ALLEGHENY WOOD PRODUCTS INTERNATIONAL

An Allegheny Wood Products Company

October 2, 2017

Via Certified Mail: 7012 2210 0002 1744 6236

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

RECEIVED
OCT 03 2017
WV DEP / DIV OF AIR QUALITY

Attention: John Legg

Re: Class I Administrative Update
Permit No. R13-1869A R30-02300023-2017
Plant ID No. 03-54-023-00023

Dear Ms. McKeone:

In reference to the above permit, for the 9.6 mmBtu boiler relocated to our Petersburg, WV kiln facility, we added a new multi-clone Flyash Collector to the system, referred to as AFS 9FAC9 collector, for a total of 2 multi-clones in series in the system. The flow for the boiler at maximum firing rate is 5400 acfm @ 450 F. The pressure drop through the 9 tube 9" collector is 2.5" W.C. The addition of this unit will reduce PM 2.5 particulate by 35%.

Please see the attached information including a marked up copy of the permit with the sections tabbed.

If you have any questions, please contact me at 304-575-7074 or jdilorenzo@alleghenywood.com.

Thank you.

Sincerely,

John F. DiLorenzo
Safety & Human Resources Manager
Allegheny Wood Products, Inc.

P.O. Box 130
Petersburg, WV 26847
Telephone: (304) 257-1082
Fax: (304) 257-2342

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF AIR QUALITY

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

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

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

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

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

☒ **ADMINISTRATIVE AMENDMENT** ☐ **MINOR MODIFICATION**
☐ **SIGNIFICANT MODIFICATION**

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

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

Section I. General

1. Name of applicant *(as registered with the WV Secretary of State's Office):* Allegheny Wood Products International, Inc.

2. Federal Employer ID No. ***(FEIN):*** 27-2895233

3. Name of facility *(if different from above):* Plant #4 Petersburg, WV

4. The applicant is the: ☐ **OWNER** ☐ **OPERATOR** ☒ **BOTH**

5A. Applicant's mailing address:
P. O. Box 867
240 Airport Rd
Petersburg, WV 26847

5B. Facility's present physical address:
P. O. Box 130
108 Airport Rd.
Petersburg, WV 26847

6. **West Virginia Business Registration.** Is the applicant a resident of the State of West Virginia? ☒ **YES** ☐ **NO**

- ➪ If **YES,** provide a copy of the **Certificate of Incorporation/Organization/Limited Partnership** (one page) including any name change amendments or other Business Registration Certificate as **Attachment A.**
- ➪ If **NO,** provide a copy of the **Certificate of Authority/Authority of L.L.C./Registration** (one page) including any name change amendments or other Business Certificate as **Attachment A.**

7. If applicant is a subsidiary corporation, please provide the name of parent corporation: N/A

8. Does the applicant own, lease, have an option to buy or otherwise have control of the *proposed site?* ☒ **YES** ☐ **NO**

- ➪ If **YES,** please explain:
  Owns
- ➪ If **NO,** you are not eligible for a permit for this source.

9. Type of plant or facility (stationary source) to be **constructed, modified, relocated, administratively updated** or **temporarily permitted** (e.g., coal preparation plant, primary crusher, etc.):
Addition of a new multi-clone flyash collector into the system in series with the existing one.

10. North American Industry Classification System **(NAICS)** code for the facility: 321113

11A. DAQ Plant ID No. (for existing facilities only): 023 – 00023

11B. List all current 45CSR13 and 45CSR30 (Title V) permit numbers associated with this process (for existing facilities only): R30-02300023 R13-1869A

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

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12A.

- ➪ For **Modifications, Administrative Updates** or **Temporary permits** at an existing facility, please provide directions to the *present location* of the facility from the nearest state road;
- ➪ For **Construction** or **Relocation permits,** please provide directions to the *proposed new site location* from the nearest state road. Include a **MAP** as **Attachment B.**

From the intersection of US Route 220 and State Route 28 in Petersburg follow 220 South to Fish Hatchery Road (220/2). Turn right onto Fish Hatchery Road. Follow to Airport Road, turn right onto Airport Road Plant is on the right,

12.B. New site address (if applicable):	12C. Nearest city or town: Petersburg, WV	12D. County: Grant
12.E. UTM Northing (KM): 660.476	12F. UTM Easting (KM): 4,316.993	12G. UTM Zone: 17

13. Briefly describe the proposed change(s) at the facility:

Addition of a new multi-clone flyash collector into the system in series with the existing one.

14A. Provide the date of anticipated installation or change: / / ➪ If this is an **After-The-Fact** permit application, provide the date upon which the proposed change did happen: 08/03/2017	14B. Date of anticipated Start-Up if a permit is granted: / /

14C. Provide a **Schedule** of the planned **Installation** of/**Change** to and **Start-Up** of each of the units proposed in this permit application as **Attachment C** (if more than one unit is involved).

15. Provide maximum projected **Operating Schedule** of activity/activities outlined in this application:
Hours Per Day 24 Days Per Week 7 Weeks Per Year 52

16. Is demolition or physical renovation at an existing facility involved? ☒ **YES** ☐ **NO**

17. **Risk Management Plans.** If this facility is subject to 112(r) of the 1990 CAAA, or will become subject due to proposed changes (for applicability help see www.epa.gov/ceppo), submit your **Risk Management Plan (RMP)** to U. S. EPA Region III.

18. **Regulatory Discussion.** List all Federal and State air pollution control regulations that you believe are applicable to the proposed process *(if known).* A list of possible applicable requirements is also included in Attachment S of this application (Title V Permit Revision Information). Discuss applicability and proposed demonstration(s) of compliance *(if known).* Provide this information as **Attachment D.**

Section II. Additional attachments and supporting documents.

