavailability and the corrective action taken.

45 CSR 2A §7.2.c.3.E - When no excursions have occurred or there were no periods of data unavailability, such information shall be stated in the report.

To the extent that an excursion is due to a malfunction, the reporting requirements in section 9 of 45 CSR 2 shall be followed. Ref: 45CSR§2A-7.2.d.

2. Pursuant to 45 CSR 2, Section 8.4.a and 8.4.a.1, Fort Martin Power Station has received approval from the Department of Air Quality (DAQ) Chief for alternative testing, monitoring, and reporting requirements for the auxiliary boiler and associated stack.
 - a. As an alternative to the testing and exception reporting requirements for particulate mass emissions from the auxiliary boilers, fuel analysis records are maintained as per the fuel quality analysis and recordkeeping section of this plan to provide sufficient evidence of compliance with the particulate mass emission limit. Based on an average heat content (distillate oil) of approximately 139,000 Btu/gallon and an AP-42 based particulate mass emissions emission factor of 2 lbs/thousand gallons, the calculated particulate mass emissions of the auxiliary boilers are 0.01 lb/mmBtu for each boiler when firing distillate oil. For the 115.3 mmBtu/hr rated boilers, the calculated emission rate for PM is 1.153 lb/hr per boiler, which is less than the permitted lb/hr limits listed in Section 4.1.18 of the Title V permit. For the purpose of meeting exception reporting requirements for fuel oil, any fuel oil analysis indicating a heat content of less than 25,000 Btu/gallon will be reported to the DAQ to fulfill the requirement for a periodic exception report under 45 CSR 2 Section 8.3.b. and 45 CSR 2A, § 7.2.a. A heat content of 25,000 Btu/gal and a particulate emissions factor of 2 lbs/thousand gallons would result in a calculated particulate mass emissions of approximately 90% of the applicable 45 CSR 2 weight emission standard. Ref. 45 CSR 2, § 4.1.b.
 - b. As an alternative to the exception reporting requirements for opacity emissions from the auxiliary boilers, Fort Martin will maintain a copy of each properly conducted (appropriate weather and lighting conditions, etc.) Method 9 evaluation on-site. Any properly conducted Method 9 test that indicates an exceedance shall be submitted to the DAQ on a quarterly basis (within 30 days of the end of the quarter) along with an accompanying description of the excursion cause, any corrective actions taken, and the beginning and ending times for the excursion.

To the extent that an excursion is due to a malfunction, the reporting requirements of 45 CSR 2 Section 9 shall be followed. Ref. 45 CSR 2A, § 7.2.d.

If no exceptions have occurred during the quarter, then a report will be submitted to the DAQ stating so. This will include periods in which no Method 9 tests were conducted (e.g. unit out of service) or when no fuel oil was received.

IV. 45 CSR 10 Recordkeeping and Reporting Plan

A. Operating Schedule and Quality/Quantity of Fuel Burned (Scrubbed Stacks 1 and 2)

1. The owner or operator of a fuel burning unit(s) shall maintain records of the operating schedule and the quality and quantity of fuel burned in each unit. Such records shall include, but not be limited to, the date and time of start-up and shutdown, the quantity of fuel consumed on a daily basis, and a periodic fuel quality analysis as set forth below. Ref. 45 CSR 10 A, § 7.1.a:
 - a. $\geq 90\%$ of Factor daily
 - b. $< 90\%$ of Factor per shipment

The owner or operator shall provide in the monitoring plan a quality control and quality assurance program for the fuel analysis. If a certified independent laboratory is used to provide the fuel analysis, the quality control and assurance program is deemed to be satisfactory. Ref 45 CSR 10A, §7.1.a.1.

- c. The owner/operator of fuel burning units utilizing CEMS shall be exempt from the provisions of 7.1.a and 7.1.b. Ref. 45 CSR 10A, §7.1.c.

B. Record Maintenance

1. For fuel burning units, and combustion sources, records of all required monitoring data and support information shall be maintained on-site for a period of at least five (5) years from the date of monitoring, sampling, measurement or reporting. Support information includes all calibration and maintenance records and all strip chart recordings, and copies of all reports. Ref. 45 CSR 10A, § 7.1.d.

C. Exception Reporting

1. CEMS – each owner or operator employing CEMS for an approved monitoring plan shall submit a CEMS summary report and/or an excursion report quarterly (within 30 days of end of quarter) to the Director. The Director may request more frequent reports if deemed necessary to assess compliance of the units. The CEMS report shall be submitted in a format approved by the Director, or as specified by the Director. Ref 45 CSR 10A, § 7.2.a
 - a. Submittal of 40 CFR Part 75 data in electronic data reporting (EDR) format to the Director shall be deemed to satisfy the requirements of Section 7.2.a. Ref 45 CSR 10A, § 7.2.a.1
2. If the total duration of excursions for the reporting period is less than four percent (4%) of the total source operating time for the reporting period and the total monitoring method downtime for the reporting period is less than five percent (5%) of the total source operating time for the reporting period, only the CEMS summary shall be submitted. The excursion summary shall be maintained on-site and shall be submitted to the Director upon request. Ref 45 CSR 10A, § 7.2.a.2.
3. If the total duration of excursions for the reporting period is four percent or greater of the total operating time for the reporting period or the total monitoring method downtime for the reporting period is five percent (5%) or greater of the total operating time for the reporting period, the CEMS summary report and the excursion report shall both be submitted to the Director. Ref. 45 CSR 10A, § 7.2.a.3.
- b. The CEMS excursion and monitoring report shall be in format approved by the Director and shall include the following information. Ref. 45 CSR 10 A, § 7.2.a.4.
 - a. The magnitude of each excursion, and the date and time, including starting and ending times of each excursion. Ref. 45 CSR 10A, § 7.2.a.4.A.
 - b. Specific identification of each excursion that occurs during startups, shutdowns, and malfunctions of the facility. Ref. 45 CSR10A, § 7.2.a.4.B.
 - c. The nature and cause of any malfunction (if known), and the corrective action taken and preventive measures adopted. Ref. 45 CSR 10A, § 7.2.a.4.C.
 - d. The date and time identifying each period during which quality-controlled monitoring data was unavailable, except for zero and span checks, and the reason for data unavailability and the nature of the repairs or adjustments to the monitoring system. Ref. 45 CSR 10A, § 7.2.a.4.D.
 - e. When no excursions have occurred or there were no periods of quality-controlled data unavailability, and no monitoring systems were inoperative, repaired, or adjusted, such information shall be stated in the report. Ref. 45 CSR 10A, § 7.2.a.4.E.

D. Auxiliary Stack (1A) Recordkeeping and Reporting

1. Recordkeeping, and Exception Reporting Requirements: The Fort Martin Power Station auxiliary boilers (and stack) are exempt from the Testing, Monitoring, Recordkeeping, and Reporting requirements found under 45 CSR 10, § 8 because the fuel burning sources combust only distillate oil. Ref: 45CSR§10-10.

APPENDIX B – CAIR Permit Application



Environment, Health & Safety

600 Cabin Hill Drive
Greensburg, PA 15601

CERTIFIED MAIL

June 25, 2007

Mr. John A. Benedict, Director
Division of Air Quality
West Virginia Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304

RE: Allegheny Energy Supply Company LLC / Monongahela Power Company
CAIR Permit Applications

Dear Mr. Benedict:

Pursuant to your letter dated February 20, 2007 please find enclosed a completed CAIR Permit Application for each of the following Allegheny Energy Supply Company LLC / Monongahela Power Company power stations:

Albright Power Station
Fort Martin Power Station
Harrison Power Station

Pleasants Power Station
Rivesville Power Station
Willow Island Power Station

Included with each application is a copy of the EPA CAMD CAIR/Acid Rain Certificate of Representation report (completed electronically through the EPA CAMD system).

You can contact me at 724-838-6004 if you require additional information or have any questions regarding this application.

Sincerely,

A handwritten signature in black ink that reads 'Randy D. Cain'.

Randy D. Cain
Alternate Designated Representative

Enclosures

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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 SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ source (as applicable) with the CAIR NO_x Annual emissions limitation, CAIR NO_x Ozone Season emissions limitation and CAIR SO₂ 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 SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO₂ 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 SO₂ units at the source, as determined in accordance with sections 70 through 75 of 45CSR41.

(2) A CAIR SO₂ 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 SO₂ 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 SO₂ allowance was allocated.

(4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with sections 51 through 62, and 80 through 88 of 45CSR41.

(5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ 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 SO₂ 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 SO₂ allowance to or from a CAIR SO₂ source's compliance account is incorporated automatically in any CAIR permit of the source.

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CAIR Permit Application
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**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 SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, then:

(i) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ 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 SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ source (as applicable) and each NO_x unit, CAIR NO_x Ozone Season unit and CAIR SO₂ unit (as applicable) shall meet the requirements of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO₂ Trading Program (as applicable).

(2) Any provision of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program or CAIR SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ source (as applicable) or the CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual unit, CAIR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ source (as applicable) or CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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.

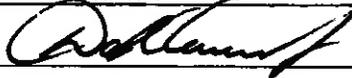
Plant Name	Fort Martin Power Station
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CAIR Permit Application
Page 4

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	David C. Cannon Jr.	
Signature		Date 6/22/2007

APPENDIX C
Monongahela Power Company, Fort Martin Power Plant
Identification Number- 06100001

45CSR13 G60-C Class II General Permit

**Class II General Permit G60-C
Emergency Generator**

Page 2 of 3

This Class II General Permit Registration will supercede and replace G60-B606

Facility Location: Maidsville, Monongalia County, West Virginia
Mailing Address: 800 Cabin Hill Drive, Greensburg, PA 15601
Facility Description: Emergency Fire Pump
SIC Codes: 4911
UTM Coordinates: 591.92 km Easting • 4396.18 km Northing • Zone 17
Registration Type: Administrative Update
Description of Change: Addition of a spare fire pump to be used in the event of a failure of one of the two existing pumps.

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 or registration issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one (§§ 22B-1-1 et seq.), Chapter 22B of the Code of West Virginia, West Virginia Code §22-5-14.

The source is subject to 45CSR30. The permittee has the duty to update the facility's Title V (45CSR30) permit application to reflect the changes permitted herein.

West Virginia Department of Environmental Protection • Division of Air Quality

West Virginia Department of Environmental Protection • Division of Air Quality
Approved: November 2, 2015

**Class II General Permit G60-C
 Emergency Generator**

All registered facilities under Class II General Permit G60-C are subject to Sections 1.0, 2.0, 3.0, and 4.0.

The following sections of Class II General Permit G60-C apply to the registrant:

- Section 5 Reciprocating Internal Combustion Engines (R.I.C.E.)
- Section 6 Tanks
- Section 7 Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (40CFR60 Subpart III)
- Section 8 Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (40CFR60 Subpart JJJ)

Emission Units

Emission Unit ID	Emission Unit Description (Make, Model, Serial No.)	Year Installed	Design Capacity (Bhp/rpm)
EDQP-1	Clarke JW6H-UF38 Emergency Pump	2008	252 bhp / 1750 rpm
EDQP-2	Clarke JW6H-UF38 Emergency Pump	2008	252 bhp / 1750 rpm
EDQP-3	Clarke JW6H-UF38 Emergency Pump	2009	252 bhp / 1750 rpm
EDQP-T001	#2 Fuel Oil Storage Tank	2008	300 gallons
EDQP-T002	#2 Fuel Oil Storage Tank	2008	300 gallons
EDQP-T003	#2 Fuel Oil Storage Tank	2009	300 gallons

Emission Limitations

Source ID#	Nitrogen Oxides		Carbon Monoxide		Volatile Organic Compounds	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
EDQP-001	4.13	1.03	0.48	0.12	0.15	0.04
EDQP-002	4.13	1.03	0.48	0.12	0.15	0.04
EDQP-003	4.13	1.03	0.48	0.12	0.15	0.04

APPENDIX D – Acid Rain Permit



west virginia department of environmental protection
Division of Air Quality

Phase II Acid Rain Permit

Plant Name: Fort Martin Power Station		Permit # R33-3943-2017-4
Affected Unit(s): 1, 2		
Operator: Monongahela Power Company		ORIS Code: 3943
Effective Date	From: January 1, 2013	To: December 31, 2017

Contents:

1. Statement of Basis.
2. SO₂ allowances allocated under this permit and NO_x requirements for each affected unit.
3. Comments, notes and justifications regarding permit decisions and changes made to permit application forms during the review process, and any additional requirements or conditions.
4. The permit application forms submitted for this source, as corrected by the West Virginia Division of Air Quality. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application.

1. Statement of Basis

Statutory and Regulatory Authorities: In accordance with W. Va. Code §22-5-4(a)(16) and Titles IV and V of the Clean Air Act, the West Virginia Department of Environmental Protection, Division of Air Quality issues this permit pursuant to 45CSR33 and 45CSR30.

Permit Approval



John A. Benedict, Director
Division of Air Quality

12-19-12

Date

Promoting a healthy environment

West Virginia Department of Environmental Protection • Division of Air Quality

Plant Name: Fort Martin Power Station	Permit #: R33-3943-2017-4
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2. SO₂ Allocations and NO_x Requirements for each affected unit

Unit No.	1
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SO ₂ Allowances	Year				
	2013	2014	2015	2016	2017
Table 2 allowances, as adjusted by 40CFR Part 73	17965	17965	17965	17965	17965
Repowering plan allowances	N/A	N/A	N/A	N/A	N/A

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. The aforementioned condition does not necessitate a revision to the unit SO₂ allowance allocations identified in this permit. (See 40 CFR §72.204)

NO _x Requirements	2013	2014	2015	2016	2017
NO _x Limit (lb/mmBtu)	0.35	0.35	0.35	0.35	0.35

Pursuant to 40 CFR §76.11, the West Virginia Department of Environmental Protection, Division of Air Quality requires five (5) NO_x emissions averaging plans for this unit. Each plan is effective for one calendar year for the years 2013, 2014, 2015, 2016 and 2017. Under each plan, the unit's NO_x emissions shall not exceed the annual alternative contemporaneous emission limitation (ACEL) of 0.35 lb/mmBtu. In addition, this unit shall not have an annual heat input less than 29,000,000 mmBtu.

Under the plan, the annual (80-weighted annual average) NO_x emission rate for the units in the plan shall be less than or equal to the 80-weighted annual average NO_x emission rate for the same units heat rate each year operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR §76.6, 76.6 or 76.7, except that for early election units, the applicable emission limitations shall be under 40 CFR §76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR §76.11(d)(1)(B)(ii)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input.

In accordance with 40 CFR §72.408(b)(2), approval of the averaging plan shall be final only when the Pennsylvania Department of Environmental Resources, Bureau of Air Quality Control and the Maryland Department of Environment, Air and Radiation Management Administration have also approved this averaging plan.

In addition to the described NO_x compliance plans, this unit shall comply with all other applicable requirements of 40 CFR Part 76, including the duty to comply for a NO_x compliance plan and requirements covering excess emissions.

3. Comments, notes and justifications regarding decisions, and changes made to the permit application forms during the review process:

None.

4. Permit application forms:

Attached.

West Virginia Department of Environmental Protection • Division of Air Quality

Plant Name: Fort Martin Power Station	Permit #: R33-3943-2017-4
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2. SO₂ Allocations and NO_x Requirements for each affected unit

Unit No.	2
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SO ₂ Allowances	Year				
	2013	2014	2015	2016	2017
Table 2 allowances, as adjusted by 40CFR Part 73	17797	17797	17797	17797	17797
Repowering plan allowances	N/A	N/A	N/A	N/A	N/A

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. The aforementioned condition does not necessitate a revision to the unit SO₂ allowance allocations identified in its permit (See 40 CFR §72.84).

NO _x Requirements	2013	2014	2015	2016	2017
NO _x Limit (lb/mmBtu)	0.35	0.35	0.35	0.35	0.35

Pursuant to 40 CFR §76.11, the West Virginia Department of Environmental Protection, Division of Air Quality approves five (5) NO_x emissions averaging plans for this unit. Each plan is effective for one calendar year for the years 2013, 2014, 2015, 2016 and 2017. Under each plan, the unit's NO_x emissions shall not exceed the annual alternative contemporaneous emission limitation (ACEEL) of 0.35 lb/mmBtu. In addition, this unit shall not have an annual heat input less than 20,300,000 mmBtu.

Under the plan, the actual five-weighted annual average NO_x emission rate for the unit in the plan shall be less than or equal to the five-weighted annual average NO_x emission rate for the same units had they each been operated during the same period of time, in compliance with the applicable emission limitations under 40 CFR §76.5, 76.6 or 76.7, except that for early start-up units, the applicable emission limitations shall be under 40 CFR §76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR §76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit.

In accordance with 40 CFR §72.40(b)(2), approval of the averaging plan shall be final only when the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control and the Maryland Department of Environment, Air and Radiation Management Administration have also approved this averaging plan.

In addition to the described NO_x compliance plans, this unit shall comply with all other applicable requirements of 40 CFR Part 76, including the duty to comply for a NO_x compliance plan and requirements covering excess emissions.

3. Comments, notes and justifications regarding decisions, and changes made to the permit application forms during the review process:

None.

4. Permit application forms:

Attached.

Fort Martin Power Station
Plant Name (from Step 1)

Acid Rain - Page 2

STEP 3
Read the
standard
requirements

Permit Requirements

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30, and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another affected unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

EPA Form 7610-16 (rev. 12-03)

Fort Martin Power Station
Plant Name (from Step 1)

Acid Rain - Page 3

STEP 3,
Cont'd.

Nitrogen Oxides Requirements The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements

- (1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit 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 prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; 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 changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 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 Acid Rain Program; and,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

EPA Form 7610-10 (rev. 12-03)

Fort Martin Power Station
Plant Name (from Step 1)

Acid Rain - Page 4

Step 3,
Cont'd.

Liability, Cont'd.

(5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.

(6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.

(7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;

(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

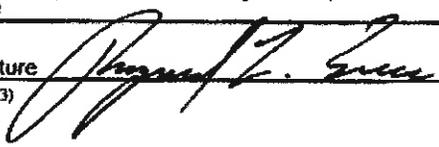
(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Certification

Read the certification statement, sign, and date

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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.

Name Raymond L. Evans, Designated Representative	
Signature 	Date 6-26-12

EPA Form 7510-15 (rev 12-03)

Alvin G. Armstrong, D. Austin, Herman H. Edwards, Larry Mitchell
 Paulanna, Rosalee R. Paul, Seth W. Lawrence
 Plant Name (from Step 1)

NO_x Averaging - Page 2

STEP 3

Mark one of the two options and enter dates.

This plan is effective for calendar year _____ through calendar year _____ unless notification to terminate the plan is given

Treat this plan as identical plans, each effective for one calendar year for the following calendar years: 2013, 2014, 2015, 2016, and 2017 unless notification to terminate one or more of these plans is given.

STEP 4

Read the special provisions and certification, enter the name of the designated representative, and sign and date.

Special Provisions

Emission Limitations

Each affected unit in an approved averaging plan is in compliance with the Acid Rain emission limitation for NO_x under the plan only if the following requirements are met:

- (j) For each unit, the unit's actual annual average emission rate for the calendar year, in lb/mmBtu, is less than or equal to its alternative contemporaneous annual emission limitation in the averaging plan, and
- (k) For each unit with an alternative contemporaneous emission limitation more stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year does not exceed the annual heat input limit in the averaging plan.
- (l) For each unit with an alternative contemporaneous emission limitation more stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year is not less than the annual heat input limit in the averaging plan; or
- (m) If one or more of the units does not meet the requirements of (j), the designated representative shall demonstrate in accordance with 40 CFR 72.11(d)(1)(ii)(A) and (B), that the actual Btu-weighted annual average emission rate for the units in the plan is less than or equal to the Btu-weighted annual average rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations in 40 CFR 76.5, 76.6, or 76.7.
- (n) If there is a successful group showing of compliance under 40 CFR 72.11(d)(1)(ii)(A) and (B) for a calendar year, then all units in the averaging plan shall be deemed to be in compliance for that year with their alternative contemporaneous emission limitations and annual heat input limits under (j).

Liability

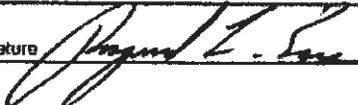
The owners and operators of a unit governed by an approved averaging plan shall be liable for any violation of the plan or this section at that unit or any other unit in the plan, including liability for fulfilling the obligations specified in part 77 of this chapter and sections 113 and 411 of the Act.

Termination

The designated representative may submit a notification to terminate an approved averaging plan, in accordance with 40 CFR 72.40(d), no later than October 1 of the calendar year for which the plan is to be terminated.

Certification

I am authorized to make the submission on behalf of the owners and operators of the affected source or affected 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.

Name Raymond L. Evans, Designated Representative	
Signature 	Date 6-26-12

EPA Form 7610-20 (3-07)

CFB
Equipped with SNCR

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Morgantown Energy Associates
Morgantown Plant
R30-06100027-2014 (MM01)
Title V Operating Permit Revision

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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.

A blue ink signature of William F. Durham.

William F. Durham
Director

A handwritten date "8-30-2016" in blue ink.

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.

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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	PM₁₀	Particulate Matter less than 10µm in diameter
CES	Certified Emission Statement	pph	Pounds per Hour
C.F.R. or CFR	Code of Federal Regulations	ppm	Parts per Million
CO	Carbon Monoxide	PSD	Prevention of Significant Deterioration
C.S.R. or CSR	Codes of State Rules	psi	Pounds per Square Inch
DAQ	Division of Air Quality	SIC	Standard Industrial Classification
DEP	Department of Environmental Protection	SIP	State Implementation Plan
FOIA	Freedom of Information Act	<u>SNCR</u>	<u>Selective Non Catalytic Reduction</u>
HAP	Hazardous Air Pollutant	SO₂	Sulfur Dioxide
HON	Hazardous Organic NESHAP	TAP	Toxic Air Pollutant
HP	Horsepower	<u>TBtu</u>	<u>Trillion British Thermal Units</u>
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
mmft³/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)(c)"~~ [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 NO_x 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 NO_x 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 SO₂ 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 SO₂ 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 SO₂ allowance to or from the compliance account of the CAIR SO₂ 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 SO₂ 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-m³ (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 CO₂ 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 NO₂, 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.e.]

- 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 (SO₂) emissions emitted to the atmosphere from each of the CFB boilers shall not exceed the following limits to the corresponding averaging periods.

- a. SO₂ emission rate shall not exceed 0.40 lb/MMBtu on a 30 day rolling average.
[40 C.F.R. §60.43Da(g)]

- b. [SO₂ concentration of no greater than 215 ppmvd corrected to 3.0 percent oxygen on a 24-hour average.](#)
- c. [The SO₂ 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 ⁽⁴⁾	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 SO₂ 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.e.]~~

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 <u>1.20</u>	0.0045
Sulfur Dioxide	0.14	5.3×10^{-4}
Nitrogen Oxides	50.0 <u>50</u>	0.189 *
Volatile Organic Compounds	1.95	0.0074
Carbon Monoxide	10.0 <u>10</u>	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 SO₂ 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 SO₂ 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 SO₂ limit assures compliance with 45CSR§10 3.3.f. for the auxiliary boilers (S009L, S009M).~~

(4) ~~Compliance with these streamlined PM and SO₂ 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 (SO₂) 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 SO₂ 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 SO₂ standard (Condition 4.1.17.), using SO₂ 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 (SO₂) 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 (SO₂), you must meet the emission limit 0.20 lb/MMBtu or 1.5 lb/MWh (gross basis), using SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 ~~40 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 O₂ 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 O₂ 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, SO₂, NO_x, and O₂ or CO₂ 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 SO₂, NO_x and O₂ or CO₂ 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 (O₂) or carbon dioxide (CO₂) content of the flue gas shall be monitored at the location where SO₂ 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 (O₂) or carbon dioxide (CO₂) CEMS to convert measured pollutant concentrations to the units of emissions limit in Condition 4.1.17., the O₂ or CO₂ 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 O₂ or CO₂ 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 SO₂ 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 SO₂ CEMS for 40 C.F.R. 63 Subpart UUUUU.

