Tipane, Frederick <frederick.tipane@wv.gov>

Re: Morgantown Energy Associates, Pre-Draft/Proposed Renewal Permit R30-06700027-2024

1 message

Tipane, Frederick <frederick.tipane@wv.gov> Thu, Apr 4, 2024 at 8:29 AM
To: "Cross, Jaklyn" <Jaklyn.Cross@vicinityenergy.us>
Cc: "Patrick E. Ward" <peward@potesta.com>

Good morning Jaklyn,

Thank you for your prompt reply regarding the Pre-Draft/Proposed Permit. I revised page 1 to show that MEA is a Corporation as opposed to a Partnership. I apologize for the oversight while developing the renewal permit.

In regards to the tanks S00F17 and S00F18, other than Title V renewal application which did not include them in Attachment D - "Title V Equipment Table" but did include them in the Attachment E - "Emission Unit Form" (page 71 of the renewal), I could not find any documentation that showed that these tanks are no longer in service. Nonetheless, since the tanks are still contained in Permit R14-0007I, I will not be able to remove them in this Title V permit renewal. During the TEAMS meeting on March 7, there were several revisions that MEA requested that will need a revision to Permit R14-0007I before the changes can be made in the Title V permit. When applying for the revision to R14-0007I for the other issues, include the removal of these tanks in the application, and once removed from the R14 permit, they can be removed from the Title V permit during the Title V modification.

Feel free to contact me if you have any questions or concerns.

Fred

On Wed, Apr 3, 2024 at 6:50 AM Cross, Jaklyn <Jaklyn.Cross@vicinityenergy.us> wrote:

> Fred,
>
> Thank you for sending these over, we just have a couple of comments:
>
> -On page 1 it indicates that MEA is a Partnership, it is a Corporation (page four of the renewal)
>
> -Page 3, S00F17 and S00F18 tanks were both emptied, cleaned, and closed with WVDEP as of December 2023, if you could please remove these from the permit (page 34 of the renewal)
>
> Please let me know if you have any questions.
>
> Thank you,
>
> **Jaklyn Cross, CSP**
>
> EHS Manager
>
> **Vicinity Energy**
>
> C: (443) 326- 8291
>
> 6 S. Fredrick St. Baltimore, MD 21202
>
> Jaklyn.Cross@Vicinityenergy.us

www.vicinityenergy.us

From: Tipane, Frederick <frederick.tipane@wv.gov>
Sent: Tuesday, March 26, 2024 2:51 PM
To: Cross, Jaklyn <Jaklyn.Cross@Vicinityenergy.us>; Patrick E. Ward <peward@potesta.com>; Emily F Green <emily.f.green@wv.gov>
Cc: Edward S. Andrews P. E. <edward.s.andrews@wv.gov>; Brian S Tephabock <brian.s.tephabock@wv.gov>
Subject: Morgantown Energy Associates, Pre-Draft/Proposed Renewal Permit R30-06700027-2024

Please find attached for your review, the Pre-Draft/Proposed Title V Permit and Factsheet for the Morgantown Energy associates facility. Please forward any questions, comments or concerns to me as soon as possible but no later than Thursday, April 4, 2024.

Please note; during the TEAMS meeting/discussion on March 7, 2024, an issue with permit condition 5.3.3 was raised regarding the 45CSR2 & 2A (Rule 2) testing requirements for Boilers #1 and #2. The issue in question was that these boilers should be exempt from the Rule 2 testing since they combust natural gas and the design heat input while combusting ULSD is under 100 mmBtu/hr. At the time of the meeting, I agreed that including these two boilers in this condition may have been an oversight on my part during the processing of the Title V modification permit and that I could remove them from this permit condition through the renewal process. However, during a subsequent review of Rule 2, I have determined that including these boilers in the Rule 2 requirement was not an oversight and that the boilers are in fact subject to the Rule 2 testing requirements. The basis for this determination is the fact that the Boilers #1 and #2 are permitted as dual fuel boilers. 45CSR§2-8.4.b. exempts "fuel burning unit(s) which combusts **only** natural gas" [emphasis added]. Therefore, since Boilers #1 and #2 do not combust "only" natural gas, they are subject to the requirements of Condition 5.3.3. will remain in the permit.

If you have any questions or wish to discuss any issues please feel free to contact me.

Regards,

Fred Tipane

–

Frederick Tipane

Division of Air Quality

601 57th Street, SE

Charleston, WV 25304
(304) 414-1910

frederick.tipane@wv.gov

Tipane, Frederick <frederick.tipane@wv.gov>

RE: Morgantown Energy Associates, Pre-Draft/Proposed Renewal Permit R30-06700027-2024

1 message

Cross, Jaklyn <Jaklyn.Cross@vicinityenergy.us> Wed, Apr 3, 2024 at 6:50 AM
To: "Tipane, Frederick" <frederick.tipane@wv.gov>, "Patrick E. Ward" <peward@potesta.com>, Emily F Green <emily.f.green@wv.gov>
Cc: "Edward S. Andrews P. E." <edward.s.andrews@wv.gov>, Brian S Tephabock <brian.s.tephabock@wv.gov>, "Greene, Emily" <emily.greene@vicinityenergy.us>

Fred,

Thank you for sending these over, we just have a couple of comments:

-On page 1 it indicates that MEA is a Partnership, it is a Corporation (page four of the renewal)

-Page 3, S00F17 and S00F18 tanks were both emptied, cleaned, and closed with WVDEP as of December 2023, if you could please remove these from the permit (page 34 of the renewal)

Please let me know if you have any questions.

Thank you,

Jaklyn Cross, CSP

EHS Manager

Vicinity Energy

C: (443) 326- 8291

6 S. Fredrick St. Baltimore, MD 21202

Jaklyn.Cross@Vicinityenergy.us

www.vicinityenergy.us

From: Tipane, Frederick <frederick.tipane@wv.gov>
Sent: Tuesday, March 26, 2024 2:51 PM
To: Cross, Jaklyn <Jaklyn.Cross@Vicinityenergy.us>; Patrick E. Ward <peward@potesta.com>; Emily F Green <emily.f.green@wv.gov>
Cc: Edward S. Andrews P. E. <edward.s.andrews@wv.gov>; Brian S Tephabock <brian.s.tephabock@wv.gov>
Subject: Morgantown Energy Associates, Pre-Draft/Proposed Renewal Permit R30-06700027-2024

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If you have any questions or wish to discuss any issues please feel free to contact me.

Regards,

Fred Tipane

--

Frederick Tipane

Division of Air Quality

601 57th Street, SE

Charleston, WV 25304
(304) 414-1910

frederick.tipane@wv.gov

Tipane, Frederick <frederick.tipane@wv.gov>

Morgantown Energy Associates, Pre-Draft/Proposed Renewal Permit R30-06700027-2024

1 message

Tipane, Frederick <frederick.tipane@wv.gov> Tue, Mar 26, 2024 at 2:51 PM
To: "Cross, Jaklyn" <Jaklyn.Cross@vicinityenergy.us>, "Patrick E. Ward" <peward@potesta.com>, Emily F Green <emily.f.green@wv.gov>
Cc: "Edward S. Andrews P. E." <edward.s.andrews@wv.gov>, Brian S Tephabock <brian.s.tephabock@wv.gov>

Please find attached for your review, the Pre-Draft/Proposed Title V Permit and Factsheet for the Morgantown Energy associates facility. Please forward any questions, comments or concerns to me as soon as possible but no later than Thursday, April 4, 2024.

Please note; during the TEAMS meeting/discussion on March 7, 2024, an issue with permit condition 5.3.3 was raised regarding the 45CSR2 & 2A (Rule 2) testing requirements for Boilers #1 and #2. The issue in question was that these boilers should be exempt from the Rule 2 testing since they combust natural gas and the design heat input while combusting ULSD is under 100 mmBtu/hr. At the time of the meeting, I agreed that including these two boilers in this condition may have been an oversight on my part during the processing of the Title V modification permit and that I could remove them from this permit condition through the renewal process. However, during a subsequent review of Rule 2, I have determined that including these boilers in the Rule 2 requirement was not an oversight and that the boilers are in fact subject to the Rule 2 testing requirements. The basis for this determination is the fact that the Boilers #1 and #2 are permitted as dual fuel boilers. 45CSR§2-8.4.b. exempts "fuel burning unit(s) which combusts **only** natural gas" [emphasis added]. Therefore, since Boilers #1 and #2 do not combust "only" natural gas, they are subject to the requirements of Condition 5.3.3. will remain in the permit.

If you have any questions or wish to discuss any issues please feel free to contact me.

Regards,
Fred Tipane

--

Frederick Tipane

Division of Air Quality

601 57th Street, SE

Charleston, WV 25304
(304) 414-1910
frederick.tipane@wv.gov

2 attachments

Pre-DPPermit R30-06100027-2024.docx
409K

Pre-DPFactSheet R30-06100027-2024.docx
195K

Tipane, Frederick <frederick.tipane@wv.gov>

Request for Additional Information

1 message

Andrews, Edward S <edward.s.andrews@wv.gov> Tue, Mar 12, 2024 at 1:14 PM
To: emily.greene@vicinityenergy.us
Cc: "Tipane, Frederick" <frederick.tipane@wv.gov>, Brian S Tephabock <Brian.S.Tephabock@wv.gov>, "Patrick E. Ward" <peward@potesta.com>

Emily,

We have had several internal discussions about MEA's concerns/issues that were the result of our discussion during last week's MS Team Meeting with you and your team. We believe additional information is necessary for the agency to develop appropriate solutions for the issues that were present during our meeting last week.

A: Diagram(s) of the location of each flow meter, noting the Reg the instrument is certified with; and accuracy of the instrument. For the non-Part 75, why is the instrument not acceptable under Part 75?

B: What is the exact or collection of bottlenecks that may affect continuous operation of the units when switching between the two fuels (NG or ULSD)?

Should you have any questions, please let me know.

Thanks,

Ed

--
Edward Andrews, P.E.
Engineer
WVDEP/Division of Air Quality
304-926-0499 Ext 41244
601 57th Street, SE
Charleston, WV 25304

Tipane, Frederick <frederick.tipane@wv.gov>

MEA Discussion

1 message

Patrick E. Ward <PEWard@potesta.com> Tue, Mar 5, 2024 at 5:20 PM
To: "Tephabock, Brian S" <brian.s.tephabock@wv.gov>, "Andrews, Edward S" <edward.s.andrews@wv.gov>, "Tipane, Frederick" <frederick.tipane@wv.gov>, "Greene, Emily" <emily.greene@vicinityenergy.us>, "Caldwell, Sean" <sean.caldwell@vicinityenergy.us>, "Cross, Jaklyn" <Jaklyn.Cross@vicinityenergy.us>, "Smith, Robert" <robert.smith@vicinityenergy.us>, "Cook, Nathaniel" <nathaniel.cook@vicinityenergy.us>

Microsoft Teams meeting

Join on your computer, mobile app or room device

Click here to join the meeting

Meeting ID: 232 183 109 478
Passcode: CKVkfQ

Download Teams | Join on the web

POTESTA

Learn More | Meeting options

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invite.ics
5K

Tipane, Frederick <frederick.tipane@wv.gov>

Re: TEAMS Call

1 message

Tipane, Frederick <frederick.tipane@wv.gov> Tue, Mar 5, 2024 at 4:04 PM
To: "Patrick E. Ward" <PEWard@potesta.com>
Cc: "Andrews, Edward S" <edward.s.andrews@wv.gov>

Yes, I can be available.

On Tue, Mar 5, 2024 at 4:01 PM Patrick E. Ward <PEWard@potesta.com> wrote:

> We have a TEAMS call set up for Thursday, March 7th, at 2:30 to 3:30 pm for a discussion on Morgantown Energy Associates. Brian Tephabock asked for us to invite both of you.
>
> Are you all able to join the meeting?
>
> Regards,
>
> Patrick Ward
>
> Potesta & Associates, Inc.
>
> 7012 MacCorkle Avenue, S.E.
>
> Charleston, West Virginia 25304
>
> Ph: (304) 342-1400
>
> Direct: (304) 414-4751
>
> Fax: (304) 343-9031
>
> This electronic communication and its attachments contain confidential information. The recommendations and/or design data included herein are provided as a matter of convenience and should not be used for final design or ultimate decision making. Rely only on the final hardcopy materials bearing the consultant's original signature and seal. If you have received this information in error, please notify the sender immediately.

Tipane, Frederick <frederick.tipane@wv.gov>

TEAMS Call

1 message

Patrick E. Ward <PEWard@potesta.com> Tue, Mar 5, 2024 at 4:01 PM
To: "Andrews, Edward S" <edward.s.andrews@wv.gov>, "Tipane, Frederick" <frederick.tipane@wv.gov>

We have a TEAMS call set up for Thursday, March 7th, at 2:30 to 3:30 pm for a discussion on Morgantown Energy Associates. Brian Tephabock asked for us to invite both of you.

Are you all able to join the meeting?

Regards,

Patrick Ward

Potesta & Associates, Inc.

7012 MacCorkle Avenue, S.E.

Charleston, West Virginia 25304

Ph: (304) 342-1400

Direct: (304) 414-4751

Fax: (304) 343-9031

Tipane, Frederick <frederick.tipane@wv.gov>

RE: WV DAQ Title V Permit Application Status for Morgantown Energy Associates; Morgantown Energy Facility (0101-23-0286)

1 message

Patrick E. Ward <PEWard@potesta.com> Mon, Feb 12, 2024 at 3:32 PM
To: "Tipane, Frederick" <frederick.tipane@wv.gov>
Cc: "Greene, Emily" <emily.greene@vicinityenergy.us>, "Rhonda L. Henson" <rlhenson@potesta.com>

We were looking at the exiting Title V permit and noticed that the SIC is still listed as 4911 in the most recent issued revision of August 1, 2023. The NIACS changed on this site which would also change the SIC. The NIACS is 221330 which would make the SIC 4961. I looked at the renewal application that we submitted and we do have the updated codes in No. 14. Facility Description. I think this code change was just overlooked on review of the draft permit back in July.

Please let us know if you have any questions on this issue.

Regards,
Patrick Ward
Potesta & Associates, Inc.
7012 MacCorkle Avenue, S.E.
Charleston, West Virginia 25304
Ph: (304) 342-1400
Direct: (304) 414-4751
Fax: (304) 343-9031

-----Original Message-----
From: Mink, Stephanie R <stephanie.r.mink@wv.gov>
Sent: Wednesday, December 27, 2023 3:17 PM
To: bill.fahey@vicinityenergy.us; jaklyn.cross@vicinityenergy.us; Patrick E. Ward <PEWard@potesta.com>
Cc: Carrie McCumbers <carrie.mccumbers@wv.gov>; Tipane, Frederick <frederick.tipane@wv.gov>
Subject: WV DAQ Title V Permit Application Status for Morgantown Energy Associates; Morgantown Energy Facility

RE: Application Status

Morgantown Energy Associates

Morgantown Energy Facility

Facility ID No. 061-00027

Application No. R30-06100027-2024

Dear Mr. Fahey,

Your application for a Title V Permit Renewal for Morgantown Energy Associates' Morgantown Energy Facility was received by this Division on December 26, 2023, and was assigned to Frederick Tipane.

Should you have any questions, please contact the assigned permit writer, Frederick Tipane, at 304-926-0499, extension 41910, or Frederick.Tipane@wv.gov <mailto:Frederick.Tipane@wv.gov> .

--

Stephanie Mink

Environmental Resources Associate

West Virginia Department of Environmental Protection

Division of Air Quality, Title V & NSR Permitting

601 57th Street SE

Charleston, WV 25304

Phone: 304-926-0499 x41281

Tipane, Frederick <frederick.tipane@wv.gov>

Completeness Determination, Morgantown Energy Associates, Application No. R30-06100027-2024

1 message

Tipane, Frederick <frederick.tipane@wv.gov> Tue, Jan 2, 2024 at 1:17 PM
To: Bill Fahey <bill.fahey@vicinityenergy.us>, "Cross, Jaklyn" <Jaklyn.Cross@vicinityenergy.us>
Cc: "Patrick E. Ward" <peward@potesta.com>

Your Title V renewal application for a permit to operate the above referenced facility was received by this Division on December 26, 2023. After review of said application, it has been determined that the application is administratively complete as submitted. Therefore, the above referenced facility qualifies for an Application Shield.

The applicant has the duty to supplement or correct the application. Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit.

The submittal of a complete application shall not affect the requirement that any source have all **preconstruction permits** required under the rules of the Division.

If during the processing of this application it is determined that additional information is necessary to evaluate or take final action on this application, a request for such information will be made in writing with a reasonable deadline for a response. Until which time as your renewal permit is issued or denied, please continue to operate this facility in accordance with 45CSR30, section 6.3.c. which states: *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.* This protection shall cease to apply if, subsequent to the completeness determination made pursuant to paragraph 6.1.d. of 45CSR30 and as required by paragraph 4.1.b., the applicant fails to submit by the deadline specified in writing any additional information identified as being needed to process the application.

Please remember, **failure of the applicant to timely submit information required or requested to process the application may cause the Application Shield to be revoked.** Should you have any questions regarding this determination, please contact me.

Sincerely,

Frederick Tipane

--

Frederick Tipane

Division of Air Quality

601 57th Street, SE

Charleston, WV 25304
(304) 414-1910

frederick.tipane@wv.gov

Received
December 26, 2023
WV DEP/Div of Air Quality

Division of Air Quality Permit Application Submittal

Please find attached a permit application for : Morgantown Energy Associates; Morgantown
[Company Name; Facility Location]

- DAQ Facility ID (for existing facilities only): 061-00027
- Current 45CSR13 and 45CSR30 (Title V) permits associated with this process (for existing facilities only): R30-06100027-2019

- Type of NSR Application (check all that apply):
  - ☐ Construction
  - ☐ Modification
  - ☐ Class I Administrative Update
  - ☐ Class II Administrative Update
  - ☐ Relocation
  - ☐ Temporary
  - ☐ Permit Determination

- Type of 45CSR30 (TITLE V) Application:
  - ☐ Title V Initial
  - ☑ Title V Renewal
  - ☐ Administrative Amendment**
  - ☐ Minor Modification**
  - ☐ Significant Modification**
  - ☐ Off Permit Change

****If the box above is checked, include the Title V revision information as ATTACHMENT S to the combined NSR/Title V application.**

- Payment Type: No fee for Title V Renewal
  - ☐ Credit Card (Instructions to pay by credit card will be sent in the Application Status email.)
  - ☐ Check (Make checks payable to: WVDEP – Division of Air Quality)
    Mail checks to:
    WVDEP – DAQ – Permitting
    Attn: NSR Permitting Secretary
    601 57th Street, SE
    Charleston, WV 25304

Please wait until DAQ emails you the Facility ID Number and Permit Application Number. Please add these identifiers to your check or cover letter with your check.

- If the permit writer has any questions, please contact (all that apply):
  - ☑ Responsible Official/Authorized Representative
    - Name: Bill Fahey
    - Email: bill.fahey@vicinityenergy.us
    - Phone Number: (617) 794-7616
  - ☑ Company Contact
    - Name: Jaklyn Cross
    - Email: jaklyn.cross@vicinityenergy.us
    - Phone Number: (443) 326-8291
  - ☑ Consultant
    - Name: Patrick Ward
    - Email: PEWard@potesta.com
    - Phone Number: (304) 342-1400

TITLE V PERMIT
RENEWAL APPLICATION
MORGANTOWN ENERGY FACILITY
PLANT ID NO. 061-00027

Prepared for:

Morgantown Energy Associates
555 Beechurst Avenue
Morgantown, West Virginia 26505

Prepared by:

Potesta & Associates, Inc.
7012 MacCorkle Avenue, SE
Charleston, West Virginia 25304
Phone: (304) 342-1400 Fax: (304) 343-9031
Email: potesta@potesta.com

Project No. 0101-23-0286

December 2023

POTESTA

TABLE OF CONTENTS

Attachments not needed: Attachments F and H.*

* Attachment F, Schedule of Compliance, is not needed as the site is in compliance with the permit requirements. Attachment H, the Compliance Assurance Monitoring (CAM) Plan Form is not required. There are no pollutant-specific emission units that meet all three applicability requirements of 40CFR64.2.(a); therefore, a CAM Plan is not required.

SECTION I - VI

GENERAL FORMS

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF AIR QUALITY

601 57th Street SE

Charleston, WV 25304

Phone: (304) 926-0475

www.dep.wv.gov/daq

INITIAL/RENEWAL TITLE V PERMIT APPLICATION - GENERAL FORMS

Section 1: General Information

1. **Name of Applicant (As registered with the WV Secretary of State's Office):**
Morgantown Energy Associates

2. Facility Name or Location:
Morgantown Energy Facility

3. DAQ Plant ID No.:
061-00027

4. Federal Employer ID No. (FEIN):
550688011

5. **Permit Application Type:**

☐ Initial Permit — When did operations commence? 05/18/1989*

☑ Permit Renewal — What is the expiration date of the existing permit? 07/16/2024

☐ Update to Initial/Renewal Permit Application

6. Type of Business Entity:

☑ Corporation ☐ Governmental Agency ☐ LLC
☐ Partnership ☐ Limited Partnership

7. Is the Applicant the:

☐ Owner ☐ Operator ☑ Both

If the Applicant is not both the owner and operator, please provide the name and address of the other party.

8. Number of onsite employees:
13

9. Governmental Code:

☑ Privately owned and operated; 0
☐ Federally owned and operated; 1
☐ State government owned and operated; 2
☐ County government owned and operated; 3
☐ Municipality government owned and operated; 4
☐ District government owned and operated; 5

10. 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.