19. Include a check payable to WVDEP – Division of Air Quality with the appropriate **application fee** (per 45CSR22 and 45CSR13).

20. Include a **Table of Contents** as the first page of your application package.

21. Provide a **Plot Plan,** e.g. scaled map(s) and/or sketch(es) showing the location of the property on which the stationary source(s) is or is to be located as **Attachment E** (Refer to ***Plot Plan Guidance*) .**
➪ Indicate the location of the nearest occupied structure (e.g. church, school, business, residence).

22. Provide a **Detailed Process Flow Diagram(s)** showing each proposed or modified emissions unit, emission point and control device as **Attachment F.**

23. Provide a **Process Description** as **Attachment G.**
➪ Also describe and quantify to the extent possible all changes made to the facility since the last permit review (if applicable).

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

24. Provide **Material Safety Data Sheets (MSDS)** for all materials processed, used or produced as **Attachment H.**

➪ For chemical processes, provide a MSDS for each compound emitted to the air.

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

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

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

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

☐ Bulk Liquid Transfer Operations	☐ Haul Road Emissions	☐ Quarry
☐ Chemical Processes	☐ Hot Mix Asphalt Plant	☐ Solid Materials Sizing, Handling and Storage Facilities
☐ Concrete Batch Plant	☐ Incinerator	☐ Storage Tanks
☐ Grey Iron and Steel Foundry	☒ Indirect Heat Exchanger	
☐ General Emission Unit, specify		

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

☐ Absorption Systems	☐ Baghouse	☐ Flare
☐ Adsorption Systems	☐ Condenser	☒ Mechanical Collector
☐ Afterburner	☐ Electrostatic Precipitator	☐ Wet Collecting System

☐ Other Collectors, specify

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

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

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

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

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

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

☐ **YES** ☒ **NO**

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

Section III. Certification of Information

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

☒ Authority of Corporation or Other Business Entity	☐ Authority of Partnership
☐ Authority of Governmental Agency	☐ Authority of Limited Partnership

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

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

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

Certification of Truth, Accuracy, and Completeness

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

Compliance Certification

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

SIGNATURE _____ *(Please use blue ink)* DATE: 10/2/2017 *(Please use blue ink)*

35B. Printed name of signee: E. Thomas Plaugher		35C. Title: VP of Operations
35D. E-mail: tplaugher@alleghenywood.com	36E. Phone: 304-257-1082	36F. FAX: 304-257-9246
36A. Printed name of contact person (if different from above): John F. DiLorenzo		36B. Title: Safety and HR Manager
36C. E-mail: jdilorenzo@alleghenywood.com	36D. Phone: 304-255-2276	36E. FAX: 304-253-6083

PLEASE CHECK ALL APPLICABLE ATTACHMENTS INCLUDED WITH THIS PERMIT APPLICATION:

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

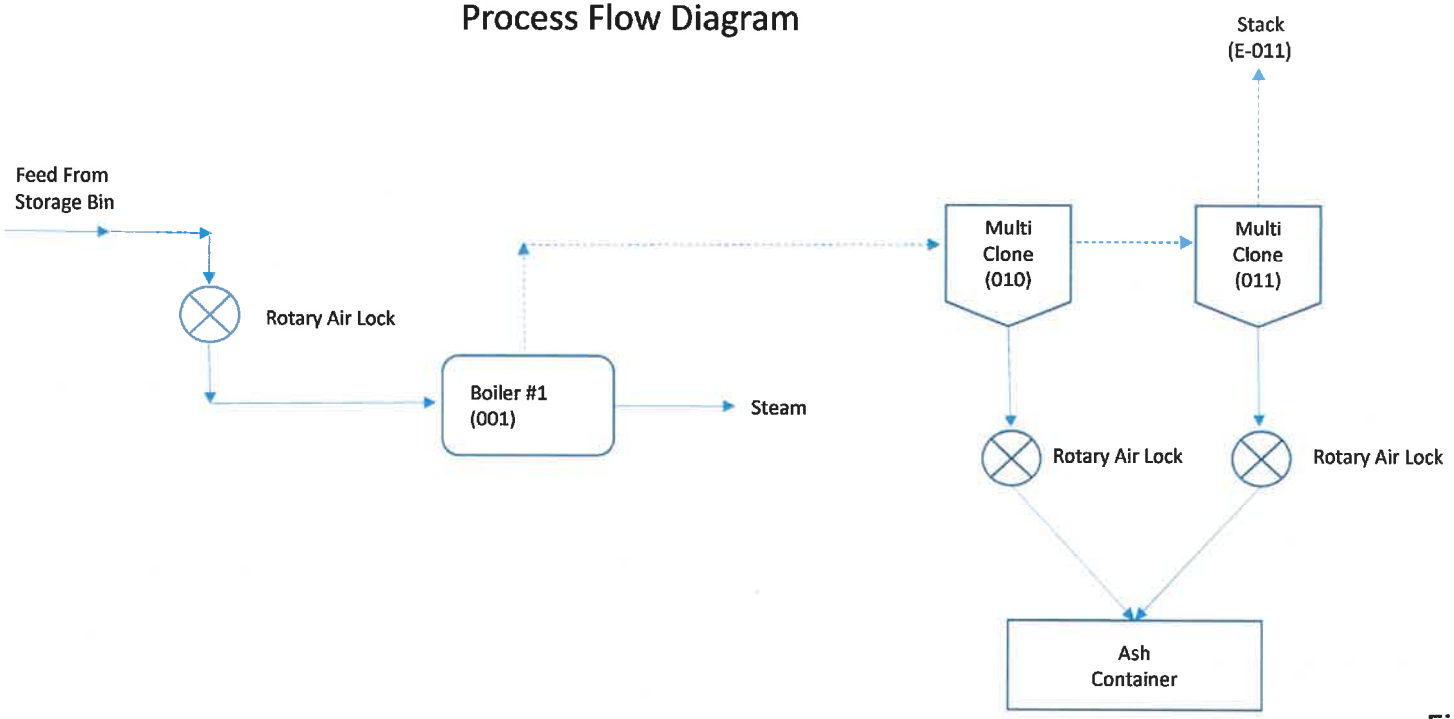
Please mail an original and three (3) copies of the complete permit application with the signature(s) to the DAQ, Permitting Section, at the address listed on the first page of this application. Please DO NOT fax permit applications.