- (1) If you use an SO₂ 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 SO₂ 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 SO₂ CEMS has a span value of 30 ppm or less.
- (3) Calculate and record a 30-boiler operating day rolling average SO₂ 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 SO₂ emission rates in the ~~preceding~~ 30 boiler operating ~~days~~ day period.
- (4) Use only unadjusted, quality-assured SO₂ concentration values in the emissions calculations; do not apply bias adjustment factors to the part 75 SO₂ 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 SO₂ 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 SO₂ 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, SO₂ 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, SO₂ 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, SO₂ 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 SO₂, 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, CO₂, O₂, 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 (O₂) or carbon dioxide (CO₂) CEMS to convert measured pollutant concentrations to the units of the applicable emissions limit, the O₂ or CO₂ 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 O₂ or CO₂ 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, SO₂ CEMS) This requirement is subject to the compliance date in condition 4.1.14.

- 4.2.18. NO_x & SO₂ 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 NO_x.

[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 SO₂ Emissions: The permittee shall determine 30 day rolling average for each of the CFB boilers for NO_x and SO₂, 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 SO₂ emissions in place of a continuous SO₂ emission monitor at the inlet to the SO₂ 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 SO₂ CEMS to determine compliance with the percent SO₂ 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(I); 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 SO₂ emission limitation (in units of ppmvd and lb/hr) shall be demonstrated for each and all fixed twenty-four hour periods. Compliance with the SO₂ emission limitations in units of lb/mmBtu and SO₂ 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)(e); 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 $\leq 50\%$ 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 $\geq 80\%$ of weight emission standard	Annual
Once/2 years	after two successive tests indicate mass emission rates $\leq 50\%$ 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 $\geq 80\%$ of weight emission standard	Annual
Once/3 years	any tests indicates a mass emission rate $\leq 50\%$ 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 \geq 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 SO₂; 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 SO₂ CEMS, the initial performance test shall consist 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 SO₂ 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 SO₂; 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 SO₂ emissions limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU through use of an SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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, SO₂, 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.i.]

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 SO₂, 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 SO₂ 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 (n_o) and inlet emission rates (n_i) 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 (SO₂, 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 SO₂ 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 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

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 SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ source (as applicable) with the CAIR NO_x Annual emissions limitation, CAIR NO_x Ozone Season emissions limitation and CAIR SO₂ 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 SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO₂ 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 SO₂ units at the source, as determined in accordance with sections 70 through 75 of 45CSR41.

(2) A CAIR SO₂ 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 SO₂ 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 SO₂ allowance was allocated.

(4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with sections 51 through 62, and 80 through 88 of 45CSR41.

(5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ 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 SO₂ 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 SO₂ allowance to or from a CAIR SO₂ source's compliance account is incorporated automatically in any CAIR permit of the source.

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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 SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, then:

(i) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ 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 SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ source (as applicable) and each NO_x unit, CAIR NO_x Ozone Season unit and CAIR SO₂ unit (as applicable) shall meet the requirements of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO₂ Trading Program (as applicable).

(2) Any provision of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program or CAIR SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ source (as applicable) of the CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual unit, CAIR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ source (as applicable) or CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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.

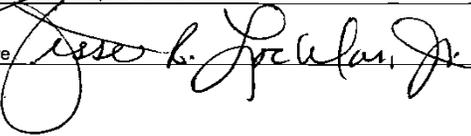
Morgantown Energy Associates

Plant Name

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		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
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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 SO₂ Group 1 Trading Program*.

<u>Unit ID: S009J, S009K</u>					
<u>Parameter</u>	<u>Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO₂ monitoring) and 40 CFR part 75, subpart H (for NO_x monitoring)</u>	<u>Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D</u>	<u>Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E</u>	<u>Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19</u>	<u>EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E</u>
<u>SO₂</u>	<u>X</u>		<u>-----</u>		
<u>NO_x</u>	<u>X</u>	<u>-----</u>			
<u>Heat input</u>	<u>X</u>		<u>-----</u>		

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 SO₂ 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 NO_x Annual Trading Program), 97.535 (TR NO_x 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 NO_x Annual Trading Program), 97.530 through 97.534 (TR NO_x 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 NO_x Annual Trading Program), 97.535 (TR NO_x 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 NO_x Annual Trading Program), 97.530 through 97.534 (TR NO_x 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 BBBBBB 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 BBBBBB 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 BBBBBB.
- (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 BBBBBB, 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 SO₂ 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 SO₂ Group 1 source and each TR SO₂ 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 SO₂ Group 1 allowances under 40 CFR 97.611(a)(2) and (b) and 97.612 and to determine compliance with the TR SO₂ 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) SO₂ emissions requirements.

(1) TR SO₂ 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 SO₂ Group 1 source and each TR SO₂ Group 1 unit at the source shall hold, in the source's compliance account, TR SO₂ 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 SO₂ emissions for such control period from all TR SO₂ Group 1 units at the source.

(ii). If total SO₂ emissions during a control period in a given year from the TR SO₂ Group 1 units at a TR SO₂ Group 1 source are in excess of the TR SO₂ Group 1 emissions limitation set forth in paragraph (c)(1)(i) above, then:

(A). The owners and operators of the source and each TR SO₂ Group 1 unit at the source shall hold the TR SO₂ Group 1 allowances required for deduction under 40 CFR 97.624(d); and

(B). The owners and operators of the source and each TR SO₂ 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 SO₂ Group 1 assurance provisions.

(i). If total SO₂ emissions during a control period in a given year from all TR SO₂ Group 1 units at TR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ emissions exceeds the respective common designated representative's assurance level; and

- (B). The amount by which total SO₂ emissions from all TR SO₂ Group 1 units at TR SO₂ Group 1 sources in the state for such control period exceed the state assurance level.
 - (ii). The owners and operators shall hold the TR SO₂ 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 SO₂ emissions from all TR SO₂ Group 1 units at TR SO₂ Group 1 sources in the state during a control period in a given year exceed the state assurance level if such total SO₂ emissions exceed the sum, for such control period, of the state SO₂ 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 SO₂ emissions from all TR SO₂ Group 1 units at TR SO₂ 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 SO₂ emissions from the TR SO₂ Group 1 units at TR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Group 1 allowance that was allocated for such control period or a control period in a prior year.
 - (ii). A TR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Group 1 allowance is a limited authorization to emit one ton of SO₂ 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 SO₂ 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 SO₂ 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 hereby 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

Promoting a healthy environment.

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 qualify 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:

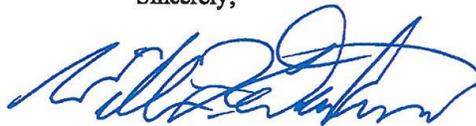
1. During the period of this compliance extension, MEA shall maintain and operate all existing control equipment, monitoring equipment, and perform work practice standards in a manner consistent with safety and good air pollution control practices for minimizing emissions of hazardous air pollutants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

Task	2012		2013				2014				2015				2016	
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Internal Assessment of MATS Rule	█	█	█	█												
Operational Flexibility Testing					█											
Review of Testing Data						█										
Internal Assessment of needs for SNCR and MATS Extension							█	█								
Meeting with WVDEP - DAQ								█								
Preliminary Internal Engineering of SNCR									█	█						
Prepare an RFQ and Obtain Bids for SNCR										█	█					
Original MATS Deadline (April 16, 2015)												◆				
Evaluate Bids													█			
Award Bid and Procurement of Materials														█	█	
Fall Outage (install equipment that requires an outage if necessary)															█	█
Install SNCR System																█
Startup/Commissioning SNCR																█
MATS Deadline with Extension (April 16, 2016)																◆

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 hereby 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

Promoting a healthy environment.

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 SO₂ 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 SO₂ standard (Condition 4.1.2.c), using SO₂ 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
Ray Chalmers, Air Toxics Lead, Ofc. Permits & State Prog., ADP, US EPA Region III - chalmers.ray@epa.gov

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American Bituminous Power Partners, L.P.
Grant Town Power Plant
R30-04900026-2014
Title V Operating Permit Revision

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Permit Number: **R30-04900026-2014**
Permittee: **American Bituminous Power Partners, L.P.**
Facility Name: **Grant Town Power Plant**
Permittee Mailing Address: **P. O. Box 159, Grant Town, WV 26574**

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:	Grant Town, Marion County, West Virginia
Telephone Number:	(304) 278-7449
Type of Business Entity:	Limited Partnership
Facility Description:	Coal refuse fired electric generation facility
SIC Codes:	4911
UTM Coordinates:	572.40 km Easting • 4,379.25 km Northing • Zone 17

Permit Writer: Bobbie Scroggie

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

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

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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
<i>Boilers</i>					
1S	1E	Boiler #1A: Ahlstrom Pyropower Coal Refuse-Fired Circulating Fluidized Bed Combustion Unit	1992	551.9 MMBTU/hr	Baghouse 1C
2S	1E	Boiler #1B: Ahlstrom Pyropower Coal Refuse-Fired Circulating Fluidized Bed Combustion Unit	1992	551.9 MMBTU/hr	Baghouse 2C
<i>Fuel Group</i>					
3S A	2E	Raw Gob Hopper w/vibratory feeder	1992	36 Ton	Common wind enclosure, wet/chemical suppression 3C
3S B	2E	Raw Gob Hopper w/vibratory feeder	1992	36 Ton	
3S C	2E	Gob fines Hopper w/vibratory feeder (currently not in use)	1992	5 cu. yds	
3S D	2E	Raw Gob Conveyor FH-BC-1 (36") and transfer points (from Raw Gob Hoppers to Fuel Prep building)	1992	280 TPH	Hemispherical rain/wind enclosure
19S A	18E	Silt Feed Hopper	1992	12 Tons	Common wind enclosure
19S B	18E	Silt Feed Conveyor FH-BC-8 (24") and transfer points (from Silt Feed Hopper to Conveyor FH-BC-9)	1992	150 TPH	Partial enclosure
19S C	18E	Silt Feed Conveyor FH-BC-9 (24"), Shredder, and transfer points (from Conveyor FH-BC-9 to Conveyor FH-BC-10)	1992	150 TPH	Partial enclosure
19S D	18E	Silt Screen	1992	150 TPH	Partial enclosure
18S A	17E	Ro-Pro Hopper	1995	20 ton	None
18S B	17E	Ro-Pro Feed Conveyor FH-BC-11 (36") and transfer points (from Ro-Pro Hopper to Ro-Pro Scalping Screen)	1995	200 TPH	Partial enclosure
18S C	17E	Ro-Pro Scalping Screen	1995	200 TPH	Full enclosure
18S D	17E	Gundlach Ro-Pro Unit (rotating probability screen)	1995	140 TPH	Full enclosure
18S E	17E	Ro-Pro Roll Crusher	2001	75 TPH	Full enclosure

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
18S F	17E	Ro-Pro Reversing Conveyor FH-BC-12 (30") and transfer points (from Gundlach Ro-Pro Unit to Ro-Pro Hammermill, Radial Stacking Conveyor, and Ro-Pro Coarse Transfer Conveyor)	1995	85 TPH	Full enclosure
18S G	17E	Ro-Pro Reversible Hammermill	1992/1996	85 TPH	Full enclosure
18S H	17E	Radial Stacking Conveyor FH-BC-14 (32") and transfer points (from Ro-Pro Reversing Conveyor to Stockpile)	1995	200 TPH	Partial enclosure
18S I	17E	Ro-Pro Coarse Transfer Conveyor FH-BC-13 (30") and transfer points (from Ro-Pro Reversing Conveyor to Raw Gob Hoppers)	1995	200 TPH	Partial enclosure
18S J	17E	Ro-Pro Processed Fuel Transfer Conveyor FH-BC-15 (36") and transfer points (from Gundlach Ro-Pro Unit and Ro-Pro Hammermill to FH-BC-10 and Boiler Day Bins)	1995	200 TPH	Partial enclosure
19S E	18E	Conveyor FH-BC-10 (24") and transfer points (from Silt Feed Hopper and Ro-Pro Building FH-BC-15 to Conveyor FH-BC-2)	1992	200 TPH	Partial enclosure
4S A	3E	Double Deck Screen	1992	230 HPH	Full enclosure ¹
4S B	3E	Coarse Gob Impactor	1992	90 TPH	Full enclosure
4S C	3E	Hammermill Feed Hopper w/vibratory Feeder	1992	80 tons	Full enclosure, Baghouse 4C
4S D	3E	Reversible Hammermill "A"	1992	85 TPH	Full enclosure
4S E	3E	Final Product Belt Conveyor FH-BC-2 (24") and transfer points (from Fuel Prep Building to Transfer House)	1992	160 TPH	Full enclosure, Baghouse 4C
4S G	3E	Fuel Prep Stack Out Conveyor FH-BC-16 (24") and transfer points (from Transfer House Discharging to Ground)	1992	200 TPH	Baghouse 4C
4S F	3E, 6E	Fuel Storage Belt Conveyor FH-BC-3 (24") and transfer points (from Transfer House to Boiler Day Bins)	1992	280 TPH	Full enclosure, Baghouse 4C, 7C
5S A	4E	Weigh belt scale FH-BC-4 (24") and transfer points (from Covered Tube Conveyors to Cross Conveyor FH-BC-5)	1992	280 TPH	Full enclosure, Baghouse 5C

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
5S B	4E	Cross Conveyor FH-BC-5 (24") and transfer points (from Weigh belt scale to Day Bin #1 and FH-BC-6)	1992	280 TPH	Full enclosure, Baghouse 5C
5S C	4E	Cross Conveyor FH-BC-6 (24") and transfer points (from FH-BC-5 to Day Bin #2 and FH-BC-7)	1992	280 TPH	Full enclosure, Baghouse 5C
5S D	4E	Cross Conveyor FH-BC-7 (24") and transfer points (from FH-BC-6 to Day Bin #3)	1992	280 TPH	Full enclosure, Baghouse 5C
5S E	4E	Boiler Day Bin #1	1992	950 tons	Full enclosure, Baghouse 5C
5S F	4E	Boiler Day Bin #2	1992	950 tons	Full enclosure, Baghouse 5C
5S G	4E	Boiler Day Bin #3	1992	300 tons	Full enclosure, Baghouse 5C
16S A	15E	Gob Storage Pile	1992/1995	170,000 tons	Chemical Suppression 16C
16S B	15E	Process Fuel N Pile	1992/1995	4,000 tons	Chemical Suppression 16C
16S C	15E	Process Fuel S Pile	1992/1995	11,000 tons	Chemical Suppression 16C
16S D	15E	High BTU Pile	1992/1995	10,000 tons	Chemical Suppression 16C
16S E	15E	Silt Pile	1992/1995	70,000 tons	Chemical Suppression 16C
16S F	15E	Fines Day Pile	1992/1995	3,000 tons	Chemical Suppression 16C
7S A	3E	Limestone Reclaim Conveyor LH-BC-1 (24") (from Unloading Hopper to Transfer Building)	1992	300 TPH	Enclosure, Baghouse 4C
7S B	3E, 6E	Limestone Storage Belt Conveyor LH-BC-2 (24") (from Transfer Building to Surge Hopper – Limestone Prep Building)	1992	300 TPH	Enclosure, Baghouses 4C, 7C

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
7S C	6E	Surge Hopper (uncrushed limestone prior to injection into Mills) - two feed cones each w/vibratory feeder	1992	1,200 tons	Baghouse 7C
6S A	5E	Limestone Mill (DFM Mill)	1992	70 TPH	Baghouse 6C
6S B	5E	Limestone Mill (Backup Hammermill)	1992	70 TPH	Baghouse 6C
7S D	6E	003-06 Limestone Mill Burner (Indirect contact heat used to dry limestone)	1992	N/A	N/A
8S A	7E	Pneumatic Conveyor (from limestone mills to limestone storage silo)	1992	70 TPH	Baghouse 8C
8S B	7E	Silo (stores crushed limestone prior to injection into boilers)	1992	3,600 tons	Baghouse 8C, bin vent filter
8S C	7E	Pneumatic Conveyor (from limestone storage silo to Boiler #1A) w/volumetric feeder	1992	50 TPH	Full enclosure
8S D	7E	Pneumatic Conveyor (from limestone storage silo to Boiler #1A) w/volumetric feeder	1992	50 TPH	Full enclosure
8S E	7E	Pneumatic Conveyor (from limestone storage silo to Boiler #1B) w/volumetric feeder	1992	50 TPH	Full enclosure
8S F	7E	Pneumatic Conveyor (from limestone storage silo to Boiler #1B) w/volumetric feeder	1992	50 TPH	Full enclosure
10S A	9E	Limestone Pile #1	1992/1995	5,000 tons	Wet/Chemical Suppression 10C
10S B	9E	Limestone Pile #2	1992/1995	10,000 tons	Wet/Chemical Suppression 10C
17S	16E	Limestone Unloading Hopper (stores uncrushed limestone prior to being fed to surge hopper)	1992	25 tons	Partial enclosure, Wet/Chemical Suppression 17C
Ash Group					
9S A	8E	Ash Silo (stores ash from boiler baghouses)	1992	3,100 tons	Enclosure, Baghouse 9C, bin vent filter
9S B	8E	Ash Telescoping Dry Unloader Chute (Emergency unloading)	1992	86.9 TPH	Vent Fan, Baghouse 9C, bin vent filter

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
9S C	8E	Wet Ash Rotary Unloader System (dustless unloader includes a wetting step prior to discharge to trucks)	1992	86.9 TPH	N/A
9S D	8E	Vacuum Pneumatic Conveyor (Fly Ash Handling System from Boiler #1A to Silo)	1992	40 TPH	Enclosure, Baghouse 9C, bin vent filter
9S E	8E	Vacuum Pneumatic Conveyor (Fly Ash Handling System from Boiler #1B to Silo)	1992	40 TPH	Enclosure, Baghouse 9C, bin vent filter
14S A	13E	Pressurized Pneumatic Conveyor (bottom ash handling system from Boiler #1A to Silo)	1992	40 TPH	Enclosure, Cyclone Separator 14-C/A, Baghouse 14C
14S B	13E	Backup pressurized Pneumatic Conveyor (bottom ash handling system from Boiler #1A to Silo)	1992	40 TPH	
15S A	14E	Pressurized Pneumatic Conveyor (bottom ash handling system from Boiler #1B to Silo)	1992	40 TPH	Enclosure, Cyclone Separator 15-C/A, Baghouse 15C
15S B	14E	Backup pressurized Pneumatic Conveyor (bottom ash handling system from Boiler #1B to Silo)	1992	40 TPH	
<i>Transport Group</i>					
12S	11E	Paved Roads (limestone trucks, ash trucks, autos)	1992	N/A	Vacuum sweeping 12C/Chemical Suppression 13C
13S	12E	Unpaved Roads (coal trucks, ash trucks, front end loaders)	1992	N/A	Chemical Suppression 13C
<i>Support Group</i>					
20S	002	Morpholine usage (007-07) to Boiler Feedwater	1992	N/A	N/A
21S	002	Cooling Tower Operations (007-01)	1992	N/A	N/A
22S	00H	Prep Plant Gob Hopper Boiler (007-08)	1992	0.794 mmBtu/hr	N/A

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
Tank #1	Tank #1	Kerosene Storage Tank - Fuel Prep unloading hoppers	1992	1,000 gal	N/A
Tank #2	Tank #2	Kerosene Storage Tank - Gob Hopper Boiler	1992	1,000 gal	N/A
Tank #3	Tank #3	Kerosene Storage Tank - Fuel Prep	1992	500 gal	N/A
Tank #4	Tank #4	Kerosene Storage Tank - Fuel Prep	1992	2,000 gal	N/A
Tank #5	Tank #5	Kerosene Storage Tank - Cooling Tower	1992	500 gal	N/A
Tank #6A	Tank #6A	Gasoline Storage Tank - Cooling Tower	1992	500 gal	N/A
Tank #6B	Tank #6B	Diesel Storage Tank - Cooling Tower	1992	500 gal	N/A
Tank #7	Tank #7	Diesel Storage Tank - Diesel Fire Pump	1992	250 gal	N/A
Tank #11	Tank #11	Diesel Storage Tank - Site Civil Contractor	2001	4,000 gal	N/A
Tank #12	Tank #12	Diesel Storage Tank - Site Civil Contractor	2001	1,000 gal	N/A
DFP	DFP	Emergency Diesel Feed Pump	1992	235 hp	N/A
DFP2	DFP2	Diesel Fire Pump	1992	350 hp	N/A

¹ Gob is immersed in water upon entering the Fuel Preparation Building.

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
R14-0005E F	August 6, 2010 September 21, 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	NESHAPS	National Emissions Standards for Hazardous Air Pollutants
CBI	Confidential Business Information	NO_x	Nitrogen Oxides
CEM	Continuous Emission Monitor	NSPS	New Source Performance Standards
CES	Certified Emission Statement	PM	Particulate Matter
C.F.R. or CFR	Code of Federal Regulations	PM₁₀	Particulate Matter less than 10µm in diameter
CO	Carbon Monoxide	pph	Pounds per Hour
C.S.R. or CSR	Codes of State Rules	ppm	Parts per Million
DAQ	Division of Air Quality	PSD	Prevention of Significant Deterioration
DEP	Department of Environmental Protection	psi	Pounds per Square Inch
FOIA	Freedom of Information Act	SIC	Standard Industrial Classification
HAP	Hazardous Air Pollutant	SIP	State Implementation Plan
HON	Hazardous Organic NESHAP	SO₂	Sulfur Dioxide
HP	Horsepower	TAP	Toxic Air Pollutant
lbs/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
mmft³/hr	Million Cubic Feet Burned per Hour	VOC	Volatile Organic Compounds
NA or N/A	Not Applicable		
NAAQS	National Ambient Air Quality Standards		

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 CFR 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 CFR § 61.145, 40 CFR § 61.148, and 40 CFR § 61.150. The permittee 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 CFR § 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 CFR §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 CFR 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 CFR §§ 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 CFR § 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR § 82.161.
- [40 CFR 82, Subpart F]

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 CFR § 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 CFR § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 CFR Part 70 or 71.
[40 CFR 68]
- 3.1.9. **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.]
- 3.1.10. **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.]
- 3.1.11. **CAIR SO₂ 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 SO₂ 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 SO₂ allowance to or from the compliance account of the CAIR SO₂ 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.]**

3.1.12. **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. **[45CSR14, R14-0005, B.1, B.2, and B.13; 45CSR§2-5.1]**

3.1.13. All unpaved roads used for coal and/or ash haulage shall be surfaced with red dog or suitable aggregate and shall be treated at least twice per month with properly mixed Coherex or Soil-Sement dust suppressants. Other chemical dust suppressants as effective as the above brands may be used after receiving prior approval from the Division of Air Quality. **[45CSR14, R14-0005, A.5]**

3.1.14. All paved roadways or haulways on the premises and serving the permitted facility shall be vacuum swept five (5) days per week. Berms along these roads or haulways shall be treated with Coherex or Soil-Sement once per calendar quarter. Other chemical dust suppressants as effective as the above brands may be used after receiving prior approval from the Division of Air Quality. **[45CSR14, R14-0005, A.6]**

3.2. Monitoring Requirements

3.2.1. None.

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 CFR 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)]

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.]

- 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. 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 good working order. The permittee shall maintain records of all scheduled and nonscheduled 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]

3.5. Reporting Requirements

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

[45CSR§30-4.4. and 5.1.c.3.D.]

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

[45CSR§30-5.1.c.3.E.]

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

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone: 304/926-0475
FAX: 304/926-0478

If to the US EPA:

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

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.

[45CSR§30-8.]

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

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

3.6. Compliance Plan

- 3.6.1. None.

3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

- a. **45CSR5 – To Prevent and Control Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas.** According to 45CSR§§5-2.4.b and 2.14, coal preparation plants and coal handling facilities subject to the requirements of 45CSR2 are not subject to the requirements of 45CSR5. Since the Fuel Group is subject to the fugitive particulate matter emission limitations of 45CSR§2-5.1, the requirements of 45CSR5 do not apply.
- b. **45CSR7 – To Prevent and Control Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations.** Per 45CSR§7-10.1, the requirements of 45CSR7 do not apply to particulate matter emissions regulated by 45CSR2. Since the Limestone Group is subject to the fugitive particulate matter emission limitations of 45CSR§2-5.1, the requirements of 45CSR7 do not apply.
- c. **45CSR33 – Acid Rain Provision and Permits and the Acid Rain Program Requirements of 40 CFR 72, 73, 74, 76, 77, and 78.** American Bituminous has the following type of unit specified under 40 CFR §72.6(b)(6) which is not an affected unit subject to the requirements of the Acid Rain Program: An independent power production facility that has, as of November 15, 1990, one or more qualifying power purchase commitments to sell at least 15 percent of its total planned net output capacity; and consists of one or more units designated by the owner or operator with total installed net output capacity not exceeding 130 percent of its total planned net output capacity.