11. Mailing Address		
Street or P.O. Box: 555 Beechurst Avenue		
City: Morgantown	**State:** WV	**Zip:** 26505
Telephone Number: (304) 284-2500	**Fax Number:** (304) 284-2509	

12. Facility Location (Physical Address)		
Street: 555 Beechurst Avenue	**City:** Morgantown	**County:** Monongalia
UTM Easting: 589.20 km	**UTM Northing:** 4,388.10 km	**Zone:** ☒ 17 or ☐ 18
Directions: From Charleston, take Interstate 79 North to Exit 152. Bear right onto Fairmont Road (US-19) approximately 1.9 miles. Turn right onto Holland Avenue (US-19) approximately 1.4 miles to University Avenue. Turn left on Beechurst Avenue. Facility is located on the left, approximately 0.8 mile.		
Portable Source? ☐ Yes ☑ No		
Is facility located within a nonattainment area? ☐ Yes ☑ No		**If yes, for what air pollutants?**
Is facility located within 50 miles of another state? ☑ Yes ☐ No		**If yes, name the affected state(s).** Maryland and Pennsylvania
Is facility located within 100 km of a Class I Area[1]? ☐ Yes ☑ No **If no, do emissions impact a Class I Area[1]?** ☐ Yes ☑ No		**If yes, name the area(s).**

[1] *Class I areas include Dolly Sods and Otter Creek Wilderness Areas in West Virginia, and Shenandoah National Park and James River Face Wilderness Area in Virginia.*

13. Contact Information		
Responsible Official: Bill Fahey		**Title:** Executive Vice President – Chief Operating Officer
Street or P.O. Box: 100 Franklin Street, 2nd Floor		
City: Boston	**State:** MA	**Zip:** 02110
Telephone Number: Use Cell Number	**Cell Number:** (617) 794-7616	
E-mail address: bill.fahey@vicinityenergy.us		
Environmental Contact: Jaklyn Cross		**Title:** Senior EHS Specialist
Street or P.O. Box: 6 S Fredrick Street		
City: Baltimore	**State:** MD	**Zip:** 21202
Telephone Number: Use Cell Number	**Cell Number:** (443) 326-8291	
E-mail address: jaklyn.cross@vicinityenergy.us		
Application Preparer: Patrick E. Ward		**Title:** Manager of Air Permitting
Company: Potesta & Associates, Inc.		
Street or P.O. Box: 7012 MacCorkle Avenue, SE		
City: Charleston	**State:** WV	**Zip:** 25304
Telephone Number: (304) 342-1400	**Cell Number:** Use main telephone number or email address	
E-mail address: peward@potesta.com		

14. Facility Description

List all processes, products, NAICS and SIC codes for normal operation, in order of priority. Also list any process, products, NAICS and SIC codes associated with any alternative operating scenarios if different from those listed for normal operation.

Process	Products	NAICS	SIC
Fossil Fuel Fired Steam Generating Facility	Steam	221330	4961

Provide a general description of operations.

This facility is a fossil fuel fired steam generating facility providing steam to West Virginia University.

15. Provide an **Area Map** showing plant location as **ATTACHMENT A**.

16. Provide a **Plot Plan(s)**, e.g. scaled map(s) and/or sketch(es) showing the location of the property on which the stationary source(s) is located as **ATTACHMENT B**. For instructions, refer to "Plot Plan - Guidelines."

17. Provide a detailed **Process Flow Diagram(s)** showing each process or emissions unit as **ATTACHMENT C**. Process Flow Diagrams should show all emission units, control equipment, emission points, and their relationships.

Section 2: Applicable Requirements

18. Applicable Requirements Summary

Instructions: Mark all applicable requirements.

☑ SIP	☐ FIP
☑ Minor source NSR (45CSR13)	☑ PSD (45CSR14)
☑ NESHAP (45CSR34)	☐ Nonattainment NSR (45CSR19)
☑ Section 111 NSPS	☐ Section 112(d) MACT standards
☐ Section 112(g) Case-by-case MACT	☐ 112(r) RMP
☐ Section 112(i) Early reduction of HAP	☐ Consumer/commercial prod. reqts., section 183(e)
☐ Section 129 Standards/Reqts.	☑ Stratospheric ozone (Title VI)
☐ Tank vessel reqt., section 183(f)	☐ Emissions cap 45CSR§30-2.6.1
☐ NAAQS, increments or visibility (temp. sources)	☐ 45CSR27 State enforceable only rule
☑ 45CSR4 State enforceable only rule	☐ Acid Rain (Title IV, 45CSR33)
☐ Emissions Trading and Banking (45CSR28)	☐ Compliance Assurance Monitoring (40CFR64)
☑ Cross-State Air Pollution Rule (45CSR43)	
☐ Emissions Trading and Banking (45CSR28)	
☑ Cross-State Air Pollution Rule (45CSR43)	

19. Non Applicability Determinations

List all requirements which the source has determined not applicable and for which a permit shield is requested. The listing shall also include the rule citation and the reason why the shield applies.

a. **40 CFR 60 Subpart K** - ***Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.*** None of the tanks at the facility are greater than 40,000 gallons capacity. Therefore, in accordance with applicability criteria §60.110(a), Subpart K does not apply to the facility's tanks.

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

c. **40 CFR 60 Subpart Kb** - ***Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.*** The tanks at the facility are either less than 75 m3 (19,812.9 gallons) capacity or have a capacity greater than or equal to 75 m3 but less than 151 m3 (39890 gallons) storing a liquid with a maximum true vapor pressure less than 15.0 kPa.. Therefore, in accordance with applicability criteria §60.110b(a) or §60.110b(b), Subpart Kb does not apply to the facility's tanks.

☑ Permit Shield

19. Non Applicability Determinations

List all requirements which the source has determined not applicable and for which a permit shield is requested. The listing shall also include the rule citation and the reason why the shield applies.

d. **40 CFR 60 Subpart OOO – *Standards of Performance for Nonmetallic Mineral Processing Plants.*** The facility does not utilize any combination of equipment that is used to crush or grind any nonmetallic mineral as defined in §60.671. Therefore, the facility is not a "nonmetallic mineral processing plant" and is not subject to this subpart.

e. **40 CFR 60 Subpart CCCC - *Standards of Performance for Commercial and Industrial Solid Waste Incineration Units.*** The CFB Boilers are solely natural gas -fired boilers and therefore are not commercial and industrial solid waste incineration (CISWI) units as defined in §60.2265.

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

g. **40 CFR 63 Subpart T - *National Emission Standards for Halogenated Solvent Cleaning.*** The batch cold solvent cleaning machine at the facility does not utilize any solvent containing methylene chloride (CAS No. 75-09-2), perchloroethylene (CAS No. 127-18-4), trichloroethylene (CAS No. 79-01-6), 1,1,1-trichloroethane (CAS No. 71-55-6), carbon tetrachloride (CAS No. 56-23-5) or chloroform (CAS No. 67-66-3), or any combination of these halogenated HAP solvents, in a total concentration greater than 5 percent by weight, as a cleaning and/or drying agent.

h. **40 CFR 63 Subpart UUUUU - *National Emission Standards for Hazardous Air Pollutants: Coaland Oil-Fired Electric Utility Steam Generating Units***. The CFB boilers are designated as "gas-fired" units, therefore pursuant to 40 CFR §63.9983(b) they are not subject to the requirements of this subpart which is applicable to coal- and oil-fired electric utility steam generating units.

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

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

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

l. **45CSR33 – *Acid Rain Provisions and Permits* and 40 CFR Part 72 – *Permits Regulation.*** The facility does not produce electricity and therefore is not subject to Acid Rain requirements. It follows, then, that the facility is also exempt from the corresponding state rule 45CSR33.

m. **40 CFR Part 64 - *Compliance Assurance Monitorin***g. There are no pollutant-specific emissions units that meet all three applicability requirements of §64.2(a).

☑ Permit Shield

20. Facility-Wide Applicable Requirements

List all facility-wide applicable requirements. For each applicable requirement, include the underlying rule/regulation citation and/or <u>construction permit</u> with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*).

Facility-Wide Requirements (FWR) are listed below by number. The numbers correspond to Table 20.A. Facility-Wide Requirements. All references to a Title V (TV) permit condition in this section refer to Permit No. R30-06100027-2019 (MM02, MM03, MM04, MM05).

FW-1
FW-2
FW-3
FW-4
FW-5
FW-6
FW-7
FW-8
FW-9
FW-10
FW-11
FW-12
FW-13

☑ Permit Shield

For all facility-wide applicable requirements listed above, provide monitoring/testing / recordkeeping / reporting which shall be used to demonstrate compliance. If the method is based on a permit or rule, include the condition number and/or citation. (Note: Each requirement listed above must have an associated method of demonstrating compliance. If there is not already a required method in place, then a method must be proposed.)

Facility-wide monitoring/testing/recordkeeping/reporting (FWTRR) requirements are listed below by number. The numbers correspond to detailed information contained in Table 20B. FWTRR requirements are also referenced for each applicable requirement from the last column of Table 20A (applicable requirements).

FWTRR-1
FWTRR-2
FWTRR-3
FWTRR-4
FWTRR-5
FWTRR-6
FWTRR-7
FWTRR-8
FWTRR-9
FWTRR-10
FWTRR-11
FWTRR-12
FWTRR-13
FWTRR-14
FWTRR-15

Are you in compliance with all facility-wide applicable requirements? ☒ Yes ☐ No
If no, complete the **Schedule of Compliance Form** as **ATTACHMENT F**.

Table 20.A Facility-Wide Requirements (FWR)
List all facility-wide applicable requirements. For each applicable requirement, include the rule citation and/or permit with the condition number.

Link from General Form, Item 20	Applicable Requirement Citation	Permit Condition No. from Permit R30-06100027- 2008	Requirement Summary	Monitoring Testing Recordkeeping Reporting Requirement Links
FWR-1	45CSR§6-3.1	3.1.1	**Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1.	FWTRR-10
FWR-2	45CSR§6-3.2	3.1.2	**Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.	FWTRR-10
FWR-3	40 C.F.R. §61.145(b) and 45CSR34	3.1.3	**Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 CFR §61.145, 40 CFR §61.148, and 40 CFR §61.150. The permittee, 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 CFR §61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.	FWTRR-8 FWTRR-10
FWR-4	45CSR§4-3.1 State Enforceable Only	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.	FWTRR-4
FWR-5	45CSR§11-5.2	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.	FWTRR-8 FWTRR-10
FWR-6	W.Va. Code § 22-5-4(a)(14)	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.	FWTRR-3 FWTRR-6 FWTRR-8 FWTRR-9 FWTRR-10

Table 20.A Facility-Wide Requirements (FWR)
List all facility-wide applicable requirements. For each applicable requirement, include the rule citation and/or permit with the condition number.

Link from General Form, Item 20	Applicable Requirement Citation	Permit Condition No. from Permit R30-06100027- 2008	Requirement Summary	Monitoring Testing Recordkeeping Reporting Requirement Links
FWR-7	40 C.F.R. 82 Subpart F	3.1.7	**Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, 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.	FWTRR-10
FWR-8	40 C.F.R. 68	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.	FWTRR-10
FWR-9	45CSR§2-5.1.	3.1.9	**Fugitive Particulate Matter Control.** No person shall cause, suffer, allow, or permit any source of fugitive particulate matter to operate that is not equipped with a fugitive particulate matter control system. This system shall be operated and maintained in such a manner as to minimize the emission of fugitive particulate matter.	FWTRR-5 FWTRR-10
FWR-10	Reserved	3.1.10	Reserved	FWTRR-5 FWTRR-10
FWR-11	45CSR43 and 40CFR§97.406	3.1.11	**CSAPR NOx Annual Trading Program.** The permittee shall comply with the standard requirements set forth in the attached Cross-State Air Pollution Rule (CSAPR) Trading Program Title V Requirements (see APPENDIX A).	

Table 20.A Facility-Wide Applicable Requirements (FWAR)
List all facility-wide applicable requirements. For each applicable requirement, include the rule citation and/or permit with the condition number.

Link from General Form, Item 20	Applicable Requirement Citation	Permit Condition No. from Permit R30-06100027-2008	Requirement Summary	Monitoring Testing Recordkeeping Reporting Requirement Links
FWR-12	40CFR§97.1006	3.1.12	**CSAPR NOx Ozone Season Group** 3 **Trading Program.** The permittee shall comply with the standard requirements set forth in the attached Cross-State Air Pollution Rule (CSAPR) Trading Program Title V Requirements (see APPENDIX A).	
FWR-13	45CSR 43 and 40CFR§97.606	3.1.13	**CSAPR SO2 Group 1 Trading Program.** The permittee shall comply with the standard requirements set forth in the attached Cross-State Air Pollution Rule (CSAPR) Trading Program Title V Requirements (see APPENDIX A).	

Table 20B. Facility-Wide Testing , Recordkeeping and Reporting Requirements (FWTRR)

For all facility-wide applicable requirements listed above, provide monitoring/testing/recordkeeping/reporting which shall be used to demonstrate compliance. If method is based on a permit or rule, include the conditions number and/or citation. (Note: Each requirement listed above must have an associated method of demonstrating compliance. If there is not already a required method in place, then a method must be proposed.)

Link from Table 20A	Applicable Requirement Citation	Permit Condition Number from Permit R30-06100027-2008	Requirement Summary
FWTRR-1	WV Code§22-5-4(a)(15) and 45CSR13	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.

Table 20B. Facility-Wide Testing , Recordkeeping and Reporting Requirements (FWTRR)

For all facility-wide applicable requirements listed above, provide monitoring/testing/recordkeeping/reporting which shall be used to demonstrate compliance. If method is based on a permit or rule, include the conditions number and/or citation. (Note: Each requirement listed above must have an associated method of demonstrating compliance. If there is not already a required method in place, then a method must be proposed.)

Link from Table 20A	Applicable Requirement Citation	Permit Condition Number from Permit R30-06100027-2008	Requirement Summary
FWTRR-2	45CSR§30-5.1.c.2.A.; 45CSR14-R14-0007, 4.4.1	3.4.1	**Recordkeeping - 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.
FWTRR-3	45CSR§30-5.1.c.2.B., 40CFR§60.49b(o), and §60.48c(i)	3.4.2	**Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records. *Compliance with this condition assures compliance with 40 CFR §60.49b(o) and 40 CFR §60.48c(j).*
FWTRR-4	45CSR§30-5.1.c. State-Enforceable only	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.
FWTRR-5	45CSR§30-5.1.c.	3.4.4	**Recordkeeping – Dust Control.** The permittee shall maintain records indicating the use of any dust suppressants or any other suitable dust control measures applied at the facility.
	45CSR14, R14-0007, 4.4.2	3.4.5	**Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.1, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

Link from Table 20A	Applicable Requirement Citation	Permit Condition Number from Permit R30-06100027-2008	Requirement Summary
	45CSR14, R14-0007, 4.4.3.	3.4.6	**Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.1, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded: a. The equipment involved. b. Steps taken to minimize emissions during the event. c. The duration of the event. d. The estimated increase in emissions during the event. For each such case associated with an equipment malfunction, the additional information shall also be recorded: e. The cause of the malfunction. f. Steps taken to correct the malfunction. g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.
FWTRR-6	45CSR§30-4.4. *and* 5.1.c.3.D.	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.
FWTRR-7	45CSR§30-5.1.c.3.E.	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.

Table 20B. Facility-Wide Testing , Recordkeeping and Reporting Requirements (FWTRR)

For all facility-wide applicable requirements listed above, provide monitoring/testing/recordkeeping/reporting which shall be used to demonstrate compliance. If method is based on a permit or rule, include the conditions number and/or citation. (Note: Each requirement listed above must have an associated method of demonstrating compliance. If there is not already a required method in place, then a method must be proposed.)

Link from Table 20A	Applicable Requirement Citation	Permit Condition Number from Permit R30-06100027-2008	Requirement Summary
FWTRR-8	Not Applicable	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:** Section Chief U.S. Environmental Protection Agency, Region III Enforcement and Compliance Assurance Division Air, RCRA and Toxics Branch (3ED21) Four Penn Center 1600 John F. Kennedy Boulevard Philadelphia, PA 19103-2852 **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.
FWTRR-9	45CSR§30-8.	3.5.4	**Fees.** The permittee shall pay fees on an annual basis in accordance with 45CSR§30-8.
FWTRR-10	45CSR§30-5.3.e.	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

Table 20B. Facility-Wide Testing , Recordkeeping and Reporting Requirements (FWTRR)

For all facility-wide applicable requirements listed above, provide monitoring/testing/recordkeeping/reporting which shall be used to demonstrate compliance. If method is based on a permit or rule, include the conditions number and/or citation. (Note: Each requirement listed above must have an associated method of demonstrating compliance. If there is not already a required method in place, then a method must be proposed.)

Link from Table 20A	Applicable Requirement Citation	Permit Condition Number from Permit R30-06100027-2008	Requirement Summary
FWTRR-11	45CSR§30-5.1.c.3.A.	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
FWTRR-12	Reserved	3.5.7 and 2.17	Reserved
FWTRR-13	45CSR§30-5.1.c.3.B. and 45CSR§30-5.1.c.3.C.	3.5.8	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. Reserved. 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 email. 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.]**
FWTRR-14	45CSR§30-4.3.h.1.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.

21. Active Permits/Consent Orders		
Permit or Consent Order Number	Date of Issuance MM/DD/YYYY	List any Permit Determinations that Affect the Permit *(if any)*
CO-R13, 14, 16, 3-E-2013-6	05/01/2013	
R30-06100027-2019 (MM02, MM03, MM04, MM05)	07/16/2019	
R14-0007I	12/22/2022	

22. Inactive Permits/Obsolete Permit Conditions		
Permit Number	Date of Issuance MM/DD/YYYY	Permit Condition Number
R13-1085/R14-007	05/18/1989	Entire Permit
R13-1085A/R14-007A	08/10/1989	Entire Permit
R13-1085/B/R14-007B	04/20/1993	Entire Permit
R14-007C	04/05/2016	Entire Permit
R14-007D	09/24/2018	Entire Permit
R14-007E	01/02/2020	Entire Permit
R14-007F	07/08/2020	Entire Permit
R14-007G	10/15/2021	Entire Permit
R14-007H	11/05/2021	Entire Permit

Section 3: Facility-Wide Emissions

23. Facility-Wide Emissions Summary [Tons per Year]	
Criteria Pollutants	Potential Emissions
Carbon Monoxide (CO)	213.66
Nitrogen Oxides (NO_X)	450.96
Lead (Pb)	0.00684
Particulate Matter ($PM_{2.5}$)[1]	37.63
Particulate Matter (PM_{10})[1]	37.75
Total Particulate Matter (TSP)	39.06
Sulfur Dioxide (SO_2)	14.89
Volatile Organic Compounds (VOC)	17.50
Hazardous Air Pollutants[2]	Potential Emissions
Total HAP (NG and ULSD Combustion HAPs)	5.73
Regulated Pollutants other than Criteria and HAP	Potential Emissions

[1]$PM_{2.5}$ and PM_{10} are components of TSP.
[2]For HAPs that are also considered PM or VOCs, emissions should be included in both the HAPs section and the Criteria Pollutants section.

Section 4: Insignificant Activities

24. Insignificant Activities (Check all that apply)		
☒	1.	Air compressors and pneumatically operated equipment, including hand tools.
☒	2.	Air contaminant detectors or recorders, combustion controllers or shutoffs.
☒	3.	Any consumer product used in the same manner as in normal consumer use, provided the use results in a duration and frequency of exposure which are not greater than those experienced by consumer, and which may include, but not be limited to, personal use items; janitorial cleaning supplies, office supplies and supplies to maintain copying equipment.
☒	4.	Bathroom/toilet vent emissions.
☒	5.	Batteries and battery charging stations, except at battery manufacturing plants.
☒	6.	Bench-scale laboratory equipment used for physical or chemical analysis, but not lab fume hoods or vents. Many lab fume hoods or vents might qualify for treatment as insignificant (depending on the applicable SIP) or be grouped together for purposes of description.
☐	7.	Blacksmith forges.
☒	8.	Boiler water treatment operations, not including cooling towers.
☒	9.	Brazing, soldering or welding equipment used as an auxiliary to the principal equipment at the source.
☐	10.	CO_2 lasers, used only on metals and other materials which do not emit HAP in the process.
☒	11.	Combustion emissions from propulsion of mobile sources, except for vessel emissions from Outer Continental Shelf sources.
☐	12.	Combustion units designed and used exclusively for comfort heating that use liquid petroleum gas or natural gas as fuel.
☒	13.	Comfort air conditioning or ventilation systems not used to remove air contaminants generated by or released from specific units of equipment.
☒	14.	Demineralized water tanks and demineralizer vents.
☐	15.	Drop hammers or hydraulic presses for forging or metalworking.
☒	16.	Electric or steam-heated drying ovens and autoclaves, but not the emissions from the articles or substances being processed in the ovens or autoclaves or the boilers delivering the steam.
☐	17.	Emergency (backup) electrical generators at residential locations.
☐	18.	Emergency road flares.
☒	19.	Emission units which do not have any applicable requirements and which emit criteria pollutants (CO, NO_x, SO_2, VOC and PM) into the atmosphere at a rate of less than 1 pound per hour and less than 10,000 pounds per year aggregate total for each criteria pollutant from all emission units. Please specify all emission units for which this exemption applies along with the quantity of criteria pollutants emitted on an hourly and annual basis: One (1) Parts Washer (cold cleaner) Potential to emit VOC = 0.075 lb/hr & 0.33 tpy (AP-42, Table 4.6-2).