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

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

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

Boiler #1
Process Flow Diagram



LEGEND

Product Flow

Emission

Figure 2
Allegheny Wood Products, Inc.
Plant #4
Petersburg, WV

Regulation 30 Application
Revised 08/30/2017

Attachment N

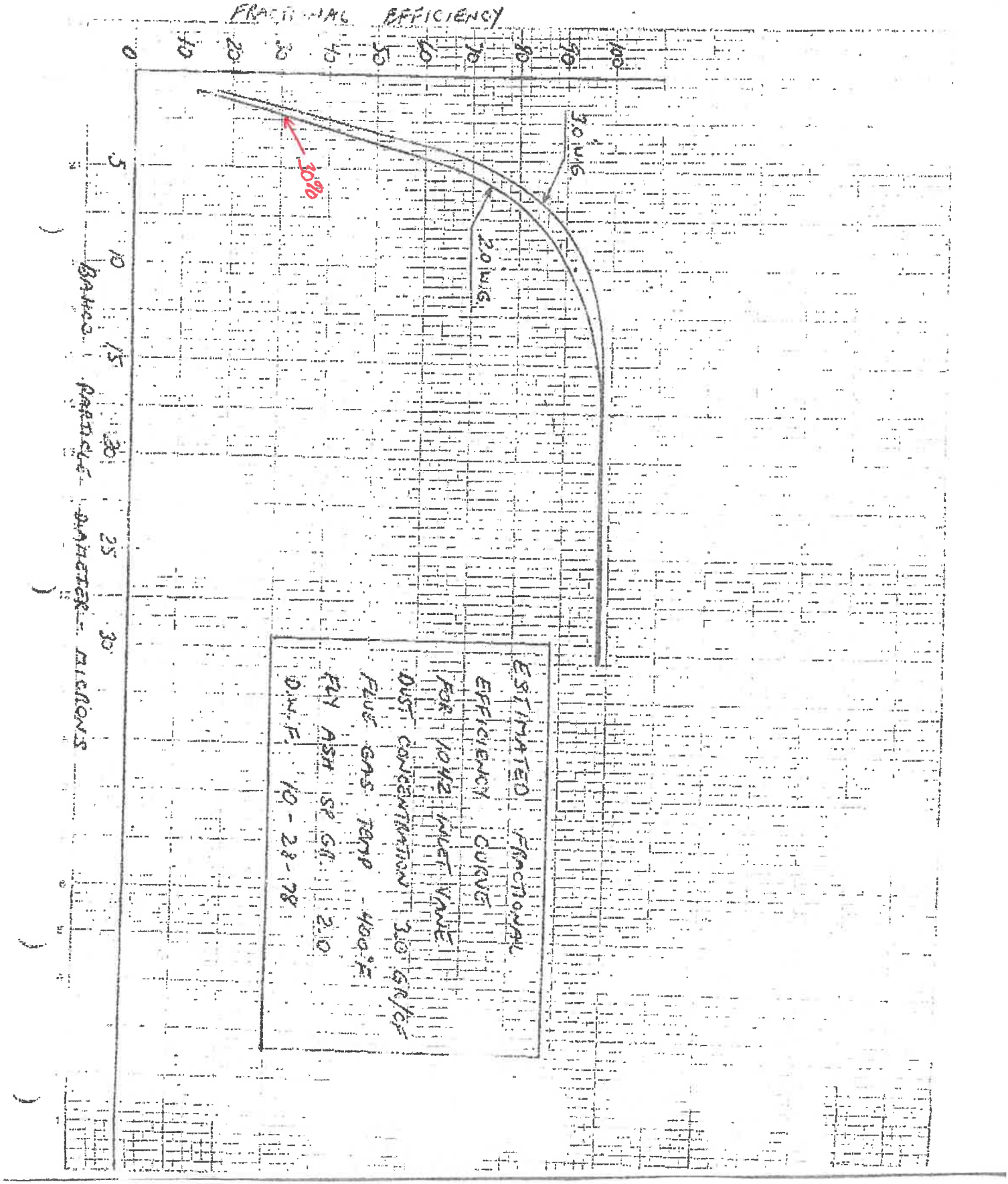
Based on the attached graph we determined that the addition on the second multi-clone would reduce TSP PM 2.5 emission by 30%. Most of the larger PM will drop out in the first Multi-clone. The original TSP was 9.25 tons/yr, by adding the second unit it is reduced to 6.48 tons/yr.

Pollutant	lbs/hr	tons/year
Oxides of Nitrogen (NO_x)	2.11	9.25
Carbon Monoxide (CO)	5.76	25.23
Sulfur Dioxide (SO_2)	0.24	1.05
Total Suspended Particulate (TSP)	2.11	~~9.25~~ 6.48
Volatile Organic Compounds (VOCs)	0.37	1.64

Please see attached graph.