The requirements of 40 CFR 75 apply to the CEMS as specified in 40 CFR §60.49Da.

- d. **40 CFR 60, Subpart D – Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced after August 17, 1971.** Per 40 CFR §60.40(e), any facility covered under 40 CFR 60, Subpart Da is not covered under 40 CFR 60, Subpart D. Since the boilers are subject to 40 CFR 60, Subpart Da, they are not subject to 40 CFR 60, Subpart D.
- e. **40 CFR 60, Subpart Db – Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units.** Per 40 CFR §60.40b(e), any facility covered under 40 CFR 60, Subpart Da is not covered under 40 CFR 60, Subpart Db. Since the boilers are subject to 40 CFR 60, Subpart Da, they are not subject to 40 CFR 60, Subpart Db.

- f. **40 CFR 60, Subpart Dc – Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.** 40 CFR 60, Subpart Dc applies to each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 MW (100 MMBTU/hr) or less, but greater than or equal to 2.9 MW (10 MMBTU/hr). Since both boilers have a maximum design heat input of 551.9 MMBTU/hr, they are not subject to the requirements of 40 CFR 60, Subpart Dc.

- g. **40 CFR 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.** 40 CFR 60, Subpart K applies to petroleum liquid storage tanks constructed between June 11, 1973 and May 19, 1978 with a storage capacity greater than 40,000 gallons. This facility has no petroleum liquid storage tanks meeting the applicability requirements of this rule.

- h. **40 CFR 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.** 40 CFR 60, Subpart Ka applies to petroleum liquid storage tanks constructed between May 18, 1978 and July 23, 1984 with a storage capacity greater than 40,000 gallons. This facility has no petroleum liquid storage tanks meeting the applicability requirements of this rule.

- i. **40 CFR 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.** 40 CFR 60, Subpart Kb applies to volatile organic liquid storage tanks constructed after July 23, 1984 with a storage capacity greater than 75 m³ (19,812 gallons). All volatile organic liquid storage tanks at this facility have a storage capacity of less than 75 m³ (19,812 gallons).

- j. **40 CFR 63, Subpart Q – National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.** Per 40 CFR §63.400(a), 40 CFR 63, Subpart Q only applies to cooling towers operated with chromium-based water treatment chemicals. American Bituminous does not use chromium-based water treatment chemicals, so this rule does not apply.

4.0. Boiler Requirements [Emission Points 1E, 00H]

4.1. Limitations and Standards

Emission Point 1E:

- 4.1.1. Visible emissions from the stack shall not exceed ten (10) percent opacity based on a six minute block average. Compliance with this streamlined visible emission limit assures compliance with 40 CFR §60.42Da(b).
[45CSR14, R14-0005, B.1, B.2, and B.6; 45CSR§2-3.1; 45CSR16; 40 CFR §60.42Da(b)]
- 4.1.2. Compliance with the visible emission requirements of 45CSR§2-3.1 shall be determined in accordance with 40 CFR 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems as described in the approved monitoring plan (attached in Appendix B of this permit).
[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-3.2, 45CSR§2A-6]
- 4.1.3. a. Air pollutant emissions from the stack, 1E, serving the two permitted circulating fluidized bed boilers identified as 1S and 2S shall not exceed any of the following limitations:

Pollutant	lb/hr	lb/MMBTU	Concentration @ 3.5% O ₂
Particulate Matter (PM)	33.1	0.03	0.016 gr/dscf
Sulfur Dioxide (SO ₂) ¹	915.84	0.83	342 ppm _v
Nitrogen Oxides (NO _x) ²	441.5	0.40	230 ppm _v
Volatile Organic Compounds (VOCs)	8.8	0.008	-----
Carbon Monoxide (CO)	187.6	0.17	160 ppm _v
Lead (Pb)	0.136	1.22 x 10 ⁻⁴	-----
Mercury (Hg) ³	0.02	1.8 x 10 ⁻⁵	-----
Fluorides ³	0.671	6.08 x 10 ⁻⁴	-----
Beryllium (Be) ³	9.0 x 10 ⁻⁵	8.18 x 10 ⁻⁸	-----

¹For the purpose of determining compliance with provisions of emission limitations under 4.1.3, a three hour averaging time shall be utilized. For the purpose of determining compliance with the provisions of 45CSR10 and 45CSR16 (40 CFR 60) a thirty day rolling average shall be utilized.

²For the purpose of determining compliance with provisions of emission limitations under 4.1.3 and 45CSR16 (40 CFR 60) a 30 day rolling averaging time is to be utilized.

³Maximum permissible levels of lead, mercury, fluorides, and beryllium may be established below the levels specified above based upon test data obtained in accordance with provisions 4.3.5 through 4.3.8 of this permit following start-up of the permitted facility.

Compliance with this streamlined PM limit assures compliance with 45CSR§2-4.1.a. Compliance with these streamlined PM, SO₂, and NO_x limits assures compliance with 40 CFR §§60.42Da(a)(1), 60.43Da(a)(1), and 60.44Da(a)(1).

b. Additional CFB Combined Stack 1E Emission Limits for SO₂

<u>SO₂ Emissions</u>	<u>Averaging Period</u>
<u>163.6 Tons</u>	<u>30-day Rolling Average⁽¹⁾</u>
<u>0.41 lb/mmBtu</u>	<u>30-day Rolling Average⁽¹⁾</u>
<u>1,990 Tons</u>	<u>12 month Rolling Total⁽²⁾</u>

⁽¹⁾ Compliance with this limit will first be determined thirty (30) days after January 13, 2017 and thereafter in perpetuity.

⁽²⁾ Compliance with this limit will first be determined twelve (12) months after January 13, 2017 and thereafter in perpetuity.

[45CSR14, R14-0005, A.1, B.1, B.2, and B.6; 45CSR§2-4.1.a; 45CSR16; 40 CFR §§60.42Da(a)(1), 60.43Da(a)(1), 60.43Da(g), 60.44Da(a), and 60.44Da(a)(1)]

- 4.1.4. The aggregate sulfur dioxide reduction efficiency of the two (2) circulating fluidized bed boilers shall be as follows for each operating 24-hour period:

24-hour Potential SO₂ Emission Rate (lb/MMBTU)	Reduction Efficiency Required (%)
15.96	<u>97.4</u> 94.8
<u>4.1</u> 6.0 or less	90.0

The required SO₂ reduction efficiency for each 24 hour period in which the potential SO₂ emission rate falls between 4.1 ~~6~~ lb/MMBTU and 15.96 lb/MMBTU shall be determined by linear interpolation. Compliance with these streamlined SO₂ limits assures compliance with 40 CFR §60.43Da(a).

[45CSR14, R14-0005, A.9, B.1, and B.6; 45CSR16; 40 CFR §60.43Da(a)]

- 4.1.5. The addition of sulfur oxides to a combustion unit exit gas stream for the purpose of improving emissions control equipment efficiency is prohibited unless written approval for such addition is provided by the Director. **[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-4.4]**
- 4.1.6. The visible emission standards of condition 4.1.1 shall apply at all times except in periods of start-ups, shutdowns, and malfunctions. Where the Director believes that start-ups and shutdowns are excessive in duration and/or frequency, the Director may require an owner or operator to provide a written report demonstrating that such frequent start-ups and shutdowns are necessary. **[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-9.1]**
- 4.1.7. 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. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, visible emission observations, review of operating and maintenance procedures and inspection of the source. **[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-9.2; 45CSR16; 40 CFR §60.11(d)]**
- 4.1.8. The particulate matter reduction of potential combustion concentration from each of the two (2) circulating fluidized bed boilers shall be no less than 99%. **[45CSR14, R14-0005, B.1 and B.6; 45CSR16; 40 CFR §60.42Da(a)(2)]**

- 4.1.9. Compliance with the particulate matter emission limitation of 40 CFR §60.42Da(a)(1) [0.03 lb/mmBtu, (specified in condition 4.1.3)] for the two circulating fluidized bed boilers constitutes compliance with the percent reduction requirement for particulate matter under 4.1.8.
[45CSR14, R14-0005, B.1 and B.6; 45CSR16; 40 CFR §60.48Da(a)]
- 4.1.10. The NO_x reduction of potential combustion concentration from each of the two (2) circulating fluidized bed boilers shall be no less than 65%.
[45CSR14, R14-0005, B.1 and B.6; 45CSR16; 40 CFR §60.44Da(a)(2)]
- 4.1.11. Compliance with the streamlined NO_x emission limitation of 40 CFR §60.44Da(a)(1) [0.40 lb/mmBtu (specified in condition 4.1.3)] for the two (2) circulating fluidized bed boilers constitutes compliance with the percent reduction requirement for NO_x under 4.1.10.
[45CSR14, R14-0005, B.1 and B.6; 45CSR16; 40 CFR §60.48Da(b)]
- 4.1.12. The PM emission standards under 40 CFR §60.42Da and the NO_x emission standards under 40 CFR §60.44Da apply at all times except during periods of startup, shutdown, or malfunction.
[45CSR14, R14-0005, B.1 and B.6; 45CSR16; 40 CFR §60.48Da(c)]
- 4.1.13. Electric Utility Steam Generating Units (EGU) MACT, 40 CFR 63, Subpart UUUUU:
- a. The circulating fluidized bed combustion units 1S and 2S shall comply with all applicable requirements for existing affected sources, pursuant to 40 CFR 63, Subpart UUUUU “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units” no later than the existing source compliance date of April 16, 2015, or as amended by US EPA.
 - b. If required to conduct an initial compliance demonstration by performance testing as specified in 40 CFR §63.10011(a), you must submit a Notification of Compliance Status (NOCS) report according to 40 CFR §63.9(h)(2)(ii). The NOCS report must contain all of the information specified in 40 CFR §63.10030(e)(1)-(7), as applicable. If required to submit a Notification of Compliance Status pursuant to 40 CFR 63, Subpart UUUUU, the permittee shall also submit a complete application for significant modification to the Title V permit to incorporate the specific requirements of the rule no later than the maximum time allowed for the NOCS submittal in 40 CFR §63.10030(e). If requested, this Title V permitting deadline may be changed upon written approval by the Director. The permittee shall request the change in writing at least 30 days prior to the application due date.
[45CSR34; 40 CFR 63, Subpart UUUUU, 45CSR§30-6.5.b.]

Emission Point 00H:

- 4.1.14. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average.
[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-3.1]
- 4.1.15. Industrial, Commercial, and Institutional Boilers and Process Heaters MACT, 40 CFR 63, Subpart DDDDD:
- a. The prep plant gob hopper boiler, emission point 00H, shall comply with all applicable requirements for existing affected sources pursuant to 40 CFR 63, Subpart DDDDD, "National Emission Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters no later than the existing source compliance date of January 31, 2016, or as amended by US EPA.

- b. If required to submit a Notification of Compliance Status (NOCS) pursuant to 40 CFR 63, Subpart DDDDD, the permittee shall also submit a complete application for significant modification to the Title V permit to incorporate the specific requirements of the rule no later than the maximum time allowed for the NOCS submittal in 40 CFR §63.7545(e).

If requested, this Title V permitting deadline may be changed upon written approval by the Director. The permittee shall request the change in writing at least 30 days prior to the application due date.

[45CSR34; 40 CFR §§63.7495(b) and 63.7545(e); 45CSR§30-6.5.b.]

4.2. Monitoring Requirements

- 4.2.1. The owner or operator shall install, calibrate, certify, operate, maintain, and record the output from continuous monitoring systems that measure all opacity, SO₂, and O₂ or CO₂ emissions from emission point 1E as specified in 40 CFR §60.49Da for the boilers. Compliance with this streamlined provision assures compliance with R14-0005D, B.11.
[45CSR14, R14-0005, B.1, B.6, and B.11; 45CSR16; 40 CFR §60.13; 40 CFR §60.49Da]
- 4.2.2. Compliance with the visible emission requirements for emission point 1E shall be monitored as outlined in the American Bituminous Power Partners, L.P., Grant Town Power Plant, Revised Air Emissions Monitoring Plan, dated March 10, 2009 and which is attached as Appendix B of this permit. (Monitoring Plan Approval Date – March 18, 2009)
[45CSR14, R14-0005, B.1 and B.2; 45CSR§§2-3.2 and 8.2; 45CSR§§2A-6.1 and 6.2]
- 4.2.3. In regard to nitrogen oxides, the Company shall install, calibrate, maintain, and operate a continuous nitrogen oxide monitoring system complying with performance specifications as set forth under 40 CFR 60, Appendix B, Performance Specification 2 - "Specifications and Test Procedures for SO₂ and NO_x Continuous Emission Monitoring Systems in Stationary Sources". Compliance with emission limitations for nitrogen oxides (i.e., lb_m/mmBtu, lb_m/hr, and ppm_v) under Specific Requirement 4.1.3. shall be demonstrated in accordance with all applicable requirements under 40 CFR 60. Contrary to the aforementioned provisions, fuels containing more than 25% by weight of coal refuse shall not be exempted from NO_x monitoring requirements and in the absence of any emission limitation set forth under 40 CFR 60 the emission limitations set forth under 4.1.3 shall apply. Compliance with provisions under 4.1.3 shall be based on a 30 day rolling average.
[45CSR14, R14-0005, B.14]
- 4.2.4. To demonstrate compliance with the particulate matter emission limitations for emission point 1E specified in Condition 4.1.3, the permittee shall monitor the baghouse system in accordance with the Baghouse Inspection & Maintenance Plan, dated June 24, 2002, which is attached as Appendix C of this permit. The Baghouse Inspection & Maintenance Plan shall be maintained as a separate document and shall be subject to routine review and updating.
[45CSR§30-5.1.c]

4.3. Testing Requirements

- 4.3.1. Compliance with the visible emission limit shall be demonstrated by periodic testing in accordance with 40 CFR 60, Appendix A, Method 9, or a certified continuous opacity monitoring system, as approved by the Director. Compliance with the weight emission limit shall be demonstrated by periodic particulate matter stack testing, 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.
[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-8.1.a]

- 4.3.2. Compliance with the particulate matter emission limitations under 4.1.3 and 40 CFR §60.42Da(a)(1) shall be demonstrated in accordance with all applicable requirements under 40 CFR 60 and 45CSR2.

Note: 45CSR2, Appendix, Section 4.1 and 40 CFR §60.50Da(e)(1) allow the use of 40 CFR 60, Appendix A, Method 17 under certain conditions as specified in the rules.

[45CSR14, R14-0005, B.9]

- 4.3.3. a. Compliance with the sulfur dioxide emission limitations (i.e., lb_m/mmBtu, lb_m/hr, and ppm_v) and sulfur dioxide reduction requirements under 4.1.3 and 4.1.4 and as required by 40 CFR §60.43Da(a) shall be demonstrated in accordance with all applicable requirements under 40 CFR 60, provided, however, that compliance with the maximum emission limitation shall be demonstrated for all three (3) hour periods listed under 4.1.3 and SO₂ reduction requirements under 4.1.4 shall be demonstrated for all fixed twenty-four hour periods. In the event that the permittee obtains coal or coal refuse supplies which can be burned with a continuous SO₂ emission rate no greater than ~~0.60~~ 0.41 lb/mmBtu, the permittee may request that the Director of the Division of Air Quality, Department of Environmental Protection approve an SO₂ reduction requirement less than that required under 4.1.4. The approval of such a request would be contingent upon an acceptable demonstration by the permittee that the lower SO₂ reduction efficiency provides control to a level which represents BACT.

b. Compliance with the sulfur dioxide emission limitations under 4.1.3.b. shall be determined using an SO₂ Continuous Emission Monitoring System (CEMS) installed, calibrated, maintained, and operated according to the provisions of 40 CFR 60.

[45CSR14, R14-0005, B.10]

- 4.3.4. Compliance with the emission limitations for volatile organic compounds under 4.1.3 of this permit shall be demonstrated in accordance with 40 CFR 60, Appendix A, Method 25A.

[45CSR14, R14-0005, B.15]

- 4.3.5. Compliance with the emission limitations for lead under 4.1.3 shall be demonstrated in accordance with 40 CFR 60, Appendix A, Method 12.

[45CSR14, R14-0005, B.17]

- 4.3.6. Compliance with the emission limitations for mercury under 4.1.3 shall be demonstrated in accordance with 40 CFR 61, Appendix B, Method 101A.

[45CSR14, R14-0005, B.18]

- 4.3.7. Compliance with the emission limitations for fluorides under 4.1.3 shall be demonstrated in accordance with 40 CFR 60, Appendix A, Method 13.

[45CSR14, R14-0005, B.19]

- 4.3.8. Compliance with the emission limitations for beryllium under 4.1.3 shall be demonstrated in accordance with 40 CFR 61, Appendix B, Method 104.

[45CSR14, R14-0005, B.20]

- 4.3.9. The owner or operator shall conduct, or have conducted, tests to determine the compliance of Boilers #1A and #1B with the particulate matter mass emission limitations of Condition 4.1.3. Such tests shall be conducted in accordance with the appropriate method set forth in the Appendix of 45CSR 2 – “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 $\leq 50\%$ of weight emission standard	Once/3 years
Annual	After two successive tests indicate mass emission rates $< 80\%$ of weight emission standard	Once/2 years
Annual	Any test indicates a mass emission rate $\geq 80\%$ of weight emission standard	Annual
Once/2 years	After two successive tests indicate mass emission rates $\leq 50\%$ of weight emission standard	Once/3 years
Once/2 years	Any test indicates a mass emission rate $< 80\%$ of weight emission standard	Once/2 years
Once/2 years	Any test indicates a mass emission rate $\geq 80\%$ of weight emission standard	Annual
Once/3 years	Any test indicate a mass emission rate $\leq 50\%$ of weight emission standard	Once/3 years
Once/3 years	Any test indicate a mass emission rate between 50% and 80% of weight emission standard	Once/2 years
Once/3 years	Any test indicate a mass emission rate $\geq 80\%$ of weight emission standard	Annual

Note: 45CSR2, Appendix, Section 4.1 and 40 CFR §60.50Da(e)(1) allow the use of 40 CFR 60, Appendix A, Method 17 under certain conditions as specified in the rules.

[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-8.1; 45CSR§§2A-2.6 and 5.2]

- 4.3.10. The permittee shall conduct performance testing at least once every five (5) years in order to determine compliance with the carbon monoxide (CO) emission limits under 4.1.3. Such tests shall be conducted in accordance with 40 CFR 60, Appendix A, Method 10. The initial compliance test shall be conducted within six (6) months of the effective date of this permit. An emission factor (lb/MMBTU) shall be determined from the test results and updated from the results of each subsequent test. The emission factor (lb/MMBTU) shall be used for compliance demonstration for periods between tests.

[45CSR14, R14-0005, B.16; 45CSR§30-5.1.c.]

4.4. Recordkeeping Requirements

- 4.4.1. Records of monitored data established in the Revised Air Emissions Monitoring Plan, attached as Appendix B, shall be maintained on site and shall be made available to the Director or his duly authorized representative upon request.

[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-8.3.a]

- 4.4.2. Records of the operating schedule and quantity and quality of fuel consumed shall be maintained on site for each fuel burning unit. Such records shall include, but not be limited to the date and time of start-up and shutdown; and for coal, an ash and BTU analysis for each shipment and the quantity of fuel consumed on a daily basis.

[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-8.3.c; 45CSR§2A-7.1.a.4]

- 4.4.3. The permittee shall record the output from the NO_x continuous emissions monitoring system specified in Condition 4.2.3. These records shall be maintained in accordance with Condition 3.4.2.
[45CSR§30-5.1.c]
- 4.4.4. Records of monitored data established in the Baghouse Inspection and Maintenance Plan, attached as Appendix C, shall be maintained in accordance with Condition 3.4.2.
[45CSR§30-5.1.c]
- 4.4.5. **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.
[45CSR§30-5.1.c]
- 4.4.6. **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.
- [45CSR§30-5.1.c]**

4.5. Reporting Requirements

- 4.5.1. A periodic exception report shall be submitted to the Director, in a manner and at a frequency to be established by the Director.
[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-8.3.b]
- 4.5.2. Compliance with the periodic exception reporting of condition 4.5.1 shall be demonstrated by quarterly reports in accordance with 40 CFR §60.7.
[45CSR14, R14-0005, B.1 and B.2; 45CSR§2-8.3.b; 45CSR§2A-7.2.b; 45CSR16; 40 CFR §60.7]
- 4.5.3. The permittee may report to the Director any malfunction of Boiler #1A or Boiler #1B or their associated air pollution control equipment, which results in any excess periods meeting the following conditions, on a quarterly basis unless otherwise required by the Director:
- a. The excess opacity period does not exceed thirty (30) minutes within any 24-hour period; and
 - b. Excess opacity does not exceed 40%.
- [45CSR14, R14-0005, B.1 and B.2; 45CSR§2-9.3.a]**

- 4.5.4. Except as provided in condition 4.5.3, the owner or operator shall report to the Director by telephone, telefax, or e-mail any malfunction of Boiler #1 or Boiler #B or their associated air pollution control equipment, which results in 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.
- [45CSR14, R14-0005, B.1 and B.2; 45CSR§2-9.3.b]**

4.5.5. The permittee shall submit a report to the Secretary within 60 days after the end of each year during which records must be generated as required under §45-14-19.8(c) setting out the unit's annual emissions during the calendar year that preceded submission of the report.
[45CSR14, R14-0005, B.22.]

4.6. Compliance Plan

- 4.6.1. None.

5.0. Fuel Group Requirements [Emission points 2E, 3E, 4E, 6E, 15E, 17E, 18E]

5.1. Limitations and Standards

5.1.1. Coal refuse 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:

Equipment	Type/Identity of Particulate Matter Control Equipment	Particulate Matter Emission Limitation for Control Equipment Discharge lb/hr (gr/scf)
Gob Receiving Hoppers	Partial enclosure with water/chemical dust suppression system	-----
Transfer Point/Feeder Fuel Preparation Building Feed Belt Conveyor	Full enclosure	-----
Gob Belt Conveyors to Fuel Preparation Building	Partial enclosure	-----
Gob Fuel Preparation Building: 1 Double Deck Screen, 2 Crushers ¹ , and Equipment Transfer Points	Full enclosure of all equipment and transfer points. Gob is immersed in water upon entering the building	-----
Ro-Pro Hopper, Associated Conveyors and Transfer Points ²	None/Partial Enclosure	-----
Ro-Pro Screening Plant ² : Scalping Screen, Ro-Pro Unit, Roll Crusher ³ , Hammermill ¹ , Associated Conveyors and Transfer Points	Full Enclosure	-----
Transfer Belt Conveyor from Crusher Building to Gob Bunker Feed Conveyor	Full enclosure and ventilation into main boiler building	-----
Transfer Point from Fuel Preparation Building Belt Conveyor to Gob Storage Bin Feed Conveyors, Bin Feed Conveyors at Transfer Building	Full enclosure and evacuation to Baghouse 4C	0.85 (0.02)
Two (2) 950 ton Gob Bins, One (1) 300 Ton Gob Bin ⁴ , Bin Feed Conveyors and Transfer Points	Full enclosure and evacuation to Baghouse 5C	1.03 (0.01)

¹ “B” hammermill crusher was relocated from the Gob Fuel Preparation Building to the Ro-Pro Screening Plant. There are now 2 crushers in the Gob Fuel Preparation Building that used to house 3 crushers. (Permit Determination PD96-005)

² Addition of the Ro-Pro system to the fuel preparation process. (Permit Determination dated August 24, 1995)

³ The roll crusher was installed in 2001. (Permit Determination PD03-076)

⁴ The Two (2) 150 Ton High BTU Fuel Bins are actually One (1) 300 Ton Gob Bin that has two outlets.

⁵ This table has been revised to reflect the deletion of the 2 Thermal Disc Type Coal Fines Dryers and the associated Scrubber 11C which were removed from the facility and outlined in a letter to the Chief of the Office of Air Quality dated August 25, 1993.