24. Insignificant Activities (Check all that apply)		
☐	20.	Emission units which do not have any applicable requirements and which emit hazardous air pollutants into the atmosphere at a rate of less than 0.1 pounds per hour and less than 1,000 pounds per year aggregate total for all HAPs from all emission sources. This limitation cannot be used for any source which emits dioxin/furans nor for toxic air pollutants as per 45CSR27. Please specify all emission units for which this exemption applies along with the quantity of hazardous air pollutants emitted on an hourly and annual basis:
☐	21.	Environmental chambers not using hazardous air pollutant (HAP) gases.
☒	22.	Equipment on the premises of industrial and manufacturing operations used solely for the purpose of preparing food for human consumption.
☐	23.	Equipment used exclusively to slaughter animals, but not including other equipment at slaughterhouses, such as rendering cookers, boilers, heating plants, incinerators, and electrical power generating equipment.
☒	24.	Equipment used for quality control/assurance or inspection purposes, including sampling equipment used to withdraw materials for analysis.
☐	25.	Equipment used for surface coating, painting, dipping or spray operations, except those that will emit VOC or HAP.
☒	26.	Fire suppression systems.
☒	27.	Firefighting equipment and the equipment used to train firefighters.
☐	28.	Flares used solely to indicate danger to the public.
☒	29.	Fugitive emission related to movement of passenger vehicle provided the emissions are not counted for applicability purposes and any required fugitive dust control plan or its equivalent is submitted.
☐	30.	Hand-held applicator equipment for hot melt adhesives with no VOC in the adhesive formulation.
☒	31.	Hand-held equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning or machining wood, metal or plastic.
☐	32.	Humidity chambers.
☐	33.	Hydraulic and hydrostatic testing equipment.
☒	34.	Indoor or outdoor kerosene heaters.
☒	35.	Internal combustion engines used for landscaping purposes.
☐	36.	Laser trimmers using dust collection to prevent fugitive emissions.
☐	37.	Laundry activities, except for dry-cleaning and steam boilers.
☒	38.	Natural gas pressure regulator vents, excluding venting at oil and gas production facilities.
☒	39.	Oxygen scavenging (de-aeration) of water.
☐	40.	Ozone generators.

24. Insignificant Activities (Check all that apply)		
☒	41.	Plant maintenance and upkeep activities (e.g., grounds-keeping, general repairs, cleaning, painting, welding, plumbing, re-tarring roofs, installing insulation, and paving parking lots) provided these activities are not conducted as part of a manufacturing process, are not related to the source's primary business activity, and not otherwise triggering a permit modification. (Cleaning and painting activities qualify if they are not subject to VOC or HAP control requirements. Asphalt batch plant owners/operators must still get a permit if otherwise requested.)
☒	42.	Portable electrical generators that can be moved by hand from one location to another. "Moved by Hand" means that it can be moved without the assistance of any motorized or non-motorized vehicle, conveyance, or device.
☒	43.	Process water filtration systems and demineralizers.
☒	44.	Repair or maintenance shop activities not related to the source's primary business activity, not including emissions from surface coating or de-greasing (solvent metal cleaning) activities, and not otherwise triggering a permit modification.
☒	45.	Repairs or maintenance where no structural repairs are made and where no new air pollutant emitting facilities are installed or modified.
☒	46.	Routing calibration and maintenance of laboratory equipment or other analytical instruments.
☐	47.	Salt baths using nonvolatile salts that do not result in emissions of any regulated air pollutants. Shock chambers.
☐	48.	Shock chambers.
☐	49.	Solar simulators.
☒	50.	Space heaters operating by direct heat transfer.
☒	51.	Steam cleaning operations.
☒	52.	Steam leaks.
☐	53.	Steam sterilizers.
☒	54.	Steam vents and safety relief valves.
☐	55.	Storage tanks, reservoirs, and pumping and handling equipment of any size containing soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized.
☒	56.	Storage tanks, vessels, and containers holding or storing liquid substances that will not emit any VOC or HAP. Exemptions for storage tanks containing petroleum liquids or other volatile organic liquids should be based on size limits such as storage tank capacity and vapor pressure of liquids stored and are not appropriate for this list.
☐	57.	Such other sources or activities as the Director may determine.
☐	58.	Tobacco smoking rooms and areas.
☒	59.	Vents from continuous emissions monitors and other analyzers.

Section 5: Emission Units, Control Devices, and Emission Points

25. Equipment Table
Fill out the **Title V Equipment Table** and provide it as **ATTACHMENT D**.
26. Emission Units
For each emission unit listed in the **Title V Equipment Table**, fill out and provide an **Emission Unit Form** as **ATTACHMENT E**.
For each emission unit not in compliance with an applicable requirement, fill out a **Schedule of Compliance Form** as **ATTACHMENT F**.
27. Control Devices
For each control device listed in the **Title V Equipment Table**, fill out and provide an **Air Pollution Control Device Form** as **ATTACHMENT G**.
For any control device that is required on an emission unit in order to meet a standard or limitation for which the potential pre-control device emissions of an applicable regulated air pollutant is greater than or equal to the Title V Major Source Threshold Level, refer to the **Compliance Assurance Monitoring (CAM) Form(s)** for CAM applicability. Fill out and provide these forms, if applicable, for each Pollutant Specific Emission Unit (PSEU) as **ATTACHMENT H**.

Section 6: Certification of Information

28. Certification of Truth, Accuracy and Completeness and Certification of Compliance

Note: This Certification must be signed by a responsible official as defined in 45CSR§30-2.38.

a. Certification of Truth, Accuracy and Completeness

I certify that I am a responsible official (as defined at 45CSR§30-2.38) and am accordingly authorized to make this submission on behalf of the owners or operators of the source described in this document and its attachments. I certify under penalty of law that I have personally examined and am familiar with the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine and/or imprisonment.

b. 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.

Responsible official (type or print)	
Name: Bill Fahey	Title: Executive Vice President – Chief Operating Officer

Responsible official's signature:

Signature: _____ Signature Date: 12/22/23

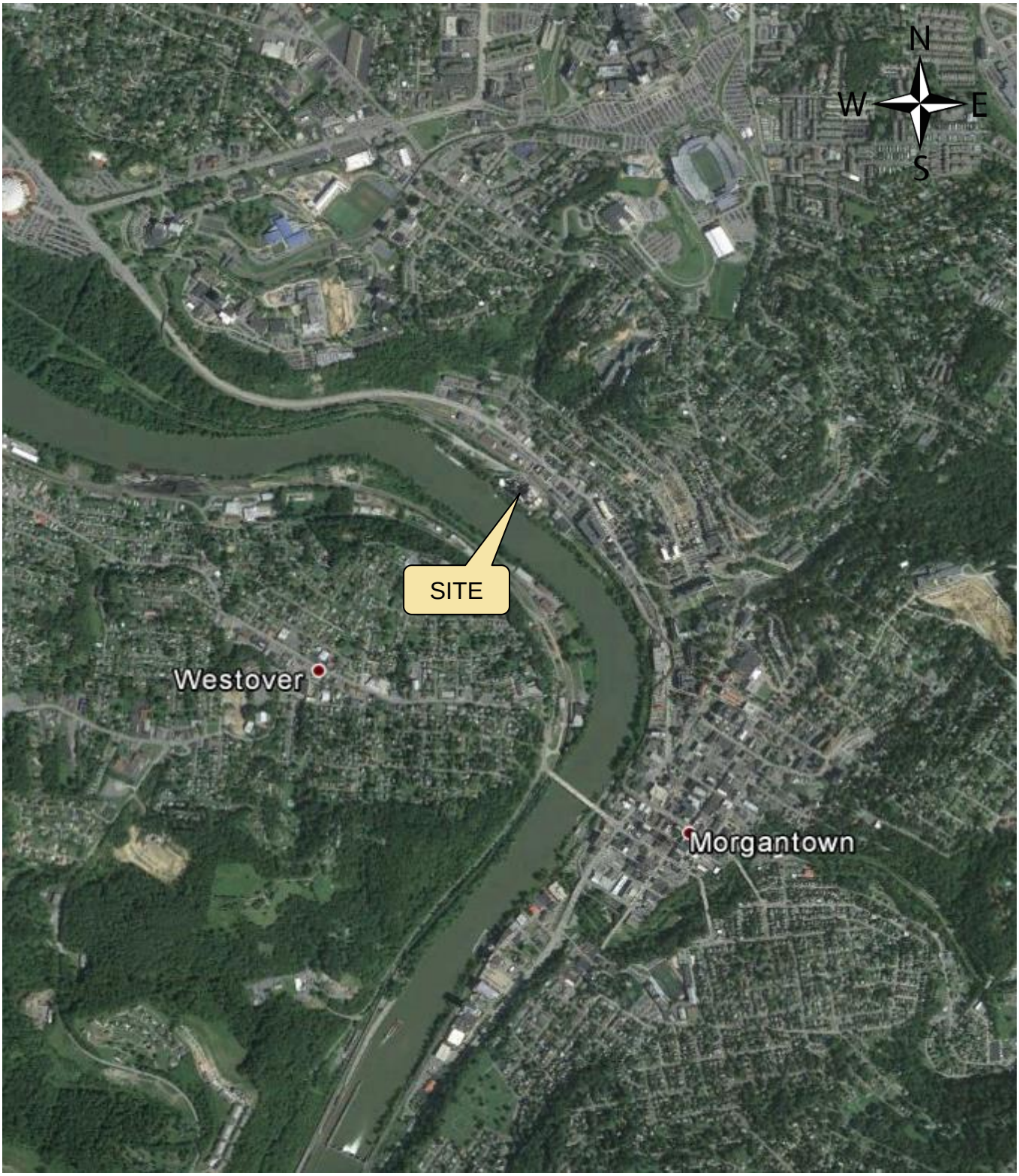
(Must be signed and dated in blue ink or have a valid electronic signature)

Note: Please check all applicable attachments included with this permit application:	
☒	ATTACHMENT A: Area Map
☒	ATTACHMENT B: Plot Plan(s)
☒	ATTACHMENT C: Process Flow Diagram(s)
☒	ATTACHMENT D: Equipment Table
☒	ATTACHMENT E: Emission Unit Form(s)
☐	ATTACHMENT F: Schedule of Compliance Form(s)
☒	ATTACHMENT G: Air Pollution Control Device Form(s)
☐	ATTACHMENT H: Compliance Assurance Monitoring (CAM) Form(s)

All of the required forms and additional information can be found and downloaded from, the DEP website at www.dep.wv.gov/daq, requested by phone (304) 926-0475, and/or obtained through the mail.

ATTACHMENT A

AREA MAP



POTESTA
Engineers and Environmental Consultants

DATE: November 2023

PROJECT NO. 0101-23-0286

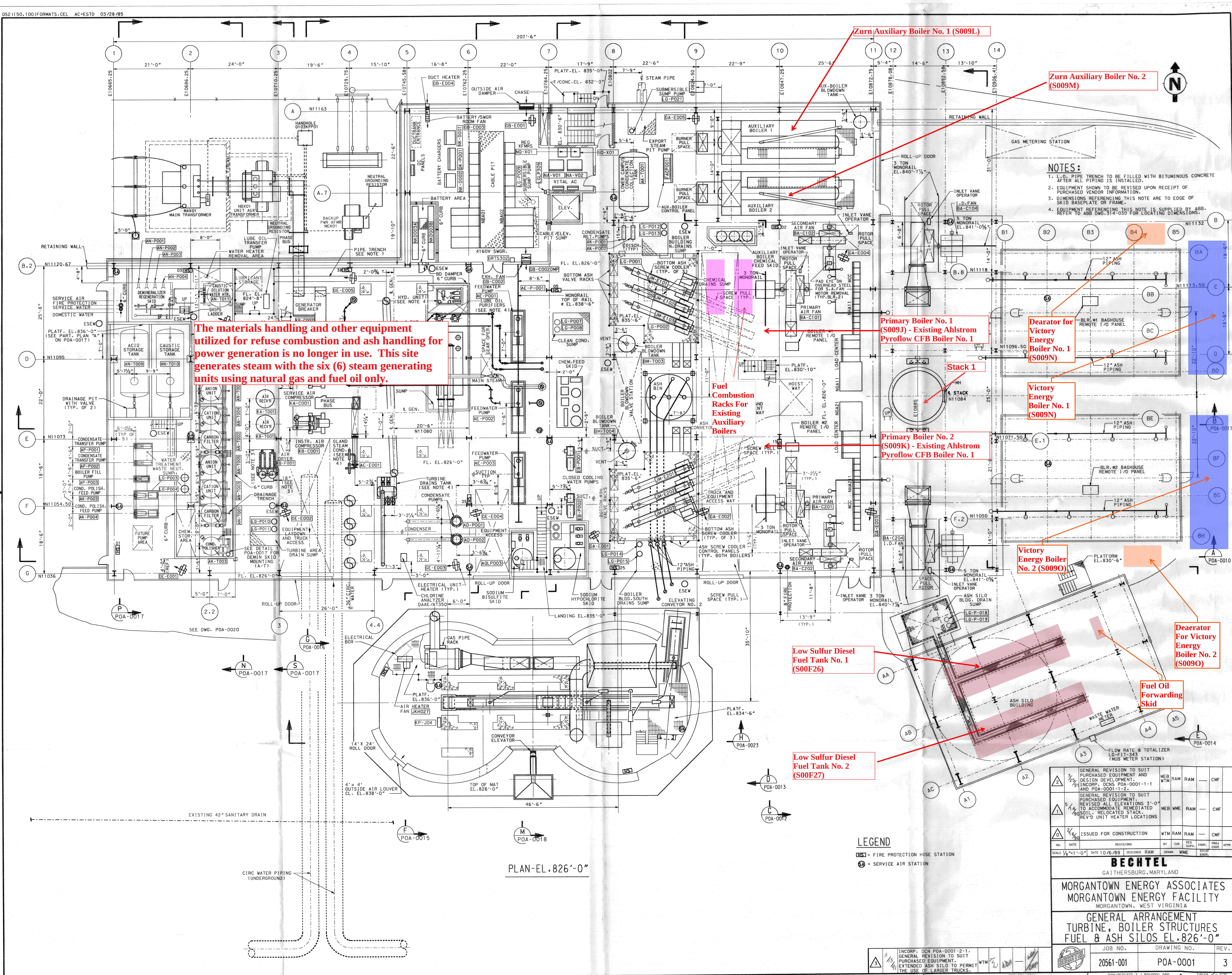
MAPPING FOR VISUAL REPRESENTATION ONLY

SITE LOCATION MAP
MORGANTOWN ENERGY ASSOCIATES
MORGANTOWN, MONONGALIA COUNTY, WV

NOT TO SCALE

ATTACHMENT B

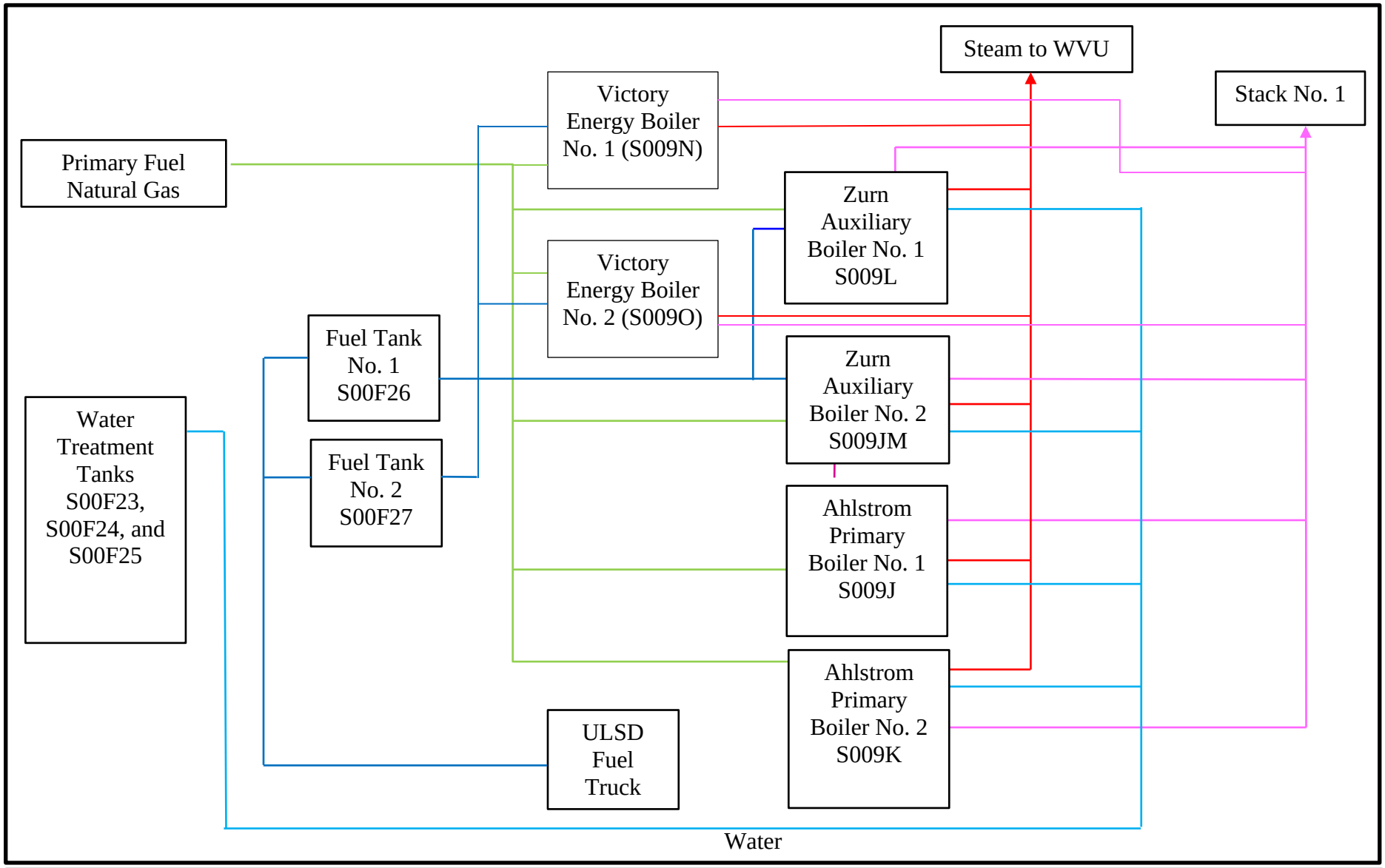
PLOT PLAN



Zurn Auxiliary Boiler No. 1 (S009L)
Zurn Auxiliary Boiler No. 2 (S009M)
The materials handling and other equipment utilized for refuse combustion and ash handling for power generation is no longer in use. This site generates steam with the six (6) steam generating units using natural gas and fuel oil only.
Primary Boiler No. 1 (S009J) - Existing Ahlstrom Pyroflow CFB Boiler No. 1
Dearator for Victory Energy Boiler No. 1 (S009N)
Stack 1
Victory Energy Boiler No. 1 (S009N)
Fuel Combustion Racks For Existing Auxiliary Boilers
Primary Boiler No. 2 (S009K) - Existing Ahlstrom Pyroflow CFB Boiler No. 1
Victory Energy Boiler No. 2 (S009O)
Deaerator For Victory Energy Boiler No. 2 (S009O)
Low Sulfur Diesel Fuel Tank No. 1 (S00F26)
Fuel Oil Forwarding Skid
Low Sulfur Diesel Fuel Tank No. 2 (S00F27)
NOTES:
1. L.O. PIPE TRENCH TO BE FILLED WITH BITUMINOUS CONCRETE AFTER ALL PIPING IS INSTALLED.
2. EQUIPMENT SHOWN TO BE REVISED UPON RECEIPT OF PURCHASED VENDOR INFORMATION.
3. DIMENSIONS REFERENCING THIS NOTE ARE TO EDGE OF SKID BASEPLATE OR FRAME.
4. EQUIPMENT REFERENCING THIS NOTE IS SUPPLIED BY ABB. REFER TO ABB DWG. 314-030 FOR LOCATING DIMENSIONS.
GAS METERING STATION
RETAINING WALL
AUXILIARY BOILER 1
AUXILIARY BOILER 2
MAIN TRANSFORMER
BATTERY AREA
CABLE PIT
ASH SILO BUILDING
PLAN-EL.826'-0"
LEGEND
FIRE PROTECTION HOSE STATION
SERVICE AIR STATION
BECHTEL
GAITHERSBURG, MARYLAND
MORGANTOWN ENERGY ASSOCIATES
MORGANTOWN ENERGY FACILITY
MORGANTOWN, WEST VIRGINIA
GENERAL ARRANGEMENT
TURBINE, BOILER STRUCTURES
FUEL & ASH SILOS EL.826'-0"
JOB NO. 20561-001
DRAWING NO. POA-0001
REV. 3
ISSUED FOR CONSTRUCTION

ATTACHMENT C

PROCESS FLOW DIAGRAM



POTESTA
Engineers and Environmental Consultants

7012 MacCorkle Avenue, S.E.
Charleston, West Virginia 25304
Phone: (304) 342-1400
Fax: (304) 343-9031

Morgantown Energy Associates
Process Flow Diagram
Monongalia County, West Virginia
Project No. 0101-22-0286

ATTACHMENT D

EQUIPMENT TABLE

ATTACHMENT D - Title V Equipment Table

(includes all emission units at the facility except those designated as insignificant activities in Section 4, Item 24 of the General Forms)

Emission Unit ID[1]	Emission Point ID[1]	Emission Unit Description	Year Installed/ Modified	Design Capacity	Control Device[1]
Boiler & Associated Equipment					
S009J	STACK1	Primary Boiler 1 Ahlstrom Pyroflow CFB Boiler/Cyclone #2	1989 SNCR 2016	375 mmBtu/hr (138.6 mmBtu/hr)*	BH 8, SNCR
S009K	STACK1	Primary Boiler 2 Ahlstrom Pyroflow CFB Boiler/Cyclone #2	1989 SNCR 2016	375 mmBtu/hr (138.6 mmBtu/hr)*	BH 7, SNCR
S009L	STACK1	Zurn Auxiliary Boiler #1 Dual Fuel Capable: NG (primary) with ultra-low sulfur diesel (ULSD) (limited use)	1989/modified 2020	160/146.5 NG/ULSD mmBtu/hr	LNB
S009M	STACK1	Zurn Auxiliary Boiler #2 Dual Fuel Capable: NG (primary) with ultra-low sulfur diesel (ULSD) (limited use)	1989/modified 2020	160/146.5 NG/ULSD mmBtu/hr	LNB
S009N	STACK1	Boiler No. 1 (Mfg Victory Energy) Dual Fuel Capable: NG (primary) with ultra-low sulfur diesel (ULSD) (limited use)	2020	100/95.79 NG/ULSD	LNG/FGR
S009O	STACK1	Boiler No. 2 (Mfg Victory Energy) Dual Fuel Capable: NG (primary) with ultra-low sulfur diesel (ULSD) (limited use)	2020	100/95.79 NG/ULSD	LNG/FGR
Storage Tank Fugitives					
S00F23	Tank Vent 03	A.S.T. 07 Water Treatment Phosphate Tank	1989	1,600 Gallons	NA
S00F24	Tank Vent 04	A.S.T. 08 Water Treatment Corrosion Inhibitor Tank	1989	400 Gallons	NA
S00F25	Tank Vent 05	A.S.T. 09 Water Treatment Oxygen Scavenger Tank	1989	400 Gallons	NA
S00F26	Tank Vent 06	ULSD Storage Tank No. 1	2020	20,000 Gallons	NA
S00F27	Tank Vent 07	ULSD Storage Tank No. 2	2020	20,000 Gallons	NA
NA	NA	SNCR Reagent Tank	2016	9,000 Gallons	NA
Paved Roadway Fugitives					
S00F26	Fugitive Emission 26	Plant Roadway	1989	NA	Paved, Water Cleaning

[1]For 45CSR13 permitted sources, the numbering system used for the emission points, control devices, and emission units should be consistent with the numbering system used in the 45CSR13 permit. For grandfathered sources, the numbering system should be consistent with registrations or emissions inventory previously submitted to DAQ. For emission points, control devices, and emissions units which have not been previously labeled, use the following 45CSR13 numbering system: 1S, 2S, 3S,... or other appropriate description for emission units; 1C, 2C, 3C,... or other appropriate designation for control devices; 1E, 2E, 3E, ... or other appropriate designation for emission points.