Also attached is Attachment N documentation for the original application

ATTACHMENT 12



ATTACHMENT 12

John Dilorenzo

From: Coccari, Gene M <Gene.M.Coccari@wv.gov>
Sent: Thursday, November 17, 2016 11:44 AM
To: John Dilorenzo
Subject: Allegheny Wood Products: Information on Boiler Move

Hello-
As we discussed, a modification permit application will be required for the relocation of the 9.6 MMBtu (200 HP) wood waste-fired boiler outlined below. The permit will have to be issued before the source can be actually physically moved. This will take approximately 90 days from submission of a complete application. The base application fee is $1,000, and due to the fact that the requirements of the federal Boiler GACT (Subpart 6J) will have to be added to the new permit, an additional $2,500 fee is required for a total of $3,500. DAQ Permitting requests that one hard copy with original signatures in blue ink and 2 CD's be submitted with the check. The application sections can be viewed at: http://www.dep.wv.gov/daq/permitting/Pages/nsr-forms.aspx. You will need to download and complete the following sections:

Application for NSR Permits and/or Title V Operating Permit Revision
Attachment E - Plot Plan - Guidelines
Attachment I - Emission Units Table
Attachment J - Emission Points Data Summary Sheet
Attachment L - Indirect Heat Exchanger EUDS
Attachment M - Mechanical Collector CDS
Attachment P - Example Legal Advertisement
Attachment R - Authority of Corporation

Obviously, so information from the existing permit(s) can be used to populate the new application forms. Also, it seems that the emissions for the wood waste-fired boiler to be re-located outlined in the application and permit for the device (R13-1958) are under-estimated. Therefore, the SBAP has calculated new pollutant emissions, accomplished using U.S. EPA's *AP-42: A Compilation of Air Emission Factors*, specifically Chapter 1.6, "Wood Residue Combustion In Boilers." The emission factors are in units of lbs of pollutant/million Btu (MMBtu) of heat input. The emission factors used are for wet wood as a fuel, and the PM factors take into account the use of a mechanical collector (multiclone).

	Emission Factor	Emissions (PPH)	Emissions (PPY)	Emissions (TPY)
Filterable PM	0.22	2.112	18,501	9.25
Filterable PM-10	0.2	1.92	16,819.2	8.41
TOC*	0.039	0.3744	3,280	1.64
NOx	0.22	2.112	18,501	9.25
SO2	0.025	0.24	2,102.4	1.05
CO	0.6	5.76	50,457.6	25.23

Yearly emissions are calculated by multiplying pounds per hour (PPH) by 8,760 hrs/yr to derive pounds per year (PPY). Tons per year (TPY) are derived by dividing PPY by 2,000 lbs/ton. If I can be of further assistance, please advise. Thank you.
* Total organic compounds

Gene M. Coccari
Environmental Resource Analyst
Division of Air Quality

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:
Allegheny Wood Products International, Inc.
Plant #4/Petersburg, WV
R30-02300023-2017

William F. Durham
Director

Issued: January 4, 2017 • Effective: January 18, 2017
Expiration: January 4, 2022 • Renewal Application Due: July 4, 2021

Permit Number: **R30-02300023-2017**
Permittee:
Facility Name: **Plant #4**
Permittee Mailing Address: **P.O. Box 130, Petersburg, WV 26847**

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:	Petersburg, Grant County, West Virginia
Facility Mailing Address:	Same as above
Telephone Number:	(304) 257-1082
Type of Business Entity:	Corporation
Facility Description:	Allegheny Wood Products International, Inc. Plant #4 operates a dry kiln facility, a sawing and planing facility, and processes scrap wood to be used as fuel for their boilers. There are thirteen (13) drying kilns at the facility that operate with steam heat generated from the boilers and which have no emissions associated with their operation.
SIC Codes:	Primary 2421; Secondary NA; Tertiary NA
UTM Coordinates:	660.476 km Easting • 4316.993 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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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
001	E-011	Wood Fired Boiler #1; Hurst Model # FB200-15 (*construction date 1995*)	2017	9.6 mmbtu/hr	Multi-clone 010 Add Multi-clone 010A
002	E-012	Wood Fired Boiler #2; Superior Boiler Works, Model # 3-SF-1788-S15-M, (Main Boiler)	1992	11.15 mmbtu/hr	Multi-clone 014, Multi-clone 015
004	E-013	Rip Saw	1992	1,250 linear ft/hr	Baghouse 009
005	E-013	Planer	1992	625 linear ft/hr	Baghouse 009
006	E-013	Abrasive Planer	1992	2,500 linear ft/hr	Baghouse 009
015	E-013	Shredder; Nordfab Systems, Model # NC1000	1994	1.25 ton/hr	Baghouse 009
Storage Bin	Storage Bin	In ground sawdust/wood chip storage bin for boiler fuel.	1992	19,200 ft^3	Full Enclosure

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
R13-1869B	March 28, 2017

2.0 General Conditions

2.1. Definitions

2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.

2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.

2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

2.2. Acronyms

CAAA	Clean Air Act Amendments	**NSPS**	New Source Performance Standards
CBI	Confidential Business Information	**PM**	Particulate Matter
CEM	Continuous Emission Monitor	**PM_{10}**	Particulate Matter less than 10μm in diameter
CES	Certified Emission Statement	**pph**	Pounds per Hour
C.F.R. *or* CFR	Code of Federal Regulations	**ppm**	Parts per Million
CO	Carbon Monoxide	**PSD**	Prevention of Significant Deterioration
C.S.R. *or* CSR	Codes of State Rules	**psi**	Pounds per Square Inch
DAQ	Division of Air Quality	**SIC**	Standard Industrial Classification
DEP	Department of Environmental Protection	**SIP**	State Implementation Plan
FOIA	Freedom of Information Act	**SO_2**	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		
$mmft^3$/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. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable.*
[45CSR§7-5.1.

3.1.10. The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment.*
[45CSR§7-5.2.]

****Note:** ***The boilers and their fuel/ash handling systems and associated equipment are not subject to these permit conditions (3.1.9. and 3.1.10.). They are regulated under 45CSR2 of which the requirements are listed in section 4 of this permit.***

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); 45CSR2; 45CSR10; 45CSR7 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 - Permit R13-1869, §4.4.1.]