[45CSR14, R14-0005, A.2]

- 5.1.2. Open stockpile of gob shall be limited to not more than 170,000 tons located adjacent to the gob loading hoppers, 4,000 tons of processed fuel located adjacent to the fuel/limestone conveyor transfer buildings, 11,000 tons of processed fuel located adjacent to the truck weigh station, 10,000 tons of high BTU fuel located adjacent to the truck weigh station, 70,000 tons of silt located immediately east of the gob storage area, and 3,000 tons of silt located under/adjacent to the silt storage barn. Dust entrainment or emissions from the stockpiling of gob, processed fuel, high BTU fuel or silt, and wind erosion shall be minimized by treating with a dust suppressant. **[45CSR14, R14-0005, A.7]**
- 5.1.3. The throughput of fuel into the Ro-Pro Roll Crusher identified as 18S E shall not exceed 75 tons per hour nor 657,000 tons per year. Compliance with the throughput limit shall be determined using a rolling yearly total. The Ro-Pro Roll Crusher shall be fully enclosed. **[45CSR14, R14-0005, A.10]**
- 5.1.4. The fuel handling group is subject to 45CSR§2-5.1 as outlined in the Facility-Wide Requirements, Condition 3.1.12, regarding a fugitive dust control system.
- 5.1.5. Visible emissions from coal processing and conveying equipment, coal storage systems, or coal transfer and loading systems processing coal (Emission Points 2E, 3E, 4E, 6E, 17E, and 18E) shall not exceed twenty (20) percent opacity except during periods of startup, shutdown, and malfunction. This requirement includes, but is not limited to the coal refuse receiving hoppers, coal refuse crushers, coal refuse feeders, coal refuse conveyors, coal refuse screens, coal refuse dryers, coal refuse storage bins, all associated coal refuse transfer points, and/or particulate matter capture and control devices associated with this equipment. **[45CSR14, R14-0005, B.1, B.5, and B.12; 45CSR16; 40 CFR §60.11(c); 40 CFR §60.254(a)]**
- 5.1.6. At all times, including periods of startup, shutdown, and malfunction, any affected facility (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 Director which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. **[45CSR14, R14-0005, B.1 and B.5; 45CSR16; 40 CFR §60.11(d)]**

5.2. Monitoring Requirements

- 5.2.1. The permittee shall conduct visible emission evaluations as follows for Emission Points 2E, 3E, 4E, 6E, 17E, and 18E:
 - a. A visible emissions evaluation shall be conducted for each affected facility at least once every consecutive 12-month period in accordance with 40 CFR 60, Appendix A, Method 9. This annual evaluation shall consist of a minimum of 24 consecutive observations for each affected facility and shall be conducted during the period of maximum expected visible emissions under normal unit and facility operations.
 - b. Each emission point with a visible emissions limit specified in Condition 5.1.5 shall be observed visually by a trained Method 22 observer at least once per calendar month with a maximum of forty-five (45) days between consecutive readings. The visible emission observations shall be conducted for each emission point during periods of normal facility operation for a sufficient time interval to determine if there are any visible emissions present. If visible emissions from any of the emission points are observed during these monthly observations, or at any other time, that appear to exceed 50 percent of the allowable visible emission requirement for the emission point, visible emissions evaluations in accordance with 40 CFR 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 Condition 5.2.1.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.

- c. If a visible emissions evaluation indicates visible emissions in excess of 50 percent of the allowable visible emissions requirement for a given emission point, a visible emissions evaluation shall be performed for that emission point at least once every consecutive 14-day period in accordance with 40 CFR 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 point for three consecutive evaluation periods, the emission unit may comply with the visible emissions testing requirements for Condition 5.2.1.b above, in lieu of those established in this Condition 5.2.1.c.

[45CSR§30-5.1.c]

Note: The term “Affected Facility” used in Section 5.0 of this permit means any of the following:

- (1) Coal Processing and Conveying Equipment (including Breakers and Crushers)
- (2) Coal Storage Systems
- (3) Coal Transfer and Loading Systems

5.3. Testing Requirements

- 5.3.1. The permittee shall use 40 CFR 60, Appendix A, Method 9 and the procedures in 40 CFR §60.11 to demonstrate compliance with opacity requirements of 5.1.5 for Emission Points 2E, 3E, 4E, 6E, 17E, and 18E. **[45CSR14, R14-0005, B.1 and B.5; 45CSR16; 40 CFR §60.8; 40 CFR §§60.11(b) and (e)(1); 40 CFR §§60.255(a) and 257]**

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 CFR 60, Appendix A, Method 9 or Method 22, whichever is applicable. 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 inspections, and the times the dust control system(s) are inoperable and any corrective actions taken. **[45CSR§30-5.1.c]**
- 5.4.2. To demonstrate compliance with permit condition 5.1.2, the permittee shall maintain coal/gob stockpile records. The record shall include, at a minimum, the date, stockpile description, quantity of coal/gob, capacity, and annual throughput. **[45CSR§30-5.1.c]**
- 5.4.3. For the purposes of determining compliance with maximum throughput limits set forth in 5.1.3, the applicant shall maintain certified daily and monthly records of the amount of fuel through the Ro-Pro Roll Crusher 18S E. **[45CSR14, R14-0005, B.21]**

5.5. Reporting Requirements

- 5.5.1. None.

5.6. Compliance Plan

5.6.1. None.

6.0 Limestone Group Requirements [Emission Points 3E, 5E, 6E, 7E, 9E, 16E]

6.1. Limitations and Standards

- 6.1.1. Limestone receiving, handling, and storage facilities shall consist of the following and particulate emissions shall be controlled as specified with maximum particulate emissions not to exceed the following:

Equipment	Control Equipment	PM Limitation for Control Equipment Discharge lb/hr (gr/scf)
Limestone Receiving Hopper	Enclosure and water/chemical dust suppression system	-----
Limestone Surge Hopper	Baghouse 7C	0.35 (0.01)
Two (2) 70 TPH Limestone Mills (One DFM Mill and one Back-up Hammermill)	Baghouse 6C	2.1 (0.02)
One (1) 3600 ton Limestone Storage Silo	Baghouse 8C	0.34 (0.01)

Compliance with these streamlined particulate matter emission limits assures compliance with 40 CFR §60.672(a). [45CSR14, R14-0005, A.3, B.1, and B.7; 45CSR16; 40 CFR §60.672(a)]

- 6.1.2. In addition to that limestone stored with the limestone silo, an open stockpile adjacent to the limestone feed hoppers shall be restricted to 5,000 tons. A single additional open stockpile of limestone located on property shall be restricted to an eleven (11) day supply or no more than 10,000 tons. Total open stockpiling of limestone on property shall be limited to no more than 15,000 tons at any one time. Dust entrainment or emissions from the stockpiling shall be minimized by a chemical dust suppressant system. [45CSR14, R14-0005, A.8]
- 6.1.3. The limestone handling group is subject to 45CSR§2-5.1 as outlined in the Facility-Wide Requirements, Condition 3.1.12, regarding a fugitive dust control system.
- 6.1.4. The permittee shall comply with 40 CFR §60.672 for Emission Points 3E, 5E, 6E, 7E, and 16E as follows:
- a. Stack emissions from any transfer point on belt conveyors or from any other affected facility shall not:
 1. Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and
 2. Exceed 7 percent opacity.
 - b. Fugitive emissions from any transfer point on belt conveyors or from any other affected facility shall not exceed 10 percent opacity, except as provided in 6.1.4.c, 6.1.4.d, and 6.1.4.e.
 - c. Fugitive emissions from any crusher, at which a capture system is not used, shall not exceed 15 percent opacity.
 - d. Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

- e. If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in 6.1.4.a, 6.1.4.b, and 6.1.4.c, or the building enclosing the affected facility or facilities must comply with the following emission limits:
 - 1. No permittee shall cause to be discharged into the atmosphere from any building enclosing any transfer point on a conveyor belt or any other affected facility any visible fugitive emissions except emissions from a vent as defined in 40 CFR §60.671. *Vent* means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.
 - 2. No permittee shall cause to be discharged into the atmosphere from any vent of any building enclosing any transfer point on a conveyor belt or any other affected facility, emissions which exceed the stack emissions limits in 6.1.4.a.
- f. The permittee shall not discharge into the atmosphere from any baghouse that controls emissions from only an individual, enclosed storage bin, stack emissions which exhibit greater than 7 percent opacity.
- g. Owners or operators of multiple storage bins with combined stack emissions shall comply with the emission limits in 6.1.4.a.1 and 6.1.4.a.2.

Note: The term “Affected Facility” used in section 6.0 of this permit means any of the following:

- (1) Crushers
- (2) Grinding Mills
- (3) Screening Operations
- (4) Bucket Elevators
- (5) Belt Conveyors
- (6) Bagging Operations
- (7) Storage Bins
- (8) Enclosed Truck or Railcar Loading Stations

[45CSR14, R14-0005, B.1 and B.7; 45CSR16; 40 CFR §§60.671 and 60.672]

- 6.1.5. At all times, including periods of startup, shutdown, and malfunction, any affected facility (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 Director which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

[45CSR14, R14-0005, B.1; 45CSR16; 40 CFR §60.11(d)]

6.2. Monitoring Requirements

- 6.2.1. The permittee shall conduct visible emission evaluations as follows for Emission Points 3E, 5E, 6E, 7E, and 16E:
 - a. A visible emissions evaluation shall be conducted for each affected facility at least once every consecutive 12-month period in accordance with 40 CFR 60, Appendix A, Method 9. This annual evaluation shall consist of a minimum of 24 consecutive observations for each affected facility and shall be conducted during the period of maximum expected visible emissions under normal unit and facility operations.

- b. Each emission point with a visible emissions limit specified in Condition 6.1.4 shall be observed visually by a trained Method 22 observer at least once per calendar month with a maximum of forty-five (45) days between consecutive readings. The visible emission observations shall be conducted for each emission point during periods of normal facility operation for a sufficient time interval to determine if there are any visible emissions present. If visible emissions from any of the emission points are observed during these monthly observations, or at any other time, that appear to exceed 50 percent of the allowable visible emission requirement for the emission point, visible emissions evaluations in accordance with 40 CFR 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 Condition 6.2.1.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.
- c. If a visible emissions evaluation indicates visible emissions in excess of 50 percent of the allowable visible emissions requirement for a given emission point, a visible emissions evaluation shall be performed for that emission point at least once every consecutive 14-day period in accordance with 40 CFR 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 point for three consecutive evaluation periods, the emission unit may comply with the visible emissions testing requirements for Condition 6.2.1.b above, in lieu of those established in this Condition 6.2.1.c.

[45CSR§30-5.1.c]

6.3. Testing Requirements

- 6.3.1. The permittee shall comply with 40 CFR §60.675 for Emission Points 3E, 5E, 6E, 7E, and 16E as follows:
 - a. In conducting the performance tests required in 40 CFR §60.8, the owner or operator shall use as reference methods and procedures the test methods in Appendix A of 40 CFR 60 or other methods and procedures as specified in this section, except as provided in 40 CFR §60.8(b). Acceptable alternative methods and procedures are given in 6.3.1.e.
 - b. The owner or operator shall determine compliance with the particulate matter standards in permit condition 6.1.4.a as follows:
 1. Method 5 or Method 17 shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5, if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121°C (250°F), to prevent water condensation on the filter.
 2. Method 9 and the procedures in 40 CFR §60.11 shall be used to determine opacity.
 - c. The owner or operator shall determine compliance with the particulate matter standards in permit conditions 6.1.4.b, 6.1.4.c, and 6.1.4.f as follows:
 1. In determining compliance with the particulate matter standards in permit conditions 6.1.4.b and 6.1.4.c, the owner or operator shall use Method 9 and the procedures in 40 CFR §60.11, with the following additions:

- i. The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
 - ii. The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g. road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.
2. In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under permit condition 6.1.4.f, using Method 9, the duration of the Method 9 observations shall be 1 hour (ten 6-minute averages).
3. When determining compliance with the fugitive emissions standard for any affected facility described under permit condition 6.1.4.b, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:
 - i. There are no individual readings greater than 10 percent opacity; and
 - ii. There are no more than 3 readings of 10 percent for the 1-hour period.
4. When determining compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under permit condition 6.1.4.c, the duration of Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:
 - i. There are no individual readings greater than 15 percent opacity; and
 - ii. There are no more than 3 readings of 15 percent for the 1-hour period.
- d. In determining compliance with permit condition 6.1.4.e, the owner or operator shall use Method 22 to determine fugitive emissions. The performance test shall be conducted while all affected facilities inside the building are operating. The performance test for each building shall be at least 75 minutes in duration, with each side of the building and the roof being observed for at least 15 minutes.
- e. The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:
 1. For the method and procedure of 6.3.1.c, if emissions from two or more facilities continuously interfere so that opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:
 - i. Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.
 - ii. Separate the emissions so that the opacity of emissions from each affected facility can be read.
[45CSR14, R14-0005, B.1; 45CSR16; 40 CFR §60.675]

6.4. Recordkeeping Requirements

- 6.4.1. A record of each visible emissions observation shall be maintained on site, including any data required by 40 CFR 60, Appendix A, Method 9 or Method 22. 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 inspections, and the times the dust control system(s) are inoperable and any corrective actions taken.

[45CSR§30-5.1.c]

- 6.4.2. To demonstrate compliance with permit condition 6.1.2, the permittee shall maintain limestone stockpile records. The record shall include, at a minimum, the date, stockpile description, quantity of limestone, capacity, and annual throughput.

[45CSR§30-5.1.c]

6.5. Reporting Requirements

- 6.5.1. The permittee shall comply with 40 CFR §63.676 for Emission Points 3E, 5E, 6E, 7E, and 16E as follows:

- a. The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in permit condition 6.1.4, including reports of opacity observations made using Method 9 to demonstrate compliance with permit conditions 6.1.4.b, 6.1.4.c, and 6.1.4.f, and reports of observations using Method 22 to demonstrate compliance with permit condition 6.1.4.e.

[45CSR14, R14-0005, B.1; 45CSR16; 40 CFR §60.676(f)]

6.6. Compliance Plan

- 6.6.1. None.

7.0 Ash Group Requirements [Emission Points 8E, 13E, 14E]

7.1. Limitations and Standards

- 7.1.1. Ash transfer, loading, and storage 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:

Equipment	Control Equipment	PM Limitation for Control Equipment Discharge lb/hr (gr/scf)
Vacuum System for Collected Flyash in Baghouses and Air Preheater Hoppers (separate system for each boiler)	Two cyclones (ID Nos. 14-C/A & 15-C/A) and two Baghouses (ID Nos. 14C & 15C)	14C – 0.61 (0.018) 15C – 0.61 (0.018)
Vacuum System for Bottom Ash /Cooler Rejects (separate system for each boiler) 3100 ton 44 foot I.D. Ash Silo Emergency Dry Ash Loadout	Baghouse 9C	0.52 (0.016)
Wet Ash Loadout	Rotary-wet unloader to thoroughly wet ash prior to loading and handling	-----

[45CSR14, R14-0005, A.4]

- 7.1.2. The ash handling group is subject to 45CSR§2-5.1 as outlined in the Facility-Wide Requirements, Condition 3.1.12, regarding a fugitive dust control system.
- 7.1.3. At all times, including periods of startup, shutdown, and malfunction, the ash handling equipment (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 Director which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

[45CSR§30-12.7]

7.2. Monitoring Requirements

- 7.2.1. The permittee shall inspect all dust control systems weekly during periods of normal facility operation.

[45CSR§30-5.1.c]

7.3. Testing Requirements

- 7.3.1. None.

7.4. Recordkeeping Requirements

- 7.4.1. 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 inspections performed in accordance with 7.2.1, the times the dust control system(s) were inoperable, and any corrective action taken. Records shall be maintained in accordance with 3.4.2.

[45CSR§30-5.1.c]

7.5. Reporting Requirements

7.5.1. None.

7.6. Compliance Plan

7.6.1. None.

8.0 Emergency Engine Requirements [Emission Points DFP, DFP2]

8.1. Limitations and Standards

- 8.1.1. You must meet the following requirements, except during periods of startup:
- Change oil and filter every 500 hours of operation or annually, whichever comes first.
 - Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
 - Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

During periods of startup, you must minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

Note: If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

[45CSR34; 40 CFR §§63.6602, 63.6625(h), Table 2c(1) and footnote 1]

- 8.1.2. a. You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.
- b. 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. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the 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.

[45CSR34; 40 CFR §63.6605]

- 8.1.3. You must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

[45CSR34; 40 CFR §§63.6625(e)(2), 63.6640(a), Table 6(9)]

- 8.1.4. You have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Condition 8.1.1.a. The oil analysis must be performed according to the requirements in 40 CFR §63.6625(i).

[45CSR34; 40 CFR §63.6625(i)]

- 8.1.5. You must operate the emergency stationary RICE according to the requirements in paragraphs a. through c. below. In order for the engine to be considered an emergency stationary RICE, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs a. through c. below, is prohibited. If you do not operate the engine according to the requirements in paragraphs a. through c. below, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

- a. There is no time limit on the use of emergency stationary RICE in emergency situations.
- b. You may operate your emergency stationary RICE for the purposes specified below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph c. below counts as part of the 100 hours per calendar year allowed by this paragraph b.

Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

- c. Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph b. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
[45CSR34; 40 CFR §§63.6640(f)(1), (2)(i), (3)]

- 8.1.6. **General Provisions.** Table 8 to 40 CFR 63, subpart ZZZZ shows which parts of the General Provisions in §§63.1 through 63.15 apply to you. In accordance with 40 CFR §63.6645(a)(5), the notification requirements do not apply if you own or operate an existing stationary emergency RICE.
[45CSR34; 40 CFR §§63.6665, 63.6645(a)(5), Table 8]

8.2. Monitoring Requirements

- 8.2.1. You must install a non-resettable hour meter if one is not already installed.
[45CSR34; 40 CFR §63.6625(f)]

8.3. Testing Requirements

- 8.3.1. None.

8.4. Recordkeeping Requirements

- 8.4.1. a. You must keep the records described in paragraphs 1. through 5. below.
 1. A copy of each notification and report that you submitted to comply with this 40CFR63 subpart ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in 40 CFR §63.10(b)(2)(xiv).
 2. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
 3. Records of performance tests and performance evaluations as required in 40 CFR §63.10(b)(2)(viii).
 4. Records of all required maintenance performed on the air pollution control and monitoring equipment.

5. Records of actions taken during periods of malfunction to minimize emissions in accordance with Section 8.1.2.b., including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- b. You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate an existing stationary emergency RICE.
- c. You must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.
[45CSR34; 40 CFR §§63.6655(a), (e)(2), (f)(1)]

8.5. Reporting Requirements

- 8.5.1. You must report each instance in which you did not meet each emission limitation or operating limitation in Section 8.1.1. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in 40 CFR §63.6650.
[45CSR34; 40 CFR §63.6640(b)]
- 8.5.2. You must report each instance in which you did not meet the requirements in 40 CFR 63, subpart ZZZZ, Table 8 that apply to you.
[45CSR34; 40 CFR §§63.6640(e), 63.6665, and Table 8]

APPENDIX A
CAIR PERMIT APPLICATION

Plant Name

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 SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ source (as applicable) with the CAIR NO_x Annual emissions limitation, CAIR NO_x Ozone Season emissions limitation and CAIR SO₂ 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 SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO₂ 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 SO₂ units at the source, as determined in accordance with sections 70 through 75 of 45CSR41.

(2) A CAIR SO₂ 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 SO₂ 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 SO₂ allowance was allocated.

(4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with sections 51 through 62, and 80 through 88 of 45CSR41.

(5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ 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 SO₂ 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 SO₂ allowance to or from a CAIR SO₂ source's compliance account is incorporated automatically in any CAIR permit of the source.

Plant Name GRANT TOWN POWER PLANT

**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 SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, then:

(i) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ 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 SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ source (as applicable) and each NO_x unit, CAIR NO_x Ozone Season unit and CAIR SO₂ unit (as applicable) shall meet the requirements of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO₂ Trading Program (as applicable).

(2) Any provision of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program or CAIR SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ source (as applicable) or the CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual unit, CAIR SO₂ 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 SO₂ unit (as applicable) shall also apply to the owners and operators of such unit.

(i) Effect on Other Authorities.

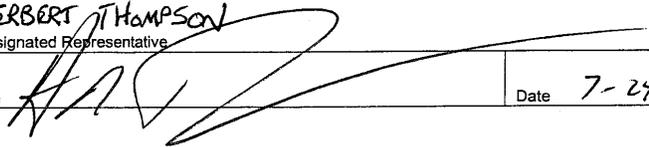
No provision of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO₂ Trading Program (as applicable), a CAIR permit application, a CAIR permit, or an exemption under 45CSR§39-5, 45CSR§40-5, or 45CSR§41-5 (as applicable) shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO₂ source (as applicable) or CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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.

Plant Name GRANT TOWN POWER PLANT

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.

HERBERT THOMPSON CAIR Designated Representative	
Signature 	Date 7-24-07

APPENDIX B

45CSR2 and 45CSR10 Monitoring Plan



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

Joe Manchin III, Governor
Randy C. Huffman, Cabinet Secretary
www.wvdep.org

March 18, 2009

American Bituminous Power Partners, L.P.
c/o Shawn Jennings, EH&S Specialist
P. O. Box 159
Grant Town, WV 26574

Dear Mr. Jennings:

Subject: Notice of Monitoring Plan Approval

The Division of Air Quality is pleased to inform you that the monitoring plan revision dated March 10, 2009 submitted pursuant to Regulations 2 & 10 for American Bituminous Power Partners, L.P., Grant Town Power Plant, has been approved. The effective date of the plan is March 18, 2009.

The revised plan has been found acceptable, provided that American Bituminous Power Partners, L.P. can continue to demonstrate compliance with all terms and conditions of R14-0005D and 40 C.F.R. 60, Subpart Da, specifically the emission limits and emission reduction efficiency requirements for each boiler.

Should you have questions or require additional information, contact Mr. Brian Tephacock of my staff at (304) 368-3910.

APPROVED: _____


John A. Benedict, Director

DATE: _____

March 18, 2009

Promoting a healthy environment.

VIA E-MAIL

March 10, 2009

John A. Benedict
Director, Division of Air Quality
WV Department of Environmental Protection
601 57th Street, SE
Charleston, WV 25304

**Subject: American Bituminous Power Partners, L.P.
Grant Town Power Plant
Revised Air Emissions Monitoring Plan - Updated**

Dear Mr. Benedict:

On behalf of American Bituminous Power Partners, L.P. (AmBit), Trinity Consultants (Trinity) has enclosed a revised Air Emissions Monitoring Plan for inclusion in the renewal of the Title V operating permit for the coal refuse fired power plant in Grant Town, West Virginia referred to as the Grant Town Power Plant. This monitoring plan meets the requirements of 45 CSR 2, 45 CSR 2A, 45 CSR 10, and 45 CSR 10A and applies to the two circulating fluidized bed (CFB) boilers supplying steam for electric generation. It should be noted that this revised monitoring plan is simply an update to the approved monitoring plan which is attached to the facility's current Title V permit as Appendix B. The plan has been revised to reflect EPA's approval of new monitoring locations as well as recent and anticipated future changes to the monitoring equipment. The Grant Town Power Plant requests the Department's review and approval of this revised plan in accordance with EPA's specific approval, which is attached for reference. AmBit currently operates and maintains two separate gaseous emissions monitoring systems for the two CFB boilers. One system is used to demonstrate compliance with applicable requirements under 40 CFR Part 60, and is comprised of two sets of analyzers, one set located in each baghouse associated with its respective boiler. The second system is used to demonstrate compliance with applicable requirements under 40 CFR Part 75, and is located in the common stack which exhausts both boilers. In summary, AmBit is requesting the Department's approval for the option to monitor gaseous emissions from the CFB boilers for the purposes of compliance with 40 CFR Part 60 at either the current location, or at the downstream location in the common stack serving the two units. AmBit intends to implement changes in the near future to allow Part 60 compliant monitoring at the

common stack following receipt of your approval and necessary integration of the monitoring software systems.¹

VISIBLE EMISSIONS MONITORING PLAN

The Grant Town Power Plant currently monitors opacity from the two CFB combustion units using a Land Mark II continuous opacity monitoring system (COMS) installed in the common stack serving the two boilers. Opacity measurements are continuously reported to the facility data collection and handling system, a KVB-Enertec Windows NT based system. The opacity monitor is calibrated automatically once each twenty-four hour period. The instrument controller, located in the facility CEMS shelter, directs calibration sequence and timing. Calibration results are checked daily by facility personnel and are automatically recorded to the data acquisition system. The COMS has been in service since the initial construction of the facility. Compliance tests will continue to be conducted as required by the Title V permit. Continuous opacity monitoring summary reports, of the format listed in 45 CSR 2A, are submitted on a quarterly basis.