* 375 mmBtu/hr reflects the design capacity of each of the boilers burning solid fuel (i.e., coal/coal refuse) and natural gas (there was no physical change to the boilers). 138.6 mmBtu/hr reflects the actual maximum heat input allowed using only the "start-up" burners, burning only natural gas as permitted in R14-0007.

ATTACHMENT E

EMISSION UNIT FORM(S)

ATTACHMENT E - Emission Unit Form

Emission Unit Description

Emission unit ID number:	**Emission unit name:**	**List any control devices associated with this emission unit:**
S009J and S009K	Sources for Stack 1: S009J is Primary Boiler 1/Cyclone S009K is Primary Boiler 2/Cyclone	Baghouses 7 & 8 and SNCR

Provide a description of the emission unit (type, method of operation, design parameters, etc.; for engines, please indicate compression or spark ignition, lean or rich, four or two stroke, non-emergency or emergency, certified or not certified, as applicable)

The Emission Units S009J and S009K are the Primary Boilers rated at 375 mmBtu/hr and gas burners at 138.6 mmBtu/hr.

Manufacturer:	**Model number:**	**Serial number:**
Ahlstrom Pyropower	Pyroflow CFB	CFB #1: National Board # is 26 CFB #2: National Board # is 27
Construction date:	**Installation date:**	**Modification date(s):**
1989	1989	NA

Design Capacity (examples: furnaces - tons/hr, tanks – gallons, boilers – MMBtu/hr, engines - hp):

S009J is designed to produce 280,000 lbs/hr of steam at 1500 psi and 950°F.

S009K is designed to produce 280,000 lbs/hr of steam at 1500 psi and 950°F.

Maximum Hourly Throughput:	**Maximum Annual Throughput:**	**Maximum Operating Schedule:**
S009J - 280,000 lbs/hr of steam at 1500 psi and 950°F S009K - 280,000 lbs/hr of steam at 1500 psi and 950°F	S009J – 2,452,500,000 lbs/yr of steam S009K - 2,452,500,000 lbs/yr of steam	8,760 hours per year

Fuel Usage Data **(fill out all applicable fields)**

Does this emission unit combust fuel? ☒ Yes ☐ No	**If yes, is it?** ☐ Indirect Fired ☒ Direct Fired
Maximum design heat input and/or maximum horsepower rating: Startup burners 138.6 mmBtu/hr	**Type and Btu/hr rating of burners:** Ahlstrom Startup Burners 138.6 mmBtu/hr

List the primary fuel type(s) and if applicable, the secondary fuel type(s). For each fuel type listed, provide the maximum hourly and annual fuel usage for each.

Natural Gas – 126,806.95 cf/hr and 1,110.83 mmcf/yr.

Describe each fuel expected to be used during the term of the permit.

Fuel Type	Max. Sulfur Content	Max. Ash Content	BTU Value
Natural Gas	2.0 gr/100scf	NA	1,093 Btu/cf

Emissions Data		
Criteria Pollutants	Potential Emissions (Per Unit)	
	PPH	TPY
Carbon Monoxide (CO)	10.65	46.65
Nitrogen Oxides (NO_X)	27.72	121.41
Lead (Pb)	0.0001	0.0003
Particulate Matter ($PM_{2.5}$)	0.96	4.22
Particulate Matter (PM_{10})	0.96	4.22
Total Particulate Matter (TSP)	0.24	1.06
Sulfur Dioxide (SO_2)	0.73	3.22
Volatile Organic Compounds (VOC)	0.70	3.05
Hazardous Air Pollutants	Potential Emissions	
	PPH	TPY
Total HAP	0.26	1.12
Regulated Pollutants other than Criteria and HAP	Potential Emissions	
	PPH	TPY

List the method(s) used to calculate the potential emissions (include dates of any stack tests conducted, versions of software used, source and dates of emission factors, etc.).

Emissions for NO_x based on testing and meeting Subpart Da 0.20 lb/mmBtu. SO2 based on sulfur content of gas at 2.0 gr/100 scf. Remaining emissions based on AP-42, Chapter 1.4., Natural Gas Combustion.

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

Limitations and Standards

4.1.1. Visible Emissions from each stack shall not exceed ten (10) percent opacity based on a six-minute block average.
[45CSR§2-3.1.]

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

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

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

4.1.5. Emissions of nitrogen oxides (NO_X), expressed as NO_2, emitted to the atmosphere from each of the Primary Boilers shall not exceed the following limits to the corresponding averaging periods.

a. NO_X emission rate shall not exceed 0.20 lb/MMBtu on a 30-day rolling average.

b. The permittee shall operate the SNCR in such manner as to maintain compliance with the above NO_X limit.
[**45CSR14, R14-0007, 4.1.3.; 40 CFR §60.44Da(a)(1); 45CSR16]**

4.1.6. Sulfur Dioxide (SO2) emissions emitted to the atmosphere from each of the Primary Boilers shall not exceed the following limits to the corresponding averaging periods.

a. SO_2 emission rate shall not exceed 0.005 lb/MMBtu on a 30-day rolling average. Compliance with this emissions limitation is satisfied through compliance with Condition 4.1.10. *Compliance with this streamlined limit ensures compliance with 40 CFR §§60.43Da(b)(2) and (g).*
[**45CSR14, R14-0007, 4.1.2. and 4.1.2.a.; 45CSR16; 40 CFR §§60.43Da(b)(2) and, 60.43Da(g)]**

4.1.7. Particulate Matter (PM) emissions emitted to the atmosphere from each of the Primary Boilers shall not exceed the following limits to the corresponding averaging periods.

a. Filterable PM emission rate shall not exceed 0.002 lb/MMBtu of heat input on a 6-hour average basis. *Compliance with this streamlined limit ensures compliance with 45CSR§2-4.1.b.*

b. PM_{10} and $PM_{2.5}$ emissions shall not exceed 0.96 pounds on a 6-hour average basis.
[45CSR14, R14-0007, 4.1.1., 4.1.1.a., and 4.1.1.b.; 45CSR§2-4.1.b.]

4.1.8. Emissions of carbon monoxide (CO) emitted to the atmosphere from each of the Primary Boilers shall not exceed the following limits to the corresponding averaging periods.

a. CO emissions rate shall not exceed 0.077 lb/MMBtu on a 3-hr average.
[45CSR14, R14-0007, 4.1.4.]

4.1.9. Emissions of volatile organic compounds (VOC) emitted to the atmosphere from each of the Primary Boilers shall not exceed 0.005 lb/MMBtu on a 3-hr average.
[45CSR14, R14-0007, 4.1.5.]

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

4.1.10. Each of the Primary Boilers shall be limited to a maximum heat input not to exceed 138.6 MMBtu/hr over a 24-hour average basis and limited to combusting either natural gas with a total sulfur loading of no greater than 2 grains per 100 standard cubic feet or meeting the definition of "pipeline natural gas" stipulated in 40 CFR §72.2.
[45CSR14, R14-0007, 4.1.6.]

4.1.11. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR14, R14-0007, 4.1.7., 45CSR§13-5.10.]

Monitoring Requirements

4.2.1. *Continuous Monitoring Requirements:* The owner or operator shall install, calibrate, maintain and operate a CEMS, and a diluent monitor, and record the output of the system for measuring NO_X, and O_2 or CO_2 emissions from emission point *Stack 1* as specified in 40 CFR Part 60, Subpart Da for the Primary Boilers. Such records of this monitoring system, data collected, and calculated values shall be maintained in accordance with Condition 3.4.2. These systems shall be installed, calibrated, properly functioning, and certified in accordance with the requirements of 4.2.1.a, 4.2.3., 4.2.4. and 4.4.2.

Diluent Monitor: The oxygen (O_2) or carbon dioxide (CO_2) content of the flue gas shall be monitored at the location where NO_X is monitored. Each monitor shall comply with the performance and quality assurance requirements of 40 CFR 60.

a. The Permittee shall install, calibrate, maintain, and operate flow meters to measure the natural gas flow rate to each of the Primary Boilers. The fuel flowmeters used to continuously monitor and record the flow rate of natural gas combusted by the Primary Boilers Nos. 1 and 2 (S009J and S009K) shall have the accuracy of 2.0 percent of the upper range value (i.e. maximum fuel flow rate measurable by the flowmeter) across the range of fuel flow rate to be measured at the unit. The measured flowrate data must be reduced in hourly averages. Flowmeter accuracy may be determined under Section 2.1.5.1 of Appendix D to Part 75 Optional SO_2 Emissions Data Protocol for Gas-Fired and Oil-Fired Units of Chapter 40 for initial certification in any of the following ways (as applicable): by design (orifice, nozzle, and venturi-type flowmeters, only) or by measurement under laboratory conditions; by the manufacturer; by an independent laboratory; or by the owner or operator. Flowmeter accuracy may also be determined under Section 2.1.5.2 of Appendix D to Part 75 Optional SO_2 Emissions Data Protocol for Gas-Fired and and Oil-Fired Units of Chapter 40 by in-line comparison against a reference flowmeter. Alternatively, an orifice, nozzle or venturi flowmeter may be certified if: (a) the primary element (for example, the orifice plate) meets the design criteria specified in American Gas Association Report No. 3; (b) the primary element passes a visual inspection; and (c) the pressure, temperature, and differential pressure transmitters are calibrated with standards traceable to the National Institute of Standards and Technology (NIST). Fuel flowmeter accuracy testing must be performed once every four-fuel flowmeter QA operating quarters thereafter, unless the flowmeter qualifies for an extension of the test deadline as outlined in Section 2.1.6. Quality Assurance of Appendix D of Part 75 to Chapter 40.
[45CSR16; 40 CFR §§60.49Da(c)(1), (d) and (n), 40 CFR §60.13; 45CSR13, R14-0007, 4.2.1., 4.2.1.a. and 45CSR§30-5.1.c.]

4.2.2. Compliance with the visible emission requirements of 45CSR§2-3.1. (condition 4.1.1.) shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems.
[45CSR§2-3.2.]

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

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

4.2.4. NO_X Emissions: The permittee shall determine 30 day rolling average for each of the Primary Boilers for NO_X in accordance with 40 CFR §60.48Da, which is to be expressed in lb/MMBtu. The permittee shall determine the 30 day rolling average of NO_X in accordance with 40 CFR §60.48Da(b), which is to be expressed in lb/MMBtu. Compliance with applicable 30-boiler operating day rolling average NO_X emissions limits is determined by calculating the arithmetic average of all hourly emission rates for NO_X for the 30 successive boiler operating days, except for data obtained during startup, shutdown, or malfunction.

[45CSR14, R14-0007, 4.2.1.c.; 40 CFR §§60.48Da(b) and (d); 45CSR16]

Testing Requirements

Testing is listed as "Reserved" in the TV permit.

Recordkeeping

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

a. The amount of natural gas combusted, and total heat energy consumed by each unit during each operating day.

b. All records shall be maintained in accordance with Condition 3.4.2.
[45CSR§2-8.3.c.; 45CSR§2A-7.1.a.1. 45CSR14, R14-0007, 4.4.4.]

4.4.2. Records of maintenance, calibration checks, and output data, shall be maintained in accordance with condition 3.4.2.
[45CSR14, R14-0007, 4.2.1.d.]

4.4.3. For compliance with the NOx Heat Input limits for the Primary Boilers identified as S009J and S009K see permit condition 5.4.2.

Reporting Requirements

4.5.1. For Subpart Da Reporting for NO_X from the Primary Boilers, the permittee shall submit reports to the Director and Administrator semiannually. The reporting periods shall begin on January 1 and July 1 with the end of the reporting periods ending on June 30 and December 31 respectively. These reports shall be postmarked by 30 days following the end of the reporting period. Such reports shall contain the following information.

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

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

i. Calendar date.

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

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

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

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

vi. Identification of times when hourly averages have been obtained based on manual sampling methods.

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

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

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

1. The number of hourly averages available for outlet emission rates (no) and inlet emission rates (n_i) as applicable.
2. The standard deviation of hourly averages for outlet emission rates (s_o) and inlet emission rates (s_i) as applicable.
3. The lower confidence limit for the mean outlet emission rate (E_{o*}) and the upper confidence limit for the mean inlet emission rate (E_{i*}) as applicable.
4. The applicable potential combustion concentration.
5. The ratio of the upper confidence limit for the mean outlet emission rate (E_{o*}) and the allowable emission rate (E_{std}) as applicable.

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

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

1. The required CEMS calibration, span, and drift checks or other periodic audits have or have not been performed as specified.
2. The data used to show compliance was or was not obtained in accordance with approved methods and procedures of this part and is representative of plant performance.
3. The minimum data requirements have or have not been met; or, the minimum data requirements have not been met for errors that were unavoidable.
4. Compliance with the standards has or has not been achieved during the reporting period.

[45CSR14, R14-0007, 4.5.1.; 40 CFR §60.19(d) and §§60.51Da(b)(1), (2), (4) through (9), (c), (f), (h), and (j); 45CSR16]

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

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

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

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

[45CSR§2-9.3.a.]

4.5.3. 4.5.3. Except as provided in permit condition 4.5.3. (4.5.3 should be 4.5.2) above, the owner or operator shall report to the Director by telephone*, telefax*, or e-mail any malfunction of the Primary Boilers or their associated air pollution control equipment, which results in any excess particulate matter or excess opacity, by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Director within thirty (30) days providing the following information:

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

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

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

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

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

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

[45CSR§2-9.3.b.] (**DAQ Telephone No. 304-926-0475, Telefax No. 304-926-0479)*

Compliance Plan

4.6.1. None.

ATTACHMENT E - Emission Unit Form

Emission Unit Description

Emission unit ID number:	**Emission unit name:**	**List any control devices associated with this emission unit:**
S009L and S009M	Sources for Stack 1: S009L is Auxiliary Boiler #1 S009M is Auxiliary Boiler #2	Low NO_x Burners

Provide a description of the emission unit (type, method of operation, design parameters, etc.; for engines, please indicate compression or spark ignition, lean or rich, four or two stroke, non-emergency or emergency, certified or not certified, as applicable)

Dual Fuel Boilers – 160 mmBtu/hr on Natural Gas and 146.5 mmBtu/hr on Ultra Low Sulfur Diesel.

Manufacturer:	**Model number:**	**Serial number:**
Zurn Industries	Keystone	AUX #1: National Board # is 19482 AUX #2: National Board # is 19481
Construction date:	**Installation date:**	**Modification date(s):**
1989	1989	2020

Design Capacity (examples: furnaces - tons/hr, tanks – gallons, boilers – MMBtu/hr, engines - hp):
S009L is designed to produce 96,000 lbs/hr of steam at 300 psi and 500°F.
S009M is designed to produce 96,000 lbs/hr of steam at 300 psi and 500°F.

Maximum Hourly Throughput:	**Maximum Annual Throughput:**	**Maximum Operating Schedule:**
S009L - 96,000 lbs/hr S009M - 96,000 lbs/hr	S009L – 840,960,000 lbs/yr S009M – 840,960,000 lbs/yr	8,760 hours per year

Fuel Usage Data **(fill out all applicable fields)**

Does this emission unit combust fuel? ☒ Yes ☐ No	**If yes, is it?** ☐ Indirect Fired ☒ Direct Fired
Maximum design heat input and/or maximum horsepower rating: 160 mmBtu/hr Natural Gas (NG) 146.5 mmBtu/hr Ultra Low Sulfur Diesel (ULSD)	**Type and Btu/hr rating of burners:** Indeck Burner 160 mmBtu/hr NG or 146.5 mmBtu/hr ULSD

List the primary fuel type(s) and if applicable, the secondary fuel type(s). For each fuel type listed, provide the maximum hourly and annual fuel usage for each.

Natural Gas (Primary) 146,386.09 cf/hr, 931.046 mmcf/yr

Ultra Low Sulfur Diesel (Secondary) 1,135.54 gph, 2,725.29 mgpy

Describe each fuel expected to be used during the term of the permit.

Fuel Type	Max. Sulfur Content	Max. Ash Content	BTU Value
Natural Gas	1.71 grains/MCF	NA	1,093 Btu/CF
Ultra Low Sulfur Diesel	0.0015 wt%	0.01%	129,014 Btu/gal

Emissions Data		
Criteria Pollutants	Potential Emissions (Per Unit)	
	PPH	TPY
Carbon Monoxide (CO)	13.92	35.78
Nitrogen Oxides (NO_X)	26.37	85.07
Lead (Pb)	0.00132	0.00193
Particulate Matter ($PM_{2.5}$)	4.40	10.36
Particulate Matter (PM_{10})	4.40	10.36
Total Particulate Matter (TSP)	4.40	10.36
Sulfur Dioxide (SO_2)	1.03	1.28
Volatile Organic Compounds (VOC)	1.08	4.80
Hazardous Air Pollutants	Potential Emissions	
	PPH	TPY
Total HAP	0.30	1.36
Regulated Pollutants other than Criteria and HAP	Potential Emissions	
	PPH	TPY

List the method(s) used to calculate the potential emissions (include dates of any stack tests conducted, versions of software used, source and dates of emission factors, etc.).

PMs, SO2, CO, NO_x and VOC emissions based on emission information from burner supplier Indeck. HAPs based on AP-42 Chapter 1.4 Natural Gas Combustion and AP-42 Chapter 1.3 Fuel Oil Combustion.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

Limitations and Standards

5.1.1. The following requirements and limitations apply to each of the auxiliary boilers (ID S009L and S009M) using natural gas with the ability to use ultra-low sulfur diesel (ULSD) as a back-up supply source.:

a. Carbon monoxide (CO) emissions emitted to the atmosphere from the unit shall not exceed a rate of 0.04 lb/MMBtu when firing with natural gas and 0.095 lb/MMBtu when firing on ULSD, on a 3-hour average basis. Compliance with this limit shall be satisfied by complying with items f. and h. of this Condition unless ordered by the Director to conduct a compliance demonstration.

b. Nitrogen oxides (NOx) emissions (expressed as NO2) emitted to the atmosphere from each unit while firing on natural gas shall not exceed a rate of 0.11 lb/MMBtu on a thirty-day rolling average basis. When ULSD is consumed by the unit, NOx emissions from each unit shall not exceed a rate of 0.18 lb/MMBtu on a 30-day rolling average basis. These limitations apply at all times including periods of start-up, shutdown, or malfunction. Compliance with limit shall be conducted using the weight-average equation in Condition 5.4.2. using valid CEMS data in accordance with Condition 5.2.3. which includes a 30-day rolling average. *Compliance with the streamlined NOx limits assures compliance with 40 CFR §60.44b(a)(1)(ii).*

c. Sulfur Dioxide (SO2) emissions emitted to the atmosphere from the unit while operating using ULSD shall not exceed a rate of 0.002 lb/MMBtu. No person shall cause, suffer, allow or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of 512 lb/hr consuming natural gas or 468.8 lb/hr consuming ULSD (each boiler). Compliance with this limitation shall be satisfied by compliance with the sulfur and fuel type restriction in Condition 5.1.4.

d. Particulate matter (PM) and particulate matter less than 10 microns (PM10) emitted to the atmosphere from the unit while operating using ULSD shall not exceed a rate of 0.03 lb/MMBtu on a 6-hour average. *Compliance with the streamlined PM limit of 0.03 lb/MMBtu while using ULSD assures compliance with the 45CSR §2-4.1.b. limit of 0.09 lb/MMBtu.*

e. At times when these boilers are operated solely with pipeline quality natural gas, this operating mode of the unit(s) satisfies compliance with the limitations of 45 CSR §2-4.1.b., and 45 CSR §10-3.3.f.

f. The permittee shall conduct initial tune up of these boilers within 30 days of restart and subsequent tuneup within no later than 61 months from the previous tune-up of the unit. Such tune-ups shall be conducted in accordance with Condition 5.1.5. For affected boilers that switch fuels or make a physical change to the boiler that results in the applicability of a different subcategory within subpart JJJJJJ or the boiler becoming subject to subpart JJJJJJ, you must demonstrate compliance within 180 days of the effective date of the fuel switch or the physical change. Notification of such changes must be submitted according to §63.11225(g).

g. Each boiler shall be modified with a maximum design heat input not to exceed the design capacity listed in the Emission Units Table (Section 1.1) of this permit. Compliance with this limit shall be satisfied by limiting annual total heat input for each of these boilers S009L and S009M to 1,401,600 MMBtu, measured as a rolling 12-month rolling total basis. Of this 1,401,600 MMBtu, only 351,600 MMBtu of energy input shall be due to firing the unit using ULSD fuel.

h. Each of these boilers shall be equipped and operated with an oxygen trim system that maintains an optimum air-to-fuel ratio. An oxygen trim system means a system of monitors that is used to maintain excess air at the desired level in a combustion device over its operating load range. A typical system consists of a flue gas oxygen and/or carbon monoxide monitor that automatically provides a feedback signal to the combustion air controller or draft controller. You may delay the burner inspection specified in paragraph (b)(1) of §63.11223(c) and inspection of the system controlling the air-to-fuel ratio specified in paragraph (b)(3) of §63.11223(c) until the next scheduled unit shutdown, but you must inspect each burner and system controlling the air-to-fuel ratio at least once every 72 months. If an oxygen trim system is utilized on a unit without emission standards to reduce the tune-up frequency to once every 5 years, set the oxygen level no lower than the oxygen concentration measured during the most recent tune-up.