3.4.2. **Retention of records.** The permittee shall maintain and retain records of all required information (including monitoring data, support information, reports and notifications) required by this permit for a period of at least five (5) years from the date of each occurrence, monitoring sample, measurement, maintenance, corrective action, report, application, or record creation date. Such records shall be recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, the permittee may maintain records in computerized form (e.g., on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche. For records required by Permit R13-1869, at a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time.
[45CSR§30-5.1.c.2.B.; 45CSR13 - Permit R13-1869, §3.4.1.]

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 monthly 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 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 compliance certification and semi-annual monitoring reports to the DAQ and USEPA as required in 3.5.5 and 3.5.6 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, or mailed first class or by private carrier with postage prepaid to the address(es), or submitted in electronic format by e-mail as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

DAQ:

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

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

DAQ Compliance and Enforcement[1]:
DEPAirQualityReports@wv.gov

[1]For all self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, Notice of Compliance Status reports, Initial Notifications, etc.

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 permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification. The annual certification shall be submitted in electronic format by e-mail to the following addresses:

DAQ:
DEPAirQualityReports@wv.gov

US EPA:
R3_APD_Permits@epa.gov

[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. The semi-annual monitoring reports shall be submitted in electronic format by e-mail to the following address:

DAQ:
DEPAirQualityReports@wv.gov

[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. [*Reserved*]

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.

40 C.F.R. 60, Subpart Dc* **Except §60.40c, §60.41c and §60.48c.*	The main boiler #2 is not subject to the SO_2 and PM standards because it is under 30 mmBtu/hr heat input. It is, however, subject to the fuel recording provisions.

4.0 Boilers and Storage Bin [emission point ID(s): *E-011, E-012 and Storage Bin*]

4.1. Limitations and Standards

4.1.1. The wood fired boiler #1 (emission point *E-011*) and boiler # 2 (emission point *E-012*) shall use only wood waste as fuel. Alternative fuels may be used only after receiving prior written approval from the Director. **[45CSR13 - Permit R13-1869 §§4.1.5. and 4.1.6.]**

4.1.2. The hourly and annual throughput of wood waste, which includes the as-received moisture, into each boiler shall not exceed the following:

Boiler #1	2,686 pounds per hour nor 11,765 tons per year
Boiler #2	3,120 pounds per hour nor 13,665 tons per year

Compliance with the wood waste throughput limit shall be determined using a rolling yearly total. A rolling yearly total shall mean the sum of the throughput at any given time for the previous twelve (12) consecutive months.
[45CSR13 - Permit R13-1869 §§4.1.3. and 4.1.4.]

4.1.3. Boiler # 2 (emission point *E-012*) including its 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.]**

4.1.4. Visible Emissions from the boiler stacks (*E-011 and E-012*) shall not exceed ten (10) percent opacity based on a six-minute block average. The visible emission standards for boiler #2 stack (*E-012*) shall apply at all times except in periods of start-ups, shutdowns and malfunctions. **[45CSR§2-3.1.; 45CSR§2-9.1.; 45CSR13 - Permit R13-1869 §4.1.10.]**

4.1.5. When combusting wood-waste, emissions from boiler #1 (emission point *E-011*), shall not exceed the following limits:

(See Attachment N for TSP changes (30% reduction in PM 2.5).

Pollutant	lbs/hr	tons/year
Oxides of Nitrogen (NO_x)	2.11	9.25
Carbon Monoxide (CO)	5.76	25.23
Sulfur Dioxide (SO_2)	0.24	1.05
Total Suspended Particulate (TSP)	2.11	~~9.25~~ 6.48
Volatile Organic Compounds (VOCs)	0.37	1.64

[45CSR13 - Permit R13-1869 §4.1.1.]

4.1.6. When combusting wood-waste, emissions from boiler #2 (emission point *E-012*), shall not exceed the following limits:

Pollutant	lbs/hr	tons/year
Oxides of Nitrogen (NO_x)	1.69	7.40
Carbon Monoxide (CO)	35.46	155.30
Sulfur Dioxide (SO_2)	0.33*	1.45
Total Suspended Particulate (TSP)	3.41**	14.90
Volatile Organic Compounds (VOCs)	1.80	7.88

**Compliance with this streamlined SO_2 limit assures compliance with 45CSR§10-3.3.f.*
***Compliance with this streamlined PM limit assures compliance with 45CSR§2-4.1.c.*

[45CSR13 - Permit R13-1869 §4.1.2.; 45CSR§2-4.1.c.; 45CSR§10-3.3.f.]

4.1.7. The addition of sulfur oxides to boiler # 2 (emission point *E-012*) exit gas stream for the purpose of improving emissions control equipment is prohibited unless written approval for such addition is provided by the Secretary.
[45CSR§2-4.4.]

4.1.8. No person shall cause, suffer, allow, or permit any source (*boiler # 2 and associated equipment*) 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.]

4.1.9. No owner or operator subject to the provisions of 45CSR10 shall build, erect, install, modify or use any article, machine, equipment or process, the use of which purposely conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.
[45CSR§10-11.1.]

Add second multi-clone identified as 010A.

4.1.10. Boiler #1 shall be equipped with a multi-cyclone mechanical collector, identified as 010, for control of particulate matter emissions. Exhaust from the boiler shall at all times be routed through the multi-cyclone. The multi-cyclone shall be installed, maintained, and operated so as to achieve a minimum design efficiency of 80% in the collection of particulate matter.
[45CSR13 - Permit R13-1869 §4.1.7.]

4.1.11. Boiler #2 shall be equipped with a multi-cyclone mechanical collector, identified as 014, for control of particulate matter emissions. Exhaust from the boiler shall at all times be routed through the multi-cyclone.