SULFUR DIOXIDE AND NITROGEN OXIDES MONITORING PLAN

A Monitor Labs SM 8100 sulfur dioxide (SO₂) and nitrogen oxides (NO_x) continuous emissions monitoring system (CEMS) is utilized to monitor the gaseous pollutant emissions from each of the CFB boilers. Each system also includes a Rosemount World Class 3000 oxygen (O₂) monitor for diluent monitoring. Both the SO₂/NO_x and O₂ probes are currently located in the individual baghouses associated with their respective boilers. Data from these monitors is collected by the KVB-Enertec data acquisition and monitoring system. Emissions from both boilers are also monitored at the common stack by a Thermo 43i SO₂ analyzer and a Thermo 42i NO_x analyzer. This system uses a California Analytical ZRH carbon dioxide (CO₂) analyzer for diluent monitoring. Data from these monitors is collected by an ESC data acquisition system. The CEMS are automatically calibrated once each twenty-four hour period. Calibration results are recorded by the respective data acquisition system and are reviewed daily by facility personnel. In addition to the daily calibrations, quarterly audits will also be performed on the monitoring equipment. Cylinder Gas Audits (CGAs) using two certified calibration gas concentrations will be conducted during three of the four quarters in a calendar year. A Relative Accuracy Test Audit (RATA) will be performed in the remaining calendar quarter and will be conducted by a stack testing contractor, comparing the results of their monitoring equipment with those of the installed equipment. Facility emissions rates will be determined by calculating a weighted average emission rate based on fuel inputs to each boiler. Compliance tests will continue to be conducted as required by the Title V permit. CEMS summary reports in the format found in 45 CSR 10A will be submitted on a quarterly basis.

¹ As noted, AmBit has received approval from EPA for Part 60 monitoring at the common stack location, as indicated in the attached correspondence.

Page 3 of 3
March 10, 2009

The opacity, SO₂/NO_x, and O₂/CO₂ monitors operate on a continuous basis. The systems will be maintained and operated in compliance with the applicable sections of 40 CFR Part 60.

Please do not hesitate to contact me at (724) 360-8148 or via email at CWilson@TrinityConsultants.com or Mr. Shawn Jennings at (304) 278-7449 or via email at sjennings@edisonmission.com if you have any questions or if additional information will be required for your review of this revised monitoring plan. Thank you for your assistance.

Sincerely,

TRINITY CONSULTANTS



Christi Wilson
Managing Consultant

Attachment

cc: Shawn Jennings, American Bituminous Power Partners

EPA APPROVAL LETTER



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Mr. Shawn Jennings, E,H&S Specialist
American Bituminous Power Partners, L.P.
P.O. Box 159
Grant Town, West Virginia 26574

1 2 OCT 2006

Re: CEM Relocation Request

Dear Mr. Jennings:

This letter is in response to your August 15, 2006 alternative monitoring request under the "Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978", New Source Performance Standards (NSPS) Subpart Da for two electric utility boilers at the American Bituminous Power Partners (Ambit) facility in Grant Town, West Virginia. Specifically, your request seeks approval to monitor sulfur dioxide (SO₂) and nitrogen oxides (NO_x) at the common stack for the two boilers rather than for each individual boiler. Based on the information you have provided, your request has been approved. The details of our response to your request are provided below.

Based on your August 15, 2006, request, the two boilers (1A and 1B) at the Grant Town facility were placed in operation in 1993 and are both subject to NSPS Subpart Da. The boilers are identical waste coal fired fluidized bed units with a combined rated capacity of 80 megawatts of electric power. Emissions from each boiler are controlled by a separate baghouse. The boilers were initially stack tested individually to demonstrate compliance under NSPS Subpart Da. Continuous compliance with Subpart Da has been demonstrated by continuously monitoring emissions in the duct work of each boiler prior to being commingled in the common stack. To date, there have been no NSPS Subpart Da compliance problems associated with the two boilers in regard to the indicated pollutants.

You are proposing to upgrade the existing monitoring equipment for boilers 1A and 1B in order to comply with the recently promulgated Clean Air Interstate Rule. In doing so, you would like to monitor emissions at the common stack of 1A and 1B rather than in the duct work for each individual boiler. To support your request, you cite the following section of the general provisions:

"When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. . ."

40 CFR Section 60.13(g)



*Printed on 100% recycled/recyclable paper with 100% post-consumer fiber and process chlorine free.
Customer Service Hotline: 1-800-438-2474*

Based on the fact that you have demonstrated initial and continuous compliance with NSPS Subpart Da for each individual boiler and have been in good compliance standing, we approve your request to monitor NO_x and SO₂ emissions at the common stack consistent with the provisions in 40 CFR Section 60.13(g). However, please note that any violation of the NO_x and/or SO₂ emission standards under NSPS Subpart Da as evidenced by common stack monitoring will be indicative of an emission violation for both boilers 1A and 1B and appropriate enforcement action may be instituted at that point in time.

This response has been coordinated with the West Virginia Department of Environmental Quality and the EPA Office of Enforcement and Compliance Assurance. If you should have any comments or questions in regard to this matter, do not hesitate to contact James Hagedorn, of the Air Division, at (215) 814-2161.

Sincerely,



Judith M. Katz, Director
Air Protection Division

cc: John Benedict, Director, WVDAQ
Toby Scholl, WVDAQ
Gregory Fried, Office of Enforcement and Compliance Assurance
Robert Vollaro, EPA Clean Air Markets Division

APPENDIX C

Baghouse Inspection and Maintenance Plan



AMERICAN BITUMINOUS POWER PARTNERS, L.P.
P O BOX 159 · Highway 17 · Grant Town, West Virginia 26574 (304)278-7449

June 24, 2002
ABP 035

Ms Laura Mae Crowder
Technical Analyst
Division of Air Quality
Department of Environmental Protection
7012 MacCorkle Avenue, S E
Charleston, WV 25304-2943

Subject Plant ID # 049-0026
Notice of Violation and Cease and Desist Order
Baghouse I & M Plan

Dear Ms Crowder

As a follow up to my June 13 letter, attached to this cover, please find a draft Plant Operating Instruction document (GT-IO-0302, "Baghouse") which has been revised to include regular inspection and monitoring programs for our baghouse system. As we discussed at the May 17, 2002 meeting in your office, the DAQ requested an opportunity to review this plan information and offer comment as warranted. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Thompson", written over a horizontal line.

Herbert R. Thompson
Executive Director

HRT/sds

BAGHOUSE

1 0 PURPOSE

The pulse-jet fabric filter baghouse removes particulates from the boiler flue gas to meet environmental emission limits. Parameters and procedures outlined in the Operator Instruction ("OI") are described to ensure system performance in accordance with Original Equipment Manufacturer ("OEM") specifications and the station air permit particulate emissions criteria.

2 0 SCOPE

During normal operation conditions, particulate laden flue gas is pulled into the baghouse through the inlet plenum by the Induced Draft ("ID") fan. Pulse jet controls activate to release trapped particles from the bags to a recovering hopper. The accumulated fly ash is then pneumatically transported to the ash silo from which it shall be conditioned, loaded and transported for disposal. In addition to startup and operational parameters, this instruction includes specific actions to ensure optimum performance of the baghouse system.

3 0 RESPONSIBILITY

It is the responsibility of the O & M supervisor to ensure items contained within the OI are followed. This includes inspections, monitoring, maintenance, and record keeping, outlined herein.

It is the responsibility of the Engineering supervisor to ensure the system is operating such that all relative sections of the station air permit are in compliance. This shall include regular monitoring of system performance, testing, records/reporting requirements to local, State and Federal agencies as well as internal communications.

It is the responsibility of the I & E supervisor to ensure the system instrumentation and control equipment are maintained per OEM guidelines or generally accepted, industry practices, address maintenance repair orders, and regular system preventive maintenance ("PM's") notices in a timely manner as conditions warrant. Review Operator round sheets to confirm system operating parameters are within specified guidelines.

It is the responsibility of the Mechanical Maintenance supervisor to ensure the system mechanical components, are maintained per OEM guidelines or generally acceptable industry practices. Address maintenance repair orders and regular system "PM's" in a timely manner as conditions warrant. Review Operator round sheets to confirm system operating parameters are within specified guidelines.

It is the responsibility of the Shift Supervisor to ensure inspections and monitoring of the baghouse system in accordance with the OI. This shall include continuous monitoring by the Control Room Operator via Distributive Control System ("DCS"), Ops Con, Continuous Emissions Monitoring System ("CEMS"), and Eta Pro programs. In addition, the Shift Supervisor shall ensure regular visual inspections by station Operators, which shall include completion of Operator Round Sheets. Information collected shall be reviewed to ensure operating parameters are within specified limits and take appropriate corrective action if warranted.

The Shift Supervisor assigned annually to station operating record control shall ensure round sheets are filed to one central location and maintained in an orderly manner. A copy of the Operator round sheet is attached to the OI as Exhibit "A".

4.0 DESCRIPTION

Particulate laden flue gas is pulled into the baghouse through the inlet plenum by the ID fan. The flue gas enters each compartment through the manually operated butterfly valves located near the top of the ash hoppers. The gas then turns up toward the bags suspended from the tube sheet above. As the gas penetrates the bags, the particulate matter is left on the outside of the bag. The clean gas stream continues through the compartment to the poppet dampers into the discharge plenum onto the ID fan. Cleaning of the baghouse is initiated by time or a preset pressure drop across the baghouse unit. The compartments are isolated, one compartment at a time, by the closing of the air operated outlet poppet valves, then through the control/timing sequencing. Each row of bags in the compartment is cleaned by introducing a pulse of 60-80 PSIG instrument air at the top of the bag at the venturi. The air pulse travels down through the bag, flexing the bag and pulsing off the particulate matter to the hopper below. The compartment is then returned to service by opening the outlet valve. The controls then step to the next compartment where the cleaning sequence is repeated until all the compartments have been cleaned. The inlet air-to-cloth ratio allows for operation of the baghouse with one compartment out of service for cleaning or maintenance. Each compartment is equipped with 306 bags, 6 inches in diameter by 14 feet long. The bags are supported on 11 gauge wire cages with annular rings spaced on 8" centers.

4.1 Baghouse Start-up and Operating Procedure

- 4.1.1 Verify all instrumentation is in service. Baghouse "A" differential pressure transmitter PT-2001, Baghouse "B" differential pressure transmitter PT-2101.

- 4 1 2 Verify baghouse "A" differential pressure indicator PI-2021, PS-2021 in service - Baghouse "B" differential pressure indicator PI-2121, PS-2121 in service
- 4 1 3 Verify penthouse exhaust fans in service 1A1, 1A2, 1B1, 1B2
- 4 1 4 Baghouse "A" instrumentation air header isolation valve VF-4801 open Baghouse "B" air header isolation valve VF-4802 in service
- 4 1 5 Baghouse "A" compartments instrument air supply pressure regulator VF-4904 and Baghouse "B" compartment instrument supply pressure regulator VF-4914
- 4 1 6 All Baghouse compartment inlet and outlet valves open
- 4 1.7 Verify pulse times in service
- 4 1 8 Verify all ash hopper heaters in service
- 4 1 9 Verify all ash hopper vibrators in service
- 4 2 Baghouse Start Permissives Met
 - Differential pressure PT-2001 less than 12" WG
 - Inlet flue gas temp > 200° F
 - Inlet flue gas temp < 525° F
 - Instrument air supply
- 4 3 The Differential pressure transmitter PT-2001 H₁ alarm is at 10" WG and the differential H₁-H₁ trip is at 12" WG
- 4 4 The Ash Handling System is designed to transport ash generated from the combustion process, store it and unload it for delivery to a disposal site Some combustion products from the boiler are accumulated from the flue gas stream as fly ash in the air heater hoppers and in the baghouse bypass
- 4 5 There are 12 baghouse hopper pick-up ports and two boiler air heater hopper pick-up points per system Conveying air and particulate are drawn through filter/separators ASH-FS-1, ASH-FS-2 and through the system vacuum sources, mechanical exhausters, ASH-ME-1A and ASH-ME-1B
- 4 6 Sequencing of the fly ash is controlled by the Process Language Control ("PLC") system with interactive control from pressure transmitters The

controller automatically sequences from one pick-up point to the next or can be Operator initiated

5 0 INSPECTION & MONITORING PLAN

The West Virginia Division of Environmental Protection (“WVDEP”) requires a plan for baghouse inspection and monitoring to ensure optimum system performance. The inspection and monitoring plan shall include specific operating and maintenance parameters to be monitored at regular defined intervals. Exhibit “B” contains a matrix of parameters for regular inspection and monitoring further defined as follows.

5 1 Continuous Monitoring

- 5 1 1 Total Pressure drop across each baghouse is monitored by the DCS. Typical values are 10-12 inches w c
- 5 1 1 Inlet/Outlet temperature for baghouse are monitored by the DCS. Typical values are 400-430° F
- 5 1 2 Hopper temperatures for each baghouse compartment (12 for each baghouse) are monitored by the DCS. Hopper heaters are activated if the temperature drops below 200° F
- 5 1 3 Hopper level for each baghouse compartment (12 for each baghouse) are monitored by the DCS. The control room operator is notified via alarm if the level exceeds 14 ft depth
- 5 1 4 The pulse jet cleaning cycle progress is monitored by the DCS. Individual compartments are cleaned if the compartment pressure drop exceeds 6 inches w c
- 5 1 5 Furnace draft for each boiler is monitored by the DCS. Normal operating range is between negative 0.5 and positive 2.0 inches w c
- 5 1 6 Opacity is monitored by the CEM unit. Permit limits are defined within Plant Order GT-EO-0008 Air Emissions Requirements. Additionally hourly readings are recorded by the control room operator

5.2 Daily Monitoring/Inspection

5.2.1 At least twice per day (once per operating shifts) a station operator will inspect and record the baghouse system. Observations will be recorded on the daily rounds sheet (Exhibit "A") and include

5.2.1.1 Individual compartment pressure drop generally operating between 2 and 7 inches w.c.

5.2.1.2 Integrity of duct work, gaskets, and expansion joints, noting air leakage into the system

5.2.1.3 Outlet dampers activation to isolate individual compartments for the cleaning cycle

5.3 Weekly Monitoring/Inspection

5.3.1 Individual compartments are isolated to determine effect on opacity. This is to assist in the identification of compromised bags and/or seals. Notification and records for this inspection are generated by the facility Maintenance Management System (PMC) program

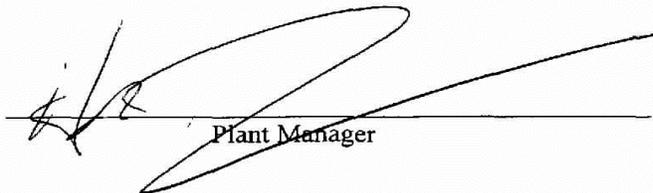
5.3.2 Pulse controls include individual compartments and main supply air are confirmed to be in working order and set to proper pressure. Notification and records for the inspection are generated by the facility PMC program

5.4 Annual Monitoring/Inspection

5.4.1 Complete system visual inspection as part of a planned outage including ductwork, valves, dampers, gaskets, expansion joints, by fabric, condition, and instrumentation/controls

5.4.2 Stack particulates load testing by an outside contractor. State air permit regulations require this testing along with results submitted to the Office of Air Quality. Depending upon test results compared to permit limits, the frequency may be up to every three years. The permit limit is 33.1 lb/hr @ mcr

Issued By



Plant Manager

GRANT TOWN POWER PLANT

OPERATOR ROUND SHEETS - 4TH FLOOR

SHIFT _____

DATE _____

OPERATOR _____

PLANT LOAD _____

EXHIBIT "A"

BAGHOUSES

COMPARTMENT DP'S

A1	B1		COMMENTS
A2	B2	A BAGHOUSE OVERALL DP	
A3	B3	"B" BAGHOUSE OVERALL DP	
A4	B4	VERIFY A" COMPS PULSING	
A5	B5	VERIFY B COMPS PULSING	
A6	B6	CHECK A" OILERS	
A7	B7	CHECK "B OILERS	
A8	B8		
A9	B9		
A10	B10		
A11	B11		
A12	B12		

5TH FLOOR

DRAG CHAIN CONVEYORS	A	B	BI - DIRECTIONAL SCREWS	A	B
CHECK OIL LEVELS, ADD			CHECK OIL LEVELS, ADD		
CHECK SEAL AIR FLOW			DRIVE MOTOR AMPS		
DRIVE MOTOR AMPS			CHECK FRONT WALL AIR CANNONS		
CHECK, CLEAN AC FILTER			CHECK FUEL FEED CHUTES		
CHECK FUEL FEED CHUTES					

"A" BLR GAS MAIN HEADER PRESS		"B" BLR GAS MAIN HEADER PRESS	
CHECK A SOOTBLOWERS		CHECK "B SOOTBLOWERS	
"A" MAIN STEAM PRESSURE		"B" MAIN STEAM PRESSURE	
"A" FEEDWATER PRESSURE		B" FEEDWATER PRESSURE	
"A" DRUM PRESSURE		B" DRUM PRESSURE	

WALK AROUND A & B BOILER AND CHECK FOR AIR, ASH, WATER LEAKS

COMMENTS

GRAVIMETRIC BELTS	A1	A2	A3	B1	B2	B3
BELT DRIVE MOTOR AMPS						
CLEAN OUT CONV AMPS						
SEAL AIR PRESSURE						
CHECK ALIGNMENT						
CHECK FUEL FEED						

COMMENTS

OPERATOR 1

REV 7 10 97

Exhibit "B"						
Item	Function	Frequency	Parameter	Units	Normal Operating Range	Actions/notes
Grant Town Power Plant Baghouse System Inspection and Performance Monitoring Matrix 13-jun-02 Rev 00 HRT						
Particulate Loading Baghouse System	Permit Limit Maint	Annual Annual	particulates in stack gas visual inspection of system components incl ductwork, valves dampers, gaskets, expansion joints instrumentation	lb/hr n/a	less than 33 lb/hr @MOR original design and/or OEM recommendation	Contract Service activity report to WDCP effect repairs as necessary, document in PMC
	Oper	Continuous	baghouse system pressure drop	inches w.c	10-12 inches	DCS/opsCon recording, investigate deviations from OEM operating parameters as warranted, generate work order or initiate corrective actions, as warranted
	Oper	Continuous	Inlet Temperature	degrees F	400-430	
	Oper	Continuous	Outlet Temperature	degrees F	395-410	
	Oper	Continuous	Hopper Temperature	degrees F	>700	"hopper heater" on" if temp drops below 200
	Oper	Continuous	Hopper Level	board alarm	high level alarm @ 14 feet	
	Oper	Continuous	Cleaning Cycle activity	board alarm	initiated by compartment delta P	pulse system begins, if delta P > 6 inches w.c
	Oper	Continuous	Furnace Draft	inches w.c	0.5 to +2 inches	
Compartmental Inspection	Oper	Weekly	isolate/review individual compartments for possible particulate excursions	change in opacity %	n/a	isolate compartments and complete an "on line" cleaning cycle evaluate effect on stack opacity complete PM record
	Oper	Daily	compartment pressure drop	inches w.c	2-7 in w.c or as specified by OEM	record on Oper Round sheet, issue work order as required
	Oper	Daily	ductwork/gaskets/expansion joint air leakage	n/a	no leaks	record on Oper Round sheet, issue work order as required
	Oper	Daily	inspect action of outlet dampers while pulling	na	smooth action of mechanism	record on Oper Round sheet, issue work order as required
Pulse System Inspection	Oper	Weekly	inspect operation of pulse controls	n/a	pulse header pressure 80-100 psig "active" range for auto cleaning cycle > 0 psig	visual inspection of pulse control system record findings/generate work order as necessary complete PM record
Stack Opacity	Oper	Daily/Cont	OpsConDCS recording monitor readings	%	< 10% and as defined by Air Permit	incl Control Room Operator recording hourly review results
	Oper	Daily	OEMS auto calibration	daily	as per OEM specification	

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Natural Gas-Fired Simple Cycle Peaking Units

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Big Sandy Peaker Plant, LLC
R30-09900080-2014
Title V Permit to Operate

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West Virginia Department of Environmental Protection
Division of Air Quality

Earl Ray Tomblin
Governor

Randy C. Huffman
Cabinet Secretary

Permit to Operate



Pursuant to
Title V
of the Clean Air Act

Entire Document
NON-CONFIDENTIAL

ID # 09900080
Reg TS PCD 2014 Renewal
Company Big Sandy Peaker Plant
Facility Neal Initials CDM

Issued to:
Big Sandy Peaker Plant, LLC
R30-09900080-2014

A handwritten signature in black ink, appearing to read "William F. Durham".

William F. Durham
Deputy Director

Issued: March 24, 2014 • Effective: April 7, 2014
Expiration: March 24, 2019 • Renewal Application Due: September 24, 2018

Permit Number: **R30-09900080-2014**
Permittee: **Big Sandy Peaker Plant, LLC**
Permittee Mailing Address: **1044 North 115th Street, Suite 400, Omaha, NE 68154**

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:	Kenova, Wayne County, West Virginia
Telephone Number:	402-691-9500
Type of Business Entity:	LLC
Facility Description:	330 Megawatt (MW) natural gas-fired electric generating peaking station.
SIC Codes:	4911
UTM Coordinates:	360.9 km Easting • 4245.0 km Northing • Zone 17

Permit Writer: Wayne Green

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

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

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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
GS-01	GS-01-1 GS-01-2	Pratt & Whitney FT8 Twin Pac Natural Gas Turbine	2000	599.02 MMBtu/hr	Water Injection & Oxidation Catalyst
GS-02	GS-02-1 GS-02-2	Pratt & Whitney FT8 Twin Pac Natural Gas Turbine	2000	599.02 MMBtu/hr	Water Injection & Oxidation Catalyst
GS-03	GS-03-1 GS-03-2	Pratt & Whitney FT8 Twin Pac Natural Gas Turbine	2000	599.02 MMBtu/hr	Water Injection & Oxidation Catalyst
GS-04	GS-04-1 GS-04-2	Pratt & Whitney FT8 Twin Pac Natural Gas Turbine	2000	599.02 MMBtu/hr	Water Injection & Oxidation Catalyst
GS-05	GS-05-1 GS-05-2	Pratt & Whitney FT8 Twin Pac Natural Gas Turbine	2000	599.02 MMBtu/hr	Water Injection & Oxidation Catalyst
GS-06	GS-06-1 GS-06-2	Pratt & Whitney FT8 Twin Pac Natural Gas Turbine	2000	599.02 MMBtu/hr	Water Injection & Oxidation Catalyst
G1	E1	Cummins 750DQCB Model QSK23-G3 NR1 Black-Start No.2 Fuel Oil Generator	2007	750kW	N/A

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
R13-2383C	October 9, 2013

2.0 General Conditions

2.1. Definitions

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

2.2. Acronyms

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

2.3. Permit Expiration and Renewal

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

2.4. Permit Actions

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

2.5. Reopening for Cause

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

- d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

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

[45CSR§30-6.4.]

2.7. Minor Permit Modifications

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

[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

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

[45CSR§30-6.5.b.]

2.9. Emissions Trading

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

[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:

- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
- b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
- c. The change shall not qualify for the permit shield.

- d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
- e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.
- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

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

[45CSR§30-5.8]

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

[45CSR§30-5.8.a.]

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

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

[45CSR§30-5.8.c.]

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

[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.

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

[45CSR§30-5.1.i.]

2.13. Duty to Comply

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

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;

- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

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

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

[45CSR§30-5.1.f.2.]

2.17. Emergency

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[45CSR§30-5.7.a.]

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

[45CSR§30-5.7.b.]

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

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

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

[45CSR§30-5.7.d.]

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

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

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

[45CSR§30-5.2.a.]

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

2.19. Duty to Provide Information

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

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

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

[45CSR§30-4.2.]

2.21. Permit Shield

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

[45CSR§30-5.6.a.]

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

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

[45CSR§30-5.6.c.]

2.22. Credible Evidence

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

[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

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

[45CSR§30-5.1.e.]

2.24. Property Rights

- 2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.
[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

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

[45CSR§30-5.1.d.]

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

[45CSR§30-5.1.a.2.]

3.0 Facility-Wide Requirements

3.1 Limitations and Standards

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

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

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

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

[40 C.F.R. 68]

- 3.1.9. **CAIR NO_x Annual Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Attachment B) 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.]

- 3.1.10. **CAIR NO_x Ozone Season Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Attachment B) 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.]