[45CSR14, R14-0007, 5.1.1.; 45CSR§2-4.1.b., §2-8.4.b., §2A-3.1.a., §10-3.3.f., §10A-3.1.b.; 45CSR16; 40 CFR §§60.44b(a)(1)(ii), (h), (i); 45CSR34; 40 CFR §63.11210(i), §63.11223(c), and §63.11237]

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

5.1.3. Emissions from Stack 1 shall not exceed the following limits:

a. Emissions of NO_x shall not exceed 450.96 tons per year based on 12-month rolling total.

b. Emissions of CO shall not exceed 213.66 tons per year based on 12-month rolling total.

c. Emissions of particulate matter shall not exceed 15.71 tons per year based on 12-month rolling total.

d. Emissions of particulate matter less than 10 microns shall not exceed 37.59 tons per year based on 12- month rolling total.

e. Emissions of particulate matter less than 2.5 microns shall not exceed 37.59 tons per year based on 12-month rolling total.

f. Emission of sulfur dioxide shall not exceed 14.89 tons per year based on 12-month rolling total.

g. Emissions of volatile organic compounds (VOCs) shall not exceed 18.14 tons per year based on 12-month rolling total.

h. Visible emissions shall not exhibit greater than ten (10) percent opacity based on a six-minute block average from Stack 1. These standards shall apply at all times except during periods of startup, shutdown, or malfunction. Demonstration or verification of compliance of this standard is only required when any of these units is fired with any combination of ULSD: S009L, S009M, S009N, S009O.

Compliance with this streamlined opacity limit will ensure compliance with 40 CFR §§60.43b(f) & (g) and §§60.43c(c) & (d).

i. Combined emission of Hazardous Air Pollutants shall not exceed 6.47 tons per year based on 12 month rolling total.

[45CSR14, R14-0007, 5.1.3.; 45CSR§§2-3.1., §2-9.1.; 45CSR16; 40 CFR §§60.43b(f) & (g), §§60.43c(c) & (d)]

5.1.4. The emission units (S009L, S009M, S009N, & S009O) permitted under this section are permitted to combust either natural gas with a total sulfur content of 2 grains per 100 scf (gaseous fuel) or ULSD (liquid fuel) that has less than or equal to 15 parts per million (ppm) of sulfur. This sulfur restriction meets the sulfur limitation of 40 CFR 60.42c(d); and the definitions of "very low sulfur oil" in 40 CFR §60.41b and "ultra-low-sulfur liquid fuel" in 40 CFR §63.11237.

[45CSR14, R14-0007, 5.1.4.; 45CSR16; 40 CFR §60.41b, §60.42b(k)(2), §60.43b(h)(5); §60.42c(d); 45CSR34; 40 CFR §63.11237]

5.1.5. The permittee shall conduct tune-ups of each boiler in accordance with the applicable requirements of 40 CFR 63, Subpart JJJJJJ. If the unit is not operating on the required date for a tune-up, then the tune-up must be conducted within 30 calendar days of re-starting of the unit. These tune-ups shall consist of the following:

a. The tune-up must be conducted every 5 years for Emission Unit IDs S009L and S009M and biennially for Emission Unit IDs S009N and S009O while burning the type of fuel (or fuels in the case of boilers that routinely burn two types of fuels at the same time) that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up.

b. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection).

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

c. 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;
d. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (the permittee may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection);
e. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject. And
f. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer.
[45CSR14, R14-0007, 5.1.5.; 45CSR34; 40 CFR §63.11201, §§63.11223(a), (b), (b)(1) - (5), (b)(7), (c) and Table 2 to Part 63 Subpart JJJJJJ]

5.1.6. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.1 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR14, R14-0007, 5.1.6.; 45CSR§13-5.10.]

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

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

5.1.9 At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
[45CSR34; 40 CFR §63.11205(a)]

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

Monitoring Requirements

5.2.1. For each operating day, the permittee shall record the amount of fuel by type (natural gas and fuel oil) combusted by each emission units (S009L, S009M, S009N, and S009O) and shall calculate the 12-month rolling total of combined heat input and annual capacity factor for each fuel for each emission unit within fifteen (15) days after the end of each month. Such records shall be maintained in accordance with Condition 3.4.2. of this permit.

[45CSR14, R14-0007, 5.2.1.; 45CSR§2-8.3.c., §§2A-7.1.a.1. & a.2.; 45CSR16; 40 CFR §60.49b(d)(1) and §60.48c(g)(2)]

5.2.2. *Continuous Monitoring Requirements:* The permittee shall install, calibrate, maintain and operate continuous emission monitoring system (CEMS), continuous opacity monitor (COMS) and a diluent monitor to measure and record the emissions of NOx, visible emissions, and other parameters to determine compliance for the auxiliary boilers identified as S009L and S009M and boilers S009N and S009O venting through Stack 1 in a manner sufficient to demonstrate continuous compliance with the NOx emission limits in Conditions 5.1.1.b. and 5.1.2.b.; and the opacity standard of Condition 5.1.3. Such records of this monitoring system, data collected, and calculated values shall be maintained in accordance with Condition 3.4.2. These systems shall be installed, calibrated, properly functioning, and certified in accordance with the following requirements:

a. *NOx CEMS:* The NOx CEMS shall be certified, operated, and maintained in accordance with the requirements of 40 CFR 60.

i. For use of NOx CEMS used to demonstrate compliance for the auxiliary boilers (S009L and S009M), the permittee shall also meet the requirements of 40 CFR §60.49b. Data reported to meet the requirements of 40 CFR §60.49b for the auxiliary boilers shall not include data substituted using the missing data procedures in Subpart D of Part 75 of Chapter 40, nor shall the data have been bias adjusted according to the procedures of 40 CFR 75.

b. *Diluent Monitor:* The oxygen (O2) or carbon dioxide (CO2) content of the flue gas shall be monitored at the location where NOx emissions are monitored. Each monitor shall comply with the performance and quality assurance requirements of 40 CFR 60.

i. If the permittee use an oxygen (O2) or carbon dioxide (CO2) CEMS to convert measured pollutant concentrations to the units of emissions limits in Conditions 5.1.1.b. and 5.1.2.b., the O2 or CO2 concentrations shall be monitored at a location that represents emissions to the atmosphere, i.e., at the outlet of the emission units, downstream of all emission control devices. The permittee must install, certify, maintain, and operate the CEMS according to 40 CFR 75 or 40 CFR 60. Use only quality assured O2 or CO2 data in the emissions calculations; do not use Part 75 substitute data values.

c. *Fuel Flow Monitor*: The fuel flowmeters used to continuously monitor and record the flow rate of natural gas or ULSD combusted by all emissions covered under this section of this permit shall have the accuracy of 2.0 percent of the upper range value (i.e. maximum fuel flow rate measurable by the flowmeter) across the range of fuel flow rate to be measured at the unit. The measured flowrate data must be reduced in hourly averages. Flowmeter accuracy may be determined under Section 2.1.5.1 of Appendix D to Part 75 Optional SO2 Emissions Data Protocol for Gas-Fired and Oil-Fired Units of Chapter 40 for initial certification in any of the following ways (as applicable): by design (orifice, nozzle, and venturi-type flowmeters, only) or by measurement under laboratory conditions; by the manufacturer; by an independent laboratory; or by the owner or operator. Flowmeter accuracy may also be determined under Section 2.1.5.2 of Appendix D to Part 75 Optional SO2 Emissions Data Protocol for Gas-Fired and OilFired Units of Chapter 40 by in-line comparison against a reference flowmeter. Alternatively, an orifice, nozzle or venturi flowmeter may be certified if: (a) the primary element (for example, the orifice plate) meets the design criteria specified in American Gas Association Report No. 3; (b) the primary element passes a visual inspection; and (c) the pressure, temperature, and differential pressure transmitters are calibrated with standards traceable to the National Institute of Standards and Technology (NIST). Fuel flowmeter accuracy testing must be performed once every four fuel flowmeter QA operating quarters thereafter, unless the flowmeter qualifies for an extension of the test deadline as outlined in Section 2.1.6. Quality Assurance of Appendix D of Part 75 to Chapter 40.

d. *COMS:* Exhaust gas opacity from Stack 1 shall be monitored using a continuous opacity monitoring system for the purpose of demonstrating compliance with Condition 5.1.3. The permittee shall install calibrate, maintain, and operate the COMS in accordance with Performance Specification (PS) 1 in 40 CFR Part 60, Appendix B. The span value of the opacity COMS shall be between 60 and 80 percent. Such system shall record the output of the system. The permittee shall reduce all data to 6-minute averages. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

In lieu of COMS, as specified in the above, for determining compliance with the opacity standard in 5.1.3.h., the permittee may submit a written site-specific-monitoring plan to the Director. Once the plan is approved by the Director, the permittee must fully implement the plan prior to within 45 days of discontinuing the use of the COMS for compliance with the standard in Condition 5.1.3.h. Once the plan is being implemented, the permittee is no longer required to report opacity exceedance or COMS downtime under Condition 5.5.3. Instead, the permittee shall submit deviations of the plan and opacity exceedances in accordance with Condition 5.5.4.

e. For NOx and CO2 or O2 direct measurement only; when NOx emission data are not obtained because of CEMS or alternative monitoring system breakdown, repairs, calibration checks, and zero and span adjustment, emission data will be obtained by using standby monitoring systems, Method 7 or 7A of Appendix A of Part 60 to Chapter 40 of the Code of Federal Regulations, or other approved reference methods to provided emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of the 30 successive steam generating unit operating days.

f. The permittee shall maintain records of all performance certifications/evaluations, drift checks, QA procedures conducted, calibrations performed, RATAs performed, and maintenance conducted of the above systems in accordance with Condition 3.4.2.

[45CSR14, R14-0007, 5.2.2.; 45CSR§§2-8.2.a. and a.1.; 45CSR§§2A-6.1. and 6.3.; 45CSR16; 40 CFR §§60.13(d)(1), (d)(2), (g), (h)(1), §§60.48b(a), (b), (f), (j)(2) and (l), §60.49b(g)(10), §§60.47c(a), (b) and (f)(3)]

5.2.3. Regarding the determination of valid hourly emission data used to determinate compliance with the 30-day rolling average limits in Condition 5.1.1., and 5.1.2., the following criteria shall be used to evaluate the CEMs data as required to be collected in Condition 5.2.2. to determine if the data is valid data:

a. Except as noted in item c. of this condition, for a full operating hour (any clock hour with 60 minutes of unit operation), of the unit at least four valid data point are required to calculate the hourly average (i.e. one data point in each of the 15-minute quadrants of the hour).

b. Except as noted in item c., for a partial operating hour (any clock hour with less than 60 minutes of unit operation), of the unit, at least one valid data point in each 15-minute quadrant of the hour in which the unit operates is required to calculate the hourly average.

c. For any operating hour in which required maintenance or quality-assurance activities are performed of the monitoring system is not valid.

i. If the unit operates in two or more quadrants of the hour, a minimum of two valid data points, separated by at least 15 minutes, is required to calculate the hourly average: or ii. If the unit operates in only one quadrant of the hour, at least one valid data point is required to calculate the hourly average.

d. If a daily calibration error check is failed during any operating hour, all data for that hour shall be invalidated, unless a subsequent calibration error test is passed in the same hour and the requirements of item c. of this condition are met, based solely on valid data recorded after the successful calibration.

e. For each full or partial operating hour, all valid data points shall be used to calculate the hourly average.

f. Except as provided under item g. of this condition, data recorded during periods of continuous monitoring system breakdown, repair, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph.

g. The permittee complying with the requirements of 40 CFR §60.7(f)(1) or (2) must include any data recorded during periods of monitor breakdown or malfunction in the data averages.

h. Either arithmetic or integrated averaging of all data may be used to calculate the hourly averages. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O2 or ng/J of pollutant).

[45CSR14, R14-0007, 5.2.3.; 45CSR16; 40 CFR §§60.13(h)(2)(i) – (vii) and (ix)]

Testing Requirements

5.3.1. To determine compliance with the opacity limits under Condition 5.1.3. (40 CFR §60.43b & 60.43c(c) and the NOX limit under Condition 5.1.1.b. (40 CFR 60.44b), the permittee shall conduct an initial performance test as required under 40 CFR §60.8, using the following procedures and reference methods:

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

a. Using a continuous system for monitoring NOX under 40 CFR §60.48(b) to determine NOx emission for compliance with the emission limits for NOX required under 40 CFR §60.44b. For the initial compliance test, NOX from each steam generating unit is monitored for 30 successive steam generating unit operating days and the 30-day average emission rate is used to determine compliance with the NOX emission standards under Condition 5.1.1.b. (40 CFR§60.44b) for each unit. The 30-day average emission rate is calculated as the average of all hourly emissions data recorded by the monitoring system during the 30-day test period.
b. Method 9 of appendix A to 40 CFR 60 is used for determining the opacity of stack emissions.
c. In accordance with the requirements outlined in Condition 3.3.1. of this permit.
To be included with the testing protocol as required under Condition 3.3.1., the permittee shall develop a testing plan to conduct the required 30-day NOX compliance test for each of the auxiliary boilers. This plan should address accounting for emissions from other emission units at the facility while conducting the compliance test. Records of all testing shall be maintained in accordance with Condition 3.4.2.

[45CSR14, R14-0007, 5.3.1.; 45CSR16; 40 CFR §§60.46b(e) and (e)(1), §60.46b(d)(7) and §60.45c(a)(8)]

5.3.2. Following the date on which the initial performance test is completed or required to be completed under Condition 5.3.1. and 40 CFR §60.8 for the Auxiliary Boilers, whichever date comes first, the permittee shall upon request determine compliance with the NOX limits (standards) in Condition 5.1.1.b. (40 CFR §60.44b) through the use of a 30-day performance test. During periods when performance tests are not requested, NOX emissions data collected pursuant to 40 CFR §60.48b(g)(1) or 40 CFR §60.48b(g)(2) are used to calculate a 30-day rolling average emission rate on a daily basis and used to prepare excess emission reports, but will not be used to determine compliance with the NOX emission standards. A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly NOX emission data for the preceding 30 steam generating unit operating days.

[45CSR14, R14-0007, 5.3.2.; 45CSR16; 40 CFR §60.46b(e)(4)]

5.3.3. The owner or operator shall conduct an initial test within 180 days after the issuance date of this permit modification (i.e., MM05) to determine the compliance of the Auxiliary Boilers 1 and 2 and the backup steam generator Boilers #1 and #2 with the particulate matter mass emission limitations of 45CSR2. Such tests shall be conducted in accordance with the appropriate method set forth in 45CSR2 Appendix – Compliance Test Procedures for 45CSR2, or other equivalent EPA approved method approved by the Director. Subsequent testing shall be once every three years.

[45CSR§2-8.1., 45CSR§2A-5.2.]

Recordkeeping Requirements

5.4.1. The permittee shall obtain and maintain fuel receipts (such as a current, valid purchase contract, tariff sheet, or transportation contract) from each fuel supplier that certify that the oil meets the definition of ULSD (i.e., Very Low Sulfur Oil) and gaseous fuel meets the definition of natural gas as defined in 40 CFR §60.41b or 40 CFR §60.41c and sulfur content meet the applicable sulfur limit in Condition 5.1.4. These records shall represent all the fuel combusted at the facility. The records shall include, but not be limited to, the date and time of start-up and shutdown for each fuel type, and the quantity of fuel consumed on a monthly basis and for ULSD a BTU analysis for each shipment. Such records shall include the following information:

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

a. For the natural gas supplier:
   i. The name of the natural gas supplier:
   ii. According to 40 CFR 75 Appendix D, fuel sampling/analysis or the current Tariff Sheet or contact that demonstrates the maximum sulfur in fuel limit was not exceeded.

b. For the oil supplier:
   i. The name of the oil supplier;
   ii. A statement from the ULSD supplier that the ULSD complies with the specifications under the definition of distillate oil in 40 CFR §60.41b and 40 CFR §60.41c; and
   iii. The sulfur content or maximum sulfur content of the oil in terms parts per million.

[45CSR14, R14-0007, 5.4.1.; 45CSR§2-8.3.c., §§2A-7.1.a.1. & a.2.; 45CSR16; 40 CFR §60.42b(j), §60.49b(r)(1); §60.44c(h); §60.45c(d) and §60.48c(f)(1)]

5.4.2. For compliance with the NO_X Heat Input limits for the Primary Boilers identified as S009J and S009K; Auxiliary Boilers identified S009L and S009M; and Boilers identified S009N and S009O (Limits in Conditions 4.1.5.a., 5.1.1. and 5.1.2., the permittee shall determine the Weight Average NOx Limit for each operation day in accordance with the following:

$$NO_x\ Weighted\ Avg = \frac{[(ELPB \times HIPB) + (ELAuxg \times HIAuxg) + (ELAuxo \times HIAuxo) + (ELRBg \times HIRBg) + (ELRBo \times HIRBo)]}{HItotal}$$

Where:

NOx Weight Avg = Weighted Average of the NOx limits (expressed as NO2) based on Heat Input from the respective type of boiler and fuel utilized, in terms of lb of NOx per MMBtu;

ELPB = Appropriate emission limit from Condition 4.1.5.a. for combustion of natural gas, lb/MMBtu.

ELAuxg = Appropriate emission limit from Condition 5.1.1. for combustion of natural gas, lb/MMBtu.

ELAuxo = Appropriate emission limit from Condition 5.1.1. for combustion of ULSD, lb/MMBtu.

ELRBg = Appropriate emission limit from Condition 5.1.2. for combustion of natural gas, lb/MMBtu.

ELRBo = Appropriate emission limit from Condition 5.1.2. for combustion of ULSD, lb/MMBtu.

HIPB = Combined Heat Input from the Primary Boilers (S009J, S009K) firing on natural gas, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to the primary boilers in the respective time period and a gross calorific value of 1,050 Btu per standard cubic feet for natural gas.

HIAuxg = Combined Heat Input from the Auxiliary Boilers (S009L, S009M) firing on natural gas, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to the auxiliary boilers in the respective time period and a gross calorific value of 1,050 Btu per standard cubic feet for natural gas.

HIAuxo = Combined Heat Input from the Auxiliary Boilers (S009L, S009M) firing on ULSD, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to the auxiliary boilers in the respective time period and a gross calorific value of 140,000 Btu per gallon for ULSD.

HIRBg = Combined Heat Input from the Boilers S009N and S009O firing on natural gas, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to the boilers in the respective time period and a gross calorific value of 1,050 Btu per standard cubic feet for natural gas.

HIRBo = Combined Heat Input from the Boilers S009N and S009O firing on ULSD, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to these boilers in the respective time period and a gross calorific value of 140,000 Btu per gallon for ULSD.

HItotal = Summation of Heat Input from all the operating units (S009J, S009K, S009L, S009M, S009N, S009O) during the time frame, in terms of MMBtu/hr.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

For determining compliance with the NOx heat input limits of Conditions 4.1.5.a., 5.1.1.b., and 5.1.2.b., the permittee shall take the average of the NOx emission rate, which must be in terms of lb of NOx per MMBtu, which the permittee shall use the appropriate equations in Method 19 be used to convert the measured concentration of the pollutant into the form of the standard, of the previous 30 operating days compared to the average of the previous 30 operating days of the Weight Average NOx Limit is used to determine the amount of excess NOx emission emitted if any.
40 CFR Part 75 missing data procedures shall not be used in determining the NOx emission rate from Stack 1 for compliance with the limits in Conditions 4.1.5.a., 5.1.1 and 5.1.2.

The records of these determinations and amount of excess NOx emissions emitted shall be recorded and maintained in accordance with Condition 3.4.2.
[45CSR14, R14-0007, 5.4.2.]