The multi-cyclone shall be installed, maintained, and operated so as to achieve a maximum design efficiency of 90% in the collection of particulate matter.
[45CSR13 - Permit R13-1869 §4.1.8.]

4.1.12. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 of permit R13-1869 (i.e., Multi-clone 010 and Multi-clone 014) 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.
[45CSR13 - Permit R13-1869 §4.1.11.]

GACT Requirements

4.1.13. A biennial performance tune-up for each of the two boilers #1 (*E-011*) and #2 (*E-012*) must be conducted as specified below:

a. 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 shut-down, but you must inspect each burner at least once every 36 months).

b. 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

c. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly.

d. Optimize total emissions of carbon monoxide. This optimization should be consistent with the manufacturer's specifications, if available.

e. Measure the concentrations in the effluent stream of carbon monoxide 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).

f. Maintain onsite and submit, if requested by the Administrator, biennial report containing the following information:

1. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler.

2. A description of any corrective actions taken as a part of the tune-up of the boiler.

3. The type and amount of fuel used over the 12 months prior to the biennial tune-up of the boiler.

g. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within one week of startup.

Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. The work practice standards and management practice of Table 2 to Subpart JJJJJJ of 40 CFR Part 63 apply at all times the boilers are operating.
[45CSR34; 40 CFR §63.11196(a)(1), §63.11201(b), §63.11201(d), and §§63.11223(a) and (b)]

4.1.14. At all times boilers #1 (*E-011*) and #2 (*E-012*) must be operated and maintained, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.
[45CSR34; 40 CFR §63.11205(a)]

4.2. Monitoring Requirements

4.2.1. For Compliance Assurance Monitoring (CAM), the multiclone 015 exhaust (E-012) shall be observed by conducting daily Method 22-like visible emission checks. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 C.F.R. Part 60, Appendix A, Method 22 or from the lecture portion of the 40 C.F.R. Part 60, Appendix A, Method 9 certification course.

The visible emission check shall be performed during periods of facility operation at least once per day during daylight hours and appropriate weather conditions for a minimum of one (1) minute to determine if any visible emissions are present. An excursion is defined as any visible emissions during the daily observations.

If visible emissions are present during these checks or at any other time, visible emissions evaluations in accordance with 40 C.F.R. Part 60, Appendix A, Method 9 shall be conducted immediately. Such evaluations shall not be required if the visible emissions condition is corrected as expeditiously as possible and the cause and corrective measures taken are recorded. The Method 9 evaluations shall be conducted during periods of facility operation.

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

4.2.2. *Response to excursions or exceedances.*

a. Upon detecting an excursion or exceedance, the owner or operator 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 CFR §64.7(d)]

4.2.3. *Documentation of need for improved monitoring* - After approval of monitoring under 40 CFR Part 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 Director 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 CFR §64.7(e)]

4.2.4. Compliance with the visible emission requirements of condition 4.1.4. shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9.
[45CSR13 - Permit R13-1869 §4.2.1.]

4.3. Testing Requirements

4.3.1. 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 as set forth in conditions 4.1.5. and 4.1.6. Test(s) shall be conducted in accordance with condition 4.3.3. contained herein. The Director, or his duly authorized representative, may, at his option, witness or conduct such tests. Should the Director exercise his option to conduct such test(s), the operator 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.
[45CSR13 - Permit R13-1869, §4.3.2.]

4.3.2. Calculations utilizing data from stack tests performed on the boiler along with the actual amount of wood waste burned per hour can be used to demonstrate compliance. Therefore, each month the permittee shall record the amount of wood waste burned in the boiler, the hours of operation of the boiler, and the calculated amount of pounds of wood waste burned per hour. Proof of compliance with the emission limits specified in condition 4.1.6. of this permit can be demonstrated if the fuel usage is at or below 1911 pounds of wood waste per hour. If a lower pounds of wood waste per hour limit is calculated from subsequent stack test data, proof of compliance with the CO emission limit established by condition 4.1.6. can be demonstrated if the fuel usage is at or below the lower calculated pounds of wood waste per hour limit. Records containing the above information shall be maintained on site for a period of no less than five (5) years.

The permittee shall conduct a stack test once every 5 years ± 12 months beginning with the most recent stack test performed or at such reasonable time(s) as the Director may designate, in order to determine compliance with the CO emission limitation and the PM limitations as set forth in 4.1.6. above. Test(s) shall be conducted in accordance with the appropriate method(s) specified in 4.3.3. below. Within 14 days of receipt of stack test data, the permittee, using the new stack test data, shall recalculate the amount of wood waste allowed to be burned per hour in the boiler in order to comply with the applicable CO emissions limit. Records containing the above information shall be maintained on site for a period of no less than five (5) years. The

Director, or his duly authorized representative, may, at his option, witness or conduct such tests. Should the Director exercise his option to conduct test(s), the operator 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
[45CSR§30-5.1.c.; 40 CFR §§64.3(a), 64.3(b), and 64.6(c)(2)]

4.3.3. Tests that are required by the Director to determine compliance with the emission limitations set forth in 4.1.5. and 4.1.6. shall be conducted in accordance with the methods as set forth below. The Director may require a different test method or approve an alternative testing upon a formal request. Compliance testing shall be conducted at 100% of the peak load unless otherwise specified by the Director.

a. Tests to determine compliance with particulate emission limits shall be conducted in accordance with Method 5, 5A, 5B, 5C, 5D, 5E, 5F, 5G, or 5H as set forth in 40 CFR 60, Appendix A and EPA Method 201, 201A, and 202 as set forth in 40 CFR 51.

b. Tests to determine compliance with SO_2 emission limits shall be conducted in accordance with Method 6, 6A, 6B, or 6C as set forth in 40 CFR 60, Appendix A.

c. Tests to determine compliance with CO emission limits shall be conducted in accordance with Method 10, 10A, or 10B as set forth in 40 CFR 60, Appendix A.

d. Tests to determine compliance with NO_x emission limits shall be conducted in accordance with Method 7, 7A, 7B, 7C, 7D, or 7E as set forth in 40 CFR 60, Appendix A.

e. Tests to determine compliance with VOC emission limits shall be conducted in accordance with Method 18, Method 25, or 25A as set forth in 40 CFR 60, Appendix A.

