west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304
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Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov

PERMIT FOR A MODIFICATION TO A COAL FIRED POWER PLANT

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 supersedes and replaces Permit Number R14-0005E issued on August 6, 2010.

Name of Permittee:	American Bituminous Power Partners, L.P.
Name of Facility:	Grant Town Power Plant
Permit No.:	R14-0005F
Plant ID No.:	049-00026
Effective Date of Permit:	DRAFT
Permit Writer:	Joseph Kessler
Facility Mailing Address:	P.O. Box 159 Grant Town, WV 26574
County:	Marion
Nearest City or Town:	Grant Town
UTM Coordinates:	Easting: 572.4 km Northing: 4,379.25 km Zone: 17
Directions to Exact Location:	US Route 19 north from Fairmont, turn left in Rivesville and follow Paw Paw Creek for four (4) miles.
Type of Facility or Modification:	Modification to add an aggregate annual SO_2 limit of 1,990 tons/year for the two CFB Boilers (1S and 2S) so as to limit facility-wide annual SO_2 emissions below the Data Requirements Rule (DRR) applicability level.

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

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

A. SPECIFIC REQUIREMENTS

1. 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:

a. **Table A.1(a): CFB Combined Stack 1E Emission Limits**

Pollutant	lb/hr	lb/mmBtu	Concentration @ 3.5% O_2
Particulate Matter	33.1	0.03	0.016 gr/dscf
Sulfur Dioxide(1)	915.84	0.83	342 ppm_v
Nitrogen Oxides(2)	441.5	0.40	230 ppm_v
VOCs	8.8	0.008	-------
CO	187.6	0.17	160 ppm_v
Pb(3)	0.136	1.22×10^{-4}	-------
Hg(3)	0.02	1.8×10^{-5}	-------
Fluorides(3)	0.671	6.08×10^{-4}	-------
Be(3)	9.0×10^{-5}	8.18×10^{-8}	-------

(1) For the purpose of determining compliance with provisions of emission limitations under Specific Requirements A.1 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.

(2) For the purpose of determining compliance with provisions of emission limitations under Specific Requirements A.1 and 45CSR16 (40 CFR 60) a 30 day rolling averaging time is to be utilized.

(3) Maximum permissible levels of lead, mercury, fluorides and beryllium may be established below the levels specified above based upon test data obtained in accordance with Other Requirements B.17-B.20 of the permit following start-up of the permitted facility.

b. **Table A.1(b): Additional CFB Combined Stack 1E Emission Limits for SO_2**

SO_2 Emissions	Averaging Period
163.6 Tons	30-Day Rolling Average
0.41 lb/mmBtu	30-Day Rolling Average
1,990 Tons	12 Month Rolling Total

2. 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:

Table A.2: Coal Refuse Handling/Storage

Equipment	Control Equipment	PM 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, 3 Crushers, and Equipment Transfer Points	Full enclosure of all equipment and transfer points. Gob is immersed in water upon entering building	-------
2 Thermal-Disc-Type Coal Fines Dryer	Scrubber 11C	0.90 (0.009)
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 and Two (2) 150 Ton High Btu Fuel Bins, Bin Feed Conveyors and Transfer Points	Full enclosure and evacuation to Baghouse 5C	1.03 (0.01)

3. 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:

Table A.3: Limestone Handling/Storage

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)

4. 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:

Table A.4: Ash Handling/Storage

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.	-------

5. 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 may be used after receiving prior approval from the Division of Air Quality.

6. 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 calender quarter. Other chemical dust suppressants as effective as the above brands may be used after receiving prior approval from the Division of Air Quality.

7. 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, and 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.

8. In addition to that limestone stored within 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.

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

Table A.9: SO_2 Reduction Requirements

24-hr Potential SO_2 Emission Rate (lb/mmBtu)	Reduction Efficiency Required (%)
15.96	97.4
4.1 or less	90.0

The required SO_2 reduction efficiency for each 24 hour period in which the potential SO_2 emission rate falls between 4.1 lb/mmbtu and 15.96 lb/mmbtu shall be determined by linear interpolation.

10. The throughput of fuel into the Ro-Pro Roll Crusher identified in permit application R14-0005C as 18S 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.

B. OTHER REQUIREMENTS

1. The permittee shall comply with all applicable provisions of 45CSR2, 45CSR10, 45CSR13, 45CSR16, 45CSR30, 40 CFR 60 Subpart Y, 40 CFR 60 Subpart Da and 40 CFR 60 Subpart OOO provided that the permittee shall comply with any more stringent requirements as may be forth under Specific Requirements, Section (A) of this permit.