5.4.3 The permittee shall keep the following records in accordance with 40 CFR §63.11223(b)(6) as required in Condition 5.1.5. for each boiler.

a. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler using a portable combustion analyzer.
b. A description of any corrective actions taken as a part of the tune-up; and
c. The type and amount of fuel used over the 12 months prior to the tune-up of the unit, but only if the unit was physically and legally capable of using more than one type of fuel during that period.
[45CSR14, R14-0007, 5.4.3.; 45CSR34; 40 CFR §63.11223(b)(6)]

5.4.4. The permittee must maintain the following specified records:

a. As required in 40 CFR §63.10(b)(2)(xiv), the permittee must keep a copy of each notification and report that the permittee submitted to comply with this subpart and all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted.
b. The permittee must keep records to document conformance with the work practices, emission reduction measures, and management practices required by 40 CFR §63.11214 and 40 CFR §63.11223 as specified in paragraphs c., d. and e. of this condition.
c. Records must identify each boiler, the date of initial tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.
d. The permittee must keep a copy of the energy assessment report.
e. The permittee must also keep records of monthly fuel use by each boiler, including the type(s) of fuel and amount(s) used.
f. Records of the occurrence and duration of each malfunction of each boiler.
g. 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, or monitoring equipment to its normal or usual manner of operation.
[45CSR14, R14-0007, 5.4.4.; 45CSR34; 40 CFR §§63.11225(c)(1), (2)(i), (2)(iii), (2)(iv), (4) and (5)]

5.4.5. The permittee shall maintain records of the monitoring as required in Conditions 5.2.1., 5.1.1. and 5.2.2., for each steam generating unit operating day for each auxiliary boiler (S009L and S009M), which includes at least the following information:

a. Calendar date;
b. Record the amount of fuel combusted during each operating day and calculate the annual capacity factor individually for ULSD and natural gas for the reporting period. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

c. The average hourly NOx emission rate in terms of lb per MMBtu heat input;
d. The 30-day average NOx emission rates (expressed as lb per MMBtu heat input) calculated at the end of each steam generating unit operating day from the measured nitrogen oxide emission rates for the preceding 30 steam generating unit operating days;
e. Identification of steam generating unit operating days when the calculated 30-day average NOx are in excess of the respective limits in Conditions 5.1.1.b. with reasons for such excess emissions and description of corrective actions taken;
f. Identification of the steam generating unit operating days for which pollutant data have not been obtained, include reasons for not obtaining sufficient data and a description of corrective actions taken;
g. Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data;
h. Identification of "F" factor used for calculations, method of determination, and type of fuel combusted;
i. Identification of the times when the pollutant concentration exceeded full span of the CEMS;
j. Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with respective Performance Specification (PS) 2 or 3; and
k. Results of daily CEMS drift tests and quarterly accuracy assessments as required in Appendix F, Procedure 1 of 40 CFR Part 60 or Part 75 if applicable to the monitoring system.
l. For all boilers (S009L, S009M, S009N and S009O), dates and time intervals of all opacity COMs reading and identify all 6-minutes periods that exceed the limitation of Condition 5.1.3.h.
[45CSR14, R14-0007, 5.4.5.; 45CSR§2A-7.1.b.; 45CSR16; 40 CFR §60.49b(d)(1), §60.49b(f), §60.49b(g) and §60.48c(c)]

5.4.6. At the end of any month where the annual capacity factor of any one boiler was greater than 80% for two consecutive months, then the permittee shall determine the amount of each pollutant, emitted from the Emission Point Stack 1 on a monthly basis using the actual operating data and appropriate engineering calculations. Such determination shall be performed no later than the 30th day from the end of the respective month. The permittee shall keep a 12-month rolling total for each of the pollutants listed in Condition 5.1.3. except for visible emissions. The permittee is only required to keep these monthly records when at least one of the units are operating at an annual capacity factor greater than 80%. This requirement applies to all boilers venting to Emission Point Stack 1. Records of these determinations shall be maintained in accordance with Condition 3.4.2.
[45CSR14, R14-0007, 5.4.6.]

5.4.7. Records required by 40 CFR 63 Subpart JJJJJJ must be in a form suitable and readily available for expeditious review. You must keep each record for 5 years following the date of each recorded action. You must keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. You may keep the records off site for the remaining 3 years.
[45CSR34; 40 CFR §63.11225(d)]

5.4.8. All records of monitored data established in condition 5.2.2.d. shall be maintained on site. Such records shall be made available to the Director or his duly authorized representative upon request. Such records shall be retained on-site for a minimum of five years.
[45CSR§2-8.3.a.]

Reporting Requirements

5.5.1. For the Auxiliary Boilers, the permittee shall submit a Notification of Compliance Status no later than 120 days after the applicable compliance date specified in 40 CFR §63.11196. Notification of changes must be submitted according to 40 CFR §63.11225(g). You must submit the Notification of Compliance Status in accordance with paragraphs a. and f. of this section. The Notification of Compliance Status must include the information and certification(s) of compliance in paragraphs a. through e. of this section, as applicable, and signed by a responsible official.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

a. You must submit the information required in §63.9(h)(2), except the information listed in §63.9(h)(2)(i)(B), (D), (E), and (F). If you conduct any performance tests or CMS performance evaluations, you must submit that data as specified in paragraph (e) of §60.11225. If you conduct any opacity or visible emission observations, or other monitoring procedures or methods, you must submit that data to the Administrator at the appropriate address listed in §63.13.
b. "This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boiler."
c. "This facility has had an energy assessment performed according to §63.11214(c)."
d. For units that install bag leak detection systems: "This facility complies with the requirements in §63.11224(f)."
e. For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit."
f. The notification must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written Notification of Compliance Status must be submitted to the Administrator at the appropriate address listed in §63.13.

For Boilers S009N and S009O, the permittee is not required to prepare and submit a Notification of Compliance Status for the tune-up.
For all boilers, the permittee must prepare and submit by March 1 of each year to the Director a biennial compliance certification reports for Boilers S009N and S009O; and 5-years compliance certification reports for the Auxiliary Boilers for the respective corresponding reporting periods containing the information specified in the following:
a. The permittee name and address.
b. Statement by a responsible official, with the official's name, title, phone number, email 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 this subpart. Your notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official:
i. "This facility complies with the requirements in 40 CFR §63.11223 to conduct a biennial or 5-year tune-up, as applicable, of each boiler."
ii. "No secondary materials that are solid waste were combusted in any affected unit."
iii. "This facility complies with the requirement in 40 CFR §§63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available."

These submittals shall be submitted in accordance with Condition 3.5.3. The permittee shall maintain records of all submittals in accordance with Condition 3.4.2.
[45CSR14, R14-0007, 5.5.1.; 45CSR34; 40 CFR §63.11225(a)(4), §§63.11225(b)(1) and (2)

5.5.2. A report of the results of any testing conducted to satisfy the requirements for Conditions 5.3.1. or 5.3.2. shall be submitted to the Director and U.S. EPA Administrator in accordance with Condition 3.5.3. within 60 days after completion of the testing. This report shall conform to the requirements of 40 CFR §60.8(f)(2) and the requirements of Condition 3.3.1.
[45CSR14, R14-0007, 5.5.2.]
5.5.3. Once the initial testing as required in Condition 5.3.1. has been completed; *Semi-Annual NOx Excess Emission & Excess Opacity and Monitoring System Performance Report* to be included with the facility's Annual and Semi-Annual Title V Compliance Report, the permittee shall submit a report to the Director summarizing NOx emissions including periods of startups, shutdowns, malfunctions, and CEMS and COMS system monitor availability for the reporting period. The reporting period is January 1st to June 30th and July 1st to December 31st. Such report shall contain the information collected during the respective reporting period as required in Condition 5.4.5. Any emissions data that indicates that the limits as stated in Section 5.1. were exceeded during the corresponding reporting period must be noted in this summary report. At the minimum, the date and time, length of the exceedances(s), magnitude, percentage of excess emissions, the limit that was exceeded, the cause of the exceedances, and the corrective action taken shall be included in the summary report.
[45CSR14, R14-0007, 5.5.3.; 45CSR §13-3.; 45CSR16; 40 CFR §60.7(c); 40 CFR §§60.49b(h) and

(h)(2)(ii), §60.48c(c)]

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

5.5.4. The permittee shall submit Opacity Excess Emissions reports to the Director no later than the 30th day following the end of the reporting period in accordance with Condition 3.5.1. Such reports shall cover the six-month period of January to June and July to December of any exceedance(s) of the allowable visiblebemission standard of Condition 5.1.3.h., 40 CFR 60.43b(f) and/or 40 CFR 60.43c(c) (excess emissions) of permitted boilers discovered during observations using 40 CFR Part 60, Appendix A, Method 9, of the occurrence and shall include, at a minimum, the information required in Condition 5.2.3. of the excess opacity observed, the cause or suspected cause of the excess opacity, and any corrective measures taken or planned.
[45CSR14, R14-0007, 5.5.4.; 45CSR§2-8.3b.; 45CSR16; 40 CFR §60.49b(h), §60.48c(c)]

5.5.5. Excess opacity periods meeting the following conditions may be reported on a quarterly basis unless otherwise required by the Director:
a. The excess opacity period does not exceed one 6-minute period per hour and/or thirty (30) minutes within any twenty-four (24) hour period.
b. Excess opacity does not exceed twenty-seven percent (27%). *Compliance with this streamlined requirement assures compliance with 45CSR§2-9.3.a*.2.
[45CSR§2-9.3.a.; 45CSR16; 40 CFR §60.43b(f), §60.43c(c)]

5.5.6. The owner or operator of each affected facility subject to the opacity limits of 40 CFR shall submit to the Administrator the performance text data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS and/or COMS using the applicable performance specifications in appendix B of 40 CFR Part t0.
[45CSR16; 40 CFR §60.48c(b)]

5.5.7. The owner or operation of each affected facility subject to the fuel oil sulfur limits requirements under 40 CFR §60.42c shall submit reports and keep records to the Director including the following information.
a. Calendar dates covered in the reporting period.
b. If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1) of 40 CFR §60.48c. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.
[45CSR16; 40 CFR §60.48c(d), §§60.48c(e), (e)(1) and (e)(11)]
5.5.8. Except as provided in permit condition 5.5.5. above, the owner or operator shall report to the Director by telephone, telefax, or e-mail any malfunction of Auxiliary Boiler #1, Auxiliary Boiler #2, Boiler #1 or Boiler #2 or their associated air pollution control equipment, which results in any excess particulate matter (while burning ULSD) or excess opacity (while burning natural gas or ULSD), by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Director within thirty (30) days providing the following information:
a. A detailed explanation of the factors involved or causes of the malfunction;
b. The date, and time of duration (with starting and ending times) of the period of excess emissions;
c. An estimate of the mass of excess emissions discharged during the malfunction period;
d. The maximum opacity measured or observed during the malfunction;
e. Immediate remedial actions taken at the time of the malfunction to correct or mitigate the effects of the malfunction; and
f. A detailed explanation of the corrective measures or program that will be implemented to prevent a recurrence of the malfunction and a schedule for such implementation.
[45CSR§2-9.3.b.]

For all applicable requirements listed above, provide monitoring/testing/recordkeeping/reporting which shall be used to demonstrate compliance. If the method is based on a permit or rule, include the condition number or citation. (Note: Each requirement listed above must have an associated method of demonstrating compliance. If there is not already a required method in place, then a method must be proposed.)

Compliance Plan

5.6.1. None.

X Permit Shield

Are you in compliance with all applicable requirements for this emission unit? X Yes ___No

If no, complete the **Schedule of Compliance Form** as **ATTACHMENT F**.

ATTACHMENT E - Emission Unit Form

Emission Unit Description

Emission unit ID number:	**Emission unit name:**	**List any control devices associated with this emission unit:**
S009N and S009O	Sources for Stack 1: S009N is Boiler No. 1 S009O is Boiler No. 2	Low NO_x Burners and Flue Gas Recirculation

Provide a description of the emission unit (type, method of operation, design parameters, etc.; for engines, please indicate compression or spark ignition, lean or rich, four or two stroke, non-emergency or emergency, certified or not certified, as applicable)

Dual Fuel Boilers – 100 mmBtu/hr on Natural Gas and 95.79 mmBtu/hr on Ultra Low Sulfur Diesel.

Manufacturer:	**Model number:**	**Serial number:**
Victory Energy	VSM-75	NA

Construction date:	**Installation date:**	**Modification date(s):**
2020	2020	NA

Design Capacity (examples: furnaces - tons/hr, tanks – gallons, boilers – MMBtu/hr, engines - hp):
S009N and S009O are designed to produce 75,000 lbs/hr steam at 300 psi and 500ºF each.

Maximum Hourly Throughput:	**Maximum Annual Throughput:**	**Maximum Operating Schedule:**
75,000 lbs/hr steam each	6,525,000 lbs/year each	8,760 hours per year

Fuel Usage Data **(fill out all applicable fields)**

Does this emission unit combust fuel? [X] Yes [ ] No	**If yes, is it?** [ ] Indirect Fired [X] Direct Fired
Maximum design heat input and/or maximum horsepower rating: 100 mmBtu/hr Natural Gas (NG) 95.79 mmBtu/hr Ultra Low Sulfur Diesel (ULSD)	**Type and Btu/hr rating of burners:** Hamworthy Peabody 100 mmBtu/NG or 95.79 mmBtu/hr ULSD

List the primary fuel type(s) and if applicable, the secondary fuel type(s). For each fuel type listed, provide the maximum hourly and annual fuel usage for each.

Natural Gas (Primary) 91,491.31 cf/hr, 381.478 mmcf/yr

Ultra Low Sulfur Diesel (Secondary) 742.5 gph, 1,781.95 mgpy

Describe each fuel expected to be used during the term of the permit.

Fuel Type	Max. Sulfur Content	Max. Ash Content	BTU Value
Natural Gas	0.171 grains/MCF	NA	1,093 Btu/CF
Ultra Low Sulfur Diesel	0.0015 wt%	0.01%	129,014 Btu/gal

Emissions Data		
Criteria Pollutants	Potential Emissions	
	PPH	TPY
Carbon Monoxide (CO)	7.47	24.39
Nitrogen Oxides (NO_X)	9.58	19.00
Lead (Pb)	0.00086	0.0012
Particulate Matter ($PM_{2.5}$)	2.38	4.22
Particulate Matter (PM_{10})	2.89	4.25
Total Particulate Matter (TSP)	5.65	4.43
Sulfur Dioxide (SO_2)	0.15	0.30
Volatile Organic Compounds (VOC)	0.54	1.96
Hazardous Air Pollutants	Potential Emissions	
	PPH	TPY
Total HAPs	0.19	0.65
Regulated Pollutants other than Criteria and HAP	Potential Emissions	
	PPH	TPY

List the method(s) used to calculate the potential emissions (include dates of any stack tests conducted, versions of software used, source and dates of emission factors, etc.).

PMs, SO2, CO, NO_x and VOC emissions based on emission information from Victory Energy. VOC and HAPs emissions based on AP-42 Chapter 1.4 Natural Gas Combustion and AP-42 Chapter 1.3 Fuel Oil Combustion.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

5.1.2. The following requirements and limitation apply to each of these boilers identified as ID S009N and S009O upon initial startup.

a. Particulate matter (PM) filterable emissions emitted to the atmosphere from the unit while operating using ULSD unit shall not exceed 0.023 lb per MMBtu of heat input on a 6-hour average basis. *Compliance with the streamlined PM limit of 0.023 lb per MMBtu while using ULSD assures compliance with the 45CSR §2-4.1.b.limit of 0.09 lb per MMBtu.*

b. Nitrogen oxides (NOx) emissions (expressed as NO2) emitted to the atmosphere from each unit while firing on natural gas shall not exceed a rate of 0.036 lb/MMBtu on a thirty-day (30) rolling average basis. When firing with ULSD, NOx emissions from each unit shall not exceed a rate of 0.10 lb/MMBtu on a thirty-day rolling average basis. These limitations apply at all times including periods of start-up, shutdown, or malfunction. Compliance with these limits shall be conducted using the weight-average equation in Condition 5.4.2. using valid CEMS data in accordance with Condition 5.2.3. which includes 30-day rolling average.

c. Carbon monoxide (CO) emissions emitted to the atmosphere from the unit shall not exceed a rate of 0.078 lb/MMBtu on a 3-hour average basis. Compliance with this limit shall be satisfied by complying with items f. and h. of this Condition unless ordered by the Director to conduct a compliance demonstration.

d. Sulfur Dioxide (SO2) emissions emitted to the atmosphere from the unit while operating using ULSD shall not exceed a rate of 0.002 lb/MMBtu. The sulfur emission limit in this condition and sulfur restriction in Condition 5.1.4. apply at all times including periods of startup, shutdown, and malfunctions. No person shall cause, suffer, allow or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of 320 lb/hr consuming natural gas or 306.53 lb/hr consuming ULSD (each boiler). Compliance with these limitations shall be satisfied by complying with the sulfur limit and fuel type restriction in Condition 5.1.4.

e. The permittee shall minimize each of these boiler's startup and shutdown periods and conduct startups and shutdowns according to the manufacturer's recommended procedures. If manufacturer's recommended procedures are not available, the permittee must follow recommended procedures for a unit of similar design for which manufacturer's recommended procedures are available. f. The permittee shall conduct initial tune up of these boilers no later than 25 months after initial start of the unit and subsequent tune-up no later than 25 months from the previous tune-up of the unit. Such tune-ups shall be conducted in accordance with Condition 5.1.5. For affected boilers that switch fuels or make a physical change to the boiler that results in the applicability of a different subcategory within subpart JJJJJJ or the boiler becoming subject to subpart JJJJJJ, you must demonstrate compliance within 180 days of the effective date of the fuel switch or the physical change. Notification of such changes must be submitted according to §63.11225(g).

g. Each boiler shall be designed or constructed with a maximum design heat input not to exceed the design capacity listed in Emission Units Table (Section 1.1) of this permit. The permittee shall limit the annual heat input to each boiler (S009N and S009O) to no more than 646,852 MMBtu per year, measured on a 12-month rolling total basis. Of this 646,852 MMBtu of heat input, only 229,896 MMBtu of heat input per 12-month rolling period shall be due to firing each unit using ULSD.

h. At any time after initial start of these boilers (S009N or S009O) should either one of these emission units be removed from the facility and later returned to the permitted facility, the permittee shall perform a tune-up of the unit that returns within 30 days after re-commencing operations in accordance with Condition 5.1.5.

[45CSR14, R14-0007, 5.1.2.; 45CSR§2-4.1.b., §10-3.3.f.; 45CSR16; 40 CFR §§60.42c(d), (h), (h)(1), and (i); 45CSR34; 40 CFR §63.11201(b), §§63.11210(g) and (i), §63.11223(b)(7), and Table 2 Item 1 to Subpart JJJJJJ of Part 63]

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

5.1.3. Emissions from Stack 1 shall not exceed the following limits:

a. Emissions of NO_x shall not exceed 450.96 tons per year based on 12-month rolling total.

b. Emissions of CO shall not exceed 213.66 tons per year based on 12-month rolling total.

c. Emissions of particulate matter shall not exceed 15.71 tons per year based on 12-month rolling total.

d. Emissions of particulate matter less than 10 microns shall not exceed 37.59 tons per year based on 12- month rolling total.

e. Emissions of particulate matter less than 2.5 microns shall not exceed 37.59 tons per year based on 12-month rolling total.

f. Emission of sulfur dioxide shall not exceed 14.89 tons per year based on 12-month rolling total.

g. Emissions of volatile organic compounds (VOCs) shall not exceed 18.14 tons per year based on 12-month rolling total.

h. Visible emissions shall not exhibit greater than ten (10) percent opacity based on a six-minute block average from Stack 1. These standards shall apply at all times except during periods of startup, shutdown, or malfunction. Demonstration or verification of compliance of this standard is only required when any of these units is fired with any combination of ULSD: S009L, S009M, S009N, S009O.

Compliance with this streamlined opacity limit will ensure compliance with 40 CFR §§60.43b(f) & (g) and §§60.43c(c) & (d).

i. Combined emission of Hazardous Air Pollutants shall not exceed 6.47 tons per year based on 12 month rolling total.

[45CSR14, R14-0007, 5.1.3.; 45CSR§§2-3.1., §2-9.1.; 45CSR16; 40 CFR §§60.43b(f) & (g), §§60.43c(c) & (d)]

5.1.4. The emission units (S009L, S009M, S009N, & S009O) permitted under this section are permitted to combust either natural gas with a total sulfur content of 2 grains per 100 scf (gaseous fuel) or ULSD (liquid fuel) that has less than or equal to 15 parts per million (ppm) of sulfur. This sulfur restriction meets the sulfur limitation of 40 CFR 60.42c(d); and the definitions of "very low sulfur oil" in 40 CFR §60.41b and "ultra-low-sulfur liquid fuel" in 40 CFR §63.11237.

[45CSR14, R14-0007, 5.1.4.; 45CSR16; 40 CFR §60.41b, §60.42b(k)(2), §60.43b(h)(5); §60.42c(d); 45CSR34; 40 CFR §63.11237]

5.1.5. The permittee shall conduct tune-ups of each boiler in accordance with the applicable requirements of 40 CFR 63, Subpart JJJJJJ. If the unit is not operating on the required date for a tune-up, then the tune-up must be conducted within 30 calendar days of re-starting of the unit. These tune-ups shall consist of the following:

a. The tune-up must be conducted every 5 years for Emission Unit IDs S009L and S009M and biennially for Emission Unit IDs S009N and S009O while burning the type of fuel (or fuels in the case of boilers that routinely burn two types of fuels at the same time) that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up.

b. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection).