[45CSR13 - Permit R13-1869, §4.3.1.]

4.4. Recordkeeping Requirements

4.4.1. Records of the operating schedule and the quantity and quality of fuel consumed in boiler #2, shall be maintained on-site in a manner to be established by the Secretary and made available to the Secretary 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, the quantity of fuel consumed on a daily basis and a quarterly ash and BTU analysis
[45CSR§2-8.3.c.; 45CSR§§2A-7.1.a. & 7.1.a.3.; 45CSR16; 40 CFR §60.48c(g)]

4.4.2. For the purposes of determining compliance with the maximum throughput limits set forth in condition 4.1.2. the permittee shall maintain daily records which are to be summarized into monthly reports. 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/her duly authorized representative upon request.
[45CSR13 - Permit R13-1869, §4.4.4.]

4.4.3. Pursuant to 40 CFR 63 Subpart JJJJJJ, the facility must maintain the records specified below.

a. As required in 40 CFR §63.10(b)(2)(xiv), a copy of each notification and report that was submitted to comply with Subpart JJJJJJ and all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted must be kept.

b. Records to document conformance with the work practices, emission reduction measures, and management practices required by 40 CFR §63.11214 must be kept as specified below:

1. Records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.

2. Records documenting the fuel type(s) used monthly by each boiler, including, but not limited to, a description of the fuel, including whether the fuel has received a non-waste determination by you or EPA, and the total fuel usage amount with units of measure. If non-hazardous secondary materials are combusted that have been determined not to be solid waste pursuant to 40 CFR §241.3(b)(1), a record which documents how the secondary material meets each of the legitimacy criteria must be kept. If a fuel that has been processed from a discarded non-hazardous secondary material pursuant to 40 CFR §241.3(b)(4) is combusted, records must be kept as to how the operations that produced the fuel satisfies the definition of processing in 40 CFR §241.2. If the fuel received a non-waste determination pursuant to the petition process submitted under 40 CFR §241.3(c), a record that documents how the fuel satisfies the requirements of the petition process must be kept.

c. Records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment.

d. Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in 40 CFR §63.11205(a), including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation.

[45CSR34; 40 CFR §63.11225(c)]

4.4.4. Records required in 4.4.3. must be in a form suitable and readily available for expeditious review, according to 40 CFR §63.10(b)(1). As specified in 40 CFR §63.10(b)(1), each record must be kept for 5 years following the date of each recorded action. Each record must be kept onsite for at least 2 years after the date of each recorded action according to 40 CFR §63.10(b)(1). The records may be kept off site for the remaining 3 years.
[45CSR34; 40 CFR §63.11225(d)]

4.4.5. For CAM, the owner or operator shall comply with recordkeeping requirements of permit conditions 3.4.1. and 3.4.2. The owner or operator shall maintain records of monitoring data, corrective actions taken, any written quality improvement plan required pursuant to 40 CFR §64.8 and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under 40 CFR Part 64 (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).

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.; 40 CFR §64.9(b)]

Add Multi-clone 010A.

4.4.6. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0 of permit R13-1869 (i.e., Multi-clone 010 and Multi-clone 014), the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
[45CSR13 - Permit R13-1869, §4.4.2.]

Add Multi-clone 010A.

4.4.7. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0 of permit R13-1869 (i.e., Multi-clone 010 and Multi-clone 014), 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 - Permit R13-1869, §4.4.3.]

4.5. Reporting Requirements

4.5.1. Any malfunction of boiler #2 or its air pollution control equipment which results in any excess particulate matter emission rate of 45CSR§2-4.1.c. (i.e., exceeding 3.65 lb/hr) or excess opacity (i.e., exceeding the standards in section 4.1.4.) shall be reported to the Director as provided in 4.5.2. or 4.5.3. below.
[45CSR§2-9.3.]

4.5.2. Excess opacity or excess particular matter emissions resulting from any malfunction of boiler #2 or its air pollution control equipment, meeting the following conditions, may be reported on a quarterly basis unless otherwise required by the Secretary:

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.]

4.5.3. Except as provided in permit condition 4.5.2. above, the owner or operator shall report to the Secretary by telephone, telefax, or e-mail any malfunction of boiler #2 or its 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 Secretary 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.]

4.5.4. An annual compliance certification report for the previous calendar year containing the information specified in conditions 4.5.4.a., 4.5.4.b., and 4.5.4.c. below, must be prepared by March 1 of each year, and submitted to the delegated authority upon request. The report must be submitted by March 15 if any instance described by condition 4.5.4.c. occurred. For boilers that are subject only to a requirement to conduct a biennial tune-up according to § 63.11223(a) and not subject to emission limits or operating limits, you may prepare only a biennial compliance report as specified in 4.5.4.a., 4.5.4.b., and 4.5.4.c. below, instead of a semi-annual compliance report.

a. Company name and address.

b. Statement by a responsible official, with the official's name, title, phone number, e-mail address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of 40 CFR 63 Subpart JJJJJJ. The notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

1. "This facility complies with the requirements in §63.11223 to conduct a biennial tune-up, of each boiler."

c. If the source experiences any deviations from the applicable requirements during the reporting period, include a description of deviations, the time periods during which the deviations occurred, and the corrective actions taken.