- 3.1.11. **CAIR SO₂ Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Attachment B) and the CAIR permit requirements set forth in 45CSR41 for each CAIR SO₂ 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 SO₂ allowance to or from the compliance account of the CAIR SO₂ 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.]
- 3.1.12. The permitted facility shall be constructed and operated in accordance with information filed in Permit Applications R13-2383, R13-2383A, R13-2383B, and R13-2383C, and any amendments thereto. The Director may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.
[45CSR13, R13-2383, C.3.]

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.]

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

[45CSR§30-5.1.c.2.B.]

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

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

3.5. Reporting Requirements

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

[45CSR§§30-4.4. and 5.1.c.3.D.]

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

[45CSR§30-5.1.c.3.E.]

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

If to the DAQ:

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

Phone: 304/926-0475
FAX: 304/926-0478 or 0479

If to the US EPA:

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

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.

[45CSR§30-8.]

3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The annual certification to the USEPA shall be submitted in electronic format only. It shall be submitted by e-mail to the following address: R3_APD_Permits@epa.gov. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.

[45CSR§30-5.3.e.]

3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.

[45CSR§30-5.1.c.3.A.]

3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

3.5.8. **Deviations.**

a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:

1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

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

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

3.6. Compliance Plan

3.6.1. None

3.7. Permit Shield

3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

45CSR2	To Prevent and Control Particulate Air Pollution from Combustion of Fuel in Indirect Heat Exchangers. According to R13-2383C the natural gas turbines are subject to 45CSR2. However, the turbines are not indirect heat exchangers and by definition are not fuel burning units. The turbines use the combustion gases to turn the turbine blades. Therefore, 45CSR2 is not listed as an applicable requirement for the turbines in the Title V permit.
40 C.F.R. Part 60 Subpart KKK	Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plant. The Big Sandy Peaker Plant is not engaged in the extraction or fractionation of natural gas liquids from field gas, the fractionation of mixed natural gas liquids to natural gas products, or both.
40 C.F.R. Part 60 Subpart KKKK	Standards of Performance for Stationary Combustion Turbines. Big Sandy Peaker Plant's turbines were installed in 2000. The Big Sandy Peaker Plant is not subject to 40 C.F.R. Part 60 Subpart KKKK, which is for turbines that commenced construction, modification or reconstruction after February 18, 2005.
40 C.F.R. Part 63 Subpart HH	National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities. The Big Sandy Peaker Plant is not subject to Subpart HH since the Big Sandy Peaker Plant is not a natural gas production facility.
40 C.F.R. Part 63 Subpart HHH	National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities. The Big Sandy Peaker Plant is not subject to Subpart HHH since the Big Sandy Peaker Plant is not a natural gas transmission and storage facility.
40 C.F.R. Part 63 Subpart YYYY	National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines. The Big Sandy Peaker Plant is not subject to Subpart YYYY since it is not a major source of HAPs.

4.0 Turbines and Generator Requirements [emission point ID(s): GS-01-1, GS-01-2, GS-02-1, GS-02-2, GS-03-1, GS-03-2, GS-04-1, GS-04-2, GS-05-1, GS-05-2, GS-06-1, GS-06-2, E1]

4.1. Limitations and Standards

4.1.1. The following table provides a list of turbines authorized to operate at the subject facility by this permit. In accordance with the information filed in Permit Application R13-2383 through 2383C, and any amendments or revisions thereto, the sources shall not exceed the specified Maximum Design Heat Input (MDHI), shall utilize the specified control device, and shall combust only the specified fuel:

Source ID	Source Description	MDHI ⁽¹⁾ (MMBtu/hr)	Fuel Combusted	Control Technology
GS-01	Pratt & Whitney FT8 Twin Pac	599.02	Natural Gas	Water Injection & Oxidation Catalyst
GS-02	Pratt & Whitney FT8 Twin Pac	599.02	Natural Gas	Water Injection & Oxidation Catalyst
GS-03	Pratt & Whitney FT8 Twin Pac	599.02	Natural Gas	Water Injection & Oxidation Catalyst
GS-04	Pratt & Whitney FT8 Twin Pac	599.02	Natural Gas	Water Injection & Oxidation Catalyst
GS-05	Pratt & Whitney FT8 Twin Pac	599.02	Natural Gas	Water Injection & Oxidation Catalyst
GS-06	Pratt & Whitney FT8 Twin Pac	599.02	Natural Gas	Water Injection & Oxidation Catalyst

(1) As measured @ 32 degrees Fahrenheit, 40% relative humidity, 100% load, and based on a natural gas heating value of 1,020 Btu/scf.

[45CSR13, R13-2383, A.1., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

4.1.2. The hourly emission rates from each natural-gas fired turbine shall not exceed:

Pollutant	Hourly Emission Limit (pounds/hour)
Carbon Monoxide (CO)	19.95
Oxides of Nitrogen (NO _x)	31.10
Particulate Matter < 10 microns (PM ₁₀)	3.00
Total Suspended Particulate (TSP)	3.00
Sulfur Dioxide (SO ₂)	0.68
Volatile Organic Compounds (VOCs)	3.30
Formaldehyde	0.04

[45CSR13, R13-2383, A.2., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.1.3. The combined annual emission rates from the Pratt & Whitney FT8 Twin Pac units shall not exceed:

Pollutant	Annual Emission Limit (tons/year)
Carbon Monoxide (CO)	156.74
Oxides of Nitrogen (NO _x)	245.00
Particulate Matter < 10 microns (PM ₁₀)	26.17
Total Suspended Particulate (TSP)	26.17
Sulfur Dioxide (SO ₂)	5.31
Volatile Organic Compounds (VOCs)	18.46
Formaldehyde	0.30

[45CSR13, R13-2383, A.3., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.1.4. The facility-wide combined annual consumption of natural gas in the Pratt & Whitney FT8 Twin Pac units shall not exceed 4,614,124,883 standard cubic feet. Compliance with the annual natural gas consumption limit shall be determined using a rolling yearly total. A rolling yearly total shall mean the sum of the natural gas consumed at any given time for the previous twelve (12) consecutive months.

[45CSR13, R13-2383, A.4., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.1.5. A water-injection system shall be maintained and operated for the control of NO_x emissions from each natural-gas fired turbine. The water-injection system shall be monitored pursuant to 40 C.F.R. §60.334(a), Section 4.2.1.

[45CSR13, R13-2383, A.5., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.1.6. An in-stack integrated oxidation catalyst shall be maintained and operated for the control of CO emissions from each natural-gas fired turbine. At such times that are necessary to maintain the performance of the oxidation catalyst, the catalyst shall be replaced.

[45CSR13, R13-2383, A.6., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.1.7. The sulfur content of the natural gas as fired in each natural-gas fired turbine shall not exceed 0.53 grains per 100 scf of gas. Compliance with this requirement shall be in accordance with Section 4.4.5.

[45CSR13, R13-2383, A.7., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.1.8. The turbines are subject to all applicable limitations and standards under 40 C.F.R. Part 60 Subpart GG (any final revisions made to 40 C.F.R. Part 60 Subpart GG will, where applicable, supersede those specifically cited in this section), including the requirements given below in Sections 4.1.9 through 4.1.12, 4.2.1 and 4.2.2.

[45CSR13, R13-2383, A.8., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.1.9. On and after the date on which the performance test required by 40 C.F.R. § 60.8 is completed, every owner or operator subject to the provisions of 40 C.F.R. 60 Subpart GG as specified in 40 C.F.R. §§ 60.332 (b), (c) and (d) shall comply with one of the provisions in 40 C.F.R. §60.332, except as provided in 40 C.F.R. §§ 60.332 (e), (f), (g), (h), (i), (j), (k), and (l).

[45CSR16, 40 C.F.R. § 60.332 (a), 45CSR13, R13-2383, A.8.a., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.1.10. 1. No owner or operator subject to the provisions 40 C.F.R. 60 Subpart GG shall cause to be discharged into the atmosphere from any stationary gas turbine, any gases which contain nitrogen oxides in excess of:

$$\text{STD} = 0.0075 * (14.4/Y) + F$$

where:

STD = allowable ISO corrected [if required as given in 40 C.F.R. § 60.335 (b) (1)] NO_x emission concentration (percent volume at 15 percent oxygen and on a dry basis).

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.

F = NO_x emission allowance for fuel-bound nitrogen as defined in 40 C.F.R. § 60.332 (a) (4) [Section 4.1.10.3.].

2. The use of F in 40 C.F.R. §§ 60.332 (a) (1) and (2) is optional. That is, the owner or operator may choose to apply a NO_x allowance for fuel-bound nitrogen and determine the appropriate F-value in accordance with 40 C.F.R. § 60.332 (a) (4) [Section 4.1.10.3.] or may accept an F-value of zero.
3. If the owner or operator elects to apply a NO_x emission allowance for fuel-bound nitrogen, F shall be defined according to the nitrogen content of the fuel during the most recent performance test required under C.F.R. § 60.8 as follows:

Fuel-bound nitrogen (percent by weight)	F (NO _x percent by volume)
N .015	0
0.015 <N≤0.1	0.04 (N)
0.1<N≤0.25	0.004+0.0067(N-0.1)
N >0.25	0.005

Where:

N = the nitrogen content of the fuel (percent by weight).

or:

Manufacturers may develop and submit to EPA custom fuel-bound nitrogen allowances for each gas turbine model they manufacture. These fuel-bound nitrogen allowances shall be substantiated with data and must be approved for use by the Administrator before the initial performance test required by 40 C.F.R. § 60.8. Notices of approval of custom fuel-bound nitrogen allowances will be published in the Federal Register.

[45CSR16, 40 C.F.R. §§ 60.332 (a) (1), (3), and (4), 45CSR13, R13-2383, A.8.a.1. through 3., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.1.11. Electric utility stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired shall comply with Section 4.1.10. **[45CSR16, 40 C.F.R. § 60.332 (b), 45CSR13, R13-2383, A.8.b., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]**
- 4.1.12. On and after the date on which the performance test required to be conducted by 40 C.F.R. § 60.8 is completed, every owner or operator subject of the provision of 40 C.F.R. 60 Subpart GG shall comply with one or the other of the following conditions:
- a. No owner or operator subject to the provisions of 40 C.F.R. 60 Subpart GG shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15% O₂ and on a dry basis.
 - b. No owner or operator subject to the provisions of 40 C.F.R. 60 Subpart GG shall burn in any stationary gas turbine any fuel which contains sulfur in excess of 0.8 percent by weight (8000 ppmw).
- [45CSR16, 40 C.F.R. § 60.333, 45CSR13, R13-2383, A.8.c., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]**
- 4.1.13. The gas turbines are Phase II Acid Rain affected units under 45CSR33, as defined by 40 C.F.R § 72.6, and as such are required to meet the requirements of 40 C.F.R. Parts 72, 73, 74, 75, 76, 77 and 78. These requirements include, but are not limited to:
- a. Hold an Acid Rain permit;
 - b. Hold allowances, as of the allowance transfer deadline, in the unit's compliance sub-account of not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit;
 - c. Comply with the applicable Acid Rain emissions for sulfur dioxide;
 - d. Comply with the applicable Acid Rain emissions for nitrogen oxides;
 - e. Comply with the monitoring requirements of 40 C.F.R. Part 75 and section 407 of the Clean Air Act of 1990 and regulations implementing section 407 of the Act;
 - f. Submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 C.F.R. Part 72, Subpart I and 40 C.F.R. Part 75.
- [45CSR33, 40 C.F.R. Parts 72, 73, 74, 75, 76, 77, and 78. GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]**
- 4.1.14. If you are an owner or operator and must comply with the emission standards specified in 40 C.F.R. Part 60 Subpart IIII, you must do all of the following, except as permitted under 40 C.F.R. § 60.4211 (g) [Condition 4.1.19]:
- (1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;
 - (2) Change only those emission-related settings that are permitted by the manufacturer; and

- (3) Meet the requirements of 40 C.F.R. Parts 89, 94, and/or 1068, as they apply to you.

[45CSR16, 40 C.F.R. § 60.4211 (a), G1]

- 4.1.15. The Cummins Model QSK23-G3 NR1 black-start generator shall not exceed the specified nominal brake horsepower and heat input, shall combust only the specified fuels below the limited sulfur content, and shall not exceed the specified maximum hours of operation in the following table:

Source ID No.	Brake Horsepower	MDHI (mmBTU/hr)	Fuel	Sulfur Content (%-by weight)	Maximum Hours of Operation
G1	1,135	7.01	No. 2 Fuel Oil	0.05	270

[45CSR13, R13-2383, A.10., G1]

- 4.1.16. Maximum hourly and annual criteria pollutant emissions from the operation of G1 shall not exceed the limits as specified in the following table:

Pollutant	pounds/hour	tons/year
Carbon Monoxide (CO)	3.23	0.44
Nitrogen Oxides (NO _x)	19.27	2.60
Particulate Matter (PM)	0.40	0.06
Particulate Matter < 10 microns (PM ₁₀)	0.40	0.06
Sulfur Dioxide (SO ₂)	0.35	0.05
Volatile Organic Compounds (VOCs)	0.98	0.13

Compliance for Nitrogen Oxides (NO_x) emissions will be shown by the more stringent requirement in Section 4.1.17.

[45CSR13, R13-2383, A.11., G1]

- 4.1.17. Maximum hourly emissions calculations based on Table 1 of 40 C.F.R. Part 60 Subpart IIII as specified in 40 C.F.R. § 60.4205 (a) for G1 are specified in the following table:

Pollutant	LB/hr ¹
Carbon Monoxide (CO)	21.27
Nitrogen Oxides (NO _x)	17.26
Particulate Matter (PM)	1.00
HC	2.50

¹Based on 1.0 g/HP-hr for HC, 6.9 g/HP-hr for NO_x, 8.5 g/HP-hr for CO, 0.40 g/HP-hr for PM, and 1,135 HP-hr.

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in § 60.4205 over the entire life of the engine.

[45CSR16, 40 C.F.R. §§ 60.4205 (a) and 60.4206 and Table 1, G1]

4.1.18. If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs 4.1.18(1) through (3). In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs 4.1.18(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs 4.1.18(1) through (3), the engine will not be considered an emergency engine under 40 C.F.R. Part 60 Subpart IIII and must meet all requirements for non-emergency engines.

- (1) There is no time limit on the use of emergency stationary ICE in emergency situations.
- (2) You may operate your emergency stationary ICE for any combination of the purposes specified in paragraphs 4.1.18(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph 4.1.18(3) counts as part of the 100 hours per calendar year allowed by this paragraph 4.1.18(2).
 - (i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.
 - (ii) Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.
 - (iii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.
- (3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph 4.1.18(2). Except as provided in paragraph 4.1.18(3)(i), the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
 - (i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
 - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
 - (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

- (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
- (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
- (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[45CSR16, 40 C.F.R. § 60.4211 (f), G1]

- 4.1.19. If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

If you are an owner or operator of a stationary CI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

[45CSR16, 40 C.F.R. §60.4211 (g)(3), G1]

- 4.1.20. Beginning October 1, 2010, G1 shall only consume diesel fuel meeting the following per-gallon standards:
- a. Maximum sulfur content of 15 ppm;
 - b. Cetane index or aromatic content as follows:
 - (1) A minimum cetane index of 40; or
 - (2) A maximum aromatic content of 35 % by volume.

[45CSR16, 40 C.F.R. § 60.4207 (b), 40C.F.R. § 80.510 (b), G1]

4.2. Monitoring Requirements

- 4.2.1. The owner or operator of any stationary gas turbine subject to the provisions of 40 C.F.R. Part 60 Subpart GG and using water injection to control NO_x emissions shall install, calibrate, maintain, and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water to fuel being fired in the turbine.

[45CSR16, 40 C.F.R. § 60.334 (a), 45CSR13, R13-2383, A.8.d., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.2.2. The owner or operator of any stationary gas turbine subject to the provisions of 40 C.F.R. Part 60 Subpart GG:
1. Shall monitor the total sulfur content of the fuel being fired in the turbine, except as provided in 40 C.F.R. § 60.334 (h) (3). The sulfur content of the fuel must be determined using total sulfur methods described in 40 C.F.R. § 60.335 (b) (10). Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than 0.4 weight percent (4000 ppmw), ASTM D4084-82, 94, D5504-01, D6228-98, or Gas Processors Association Standard 2377-86 (all of which are incorporated by reference-see 40 C.F.R. § 60.17), which measure the major sulfur compounds may be used; and
 2. Notwithstanding the provisions of 40 C.F.R. § 60.334 (h) (1), the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in 40 C.F.R. § 60.331 (u), regardless of whether an existing custom schedule approved by the administrator for 40 C.F.R. Part 60 Subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:
 - i. The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or
 - ii. Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

[45CSR16, 40 C.F.R. §§ 60.334 (h) (1) and (3), 45CSR13, R13-2383, A.8.e., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.2.3. **CAM monitoring requirement.** The permittee shall calibrate, maintain, and operate a continuous temperature monitoring system with recorder consisting of nine (9) thermocouples to determine “calculated daily average Combustion Turbine Exhaust Gas Temperature (EGT)” at each Combustion Turbine Exhaust before the gases enter the power turbine inlet. The thermocouples used in the monitoring system are to be accurate within plus or minus two (± 2) degrees Fahrenheit per the thermocouple manufacturer’s information.

[45CSR§30-5.1.c. and 40 C.F.R. §§ 64.3 (a), 64.3 (b) and 64.6 (c) (2)]

- 4.2.4. **CAM monitoring requirement.** Compliance with the CO hourly emission limits set forth in Requirement 4.1.2 will be demonstrated if the “calculated daily average Combustion Turbine Exhaust Gas Temperature” generated by the continuous monitoring system in Section 4.2.3 is maintained between 800 to 1390 degree F during normal operations (not including periods of system startup, shutdown or malfunction). An excursion shall be defined as: if during normal operation, the daily average of the “calculated daily average Combustion Turbine Exhaust Gas Temperature” drops below 800 °F or exceeds 1390 °F. The Combustion Turbine Exhaust Gas Temperature shall be recorded once each clock hour at half-past the hour during the normal operating periods. Daily average temperature will be defined as the average of all valid hourly temperature recordation in a calendar day. Temperatures which fall outside the typical operating range for the system will be investigated to determine if the reading is accurate or if there is a thermocouple or other monitoring system malfunction.

[45CSR§30-12.7. and 40 C.F.R. §§ 64.3 (a), 64.3 (b) and 64.6 (c) (2)]

4.2.5. Proper maintenance.

At all times, the owner or operator shall maintain the monitoring specified in Section 4.2.3, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.

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

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 owner or operator 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 this part, 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.

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

4.2.7. Response to excursions or exceedances.

a. Upon detecting an excursion or exceedance, the owner or operation 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.

b. Determination of whether the owner or operator 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.

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

4.2.8. Documentation of need for improved monitoring.

After approval of monitoring under 40 C.F.R. 64, if the owner or operator 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 owner or operator shall promptly notify the permitting authority and, if necessary, submit a proposed

modification to the part 70 or 71 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.

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

4.2.9. **Quality Improvement Plan (QIP)**

Based on the results of a determination made under Section 4.2.7.b, the Administrator or the permitting authority may require the owner or operator to develop and implement 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 Section 4.5.1.c for the reporting required when a QIP is implemented.

[45CSR§30-5.1.c; 40 C.F.R. § 64.8]

- 4.2.10. At a minimum of once a permit term, to determine compliance with Section 4.1.6, the permittee shall analyze the catalyst activity for one of the natural-gas fired turbines. The analysis should be completed following the manufacturer's recommended procedures. If problems are found during the catalyst activity test, the permittee must perform testing on the remaining eleven (11) catalyst beds and replace the catalyst beds that need to be replaced or take other corrective action consistent with the manufacturer's recommendations. The permittee shall test for catalyst activity on a different turbine each permit term. The analysis shall be completed no later than 18 months prior to this permit's expiration date.

[45CSR§30-5.1.c., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

4.3. **Testing Requirements**

- 4.3.1. Tests that are required by the Director to determine compliance with the emission limitations set forth in Sections 4.1.2, 4.1.3, and 4.1.16 shall be conducted in accordance with the methods as set forth below. The Director may approve a different test method or approve an alternative method upon written submission of such plan within the protocol submitted under Section 4.3.2. Compliance testing shall be conducted at the maximum permitted operating conditions corrected for ambient temperature unless otherwise specified by the Director. Compliance testing shall be conducted at maximum permitted capacity (in the absence of limits on a piece of equipment, the testing shall be conducted at maximum design capacity) unless otherwise approved by the Director in the protocol submitted under Section 4.3.2.

- a. Tests to determine compliance with TSP and PM₁₀ emission limits shall be conducted in accordance with 40 C.F.R. Part 60 Appendix A Method 5, 5A, 5B, 5C, 5D, 5E, 5F, 5G, or 5H.
- b. Tests to determine compliance with SO₂ emission limits shall be conducted in accordance with 40 C.F.R. Part 60 Appendix A Method 6, 6A, 6B, or 6C.
- c. Tests to determine compliance with CO emission limits shall be conducted in accordance with 40 C.F.R. Part 60 Appendix A Method 10, 10A, or 10B.
- d. Tests to determine compliance with NO_x emission limits shall be conducted in accordance with 40 C.F.R. Part 60 Appendix A Method 7, 7A, 7B, 7C, 7D, or 7E.
- e. Tests to determine compliance with VOC emission limits shall be conducted in accordance with 40 C.F.R. Part 60 Appendix A Method 25, or 25A.

[45CSR13, R13-2383, B.7., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06, G1]

- 4.3.2. With regard to any testing required by the Director, the permittee shall submit to the Director of Air Quality a test protocol detailing the proposed test methods, the date, and the time the proposed testing is to take place, as well as identifying the sampling locations and other relevant information. The test protocol must be received by the Director no less than thirty (30) days prior to the date the testing is to take place. Test results shall be submitted to the Director no more than sixty (60) days after the date the testing takes place. **[45CSR13, R13-2383, B.8., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06, G1]**
- 4.3.3. For the purposes of determining compliance with the maximum sulfur content limits set forth in Section 4.1.15, the applicant shall, at a minimum of once per calendar year, obtain from the No. 2 fuel oil supplier a certification of the sulfur content of the fuel supplied. An alternative means of determining compliance with Section 4.1.15 shall be subject to prior approval from the Director. **[45CSR13, R13-2383, B.12., G1]**
- 4.3.4. The permittee shall stack test three of the combustion turbines to determine NO_x and CO emissions. The results of the testing shall be used to demonstrate compliance with the NO_x and CO emissions limits set forth Sections 4.1.2 and 4.1.3. The permittee shall alternate stack testing with a different set of three combustion turbines per permit term. Stack testing shall be completed no later than 18 months prior to the permit's expiration date. **[45CSR§30-5.1.c., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]**
- 4.3.5. Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to 40 C.F.R. 60, Subpart IIII must do so according to paragraphs (a) through (e) of this section.
- (a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder.
- (b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR §1039.101(e) and 40 CFR §1039.102(g)(1), except as specified in 40 CFR §1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.
- (c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR §89.112 or 40 CFR §94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR §89.112 or 40 CFR §94.8, as applicable, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad (\text{Eq. 1})$$

Where:

STD = The standard specified for that pollutant in 40 CFR §89.112 or 40 CFR §94.8, as applicable.

Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR §89.112 or 40 CFR §94.8 may follow the testing procedures specified in §60.4213 of this subpart, as appropriate.

- (d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in §60.4204(a), §60.4205(a), or §60.4205(c), determined from the equation in paragraph (c) of this section.

Where:

STD = The standard specified for that pollutant in §60.4204(a), §60.4205(a), or §60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) may follow the testing procedures specified in §60.4213, as appropriate.

- (e) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 CFR 1042.101(c).

[45CSR16, 40 C.F.R. §60.4212, G1]

4.4. Recordkeeping Requirements

- 4.4.1. For the purposes of determining compliance with the maximum natural gas consumption limit set forth in Section 4.1.4, the permittee shall maintain certified daily and monthly records. An example form is included as Attachment A. Such records shall be retained by the permittee for at least five (5) years. Certified records shall be made available to the Director or his duly authorized representative upon request.
[45CSR13, R13-2383, B.10., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.4.2. For the purposes of determining compliance with the maximum hours of operation limit set forth in Section 4.1.15, the permittee shall maintain certified daily and monthly records of the generator hours of operation. An example form is included as Attachment A. Such records shall be retained by the permittee for at least five (5) years. Certified records shall be made available to the Director or his duly authorized representative upon request.
[45CSR13, R13-2383, B.11., G1]

4.4.3. General recordkeeping requirements for CAM,

1. The owner or operator shall comply with the recordkeeping requirements of Sections 3.4.1 and 3.4.2. The owner or operator 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 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).

2. Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements.

[45CSR§30-5.1.c. and 40 C.F.R. § 64.9 (b)]

- 4.4.4. Permittee must comply with the emissions standards specified in 40 C.F.R. § 60.4205 (a) by keeping records of engine manufacturer data indicating compliance with the standards.

[45CSR16, 40 C.F.R. § 60.4211 (b) (3), G1]

- 4.4.5. For the purposes of determining compliance with the maximum fuel sulfur-content limit set forth in Section 4.1.7, the permittee shall either, once per calendar year:

- a. Obtain from the fuel supplier a document certifying the maximum total sulfur content of the fuel gas delivered to the facility; or
- b. Conduct, or have conducted, testing on the fuel gas delivered to the facility to determine maximum total sulfur content. This testing shall be in accordance with 40 C.F.R. § 60.335 (b) (10) and Section 4.3.2.

[45CSR13, R13-2383, B.9., GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

- 4.4.6. If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §§60.4211(f)(2)(ii) and (iii) or that operates for the purposes specified in §60.4211(f)(3)(i), you must submit an annual report according to the requirements in paragraphs (1) through (3) of this section.

- (1) The report must contain the following information:
 - (i) Company name and address where the engine is located.
 - (ii) Date of the report and beginning and ending dates of the reporting period.
 - (iii) Engine site rating and model year.
 - (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
 - (v) Hours operated for the purposes specified in §§60.4211(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in §§60.4211(f)(2)(ii) and (iii).
 - (vi) Number of hours the engine is contractually obligated to be available for the purposes specified in §§60.4211(f)(2)(ii) and (iii).

- (vii) Hours spent for operation for the purposes specified in §60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in §60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
- (2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
- (3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in §60.4.

[45CSR16, 40 C.F.R. §60.4214(d), G1]

4.5. Reporting Requirements

4.5.1. General reporting requirements for CAM.

A report under 40 C.F.R. Part 64 shall include, at a minimum, the information required in Section 3.5.8 and the following information, as applicable.

- a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
- b. 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
- c. 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 owner or operator 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.

[45CSR§30-5.1.c; 40 C.F.R. § 64.9 (a) (2)]

- 4.5.2. For each affected unit that elects to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined as follows:

- (1) Nitrogen oxides.
 - (i) For turbines using water or steam to fuel ratio monitoring:

- (A) An excess emission shall be any unit operating hour for which the average steam or water to fuel ratio, as measured by the continuous monitoring system, falls below the acceptable steam or water to fuel ratio needed to demonstrate compliance with §60.332, as established during the performance test required in §60.8. Any unit operating hour in which no water or steam is injected into the turbine shall also be considered an excess emission.
 - (B) A period of monitor downtime shall be any unit operating hour in which water or steam is injected into the turbine, but the essential parametric data needed to determine the steam or water to fuel ratio are unavailable or invalid.
 - (C) Each report shall include the average steam or water to fuel ratio, average fuel consumption, ambient conditions (temperature, pressure, and humidity), gas turbine load, and (if applicable) the nitrogen content of the fuel during each excess emission. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in §60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of §60.335(b)(1).
- (2) Sulfur dioxide. If the owner or operator is required to monitor the sulfur content of the fuel under 40 C.F.R. §60.334 (h):
- (i) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.
 - (ii) If the option to sample each delivery of fuel oil has been selected, the owner or operator shall immediately switch to one of the other oil sampling options (*i.e.*, daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.8 weight percent. The owner or operator shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions according to paragraph 4.5.2(2)(i) of this section. When all of the fuel from the delivery has been burned, the owner or operator may resume using the as-delivered sampling option.
 - (iii) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample.

[45CSR16, 40 C.F.R. §§ 60.334 (j)(1)(i) and (j)(2), GS-01, GS-02, GS-03, GS-04, GS-05, GS-06]

4.6. Compliance Plan

4.6.1. None

4.7. CAM Plan Summary of Requirements for In-Stack Integrated Oxidation Catalyst

		Indicator No. 1
I.	Indicator	Calculated Daily Average Combustion Turbine Exhaust Gas Temperature (EGT)
	Monitoring Approach	Monitor Combustion Turbine Exhaust Gas Temperature (EGT) via nine thermocouples (Section 4.2.3.) before gases enter the power turbine inlet. The power turbine exhaust gas is the inlet to the oxidation catalyst bed.
II.	Indicator Range or Designated Condition	Exhaust gas temperature from the power turbine that are above 800 degree F ensure the catalyst is operating as designed. (Section 4.2.4.)
III.	Performance Criteria	Thermocouples used in the monitoring system are accurate to within ± 2 °F per manufacturer's information. (Section 4.2.3.)
	A. Data Representativeness	
	B. Verification of Operational Status	Not Applicable; Temperature thermocouples are unmodified original equipment.
	C. QA/QC Practices and Criteria	Anomalous combustion turbine EGT readings that are outside the known temperature parameters of 800 to 1390 °F for the current combustion turbine operation mode will be investigated. Those readings found to be accurate (i.e., not in error) will be considered valid and included in the daily average. Thermocouples will be calibrated according to manufacturer's recommendations. (Section 4.2.3.)
	D. Monitoring Frequency	Continuous during normal turbine operation except for periods of start-up, shutdown, and malfunction. (Section 4.2.4.)
	Data Collection Procedures	Temperature data will be recorded once each clock hour at half-past the hour (to avoid most dispatched start-ups occurring at the beginning of the hour). If, at the time of recordation, the combustion turbine is not operating normally (as defined above), the temperature for that hour will be deemed invalid and omitted from the calendar daily average calculation. (Sections 4.2.4 and 4.4.3.)
	Data averaging periods	Calendar day average of up to 24 valid hourly data recordation. A temperature excursion will be defined as a daily average combustion turbine EGT below 800 degrees F or above 1390 °F. Daily average temperature will be defined as the average of all valid hourly temperature recordation in a calendar day. See discussion in Monitoring Frequency and Data Collection Procedures for description of valid data. (Section 4.2.4)

Attachment A

Recordkeeping

ATTACHMENT A - EXAMPLE DATA FORM
BIG SANDY MONTHLY NATURAL GAS CONSUMPTION REPORT ⁽¹⁾⁽²⁾
 Big Sandy Peaker Plant, LLC - Big Sandy Peaker Plant
 Permit No. R13-2383, Plant ID No. 09900080

Month, Year: _____

Day of Month	Aggregate Facility-Wide Consumption of Natural Gas (scf/day)	Initials
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
Total (Tons/Mo.)		
12 month Rolling Total ⁽³⁾		

NON CONFIDENTIAL

- Note:
- (1) The CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side of this sheet must be completed within fifteen (15) days of the end of the reporting period.
 - (2) This record shall be maintained on site for a period of five (5) years from the date of certification. It shall be made available, upon request, to the Chief or his (her) authorized representative.
 - (3) Twelve month rolling total should not exceed 4,614,124,883 scf.

Attachment B

CAIR



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.

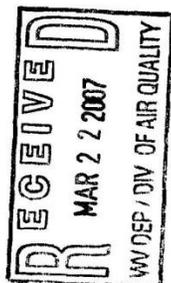
This submission is: New Revised

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

Big Sandy Peaker Plant, LLC	55284
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, Annual	NO, Ozone Season	SO, Annual
GS01	X	X	X
GS02	X	X	X
GS03	X	X	X
GS04	X	X	X
GS05	X	X	X
GS06	X	X	X
GS07	X	X	X
GS08	X	X	X
GS09	X	X	X
GS10	X	X	X
GS11	X	X	X
GS12	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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ source (as applicable) and such CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ unit (as applicable).

Big Sandy Peaker Plant, LLC

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(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_x source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO_x 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_x source (as applicable) with the CAIR NO_x Annual emissions limitation, CAIR NO_x Ozone Season emissions limitation and CAIR SO_x 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 SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO₂ 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 SO₂ units at the source, as determined in accordance with sections 70 through 75 of 45CSR41.

(2) A CAIR SO₂ 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 SO₂ 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 SO₂ allowance was allocated.

(4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with sections 51 through 62, and 80 through 88 of 45CSR41.

(5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ 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 SO₂ 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 SO₂ allowance to or from a CAIR SO₂ source's compliance account is incorporated automatically in any CAIR permit of the source.

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(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 SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, then:

(i) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ 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 SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ source (as applicable) and each NO_x unit, CAIR NO_x Ozone Season unit and CAIR SO₂ unit (as applicable) shall meet the requirements of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO₂ Trading Program (as applicable).

(2) Any provision of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program or CAIR SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ source (as applicable) or the CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit or CAIR SO₂ unit (as applicable) or the CAIR designated representative of a CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit or CAIR SO₂ 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 SO₂ 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 SO₂ source (as applicable) or CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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.

Big Sandy Peaker Plant, LLC Plant Name
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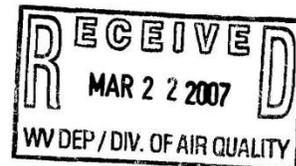
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continued

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.

Michael C. Lebens CAIR Designated Representative	
Signature 	Date 3/21/07



West Virginia Department of Environmental Protection • Division of Air Quality
Approved: March 24, 2014

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Appalachian Power Company
Ceredo Generating Station
R30-09900081-2013
Title V Permit Modification

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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

April 14, 2016

CERTIFIED MAIL

91 7199 9991 7035 6665 8806

Mr. Patrick C. Myers
Plant Manager
Appalachian Power Company
1662 Walker Branch Road
Huntington, WV 25704

Re: Appalachian Power Company
Ceredo Generating Station
Permit No. R13-2382D
Plant ID No. 099-00081

Dear Mr. Myers:

Your application for a permit as required by Section 5 of 45CSR13 - "Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permit, General Permit, and Procedures for Evaluation" has been approved. The enclosed permit R13-2382D is hereby issued pursuant to Subsection 5.7 of 45CSR13. Please be aware of the notification requirements in the permit which pertain to commencement of construction, modification, or relocation activities; startup of operations; and suspension of operations.

The source is subject to 45CSR30. The permittee has the duty to update the facility's Title V [45CSR30] permit application to reflect the changes permitted herein.

In accordance with 45CSR30 - Operating Permit Program, 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. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

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.

Should you have any questions or comments, please contact me at (304) 926-0499, extension 1257.

Sincerely,



John Legg
Permit Writer

cc: Gregory J. Wooten

Enclosures



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

**PERMIT TO ADMINISTRATIVELY UPDATE
AN ELECTRIC GENERATING STATION**

IN ACCORDANCE WITH THE WEST VIRGINIA AIR POLLUTION CONTROL LAW (W. Va. Code §§22-5-1 et seq.), AND REGULATIONS PROMULGATED THEREUNDER, THE FOLLOWING PERMITTEE IS AUTHORIZED TO CONSTRUCT, SUBJECT TO THE TERMS AND CONDITIONS OF THIS PERMIT, THE SOURCE DESCRIBED BELOW.

This permit will supersede and replace Permit R13-2382C which was approved on February 13, 2009.

Name of Permittee: Appalachian Power Company

Name of Facility: Ceredo Generating Station

Permit No.: R13-2382D

Plant ID No.: 099-00081

Effective Date of Permit: April 14, 2016

Permit Writer: John Legg

Facility Mailing Address: 1662 Walker Branch Road
 Huntington, WV 25704

County: Wayne

Nearest City or Town: Ceredo, WV

UTM Coordinates: Easting: 365.97 km Northing: 4,247.45 km Zone: 17

Directions to
Exact Location: Take Route 52 exit from I-64 and travel south for a short distance. Turn left onto Airport Road until you reach Huntington Testing. Turn left across the railroad tracks and then turn immediately to the right on Walkers Branch Road. Turn right at the first stop sign. The facility is approximately 1 mile, on the left.

Type of Facility
or Modification: Class II Administrative Update to eliminate the CO oxidation catalyst minimum performance requirement [for each of the six (6) gas turbines of $\geq 50\%$], while maintaining the emission limits applicable to the facility.

THE SOURCE IS SUBJECT TO 45CSR30. CHANGES AUTHORIZED BY THIS PERMIT MUST ALSO BE INCORPORATED INTO THE FACILITY'S TITLE V OPERATING PERMIT. COMMENCEMENT OF THE OPERATIONS AUTHORIZED BY THIS PERMIT SHALL BE DETERMINED BY THE APPROPRIATE TIMING LIMITATIONS ASSOCIATED WITH TITLE V PERMIT REVISIONS PER 45CSR30.

IN ACCORDANCE WITH THE PERMIT APPLICATION AND ITS AMENDMENTS, THIS PERMIT IS LIMITED AS FOLLOWS:

A. SPECIFIC REQUIREMENTS

- Hourly emissions from each of the six General Electric Model MS 7101EA / PG7121 (EA) Combustion Turbines (1S-6S) shall not exceed the following (except during periods of startup and shutdown and when the turbines are operated without the CO catalyst):

Pollutant	lbs/hr
Oxides of Nitrogen	40
Sulfur Dioxide	5
PM-10	17*
Volatile Organic Compounds	4
Carbon Monoxide (with CO catalyst operating)	47
Carbon Monoxide (without CO catalyst operating)	94
Hazardous Air Pollutants	1.0

*EPA Method 5, front and back half catch.

- Combined yearly emissions from the six General Electric Model MS 7001EA / PG7121(EA) Combustion Turbines (1S-6S) shall not exceed the following:

Pollutant	TPY
Oxides of Nitrogen	245.3
Sulfur Dioxide	5.0
PM-10	83.3
Volatile Organic Compounds	13.6
Carbon Monoxide	240.2
Hazardous Air Pollutants	7.4

- Combustion Turbines (1S - 6S) shall not combust more than 12×10^9 scf/yr of fuel cumulatively on a rolling 12 month basis unless Continuous Emission Monitors (CEM's) for NO_x are installed and operating.

R13-2382D
Appalachian Power Company
Ceredo Generating System

4. CO oxidation catalysts 1C, 2C, 3C, 4C, 5C, and 6C shall be installed, maintained, and operated in a manner consistent with good air pollution control practices for minimizing emissions to comply with CO emission limitations set forth in Specific Requirements A.1 and A.2. The CO oxidation catalysts shall be utilized at all times except in the case of failure of the catalyst. In the event of failure of the catalyst, the permittee shall notify the Division of Air Quality within 24 hours. In no case shall the facility operate without the use of CO oxidation catalysts for more than 2,688 turbine-hours per year based on a rolling yearly total. Additionally, in no case shall the emission limitations set forth in Specific Requirements A.1. and A.2 be exceeded except for hourly CO emissions which shall not exceed 94 lbs/hr during periods of catalyst failure.
5. The sulfur content of the gas being fired shall not exceed 1.32 grains/100 scf.
6. Combined hours of operation for the six (6) turbines shall not exceed 15,150 hours per year unless Continuous Emission Monitors (CEM's) for NO_x are installed and operating. Compliance with this limit shall be determined using a 12 month rolling average.
7. The fuel gas heater located on-site shall not combust more than 49.8 x 10⁶ scf/yr of fuel cumulatively on a rolling 12 month basis.

B. OTHER REQUIREMENTS

1. The permittee shall comply with all applicable provisions of 45CSR2, 45CSR10, 45CSR13, 45CSR16, 45CSR30 and 40 CFR 60, Subparts Dc and GG, provided that the permittee shall comply with any more stringent requirements as may be set forth under Specific Requirements, Section (A) of this permit. Legislative Rule 45CSR16 incorporates therein 40 CFR 60.
2. The pertinent sections of 45CSR2 applicable to this facility include, but are not limited to, the following:

§45-2-3.1

No person shall cause, suffer, allow, or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than (10) percent opacity based on a six minute block average.

§45-2-4.1

No person shall cause, suffer, allow, or permit the discharge of particulate matter into the open air from all fuel burning units located at one plant, measured in terms of pounds per hour in excess of the amount determined as follows:

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Appalachian Power Company
Ceredo Generating System

§45-2-4.1.b

For Type 'b' fuel burning units, the product of 0.09 and the total design heat inputs for such units in million B.T.U.'s per hour, provided however that no more than six hundred (600) pounds per hour of particulate matter shall be discharged into the open air from all such units.

§45-2-5.1

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.

3. The pertinent sections of 45CSR10 applicable to this facility include, but are not limited to, the following:

§45-10-3.3.

No person shall cause, suffer, allow, or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of the amount determined as follows:

§45-10-3.3.f.

For Type 'b' and Type 'c' fuel burning units, the product of 3.2 and the total design heat inputs for such units discharging through those stacks in million BTU's per hour.

4. The pertinent sections of 45CSR13 applicable to this facility include, but are not limited to, the following:

§45-13-6.1

At the time a stationary source is alleged to be in compliance with an applicable emission standard and at reasonable times to be determined by the Secretary thereafter, appropriate tests consisting of visual determinations or conventional in-stack measurements or such other tests the Secretary may specify shall be conducted to determine compliance.

§45-13-10.2

The Secretary may suspend or revoke a permit if, after six (6) months from the date of issuance, the holder of the permit cannot provide the Secretary, at the Secretary's request, with written proof of a good faith effort that construction, modification, or relocation, if applicable, has commenced. Such proof shall be provided not later than thirty (30) days after the

Secretary's request. If construction or modification of a stationary source is discontinued for a period of eighteen (18) months or longer, the Secretary may suspend or revoke the permit.

§45-13-10.3

The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based or the conditions established in the permit are not adhered to. Upon notice of the Secretary's intent to suspend, modify or revoke a permit, the permit holder may request a conference with the Secretary in accordance with the provisions of W.Va Code § 22-5-5 to show cause why the permit should not be suspended, modified or revoked.

5. The permittee shall conduct stack tests on each gas turbine to determine compliance with the emissions rates for NO_x and CO found at Paragraph (A)(1) of this permit in accordance with EPA test methods described in 40 CFR 60, Appendix A. Compliance testing of each gas turbine shall be conducted at 100% of full load, within 60 days after achieving the maximum production rate at which the facility will be operated, but not later than 180 days after initial startup of the facility. Specifically, NO_x emissions shall be determined utilizing Method 20, and CO emissions shall be determined utilizing EPA Method 10. The results reported to the Director of the Division of Air Quality, WV Division of Environmental Protection within 45 days after the date of completion of stack test.
6. The permittee shall submit a stack test protocol detailing the testing procedure, including, but not limited to, sampling methods and procedures, quality assurance procedures, and sampling location. The test protocol shall be received by the Director no less than 30 days prior to the planned date of stack testing. The Director shall be notified at least 15 days in advance of the planned date and time during which the test will be conducted.
7. The operations of the new affected facilities under this permit are subject to requirements of 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines. Pertinent sections applying to these operations include, but are not limited to:

§60.7(a)

Any owner or operator subject to the provisions of this part shall furnish written notification as follows :

§60.7(a)(1)

A notification of the date construction is commenced postmarked no later than 30 days after such date.

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Appalachian Power Company
Ceredo Generating System

§60.7(a)(3)

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

§60.8(a)

Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the act, the owner or operator of such facility shall conduct performance test(s) and furnish a written report of the results of such performance test(s).

§60.11(d)

At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate, any affected facility including associated air pollution equipment in a manner consistent with good air pollution control practice for minimizing emissions.

§60.332(a)

On and after the date of the performance test required by §60.8 is completed, every owner or operator subject to the provisions of this subpart as specified in paragraphs (b), (c) and (d) of this section shall comply with the following, except as provided in paragraphs (e), (f), (g), (h), (i), (j), (k), and (l) of this section.

§60.332(a)(1)

No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine, any gases which contain nitrogen oxides in excess of:

$$\text{STD} = 0.0075 * (14.4/Y) + F$$

where:

STD = allowable NO_x emissions (percent volume at 15 percent oxygen and on a dry basis)

Y = manufacturer's rated heat rate at manufacturers rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not to exceed 14.4 kilojoules per watt hour.

F = NO_x emission allowance for fuel-bound nitrogen as defined in paragraph (a)(3) of this section.

§60.332(b)

Electric utility stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired shall comply with the provisions of paragraph (a)(1) of this section.

§60.333

On and after the date on which the performance test required to be conducted by §60.8 is completed, every owner or operator subject of the provision of this subpart shall comply with one or the other of the following conditions:

- (a) No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis.
- (b) No owner or operator subject to the provisions of this subpart shall burn in any stationary gas turbine any fuel which contains sulfur in excess of 0.8 percent by weight.

§60.334(b)

The owner or operator of any stationary gas turbine subject to the provisions of this subpart shall monitor sulfur content and nitrogen content of the fuel being fired in the turbine. The frequency of determination of these values shall be as follows:

- (2) If the turbine is supplied its fuel without intermediate bulk storage the values shall be determined and recorded daily. Owners, operators or fuel vendors may develop custom schedules for determination of the values based on the design and operation of the affected facility and the characteristics of the fuel supply. These custom schedules shall be substantiated with data and must be approved by the Administrator before they can be used to comply with paragraph (b) of this section.

- 8. The operations of the gas fuel heater are subject to the requirements of 40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. Pertinent sections applying to these operations include, but are not limited to the following:

§60.48c(a)

The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by §60.7 of this part. This notification shall include:

§60.48c(a)(1)

The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

§60.48c(g)

The owner or operator of each affected facility shall record and maintain records of the amounts of each fuel combusted during each operating day.

§60.48c(l)

All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

§60.48c(j)

The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

10. All notifications and reports required pursuant to 40 CFR 60 under §60.7 shall be forwarded to:

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345

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

11. For the purposes of determining compliance with the maximum fuel combustion limits set forth in Specific Requirements A.3 and A.7, the applicant shall maintain certified daily records, utilizing the form identified as Attachment A. Such records shall be retained on-site by the permittee for at least five (5) years. Certified records shall be made available to the Director or his or her duly authorized representative upon request.
12. For the purposes of determining compliance with maximum hours of operation limits set forth in Specific Requirements A.6, the applicant shall maintain certified daily records, utilizing the form identified as Attachment B. Such records shall be retained by the permittee for at least five (5) years. Certified records shall be made available to the Director or his or her duly authorized representative upon request.

13. If NO_x CEM's are installed on the gas turbines, they shall be installed, operated, and maintained in accordance with the requirements of 40 CFR 75; once they are operational and have been calibrated, the applicant shall notify WVDEP that this has been done, and the fuel usage and operational restrictions set forth in Specific Requirements A.3 and A.6 will no longer apply. The NO_x CEM's will assure compliance with the NO_x emission limits set forth in Specific Requirements A.1 and A.2.
14. If NO_x CEM's are not installed, NO_x emissions from each gas turbine will be determined and tracked in accordance with 40 CFR 75.
15. If CO CEM's are not installed, CO emissions will be determined prior to the earlier of 3,000 unit hours or the 5-year anniversary and renewal of the facility's operating permit under 40 CFR 72, utilizing EPA Method 10, an analyzer complying with EPA Method 10, or EPA Conditional Test Method 30 (GRI Method).
16. For the purposes of determining compliance with Specific Requirement A.4. the permittee shall maintain certified daily records, utilizing the form identified as Attachment C. Such records shall be retained by the permittee for at least five (5) years. Certified records shall be made available to the Director or his or her duly authorized representative upon request.

C. GENERAL REQUIREMENTS

1. In accordance with 45CSR30 - "Operating Permit Program", the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first filing a Certified Emissions Statement (CES) and paying the appropriate fee. Such Certified Emissions Statement (CES) shall be filed and the appropriate fee paid annually. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Director or his/her duly authorized representative.
2. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses, and/or approvals from other agencies; i.e., local, state, and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.
3. The permitted facility shall be constructed and operated in accordance with information filed in Permit Application R13-2382, R13-2382A, R13-2382B, R13-2382C, R13-2382D and any amendments thereto. The Director may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.