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

c. 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;
d. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (the permittee may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection);
e. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject. And
f. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer.
[45CSR14, R14-0007, 5.1.5.; 45CSR34; 40 CFR §63.11201, §§63.11223(a), (b), (b)(1) - (5), (b)(7), (c) and Table 2 to Part 63 Subpart JJJJJJ]

5.1.6. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.1 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR14, R14-0007, 5.1.6.; 45CSR§13-5.10.]

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

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

5.1.9 At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
[45CSR34; 40 CFR §63.11205(a)]

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

Monitoring Requirements

5.2.1. For each operating day, the permittee shall record the amount of fuel by type (natural gas and fuel oil) combusted by each emission units (S009L, S009M, S009N, and S009O) and shall calculate the 12-month rolling total of combined heat input and annual capacity factor for each fuel for each emission unit within fifteen (15) days after the end of each month. Such records shall be maintained in accordance with Condition 3.4.2. of this permit.

[45CSR14, R14-0007, 5.2.1.; 45CSR§2-8.3.c., §§2A-7.1.a.1. & a.2.; 45CSR16; 40 CFR §60.49b(d)(1) and §60.48c(g)(2)]

5.2.2. *Continuous Monitoring Requirements:* The permittee shall install, calibrate, maintain and operate continuous emission monitoring system (CEMS), continuous opacity monitor (COMS) and a diluent monitor to measure and record the emissions of NOx, visible emissions, and other parameters to determine compliance for the auxiliary boilers identified as S009L and S009M and boilers S009N and S009O venting through Stack 1 in a manner sufficient to demonstrate continuous compliance with the NOx emission limits in Conditions 5.1.1.b. and 5.1.2.b.; and the opacity standard of Condition 5.1.3. Such records of this monitoring system, data collected, and calculated values shall be maintained in accordance with Condition 3.4.2. These systems shall be installed, calibrated, properly functioning, and certified in accordance with the following requirements:

a. *NOx CEMS:* The NOx CEMS shall be certified, operated, and maintained in accordance with the requirements of 40 CFR 60.

i. For use of NOx CEMS used to demonstrate compliance for the auxiliary boilers (S009L and S009M), the permittee shall also meet the requirements of 40 CFR §60.49b. Data reported to meet the requirements of 40 CFR §60.49b for the auxiliary boilers shall not include data substituted using the missing data procedures in Subpart D of Part 75 of Chapter 40, nor shall the data have been bias adjusted according to the procedures of 40 CFR 75.

b. *Diluent Monitor:* The oxygen (O2) or carbon dioxide (CO2) content of the flue gas shall be monitored at the location where NOx emissions are monitored. Each monitor shall comply with the performance and quality assurance requirements of 40 CFR 60.

i. If the permittee use an oxygen (O2) or carbon dioxide (CO2) CEMS to convert measured pollutant concentrations to the units of emissions limits in Conditions 5.1.1.b. and 5.1.2.b., the O2 or CO2 concentrations shall be monitored at a location that represents emissions to the atmosphere, i.e., at the outlet of the emission units, downstream of all emission control devices. The permittee must install, certify, maintain, and operate the CEMS according to 40 CFR 75 or 40 CFR 60. Use only quality assured O2 or CO2 data in the emissions calculations; do not use Part 75 substitute data values.

c. *Fuel Flow Monitor*: The fuel flowmeters used to continuously monitor and record the flow rate of natural gas or ULSD combusted by all emissions covered under this section of this permit shall have the accuracy of 2.0 percent of the upper range value (i.e. maximum fuel flow rate measurable by the flowmeter) across the range of fuel flow rate to be measured at the unit. The measured flowrate data must be reduced in hourly averages. Flowmeter accuracy may be determined under Section 2.1.5.1 of Appendix D to Part 75 Optional SO2 Emissions Data Protocol for Gas-Fired and Oil-Fired Units of Chapter 40 for initial certification in any of the following ways (as applicable): by design (orifice, nozzle, and venturi-type flowmeters, only) or by measurement under laboratory conditions; by the manufacturer; by an independent laboratory; or by the owner or operator. Flowmeter accuracy may also be determined under Section 2.1.5.2 of Appendix D to Part 75 Optional SO2 Emissions Data Protocol for Gas-Fired and OilFired Units of Chapter 40 by in-line comparison against a reference flowmeter. Alternatively, an orifice, nozzle or venturi flowmeter may be certified if: (a) the primary element (for example, the orifice plate) meets the design criteria specified in American Gas Association Report No. 3; (b) the primary element passes a visual inspection; and (c) the pressure, temperature, and differential pressure transmitters are calibrated with standards traceable to the National Institute of Standards and Technology (NIST). Fuel flowmeter accuracy testing must be performed once every four fuel flowmeter QA operating quarters thereafter, unless the flowmeter qualifies for an extension of the test deadline as outlined in Section 2.1.6. Quality Assurance of Appendix D of Part 75 to Chapter 40.

d. *COMS:* Exhaust gas opacity from Stack 1 shall be monitored using a continuous opacity monitoring system for the purpose of demonstrating compliance with Condition 5.1.3. The permittee shall install calibrate, maintain, and operate the COMS in accordance with Performance Specification (PS) 1 in 40 CFR Part 60, Appendix B. The span value of the opacity COMS shall be between 60 and 80 percent. Such system shall record the output of the system. The permittee shall reduce all data to 6-minute averages. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

In lieu of COMS, as specified in the above, for determining compliance with the opacity standard in 5.1.3.h., the permittee may submit a written site-specific-monitoring plan to the Director. Once the plan is approved by the Director, the permittee must fully implement the plan prior to within 45 days of discontinuing the use of the COMS for compliance with the standard in Condition 5.1.3.h. Once the plan is being implemented, the permittee is no longer required to report opacity exceedance or COMS downtime under Condition 5.5.3. Instead, the permittee shall submit deviations of the plan and opacity exceedances in accordance with Condition 5.5.4.

e. For NOx and CO2 or O2 direct measurement only; when NOx emission data are not obtained because of CEMS or alternative monitoring system breakdown, repairs, calibration checks, and zero and span adjustment, emission data will be obtained by using standby monitoring systems, Method 7 or 7A of Appendix A of Part 60 to Chapter 40 of the Code of Federal Regulations, or other approved reference methods to provided emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of the 30 successive steam generating unit operating days.

f. The permittee shall maintain records of all performance certifications/evaluations, drift checks, QA procedures conducted, calibrations performed, RATAs performed, and maintenance conducted of the above systems in accordance with Condition 3.4.2.

[45CSR14, R14-0007, 5.2.2.; 45CSR§§2-8.2.a. and a.1.; 45CSR§§2A-6.1. and 6.3.; 45CSR16; 40 CFR §§60.13(d)(1), (d)(2), (g), (h)(1), §§60.48b(a), (b), (f), (j)(2) and (l), §60.49b(g)(10), §§60.47c(a), (b) and (f)(3)]

5.2.3. Regarding the determination of valid hourly emission data used to determinate compliance with the 30-day rolling average limits in Condition 5.1.1., and 5.1.2., the following criteria shall be used to evaluate the CEMs data as required to be collected in Condition 5.2.2. to determine if the data is valid data:

a. Except as noted in item c. of this condition, for a full operating hour (any clock hour with 60 minutes of unit operation), of the unit at least four valid data point are required to calculate the hourly average (i.e. one data point in each of the 15-minute quadrants of the hour).

b. Except as noted in item c., for a partial operating hour (any clock hour with less than 60 minutes of unit operation), of the unit, at least one valid data point in each 15-minute quadrant of the hour in which the unit operates is required to calculate the hourly average.

c. For any operating hour in which required maintenance or quality-assurance activities are performed of the monitoring system is not valid.

i. If the unit operates in two or more quadrants of the hour, a minimum of two valid data points, separated by at least 15 minutes, is required to calculate the hourly average: or ii. If the unit operates in only one quadrant of the hour, at least one valid data point is required to calculate the hourly average.

d. If a daily calibration error check is failed during any operating hour, all data for that hour shall be invalidated, unless a subsequent calibration error test is passed in the same hour and the requirements of item c. of this condition are met, based solely on valid data recorded after the successful calibration.

e. For each full or partial operating hour, all valid data points shall be used to calculate the hourly average.

f. Except as provided under item g. of this condition, data recorded during periods of continuous monitoring system breakdown, repair, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph.

g. The permittee complying with the requirements of 40 CFR §60.7(f)(1) or (2) must include any data recorded during periods of monitor breakdown or malfunction in the data averages.

h. Either arithmetic or integrated averaging of all data may be used to calculate the hourly averages. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O2 or ng/J of pollutant).

[45CSR14, R14-0007, 5.2.3.; 45CSR16; 40 CFR §§60.13(h)(2)(i) – (vii) and (ix)]

Testing Requirements

5.3.1. To determine compliance with the opacity limits under Condition 5.1.3. (40 CFR §60.43b & 60.43c(c) and the NOX limit under Condition 5.1.1.b. (40 CFR 60.44b), the permittee shall conduct an initial performance test as required under 40 CFR §60.8, using the following procedures and reference methods:

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

a. Using a continuous system for monitoring NOX under 40 CFR §60.48(b) to determine NOx emission for compliance with the emission limits for NOX required under 40 CFR §60.44b. For the initial compliance test, NOX from each steam generating unit is monitored for 30 successive steam generating unit operating days and the 30-day average emission rate is used to determine compliance with the NOX emission standards under Condition 5.1.1.b. (40 CFR§60.44b) for each unit. The 30-day average emission rate is calculated as the average of all hourly emissions data recorded by the monitoring system during the 30-day test period.
b. Method 9 of appendix A to 40 CFR 60 is used for determining the opacity of stack emissions.
c. In accordance with the requirements outlined in Condition 3.3.1. of this permit.
To be included with the testing protocol as required under Condition 3.3.1., the permittee shall develop a testing plan to conduct the required 30-day NOX compliance test for each of the auxiliary boilers. This plan should address accounting for emissions from other emission units at the facility while conducting the compliance test. Records of all testing shall be maintained in accordance with Condition 3.4.2.
[45CSR14, R14-0007, 5.3.1.; 45CSR16; 40 CFR §§60.46b(e) and (e)(1), §60.46b(d)(7) and §60.45c(a)(8)]

5.3.2. Following the date on which the initial performance test is completed or required to be completed under Condition 5.3.1. and 40 CFR §60.8 for the Auxiliary Boilers, whichever date comes first, the permittee shall upon request determine compliance with the NOX limits (standards) in Condition 5.1.1.b. (40 CFR §60.44b) through the use of a 30-day performance test. During periods when performance tests are not requested, NOX emissions data collected pursuant to 40 CFR §60.48b(g)(1) or 40 CFR §60.48b(g)(2) are used to calculate a 30-day rolling average emission rate on a daily basis and used to prepare excess emission reports, but will not be used to determine compliance with the NOX emission standards. A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly NOX emission data for the preceding 30 steam generating unit operating days.
[45CSR14, R14-0007, 5.3.2.; 45CSR16; 40 CFR §60.46b(e)(4)]

5.3.3. The owner or operator shall conduct an initial test within 180 days after the issuance date of this permit modification (i.e., MM05) to determine the compliance of the Auxiliary Boilers 1 and 2 and the backup steam generator Boilers #1 and #2 with the particulate matter mass emission limitations of 45CSR2. Such tests shall be conducted in accordance with the appropriate method set forth in 45CSR2 Appendix – Compliance Test Procedures for 45CSR2, or other equivalent EPA approved method approved by the Director. Subsequent testing shall be once every three years.

[45CSR§2-8.1., 45CSR§2A-5.2.]

Recordkeeping Requirements

5.4.1. The permittee shall obtain and maintain fuel receipts (such as a current, valid purchase contract, tariff sheet, or transportation contract) from each fuel supplier that certify that the oil meets the definition of ULSD (i.e., Very Low Sulfur Oil) and gaseous fuel meets the definition of natural gas as defined in 40 CFR §60.41b or 40 CFR §60.41c and sulfur content meet the applicable sulfur limit in Condition 5.1.4. These records shall represent all the fuel combusted at the facility. The records shall include, but not be limited to, the date and time of start-up and shutdown for each fuel type, and the quantity of fuel consumed on a monthly basis and for ULSD a BTU analysis for each shipment. Such records shall include the following information:

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

b. For the natural gas supplier:
i. The name of the natural gas supplier:
ii. According to 40 CFR 75 Appendix D, fuel sampling/analysis or the current Tariff Sheet or contact that demonstrates the maximum sulfur in fuel limit was not exceeded.

b. For the oil supplier:
i. The name of the oil supplier;
ii. A statement from the ULSD supplier that the ULSD complies with the specifications under the definition of distillate oil in 40 CFR §60.41b and 40 CFR §60.41c; and
iii. The sulfur content or maximum sulfur content of the oil in terms parts per million.

[45CSR14, R14-0007, 5.4.1.; 45CSR§2-8.3.c., §§2A-7.1.a.1. & a.2.; 45CSR16; 40 CFR §60.42b(j), §60.49b(r)(1); §60.44c(h); §60.45c(d) and §60.48c(f)(1)]

5.4.2. For compliance with the NO_X Heat Input limits for the Primary Boilers identified as S009J and S009K; Auxiliary Boilers identified S009L and S009M; and Boilers identified S009N and S009O (Limits in Conditions 4.1.5.a., 5.1.1. and 5.1.2., the permittee shall determine the Weight Average NOx Limit for each operation day in accordance with the following:

$$NO_x\ Weighted\ Avg = \frac{[(ELPB \times HIPB) + (ELAuxg \times HIAuxg) + (ELAuxo \times HIAuxo) + (ELRBg \times HIRBg) + (ELRBo \times HIRBo)]}{HItotal}$$

Where:
NOx Weight Avg = Weighted Average of the NOx limits (expressed as NO2) based on Heat Input from the respective type of boiler and fuel utilized, in terms of lb of NOx per MMBtu;
ELPB = Appropriate emission limit from Condition 4.1.5.a. for combustion of natural gas, lb/MMBtu.
ELAuxg = Appropriate emission limit from Condition 5.1.1. for combustion of natural gas, lb/MMBtu.
ELAuxo = Appropriate emission limit from Condition 5.1.1. for combustion of ULSD, lb/MMBtu.
ELRBg = Appropriate emission limit from Condition 5.1.2. for combustion of natural gas, lb/MMBtu.
ELRBo = Appropriate emission limit from Condition 5.1.2. for combustion of ULSD, lb/MMBtu.
HIPB = Combined Heat Input from the Primary Boilers (S009J, S009K) firing on natural gas, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to the primary boilers in the respective time period and a gross calorific value of 1,050 Btu per standard cubic feet for natural gas.
HIAuxg = Combined Heat Input from the Auxiliary Boilers (S009L, S009M) firing on natural gas, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to the auxiliary boilers in the respective time period and a gross calorific value of 1,050 Btu per standard cubic feet for natural gas.
HIAuxo = Combined Heat Input from the Auxiliary Boilers (S009L, S009M) firing on ULSD, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to the auxiliary boilers in the respective time period and a gross calorific value of 140,000 Btu per gallon for ULSD.
HIRBg = Combined Heat Input from the Boilers S009N and S009O firing on natural gas, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to the boilers in the respective time period and a gross calorific value of 1,050 Btu per standard cubic feet for natural gas.
HIRBo = Combined Heat Input from the Boilers S009N and S009O firing on ULSD, in terms of MMBtu/hr. This value shall be determined using actual amount of fuel metered to these boilers in the respective time period and a gross calorific value of 140,000 Btu per gallon for ULSD.
HItotal = Summation of Heat Input from all the operating units (S009J, S009K, S009L, S009M, S009N, S009O) during the time frame, in terms of MMBtu/hr.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

For determining compliance with the NOx heat input limits of Conditions 4.1.5.a., 5.1.1.b., and 5.1.2.b., the permittee shall take the average of the NOx emission rate, which must be in terms of lb of NOx per MMBtu, which the permittee shall use the appropriate equations in Method 19 be used to convert the measured concentration of the pollutant into the form of the standard, of the previous 30 operating days compared to the average of the previous 30 operating days of the Weight Average NOx Limit is used to determine the amount of excess NOx emission emitted if any.
40 CFR Part 75 missing data procedures shall not be used in determining the NOx emission rate from Stack 1 for compliance with the limits in Conditions 4.1.5.a., 5.1.1 and 5.1.2.

The records of these determinations and amount of excess NOx emissions emitted shall be recorded and maintained in accordance with Condition 3.4.2.
[45CSR14, R14-0007, 5.4.2.]

5.4.3 The permittee shall keep the following records in accordance with 40 CFR §63.11223(b)(6) as required in Condition 5.1.5. for each boiler.

a. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler using a portable combustion analyzer.
b. A description of any corrective actions taken as a part of the tune-up; and
c. The type and amount of fuel used over the 12 months prior to the tune-up of the unit, but only if the unit was physically and legally capable of using more than one type of fuel during that period.
[45CSR14, R14-0007, 5.4.3.; 45CSR34; 40 CFR §63.11223(b)(6)]

5.4.4. The permittee must maintain the following specified records:

a. As required in 40 CFR §63.10(b)(2)(xiv), the permittee must keep a copy of each notification and report that the permittee submitted to comply with this subpart and all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted.
b. The permittee must keep records to document conformance with the work practices, emission reduction measures, and management practices required by 40 CFR §63.11214 and 40 CFR §63.11223 as specified in paragraphs c., d. and e. of this condition.
c. Records must identify each boiler, the date of initial tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.
d. The permittee must keep a copy of the energy assessment report.
e. The permittee must also keep records of monthly fuel use by each boiler, including the type(s) of fuel and amount(s) used.
f. Records of the occurrence and duration of each malfunction of each boiler.
g. 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, or monitoring equipment to its normal or usual manner of operation.
[45CSR14, R14-0007, 5.4.4.; 45CSR34; 40 CFR §§63.11225(c)(1), (2)(i), (2)(iii), (2)(iv), (4) and (5)]

5.4.5. The permittee shall maintain records of the monitoring as required in Conditions 5.2.1., 5.1.1. and 5.2.2., for each steam generating unit operating day for each auxiliary boiler (S009L and S009M), which includes at least the following information:

a. Calendar date;
b. Record the amount of fuel combusted during each operating day and calculate the annual capacity factor individually for ULSD and natural gas for the reporting period. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

c. The average hourly NOx emission rate in terms of lb per MMBtu heat input;
d. The 30-day average NOx emission rates (expressed as lb per MMBtu heat input) calculated at the end of each steam generating unit operating day from the measured nitrogen oxide emission rates for the preceding 30 steam generating unit operating days;
e. Identification of steam generating unit operating days when the calculated 30-day average NOx are in excess of the respective limits in Conditions 5.1.1.b. with reasons for such excess emissions and description of corrective actions taken;
f. Identification of the steam generating unit operating days for which pollutant data have not been obtained, include reasons for not obtaining sufficient data and a description of corrective actions taken;
g. Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data;
h. Identification of "F" factor used for calculations, method of determination, and type of fuel combusted;
i. Identification of the times when the pollutant concentration exceeded full span of the CEMS;
j. Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with respective Performance Specification (PS) 2 or 3; and
k. Results of daily CEMS drift tests and quarterly accuracy assessments as required in Appendix F, Procedure 1 of 40 CFR Part 60 or Part 75 if applicable to the monitoring system.
l. For all boilers (S009L, S009M, S009N and S009O), dates and time intervals of all opacity COMs reading and identify all 6-minutes periods that exceed the limitation of Condition 5.1.3.h.
[45CSR14, R14-0007, 5.4.5.; 45CSR§2A-7.1.b.; 45CSR16; 40 CFR §60.49b(d)(1), §60.49b(f), §60.49b(g) and §60.48c(c)]

5.4.6. At the end of any month where the annual capacity factor of any one boiler was greater than 80% for two consecutive months, then the permittee shall determine the amount of each pollutant, emitted from the Emission Point Stack 1 on a monthly basis using the actual operating data and appropriate engineering calculations. Such determination shall be performed no later than the 30th day from the end of the respective month. The permittee shall keep a 12-month rolling total for each of the pollutants listed in Condition 5.1.3. except for visible emissions. The permittee is only required to keep these monthly records when at least one of the units are operating at an annual capacity factor greater than 80%. This requirement applies to all boilers venting to Emission Point Stack 1. Records of these determinations shall be maintained in accordance with Condition 3.4.2.
[45CSR14, R14-0007, 5.4.6.]

5.4.7. Records required by 40 CFR 63 Subpart JJJJJJ must be in a form suitable and readily available for expeditious review. You must keep each record for 5 years following the date of each recorded action. You must keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. You may keep the records off site for the remaining 3 years.
[45CSR34; 40 CFR §63.11225(d)]

5.4.8. All records of monitored data established in condition 5.2.2.d. shall be maintained on site. Such records shall be made available to the Director or his duly authorized representative upon request. Such records shall be retained on-site for a minimum of five years.
[45CSR§2-8.3.a.]

Reporting Requirements

5.5.1. For the Auxiliary Boilers, the permittee shall submit a Notification of Compliance Status no later than 120 days after the applicable compliance date specified in 40 CFR §63.11196. Notification of changes must be submitted according to 40 CFR §63.11225(g). You must submit the Notification of Compliance Status in accordance with paragraphs a. and f. of this section. The Notification of Compliance Status must include the information and certification(s) of compliance in paragraphs a. through e. of this section, as applicable, and signed by a responsible official.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

a. You must submit the information required in §63.9(h)(2), except the information listed in §63.9(h)(2)(i)(B), (D), (E), and (F). If you conduct any performance tests or CMS performance evaluations, you must submit that data as specified in paragraph (e) of §60.11225. If you conduct any opacity or visible emission observations, or other monitoring procedures or methods, you must submit that data to the Administrator at the appropriate address listed in §63.13.

b. "This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boiler."

c. "This facility has had an energy assessment performed according to §63.11214(c)."

d. For units that install bag leak detection systems: "This facility complies with the requirements in §63.11224(f)."

e. For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit."

f. The notification must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written Notification of Compliance Status must be submitted to the Administrator at the appropriate address listed in §63.13.