2. The facility is subject to the requirements of 45CSR2. Pertinent sections applying to these operations include, but are not limited to:

   §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 ten (10) percent opacity based on a six minute block average.

   §45-2-3.2
   Compliance with the visible emission requirements of subsection 3.1 shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by

the Director. The Director may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of subsection 3.1.

§45-2-3.3
If the owner or operator of a fuel burning unit can demonstrate to the satisfaction of the Director that compliance with subsection 3.1 cannot practically be achieved with respect to soot blowing operations or during the cleaning of a fire box, the Director may formally approve an alternative visible emissions standard applicable to the fuel burning unit for soot blowing periods; provided that the exception period shall not exceed a total of six (6) six minute periods in a calender day with visible emissions limited to thirty percent (30%) opacity, as determined in accordance with 40 CFR 60, Appendix A, Method 9, or by using measurements from a certified continuous opacity monitoring system.

§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:

§45-2-4.1.a
For type ‘a’ fuel burning units, the product of 0.05 and the total design heat inputs for such units in million British Thermal Units (B.T.U.’s) per hour, provided however that no more than twelve hundred (1200) 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. Sources of fugitive particulate matter associated with fuel burning units shall include, but not be limited to, the following:

§45-2-5.1.a
Stockpiling of ash or fuel either in the open or in enclosures such as silos;

§45-2-5.1.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

§45-2-5.1.c
Ash or fuel handling systems and ash disposal areas.

§45-2-9.1
The visible emission standards set forth in section 3 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.

3. The facility is subject to the requirements of 45CSR10. Pertinent sections applying to these operations include, but are not limited to:

§45-10-7.1
No person shall construct, modify or relocate any source of sulfur dioxide without first obtaining a permit in accordance with the provisions of W. Va. Code §22-5-1 et seq., and Series 13, 14, 19 and 30 of Title 45.

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 or general permit registration if, after (6) months from the date of issuance, the holder of the permit cannot provide the Secretary, at the Secretary's request, with written proof of a good faith effort that construction, modification, or relocation, if applicable, has commenced. Such proof shall be provided not later than thirty (30) days after the Secretary's request. If construction or modification of a stationary source is discontinued for a period of eighteen (18) months or longer, the Secretary may suspend or revoke the permit or general permit registration.

§45-13-10.3
The Secretary may suspend or revoke a permit or general permit registration if the plans and specifications upon which the approval was based or the conditions established in the permit are not adhered to. Upon notice of the Secretary's intent to suspend, modify or revoke a permit, the permit holder may request a conference with the Secretary in accordance with the provisions of W. Va. Code § 22-5-5 to show cause why the permit or general permit registration should not be suspended, modified or revoked.

5. The facility is subject to the requirements of 40 CFR 60, Subpart Y. Pertinent sections applying to these operations include, but are not limited to:

§60.254(a)
On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.

§60.255(a)
An owner or operator of each affected facility that commenced construction, reconstruction, or modification on or before April 28, 2008, must conduct all performance tests required by §60.8 to demonstrate compliance with the applicable emission standards using the methods identified in §60.257.

§60.257(a)
The owner or operator must determine compliance with the applicable opacity standards as specified in paragraphs (a)(1) through (3) of this section.

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

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

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

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

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

(ii) The observer shall select a position that minimizes interference from other fugitive coal dust emissions sources and make observations

such that the line of vision is approximately perpendicular to the plume and wind direction.

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

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

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

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

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

6. The facility is subject to the requirements of 40 CFR 60, Subpart Da. Pertinent sections applying to these operations include, but are not limited to:

§60.42a(a)
On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility for which construction, reconstruction, or modification commenced before or on February 28, 2005, any gases that contain PM in excess of:

(1) 13 ng/J (0.03 lb/million BTU) heat input derived from the combustion of solid, liquid, or gaseous fuel;

(2) 1 percent of the potential combustion concentration (99 percent reduction) when combusting solid fuel;

§60.42a(b)
On and after the date the initial PM performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility any gases which exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of

not more than 27 percent opacity. Owners and operators of an affected facility that elect to install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS) for measuring PM emissions according to the requirements of this subpart are exempt from the opacity standard specified in this paragraph b.

§60.43a(a)
On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility which combusts solid fuel or solid-derived fuel and for which construction, reconstruction, or modification commenced before or on February 28, 2005, except as provided under paragraphs (c), (d), (f) or (h) of this section, any gases that contain SO_2 in excess of:

(1) 520 ng/J (1.20 lb/million Btu) heat input and 10 percent of the potential combustion concentration (90 percent reduction), or

(2) 30 percent of the potential combustion concentration (70 percent reduction), when emissions are less than 260 ng/J (0.60 lb/million Btu)heat input.