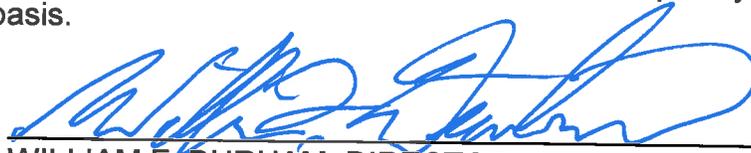
R13-2382D
Appalachian Power Company
Ceredo Generating System

4. At such reasonable time(s) as the Director may designate, the permittee shall conduct or have conducted test(s) to determine compliance with the emission limitations established in the permit application and/or applicable regulations. Test(s) shall be conducted in such a manner as the Director may specify or approve and shall be filed in a manner acceptable to the Director. The Director, or his/her duly authorized representative, may at his option witness or conduct such test. Should the Director exercise his option to conduct such test(s), the permittee shall provide all the necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment, and the required safety equipment such as scaffolding, railings, and ladders to comply with generally accepted good safety practices. For any tests to be conducted by the permittee, a test protocol shall be submitted to the DAQ by the permittee at least thirty (30) days prior to the test and shall be approved by the Director. The Director shall be notified at least fifteen (15) days in advance of the actual dates and times during which the test will be conducted.
5. In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations, either in whole or in part, authorized by this permit, the permittee shall notify the Director, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.
6. The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.
7. The permittee shall notify the Director, in writing, within fifteen (15) calendar days of the commencement of the construction, modification, or relocation activities authorized under this permit.
8. The permittee shall notify the Director, in writing, at least fifteen (15) calendar days prior to actual startup of the operations authorized under this permit.
9. This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13.
10. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7.
11. At such time(s) as the Director may designate, the permittee herein shall prepare and submit an emission inventory for the previous calendar year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division

R13-2382D
Appalachian Power Company
Ceredo Generating System

of Air Quality. After the initial submittal, the Director may, based upon the type and quantity of the pollutants emitted, establish a submittal frequency other than on an annual basis.

ISSUED BY:



WILLIAM F. DURHAM, DIRECTOR
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF AIR QUALITY

DATE SIGNED:

4-19-2016

Attachment A - Natural Gas Usage *
Appalachian Power Company, Ceredo Generating Station
Plant ID No.: 099-00081; Permit No.: R13-2382D

Month _____ Year _____

Day	Amount of Natural Gas (scf) Used in		Initials ⁽¹⁾
	Fuel Gas Heater	Combustion Turbines	
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
Total			

(1) At the conclusion of filling in the required information each entry must be initialed by the individual entering in the information.

Rolling Yearly Total _____ scf (turbines)

Rolling Yearly Total _____ scf (heater)

*The Certification of Data Accuracy statement on the reverse side of this form must be completed and signed by a responsible official with fifteen (15) days after the end of the calendar month. This record shall be maintained on site for a period of five(5) years for the date of certification. It shall be made available, upon request, to the Chief or his/her authorized representative.

Attachment B - Turbine Engine Usage *
Appalachian Power Company, Ceredo Generating Station
Plant ID No.: 099-00081; Permit No.: R13-2382D

Month _____ Year _____		
Day	Number of Hours of Turbine Usage (all 6 Turbines Combined)	Initials ⁽¹⁾
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
Total		

(1) At the conclusion of filling in the required information each entry must be initialed by the individual entering in the information.

Total Hours for the Month _____ Hours (turbines)

Rolling Yearly Total _____ Hours (turbines)

*The Certification of Data Accuracy statement on the reverse side of this form must be completed and signed by a responsible official with fifteen (15) days after the end of the calendar month. This record shall be maintained on site for a period of five(5) years for the date of certification. It shall be made available, upon request, to the Chief or his/her authorized representative.

Attachment C - Combustion Turbine Usage Without CO Catalyst *
Appalachian Power Company, Ceredo Generating Station
Plant ID No.: 099-00081; Permit No.: R13-2382D

Month _____ Year _____

Day	Hours Each Turbine was Used Without a CO Catalyst (HR)						Initials ⁽¹⁾
	Turbine #1	Turbine #2	Turbine #3	Turbine #4	Turbine #5	Turbine #6	
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
Total							

(1) At the conclusion of filling in the required information each entry must be initialed by the individual entering in the information.

Total Hours for the Month _____ hours (turbines)

Rolling Yearly Total _____ hours (turbines)

*The Certification of Data Accuracy statement on the reverse side of this form must be completed and signed by a responsible official with fifteen (15) days after the end of the calendar month. This record shall be maintained on site for a period of five (5) years for the date of certification. It shall be made available, upon request, to the Chief or his/her authorized representative.

CERTIFICATION OF DATA ACCURACY

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

Signature¹

(please use blue ink)

Responsible Official or Authorized Representative

Date

Name and Title

(please print or type)

Name

Title

Telephone No. _____

Fax No. _____

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

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

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Pleasants Energy, LLC
R30-07300022-2014
Title V Permit to Operate

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West Virginia Department of Environmental Protection
Division of Air Quality

Earl Ray Tomblin
Governor

Randy C. Huffman
Cabinet Secretary

Permit to Operate



Pursuant to
Title V
of the Clean Air Act

Issued to:
Pleasants Energy, LLC
Waverly, WV
R30-07300022-2014



William F. Durham
Director

Issued: December 22, 2014 • Effective: January 5, 2015
Expiration: December 22, 2019 • Renewal Application Due: June 22, 2019

Permit Number: **R30-07300022-2014**
Permittee: **Pleasants Energy, LLC**
Permittee Mailing Address: **10319 South Pleasants Highway**
St. Marys, WV 26170

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:	Waverly, Pleasants County, West Virginia
Facility Mailing Address:	10319 South Pleasants Highway, St. Marys, WV 26170
Telephone Number:	(304) 665-4200
Type of Business Entity:	LLC
Facility Description:	Facility is a 300 megawatt natural gas/fuel oil fired electric generating peaking station. The station consists of two (2) General Electric (GE) 7FA class simple cycle combustion turbines including generator, exciter and associated systems.
SIC Codes:	Primary 4911; Secondary NA; Tertiary NA
UTM Coordinates:	468.629 km Easting • 4353.573 km Northing • Zone 17

Permit Writer: Frederick Tipane

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

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

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Source-specific Requirements

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APPENDIX A – CAIR Permit Application

APPENDIX B – Acid Rain Permit

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
GT1	EP1	General Electric Model 7FA Turbine	2001	1,571 mmbtu/hr	None
GT2	EP2	General Electric Model 7FA Turbine	2001	1,571 mmbtu/hr	None
T1		Fuel Oil Storage Tank	2001	2,200,000 gallon	None
T2		Oil-water Separator	2001	8,000 gallon	None
T3		Portable Gasoline Storage Tank	2002	300 gallon	None
T4		Portable Diesel Storage Tank	2002	300 gallon	None

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
R13-2373A	01/19/2006

2.0 General Conditions

2.1. Definitions

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

2.2. Acronyms

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

2.3. Permit Expiration and Renewal

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

2.4. Permit Actions

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

2.5. Reopening for Cause

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

- d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

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

[45CSR§30-6.4.]

2.7. Minor Permit Modifications

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

[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

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

[45CSR§30-6.5.b.]

2.9. Emissions Trading

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

[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:

- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
- b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
- c. The change shall not qualify for the permit shield.

- d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
- e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.
- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

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

[45CSR§30-5.8]

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

[45CSR§30-5.8.a.]

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

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

[45CSR§30-5.8.c.]

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

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

[45CSR§30-5.1.i.]

2.13. Duty to Comply

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

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

- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

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

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

[45CSR§30-5.1.f.2.]

2.17. Emergency

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[45CSR§30-5.7.a.]

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

[45CSR§30-5.7.b.]

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

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

[45CSR§30-5.7.d.]

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

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

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

[45CSR§30-5.2.a.]

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

2.19. Duty to Provide Information

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

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

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

[45CSR§30-4.2.]

2.21. Permit Shield

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

[45CSR§30-5.6.a.]

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

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

[45CSR§30-5.6.c.]

2.22. Credible Evidence

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

[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

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

[45CSR§30-5.1.e.]

2.24. Property Rights

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

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

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

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

[45CSR§30-5.1.d.]

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

[45CSR§30-5.1.a.2.]

3.0 Facility-Wide Requirements

3.1 Limitations and Standards

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

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

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

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

[40 C.F.R. 68]

- 3.1.9. **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.]

- 3.1.10. **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.]

- 3.1.11. **CAIR SO₂ 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 SO₂ 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 SO₂ allowance to or from the compliance account of the CAIR SO₂ 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.]

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.]

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

[45CSR§30-5.1.c.2.B.]

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

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

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states

that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

[45CSR§§30-4.4. and 5.1.c.3.D.]

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

[45CSR§30-5.1.c.3.E.]

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

If to the DAQ:

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

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

If to the US EPA:

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

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.

[45CSR§30-8.]

- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The annual certification to the USEPA shall be submitted in electronic format only. It shall be submitted by e-mail to the following address: R3_APD_Permits@epa.gov. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.

[45CSR§30-5.3.e.]

- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.

[45CSR§30-5.1.c.3.A.]

3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

3.5.8. **Deviations.**

a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:

1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

[45CSR§30-5.1.c.3.B.]

3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

[45CSR§30-4.3.h.1.B.]

3.6. Compliance Plan

3.6.1. None.

3.7. Permit Shield

3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.
- a. **45CSR2 - To Prevent and Control Particulate Air Pollution from Combustion of Fuel in Indirect Heat Exchangers.** According to permit #R13-2373A the natural gas turbines (GT1 & GT2) are subject to 45CSR2. However, the turbines are not indirect heat exchangers and by definition are not fuel burning units. The turbines use the combustion gases to turn the turbine blades.
 - b. **40 CFR 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.** Tank T1 was constructed after July 23, 1984, has a capacity >151 m³, and the fuel oil it stores has a true maximum vapor pressure less than 3.5 kilopascals. Therefore pursuant to 40 CFR §60.110b(b), tank T1 is exempt from this subpart.
 - c. **40 CFR 60 Subpart KKKK – Standards of Performance for Stationary Combustion Turbines.** The combustion turbines were constructed prior to February 18, 2005 and therefore they are not subject to this rule.
 - d. **40 CFR Part 64 - Compliance Assurance Monitoring.** The only potential PSEU applicable to turbines GT1 and GT2 is for nitrogen oxide (NO_x). NO_x is the only pollutant from the turbines for which there are emission controls. The NO_x controls for the turbines while burning natural gas are inherent to the design and operation of the turbines. Water injection is used to control NO_x whenever fuel oil is fired in the turbines. NO_x continuous emission monitors (CEMS) are specified in the original Title V permit in order to monitor NO_x emissions thus satisfying the exemption of 40 CFR§64.2(b)(vi). The facility is also subject to the Acid Rain Program requirements and therefore also meets the exemption of 40 CFR§64.2(b)(iii).

4.0 Gas Turbines GT1 & GT2 [emission point ID(s): EPI, EP2]

4.1. Limitations and Standards

4.1.1. Except during periods of startup and shutdown, emissions from each combustion turbine (GT1 and GT2) shall not exceed the following: **

Pollutant	lbs/hr	lbs/hr
	(when combusting natural gas)	(when combusting fuel oil)
NO _x	65	470
SO ₂	2.5	103
PM ₁₀	18	39
VOC's	3	8
CO	32	72
Formaldehyde	1.7	Na
Sulfuric Acid	Na	11

*For this permit condition:

“Startup” is defined as the time to achieve steady-state operation. Startup shall begin in the minute flame is established and shall not exceed 120 minutes (2-hour) duration per event.

“Shutdown” is defined as the intent to stop operation of the unit and shall begin from steady-state operation to “no flame”. Shutdown shall not exceed 120 minutes (2-hour) duration.

Should any startup or shutdown be extended beyond the timelines allotted, the Permittee shall report the extension and reasons for said extension.

[45CSR13, R13-2373 §A.1. and §A.2., 45CSR§30-12.7, **State-Enforceable only.]

4.1.2. Combined yearly emissions from the Combustion Turbines (GT1 and GT2) shall not exceed the following regardless of fuel or fuels combusted:

Pollutant	TPY (both turbines regardless of fuel)
NO _x	241
SO ₂	53
PM ₁₀	75
VOC's	12
CO	116
Formaldehyde	7
Sulfuric Acid	5.6
PAH's	1.2

Compliance with the annual emission limits shall be demonstrated using a 12 month rolling total.
[45CSR13, R13-2373 §A.3., 45CSR§30-5.1.c.]

- 4.1.3. Combustion turbines (GT1 & GT2) shall not combust more than 14.02×10^9 scf/yr of fuel cumulatively on a rolling 12 month basis. Additionally, whenever fuel oil is combusted, this limit shall be reduced by 889 cubic feet of natural gas for each gallon of fuel oil combusted.
[45CSR13, R13-2373 §A.4., 45CSR§30-5.1.c.]
- 4.1.4. When low sulfur distillate fuel oil is fired, water injection shall be utilized to control NO_x emissions.
[45CSR13, R13-2373 §A.5.]
- 4.1.5. A dry low NO_x combustion system shall be installed, maintained, and operated so as to control NO_x emissions from the combustion turbines (GT1 and GT2) when natural gas is fired.
[45CSR13, R13-2373 §A.6.]
- 4.1.6. The annual average sulfur content of the low sulfur distillate fuel shall not exceed 0.05 percent.
[45CSR13, R13-2373 §A.7.]
- 4.1.7. The annual average sulfur content of the natural gas shall not exceed 0.5 grains per 100 scf.
[45CSR13, R13-2373 §A.8.]
- 4.1.8. Sulfur content of the fuel combusted in the turbines shall be no more than 0.8 percent by weight.
[45CSR16; 40 CFR §60.333(b), 45CSR13, R13-2373 §B.5.]
- 4.1.9. Nitrogen Oxides emissions from the turbine stacks shall not exceed 109 parts per million by volume on a dry basis at 15% oxygen.
[45CSR16; 40 CFR §§60.332(a)(1) & (b), 45CSR13, R13-2373 §B.5.]
- 4.1.10. At all times, including periods of startup, shutdown, and malfunction, the turbines and associated water injection system (when combusting distillate fuel oil) shall be, to the extent practicable, maintained and operated in a manner consistent with good air pollution practice for minimizing emissions.
[45CSR16; 40 CFR §60.11(d), 45CSR13, R13-2373 §B.5.]

Acid Rain Program

- 4.1.11. The gas turbines are Phase II Acid Rain affected units under 45CSR33, as defined by 40 C.F.R § 72.6, and as such are required to meet the requirements of 40 C.F.R. Parts 72, 73, 74, 75, 76, 77 and 78. These requirements include, but are not limited to:
 - a. Hold an Acid Rain permit; (attached as Appendix B)
 - b. Hold allowances, as of the allowance transfer deadline, in the unit's compliance sub-account of not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit;
 - c. Comply with the applicable Acid Rain emissions for sulfur dioxide;
 - d. Comply with the applicable Acid Rain emissions for nitrogen oxides;
 - e. Comply with the monitoring requirements of 40 C.F.R. Part 75 and section 407 of the Clean Air Act of 1990 and regulations implementing section 407 of the Act;

- f. Submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 C.F.R. Part 72, Subpart I and 40 C.F.R. Part 75.

[45CSR33, 40 CFR Parts 72, 73, 74, 75, 76, 77, 78.]

4.2. Monitoring Requirements

- 4.2.1. The permittee shall install and operate a system to monitor emissions of NO_x from the combustion turbines. The procedures under 40 CFR §60.13 or 40 CFR Part 75, as appropriate, shall be followed for installation, evaluation and operation of this system.

[45CSR13, R13-2373 §A.9.]

- 4.2.2. In order to demonstrate compliance with the sulfur content limits of sections 4.1.6., 4.1.7. and 4.1.8, the sulfur content of the fuel being fired in the turbines shall be monitored and recorded in accordance with 40 C.F.R. 75.

[45CSR16; 40 CFR §60.334(h)(4); 45CSR13, R13-2373 §§B.5. & B.6.; 45CSR§30-5.1.c]

4.3. Testing Requirements

- 4.3.1. [Reserved]

4.4. Recordkeeping Requirements

- 4.4.1. Continual compliance with the mass emission limits of sections 4.1.1. & 4.1.2. shall be demonstrated as follows. Required calculations shall be performed every fifteen minutes utilizing average minute data values for the parameters. Each of the mass emissions will then be averaged on an hourly basis and recorded. The hourly averages will then be used to create the monthly and 12-month rolling total emission reports.

Heat Input Calculation

$$HI = (Q_v * GCV) / 10^6$$

Where HI = heat input in mmBtu/hr
Q_v = volumetric fuel flow in 100scf/hr (10 gal/hr for distillate fuel oil)
GCV = Btu/100scf (BTU/10 gal. for distillate fuel oil)

NO_x Emission Rate

CEMS

SO₂ Emission Rate

$$M \text{ SO}_2 = S_{\text{fuel}} * Q_{\text{fuel}} * C * (64 \text{ lb SO}_2 / 32 \text{ lb S})$$

Where M SO₂ = mass emission for SO₂ in lbs/hr
S_{fuel} = sulfur content of fuel in grains/100 scf (lb S / lb fuel for distillate fuel)
Q_{fuel} = amount of fuel combusted/hr in 100 scf (pounds for distillate fuel)
C = unit Conversion 0.00014 lb/grain (for natural gas only)

PM₁₀ Emission Rate

$$M_{PM_{10}} = HI * ER_{PM_{10}}$$

Where HI = heat input in mmBtu/hr
ER_{PM₁₀} = Emission Rate in lb/mmBtu determined during the most recent stack test.

VOC Emission Rate

$$M_{VOC} = HI * ER_{VOC}$$

Where HI = heat input in mmBtu/hr
ER_{VOC} = Emission Rate in lb/mmBtu determined during the most recent stack test.

CO Emission Rate

$$M_{CO} = HI * ER_{CO}$$

Where HI = heat input in mmBtu/hr
ER_{CO} = Emission Rate in lb/mmBtu determined during the most recent stack test.

H₂SO₄ Emission Rate

$$M_{H_2SO_4} = HI * ER_{H_2SO_4}$$

Where HI = heat input in mmBtu/hr
ER_{H₂SO₄} = Emission Rate in lb/mmBtu determined during the most recent stack test.

[45CSR§30-5.1.c.]

- 4.4.2. The permittee shall maintain daily records of the amount of fuel combusted in the turbines.
[45CSR13, R13-2373 §B.9.]

4.5. Reporting Requirements

- 4.5.1. The permittee shall comply with the reporting requirements of 40 C.F.R. §60.334(j) by submitting reports of excess emissions and monitor downtime, in accordance with 40 C.F.R. §60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown, and malfunction. For the purpose of reports required under 40 C.F.R. §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined by 40 C.F.R. §60.334(j). All required reports shall be submitted to both the Division of Air Quality and USEPA in accordance with 3.5.3.
[45CSR16; 40 CFR §§60.334(j) and 60.7(c); 45CSR13, R13-2373 §B.8.]

4.6. Compliance Plan

- 4.6.1. N/A

APPENDIX A

CAIR Permit Application

Plant Name **Pleasants Energy, LLC**

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 SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ source (as applicable) with the CAIR NO_x Annual emissions limitation, CAIR NO_x Ozone Season emissions limitation and CAIR SO₂ 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 SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO₂ 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 SO₂ units at the source, as determined in accordance with sections 70 through 75 of 45CSR41.

(2) A CAIR SO₂ 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 SO₂ 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 SO₂ allowance was allocated.

(4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with sections 51 through 62, and 80 through 88 of 45CSR41.

(5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ 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 SO₂ 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 SO₂ allowance to or from a CAIR SO₂ source's compliance account is incorporated automatically in any CAIR permit of the source.

**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 SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, then:

(i) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ 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 SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source and CAIR SO₂ source (as applicable) and each CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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 SO₂ 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 SO₂ source (as applicable) and each NO_x unit, CAIR NO_x Ozone Season unit and CAIR SO₂ unit (as applicable) shall meet the requirements of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program and CAIR SO₂ Trading Program (as applicable).

(2) Any provision of the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program or CAIR SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ source (as applicable) or the CAIR designated representative of a CAIR NO_x Annual source, CAIR NO_x Ozone Season source or CAIR SO₂ 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 SO₂ 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 SO₂ Trading Program (as applicable) that applies to a CAIR NO_x Annual unit, CAIR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ source (as applicable) or CAIR NO_x Annual unit, CAIR NO_x Ozone Season unit and CAIR SO₂ 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.

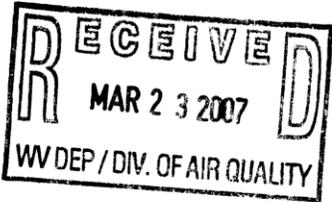
Pleasants Energy, LLC
Plant Name

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.

Gregory P. Kunkel CAIR Designated Representative	
Signature <i>G. Kunkel</i>	Date 3/22/2007



APPENDIX B

Acid Rain Permit



west virginia department of environmental protection
Division of Air Quality

Phase II Acid Rain Permit

Plant Name: Pleasants Energy, LLC		Permit #: R33-55349-2015-3
Affected Unit(s): 1, 2		
Operator: IPA Operations, Inc.		ORIS Code: 55349
Effective Date	From: January 1, 2011	To: December 31, 2015

Contents:

1. Statement of Basis.
2. SO₂ allowances allocated under this permit and NO_x requirements for each affected unit.
3. Comments, notes and justifications regarding permit decisions and changes made to permit application forms during the review process, and any additional requirements or conditions.
4. The permit application forms submitted for this source, as corrected by the West Virginia Division of Air Quality. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application.

1. Statement of Basis

Statutory and Regulatory Authorities: In accordance with W. Va. Code §22-5-4(a)(16) and Titles IV and V of the Clean Air Act, the West Virginia Department of Environmental Protection, Division of Air Quality issues this permit pursuant to 45CSR33 and 45CSR30.

Permit Approval



John A. Benedict, Director
Division of Air Quality



Date

Promoting a healthy environment

West Virginia Department of Environmental Protection • Division of Air Quality

Plant Name: Pleasants Energy, LLC	Permit #: R33-55349-2015-3
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2. SO₂ Allocations for each affected unit

Unit No. 1

SO ₂ Allowances	Year				
	2011	2012	2013	2014	2015
Table 2 or 3 allowances, as adjusted by 40CFR Part 73	N/A*	N/A*	N/A*	N/A*	N/A*
Repowering plan allowances	N/A	N/A	N/A	N/A	N/A

* This unit was not eligible for an initial allocation of SO₂ allowances under 40 CFR Part 73, but may acquire such allowances from other sources. This unit is still obligated to hold SO₂ allowances as required under and in accordance with 40 CFR §72.9(c)(1). Allocations and transfers to, as well as deductions from, a unit's allowance account do not necessitate a revision to this permit (see 40 CFR §72.84).

3. Comments, notes and justifications regarding decisions, and changes made to the permit application forms during the review process:

None

4. Permit application forms:

Attached.

West Virginia Department of Environmental Protection • Division of Air Quality

Plant Name: Pleasants Energy, LLC	Permit #: R33-55349-2015-3
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2. SO₂ Allocations for each affected unit

Unit No. 2

SO ₂ Allowances	Year				
	2011	2012	2013	2014	2015
Table 2 or 3 allowances, as adjusted by 40CFR Part 73	N/A*	N/A*	N/A*	N/A*	N/A*
Repowering plan allowances	N/A	N/A	N/A	N/A	N/A

* This unit was not eligible for an initial allocation of SO₂ allowances under 40 CFR Part 73, but may acquire such allowances from other sources. This unit is still obligated to hold SO₂ allowances as required under and in accordance with 40 CFR §72.9(c)(1). Allocations and transfers to, as well as deductions from, a unit's allowance account do not necessitate a revision to this permit (see 40 CFR §72.84).

3. Comments, notes and justifications regarding decisions, and changes made to the permit application forms during the review process:

None

4. Permit application forms:

Attached.

Permit Requirements**STEP 3**

Read the standard requirements.

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).

Sulfur Dioxide Requirements, Cont'd.**STEP 3, Cont'd.**

- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements

The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements

- (1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected source that has excess emissions in any calendar year shall:
- (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit 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 prior to the end of 5 years, in writing by the Administrator or permitting authority:
- (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; 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 changing the designated representative;

Recordkeeping and Reporting Requirements, Cont'd.**STEP 3, Cont'd.**

- (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 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 Acid Rain Program; and,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating

Effect on Other Authorities, Cont'd.

STEP 3, Cont'd.

to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a source can hold; *provided*, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;

(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

STEP 4

Read the certification statement, sign, and date.

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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.

Name	Gareth Dolan - Plant Manager	
Signature		Date 7-27-2010