[45CSR34; 40 CFR §63.11225(b)]

4.5.5. If you have switched fuels or made a physical change to the boiler and the fuel switch or change resulted in the applicability of a different subcategory within this subpart, in the boiler becoming subject to this subpart, or in the boiler switching out of this subpart due to a fuel change that results in the boiler meeting the definition of gas-fired boiler, as defined in §63.11237, or you have taken a permit limit that resulted in you becoming subject to this subpart or no longer being subject to this subpart, you must provide notice of the date upon which you switched fuels, made the physical change, or took a permit limit within 30 days of the change. The notification must identify:

a. The name of the owner or operator of the affected source, the location of the source, the boiler(s) that have switched fuels, were physically changed, or took a permit limit, and the date of the notice.

b. The date upon which the fuel switch, physical change, or permit limit occurred.

[45CSR34; 40 CFR §63.11225(g)]

4.5.6. For CAM, monitoring reports shall be submitted to the director and at a minimum shall include and be in accordance with information in permit conditions 3.5.6. and 3.5.8. as applicable. Also at a minimum, the following information, as applicable shall be included:

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. A description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR §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 CFR §64.9(a)]

4.5.7. If you own or operate an existing or new biomass-fired boiler or an existing or new oil-fired boiler, you must conduct a performance tune-up according to §63.11210(c) or (g), as applicable, and §63.11223(b). If you own or operate an existing biomass-fired boiler or existing oil-fired boiler, you must submit a signed statement in the Notification of Compliance Status report that indicates that you conducted an initial tune-up of the boiler.
[45CSR34; 40 CFR §63.11214(b); 45CSR13 - Permit R13-1869, §4.5.1.] (*Boiler #1*)

4.6. Compliance Plan

4.6.1. [*Reserved*]

5.0 Rip Saw, Planers, and Shredder [emission point ID(s): *E-013*]

5.1. Limitations and Standards

5.1.1. Visible Emissions from any process source operation (*E-013*) shall not exceed twenty (20) percent opacity. **[45CSR§7-3.1.]**

5.1.2. The provisions of 45CSR§7-3.1 (condition 5.1.1. above) shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period **[45CSR§7-3.2.]**

5.1.3. No person shall cause, suffer, allow or permit particulate matter to be vented into the open air from any type source operation or duplicate source operation, or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantity specified under the appropriate source operation type in Table 45-7A of 45CSR7. **[45CSR§7-4.1.]**

5.1.4. Due to unavoidable malfunction of equipment, emission exceeding those provided in 45CSR7 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 24 hours of the malfunction. In cases of major equipment failure, 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§7-9.1.]**

5.1.5. A fabric filter baghouse, identified in permit application R13-1869B as 009, shall be installed, maintained, and operated so as to achieve a design efficiency of 99% in the control of particulate matter emissions from any and all woodworking equipment vented to the baghouse. **[45CSR13 - Permit R13-1869, §4.1.9.]**

5.2. Monitoring Requirements

5.2.1. Compliance with the visible emission requirements for the process source operations (*E-013*) shall be determined by conducting daily Method 22-like visible emission checks. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 C.F.R. Part 60, Appendix A, Method 22 or from the lecture portion of the 40 C.F.R. Part 60, Appendix A, Method 9 certification course.

The visible emission check shall be performed during periods of facility operation at least once per day during daylight hours and appropriate weather conditions for a minimum of one (1) minute to determine if any visible emissions are present. For Compliance Assurance Monitoring (CAM), an excursion is defined as any visible emissions during the daily observations.

If visible emissions are present during these checks or at any other time, visible emissions evaluations in accordance with 45CSR§§7A-2.1.a. and 2.1.b. shall be conducted immediately. Such evaluations shall not be required if the visible emissions condition is corrected as expeditiously as possible and the cause and

corrective measures taken are recorded. The 45CSR7A evaluations shall be conducted during periods of facility operation.

[45CSR§30-5.1.c.; 45CSR§7A-2.1.; 40 CFR §§64.3(a), 64.3(b), and 64.6(c)(2)]

5.2.2. *Response to excursions or exceedances.*

a. Upon detecting an excursion or exceedance, the owner or operator 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 CFR §64.7(d)]

5.2.3. *Documentation of need for improved monitoring* - After approval of monitoring under 40 CFR Part 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 Director 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 CFR §64.7(e)]

5.2.4. The permittee shall monitor all applicable control devices to ensure that they are operated and maintained in accordance with the manufacturers specifications in order to ensure the lowest fugitive particulate emissions reasonably achievable.
[45CSR§30-5.1.c.]

5.2.5. For CAM, if five (5) excursions occur during a six 6- month reporting period, a Quality Improvement Plan (QIP) will be developed and implemented.
[45CSR§30-5.1.c.; 40 CFR §64.8(a)]

5.3. Testing Requirements

5.3.1. [*Reserved*]

5.4. Recordkeeping Requirements

5.4.1. The permittee shall maintain records of all monitoring data required by 5.2.1. above documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE wind) during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in 45CSR7A, the data records of each observation shall be maintained per the requirements of 45CSR7A. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.
[45CSR§30-5.1.c.]

5.4.2. For CAM, the owner or operator shall comply with recordkeeping requirements of permit conditions 3.4.1. and 3.4.2. The owner or operator shall maintain records of monitoring data, corrective actions taken, any written quality improvement plan required pursuant to 40 CFR §64.8 and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under 40 CFR Part 64 (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).

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.; 40 CFR §64.9(b)]

5.5. Reporting Requirements

5.5.1. For CAM, monitoring reports shall be submitted to the director and at a minimum shall include and be in accordance with information in permit conditions 3.5.6. and 3.5.8. as applicable. Also at a minimum, the following information, as applicable shall be included:

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. A description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR §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 CFR §64.9(a)]

5.6. Compliance Plan

5.6.1. [*Reserved*]