7. The facility is subject to the requirements of 40 CFR 60, Subpart OOO. Pertinent sections applying to these operations include, but are not limited to:

§60.672(a)
Affected facilities must meet the stack emission limits and compliance requirements in Table 2 of 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 Subpart OOO apply for affected facilities with capture systems used to capture and transport particulate matter to a control device.

§60.672(b)
Affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of 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 Subpart OOO apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

§60.672(d)
Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

§60.672(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 40 CFR §60.672(a) and (b), 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 Subpart OOO.

§60.672(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 Subpart OOO but must meet the applicable stack opacity limit and compliance requirements in Table 2 of Subpart OOO. This exemption from the stack PM concentration limit does not apply for multiple storage bins with combined stack emissions.

8. 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
Office of Air Enforcement and Compliance Assistance
(3AP20)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

9. Compliance with the particulate matter emission limitations under Specific Requirement A.1 and 40 CFR 60.42Da shall be demonstrated in accordance with all applicable requirements under 40 CFR 60 and 45CSR2.

10. The permittee shall meet the following compliance requirements:

a. Compliance with the sulfur dioxide emission limitation (i.e., lb_m/MMBtu, lb_m/hr, and ppm_v) and sulfur dioxide reduction requirements under Specific Requirement A.1 and A.9 of this permit and as required by 40 CFR 60.43Da 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 Specific Requirement A.1 and SO_2 reduction requirements under Specific Requirement A.9 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 SO_2 emission rate no greater than 0.41 lb/mmBtu, the permittee may request that the Director of the Division of Air Quality, Department of Environmental Protection approve an SO_2 reduction requirement less than that required under Specific Requirement A.9. The approval of such a request would be contingent upon an acceptable demonstration by the permittee that the lower SO_2 reduction efficiency provides control to a level which represents BACT.

b. Compliance with the sulfur dioxide emission limitations under A.1(b) shall be determined using an SO_2 Continuous Emission Monitoring System (CEMS) installed, calibrated, maintained, and operated according to the provisions of 40 CFR 60.

11. The permittee shall install, calibrate, maintain and operate a continuous opacity monitoring system in accordance with 40 CFR 60.49Da and 40 CFR 60.13.

12. Visible emissions shall not exceed twenty percent (20%) opacity from the coal refuse receiving hoppers, coal refuse crushers, coal refuse feeders, coal refuse conveyors, coal refuse screen, coal refuse dryer, coal refuse storage bins, all associated coal refuse transfer points, and/or particulate matter capture and control devices associated with this equipment.

13. All fugitive particulate matter control systems shall be operated and maintained in such a manner as to minimize the emission of fugitive particulate matter.

14. 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 Appendix B Performance Specification 2 - Specifications and Test Procedures for SO_2 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 A.1 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 Specific Requirement A.1 shall apply. Compliance with provisions under Specific Requirement A.1 shall be based on a 30 day rolling average.

15. Compliance with the emission limitations for volatile organic compounds under Specific Requirement A.1 of this permit shall be demonstrated in accordance with 40 CFR 60 Appendix A, Method 25A.

16. Compliance with the emission limitations for carbon monoxide under Specific Requirement A.1 of this permit shall be demonstrated in accordance with 40 CFR 60 Appendix A, Method 25A.

17. Compliance with the emission limitations for lead under Specific Requirement A.1 of this permit shall be demonstrated in accordance with 40 CFR 60 Appendix A, Method 12.

18. Compliance with the emission limitations for mercury under Specific Requirement A.1 of this permit shall be demonstrated in accordance with 40 CFR 61 Appendix B, Method 101A.

19. Compliance with the emission limitations for fluorides under Specific Requirement A.1 of this permit shall be demonstrated in accordance with 40 CFR 60 Appendix A, Method 13.

20. Compliance with the emission limitations for beryllium under Specific Requirement A.1 of this permit shall be demonstrated in accordance with 40 CFR 61 Appendix B, Method 104.

21. For the purposes of determining compliance with maximum throughput limits set forth in Specific Requirement A.10 the applicant shall maintain certified daily and monthly records of the amount of fuel through the Ro-Pro Roll Crusher 18S.

22. 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.

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 Secretary 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 R14-0005 through R14-0005F and any amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.

4. At such reasonable time(s) as the Secretary 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 Secretary may specify or approve and shall be filed in a manner acceptable to the Secretary. The Secretary, or his/her duly authorized representative, may at his option witness or conduct such test. Should the Secretary 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 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. 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 Secretary. The Secretary 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 Secretary, 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 Secretary, 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 Secretary, 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 Secretary 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 of Air Quality. After the initial submittal, the Secretary 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: DRAFT