For Boilers S009N and S009O, the permittee is not required to prepare and submit a Notification of Compliance Status for the tune-up.

For all boilers, the permittee must prepare and submit by March 1 of each year to the Director a biennial compliance certification reports for Boilers S009N and S009O; and 5-years compliance certification reports for the Auxiliary Boilers for the respective corresponding reporting periods containing the information specified in the following:

a. The permittee name and address.

b. Statement by a responsible official, with the official's name, title, phone number, email 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 this subpart. Your notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

i. "This facility complies with the requirements in 40 CFR §63.11223 to conduct a biennial or 5-year tune-up, as applicable, of each boiler."

ii. "No secondary materials that are solid waste were combusted in any affected unit."

iii. "This facility complies with the requirement in 40 CFR §§63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available."

These submittals shall be submitted in accordance with Condition 3.5.3. The permittee shall maintain records of all submittals in accordance with Condition 3.4.2.

[45CSR14, R14-0007, 5.5.1.; 45CSR34; 40 CFR §63.11225(a)(4), §§63.11225(b)(1) and (2)

5.5.2. A report of the results of any testing conducted to satisfy the requirements for Conditions 5.3.1. or 5.3.2. shall be submitted to the Director and U.S. EPA Administrator in accordance with Condition 3.5.3. within 60 days after completion of the testing. This report shall conform to the requirements of 40 CFR §60.8(f)(2) and the requirements of Condition 3.3.1.

[45CSR14, R14-0007, 5.5.2.]

5.5.3. Once the initial testing as required in Condition 5.3.1. has been completed; *Semi-Annual NOx Excess Emission & Excess Opacity and Monitoring System Performance Report* to be included with the facility's Annual and Semi-Annual Title V Compliance Report, the permittee shall submit a report to the Director summarizing NOx emissions including periods of startups, shutdowns, malfunctions, and CEMS and COMS system monitor availability for the reporting period. The reporting period is January 1st to June 30th and July 1st to December 31st. Such report shall contain the information collected during the respective reporting period as required in Condition 5.4.5. Any emissions data that indicates that the limits as stated in Section 5.1. were exceeded during the corresponding reporting period must be noted in this summary report. At the minimum, the date and time, length of the exceedances(s), magnitude, percentage of excess emissions, the limit that was exceeded, the cause of the exceedances, and the corrective action taken shall be included in the summary report.

[45CSR14, R14-0007, 5.5.3.; 45CSR §13-3.; 45CSR16; 40 CFR §60.7(c); 40 CFR §§60.49b(h) and

(h)(2)(ii), §60.48c(c)]

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

5.5.4. The permittee shall submit Opacity Excess Emissions reports to the Director no later than the 30th day following the end of the reporting period in accordance with Condition 3.5.1. Such reports shall cover the six-month period of January to June and July to December of any exceedance(s) of the allowable visiblebemission standard of Condition 5.1.3.h., 40 CFR 60.43b(f) and/or 40 CFR 60.43c(c) (excess emissions) of permitted boilers discovered during observations using 40 CFR Part 60, Appendix A, Method 9, of the occurrence and shall include, at a minimum, the information required in Condition 5.2.3. of the excess opacity observed, the cause or suspected cause of the excess opacity, and any corrective measures taken or planned.
[45CSR14, R14-0007, 5.5.4.; 45CSR§2-8.3b.; 45CSR16; 40 CFR §60.49b(h), §60.48c(c)]

5.5.5. Excess opacity periods meeting the following conditions may be reported on a quarterly basis unless otherwise required by the Director:
a. The excess opacity period does not exceed one 6-minute period per hour and/or thirty (30) minutes within any twenty-four (24) hour period.
b. Excess opacity does not exceed twenty-seven percent (27%). *Compliance with this streamlined requirement assures compliance with 45CSR§2-9.3.a*.2.
[45CSR§2-9.3.a.; 45CSR16; 40 CFR §60.43b(f), §60.43c(c)]

5.5.6. The owner or operator of each affected facility subject to the opacity limits of 40 CFR shall submit to the Administrator the performance text data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS and/or COMS using the applicable performance specifications in appendix B of 40 CFR Part t0.
[45CSR16; 40 CFR §60.48c(b)]

5.5.7. The owner or operation of each affected facility subject to the fuel oil sulfur limits requirements under 40 CFR §60.42c shall submit reports and keep records to the Director including the following information.
a. Calendar dates covered in the reporting period.
b. If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1) of 40 CFR §60.48c. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.
[45CSR16; 40 CFR §60.48c(d), §§60.48c(e), (e)(1) and (e)(11)]
5.5.8. Except as provided in permit condition 5.5.5. above, the owner or operator shall report to the Director by telephone, telefax, or e-mail any malfunction of Auxiliary Boiler #1, Auxiliary Boiler #2, Boiler #1 or Boiler #2 or their associated air pollution control equipment, which results in any excess particulate matter (while burning ULSD) or excess opacity (while burning natural gas or ULSD), by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Director within thirty (30) days providing the following information:
a. A detailed explanation of the factors involved or causes of the malfunction;
b. The date, and time of duration (with starting and ending times) of the period of excess emissions;
c. An estimate of the mass of excess emissions discharged during the malfunction period;
d. The maximum opacity measured or observed during the malfunction;
e. Immediate remedial actions taken at the time of the malfunction to correct or mitigate the effects of the malfunction; and
f. A detailed explanation of the corrective measures or program that will be implemented to prevent a recurrence of the malfunction and a schedule for such implementation.
[45CSR§2-9.3.b.]

For all applicable requirements listed above, provide monitoring/testing/recordkeeping/reporting which shall be used to demonstrate compliance. If the method is based on a permit or rule, include the condition number or citation. (Note: Each requirement listed above must have an associated method of demonstrating compliance. If there is not already a required method in place, then a method must be proposed.)

Compliance Plan

5.6.1. None.

X Permit Shield

Are you in compliance with all applicable requirements for this emission unit? X Yes ___No

If no, complete the **Schedule of Compliance Form** as **ATTACHMENT F**.

ATTACHMENT E - Emission Unit Form

Emission Unit Description

Emission unit ID number:	**Emission unit name:**	**List any control devices associated with this emission unit:**
S00F23 through S00F27 and SNCR Reagent Tank	Storage Tanks	NA

Provide a description of the emission unit (type, method of operation, design parameters, etc.; for engines, please indicate compression or spark ignition, lean or rich, four or two stroke, non-emergency or emergency, certified or not certified, as applicable)

S00F17 – Acid Tank, S00F18 – Caustic Tank, S00F23 – Water Treatment Phosphate Tank, S00F24 – Water Treatment Corrosion Inhjibitor Tanks, S00F25 – Water Treatment Oxygen and Scavenger Tank, S00F26 -ULSD Storage Tank No. 1, S00F27 – ULSD Storage Tank No. 2, and SNCR Reagent Tank (No Tank I.D.)

Manufacturer:	**Model number:**	**Serial number:**
Construction date: 1989	**Installation date:** 1989	**Modification date(s):**

Design Capacity (examples: furnaces - tons/hr, tanks – gallons, boilers – MMBtu/hr, engines - hp):
S00F17-18 – 5800 gal/unit
S00F23 – 1600 gal
S00F24 – 400 gal/unit
S00F26-27 – 20,000 gal/unit
SNCR Reagent Tank – 9,000 gal.

Maximum Hourly Throughput:	**Maximum Annual Throughput:**	**Maximum Operating Schedule:**
NA	NA	8760 hours per year

Fuel Usage Data **(fill out all applicable fields)**

Does this emission unit combust fuel? ☐ Yes ☒ No	**If yes, is it?** ☐ Indirect Fired ☒ Direct Fired
Maximum design heat input and/or maximum horsepower rating: NA	**Type and Btu/hr rating of burners:** NA

List the primary fuel type(s) and if applicable, the secondary fuel type(s). For each fuel type listed, provide the maximum hourly and annual fuel usage for each.

NA

Describe each fuel expected to be used during the term of the permit.

Fuel Type	Max. Sulfur Content	Max. Ash Content	BTU Value
NA	NA	NA	NA

Emissions Data		
Criteria Pollutants	Potential Emissions	
	PPH	TPY
Carbon Monoxide (CO)	NA	NA
Nitrogen Oxides (NO_X)	NA	NA
Lead (Pb)	NA	NA
Particulate Matter ($PM_{2.5}$)	NA	NA
Particulate Matter (PM_{10})	NA	NA
Total Particulate Matter (TSP)	NA	NA
Sulfur Dioxide (SO_2)	NA	NA
Volatile Organic Compounds (VOC)	0.00474*	0.02077*
Hazardous Air Pollutants	Potential Emissions	
	PPH	TPY
NA	NA	NA
Regulated Pollutants other than Criteria and HAP	Potential Emissions	
	PPH	TPY
NA	NA	NA

*ULSD fuel tanks only.

List the method(s) used to calculate the potential emissions (include dates of any stack tests conducted, versions of software used, source and dates of emission factors, etc.).

NA

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or construction permit with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

No emissions unit-specific applicable requirements for this source.

X Permit Shield

For all applicable requirements listed above, provide monitoring/testing/recordkeeping/reporting which shall be used to demonstrate compliance. If the method is based on a permit or rule, include the condition number or citation. (Note: Each requirement listed above must have an associated method of demonstrating compliance. If there is not already a required method in place, then a method must be proposed.)

No emissions unit-specific testing, recordkeeping, reporting requirements for this source.

Are you in compliance with all applicable requirements for this emission unit? [X] Yes [ ] No

If no, complete the **Schedule of Compliance Form** as **ATTACHMENT F**.

ATTACHMENT E - Emission Unit Form

Emission Unit Description

Emission unit ID number:	**Emission unit name:**	**List any control devices associated with this emission unit:**
S00F26	Plant Roadway	Paved/Water Cleaning

Provide a description of the emission unit (type, method of operation, design parameters, etc.; for engines, please indicate compression or spark ignition, lean or rich, four or two stroke, non-emergency or emergency, certified or not certified, as applicable)

Emission Unit S00F26 consists of paved roadway areas around the facility which are maintained by water cleaning.

Manufacturer:	**Model number:**	**Serial number:**
NA	NA	NA
Construction date: 1989	**Installation date:** 1989	**Modification date(s):** NA

Design Capacity (examples: furnaces - tons/hr, tanks – gallons, boilers – MMBtu/hr, engines - hp):

NA

Maximum Hourly Throughput:	**Maximum Annual Throughput:**	**Maximum Operating Schedule:**
NA	NA	NA

Fuel Usage Data **(fill out all applicable fields)**

Does this emission unit combust fuel? ☐ Yes ☒ No	**If yes, is it?** ☐ Indirect Fired ☐ Direct Fired
Maximum design heat input and/or maximum horsepower rating: NA	**Type and Btu/hr rating of burners:** NA

List the primary fuel type(s) and if applicable, the secondary fuel type(s). For each fuel type listed, provide the maximum hourly and annual fuel usage for each.

NA

Describe each fuel expected to be used during the term of the permit.

Fuel Type	Max. Sulfur Content	Max. Ash Content	BTU Value
NA	NA	NA	NA

Emissions Data		
Criteria Pollutants	Potential Emissions (Per Unit)	
	PPH	TPY
Carbon Monoxide (CO)	NA	NA
Nitrogen Oxides (NO_X)	NA	NA
Lead (Pb)	NA	NA
Particulate Matter ($PM_{2.5}$)	0.36	0.06
Particulate Matter (PM_{10})	1.38	0.23
Total Particulate Matter (TSP)	6.90	1.13
Sulfur Dioxide (SO_2)	NA	NA
Volatile Organic Compounds (VOC)	NA	NA
Hazardous Air Pollutants	Potential Emissions	
	PPH	TPY
NA	NA	NA
Regulated Pollutants other than Criteria and HAP	Potential Emissions	
	PPH	TPY
NA	NA	NA

List the method(s) used to calculate the potential emissions (include dates of any stack tests conducted, versions of software used, source and dates of emission factors, etc.).

AP-42, Chapter 13.2.1. Paved Road.

Applicable Requirements

List all applicable requirements for this emission unit. For each applicable requirement, include the underlying rule/regulation citation and/or <u>construction permit</u> with the condition number. (*Note: Title V permit condition numbers alone are not the underlying applicable requirements*). If an emission limit is calculated based on the type of source and design capacity or if a standard is based on a design parameter, this information should also be included.

No emission unit-specific applicable requirements for this source.

X Permit Shield

For all applicable requirements listed above, provide monitoring/testing/recordkeeping/reporting which shall be used to demonstrate compliance. If the method is based on a permit or rule, include the condition number or citation. (Note: Each requirement listed above must have an associated method of demonstrating compliance. If there is not already a required method in place, then a method must be proposed.)

No emissions unit-specific monitoring, testing, recordkeeping or reporting requirements for this emissions unit.

Are you in compliance with all applicable requirements for this emission unit? [X] Yes [ ] No

If no, complete the **Schedule of Compliance Form** as **ATTACHMENT F**.

ATTACHMENT G

CONTROL DEVICE FORM(S)

ATTACHMENT G - Air Pollution Control Device Form

Control device ID number: D025—Baghouse #7	**List all emission units associated with this control device.** S009K	
Manufacturer: Brandt Environmental Corporation	**Model number:**	**Installation date:** 1998

Type of Air Pollution Control Device:

✓ Baghouse/Fabric Filter	___Venturi Scrubber	___Multiclone
___Carbon Bed Adsorber	___Packed Tower Scrubber	___Single Cyclone
___Carbon Drum(s)	___Other Wet Scrubber	___Cyclone Bank
___Catalytic Incinerator	___Condenser	___Settling Chamber
___Thermal Incinerator	___Flare	___Other (describe) _____
___Wet Plate Electrostatic Precipitator		___Dry Plate Electrostatic Precipitator

List the pollutants for which this device is intended to control and the capture and control efficiencies.

Pollutant	Capture Efficiency	Control Efficiency
Particulate Matter	100 %	> 99 %

Explain the characteristic design parameters of this control device (flow rates, pressure drops, number of bags, size, temperatures, etc.).
Baghouse #7 (for CFB #2) removes fugitives (fly ash) from the gas created by burning fuel in CFB #2. The baghouse consists of 8 compartments each containing 256 Gortex Sureflex bags for a total of 2048 bags. Each bag is 6" x 16', which provides a total cloth area of 51,472 ft^2. The average 2006 flow through the baghouse was 87,660 SCFM which yields an air to cloth ratio of 1.7:1. The baghouse operates in a temperature range of 425 to 450 deg. F and has an upset temperature of 550 deg. F. A cleaning cycle begins when a DP reaches a set point. Cleaning then proceeds automatically by pulsing rows of bags in each compartment until the DP drops to a set point.

Is this device subject to the CAM requirements of 40 C.F.R. 64? ___Yes ✓ No

If Yes, **Complete ATTACHMENT H**

If No**, Provide justification.** There are no units currently subject to CAM Plan requirements.

Describe the parameters monitored and/or methods used to indicate performance of this control device.

Visible emissions are continuously monitored by a certified Continuous Opacity Monitoring System (COMS). There is a preventive maintenance plan procedure that is performed on the baghouse on a quarterly basis.

ATTACHMENT G - Air Pollution Control Device Form

Control device ID number: D026—Baghouse #8	**List all emission units associated with this control device.** S009J	
Manufacturer: Brandt Environmental Corporation	**Model number:**	**Installation date:** 1998

Type of Air Pollution Control Device:

✓ Baghouse/Fabric Filter	___Venturi Scrubber	___Multiclone
___Carbon Bed Adsorber	___Packed Tower Scrubber	___Single Cyclone
___Carbon Drum(s)	___Other Wet Scrubber	___Cyclone Bank
___Catalytic Incinerator	___Condenser	___Settling Chamber
___Thermal Incinerator	___Flare	___Other (describe) _____
___Wet Plate Electrostatic Precipitator		___Dry Plate Electrostatic Precipitator

List the pollutants for which this device is intended to control and the capture and control efficiencies.

Pollutant	Capture Efficiency	Control Efficiency
Particulate Matter	100 %	> 99 %

Explain the characteristic design parameters of this control device (flow rates, pressure drops, number of bags, size, temperatures, etc.).

Baghouse #8 (for CFB #1) removes fugitives (fly ash) from the gas created by burning fuel in CFB #1. The baghouse consists of 8 compartments each containing 256 Gortex Sureflex bags for a total of 2048 bags. Each bag is 6" x 16', which provides a total cloth area of 51,472 ft^2. The average 2006 flow through the baghouse was 87,660 SCFM which yields an air to cloth ratio of 1.7:1. The baghouse operates in a temperature range of 425 to 450 deg. F and has an upset temperature of 550 deg. F. A cleaning cycle begins when a DP reaches a set point. Cleaning then proceeds automatically by pulsing rows of bags in each compartment until the DP drops to a set point.

Is this device subject to the CAM requirements of 40 C.F.R. 64? ___Yes ✓ No

If Yes, **Complete ATTACHMENT H**

If No**, Provide justification.** There are no units currently subject to CAM Plan requirements.

Describe the parameters monitored and/or methods used to indicate performance of this control device.

Visible emissions are continuously monitored by a certified Continuous Opacity Monitoring System (COMS). There is a preventive maintenance plan procedure that is performed on the baghouse on a quarterly basis.

ATTACHMENT G - Air Pollution Control Device Form

Control device ID number: SNCR	**List all emission units associated with this control device.** S009J and S009K	
Manufacturer: NA	**Model number:** NA	**Installation date:** 2016

Type of Air Pollution Control Device:

___Baghouse/Fabric Filter	___Venturi Scrubber	___Multiclone
___Carbon Bed Adsorber	___Packed Tower Scrubber	___Single Cyclone
___Carbon Drum(s)	___Other Wet Scrubber	___Cyclone Bank
___Catalytic Incinerator	___Condenser	___Settling Chamber
___Thermal Incinerator	___Flare	✓ Other (describe) SNCR
___Wet Plate Electrostatic Precipitator		___Dry Plate Electrostatic Precipitator

List the pollutants for which this device is intended to control and the capture and control efficiencies.

Pollutant	Capture Efficiency	Control Efficiency
NO_x	NA	*

*Used in conjunction with the NO_x CEMS to trim NO_x emissions to the permit limits.

Explain the characteristic design parameters of this control device (flow rates, pressure drops, number of bags, size, temperatures, etc.).
Up to 10 gpm to allow for 5 gpm to each CFB unit.

Is this device subject to the CAM requirements of 40 C.F.R. 64?____Yes ✓ No

If Yes, **Complete ATTACHMENT H**

If No**, Provide justification.** The unit does not have potential pre-control emissions of regulated pollutants above the Title V major source thresholds.

Describe the parameters monitored and/or methods used to indicate performance of this control device.

NO_x CEMS is used to prove compliance and SNCR performance.

APPENDIX A

CROSS-STATE AIR POLLUTION RULE (CSAPR) TRADING PROGRAM TITLE V REQUIREMENTS

Cross-State Air Pollution Rule (CSAPR) Trading Program Title V Requirements

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

1. Owners and operators of the CSAPR subject unit(s) identified in the CSAPR Monitoring Requirements Table below are subject to the requirements of the *CSAPR NO_X Annual Trading Program Requirements, CSAPR NO_X Ozone Season Group 3 Trading Program Requirements, and the CSAPR SO_2 Group 1 Trading Program Requirements* in Appendix A to this permit.

2. Owners and operators of the CSAPR subject unit(s) identified in the CSAPR Monitoring Requirements Table below are subject to the monitoring requirements specified in the table below.

CSAPR MONITORING REQUIREMENTS TABLE

Description of Monitoring Requirements:	**Parameter**		
	SO_2	**NO_X**	**Heat Input**
Unit ID: S009J			
Continuous emission monitoring system (CEMS) pursuant to 40 CFR part 75, subpart B (for SO_2 monitoring) and 40 CFR part 75, subpart H (for NO_X monitoring)		X	
Excepted monitoring system pursuant to 40 CFR part 75, appendix D (*Optional SO_2 Emissions Data Protocol for Gas-Fired and Oil-Fired Units*)	X		X
Excepted monitoring system pursuant to 40 CFR part 75, appendix E (*Optional NO_X Emissions Protocol for Gas-Fired Peaking Units and Oil-Fired Peaking Units*)			
Low Mass Emissions excepted monitoring (LME) pursuant to 40 CFR 75.19 (*Optional SO_2, NO_X, and CO_2 Emissions Calculation for Low Mass Emissions (LME) Units*)			
EPA-approved alternative monitoring system pursuant to 40 CFR part 75, subpart E			
Unit ID: S009K			
Continuous emission monitoring system (CEMS) pursuant to 40 CFR part 75, subpart B (for SO_2 monitoring) and 40 CFR part 75, subpart H (for NO_X monitoring)		X	
Excepted monitoring system pursuant to 40 CFR part 75, appendix D (*Optional SO_2 Emissions Data Protocol for Gas-Fired and Oil-Fired Units*)	X		X
Excepted monitoring system pursuant to 40 CFR part 75, appendix E (*Optional NO_X Emissions Protocol for Gas-Fired Peaking Units and Oil-Fired Peaking Units*)			
Low Mass Emissions excepted monitoring (LME) pursuant to 40 CFR 75.19 (*Optional SO_2, NO_X, and CO_2 Emissions Calculation for Low Mass Emissions (LME) Units*)			
EPA-approved alternative monitoring system pursuant to 40 CFR part 75, subpart E			

3. The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435, (*CSAPR NO_X Annual Trading Program),* 97.1030 through 97.1035 *(CSAPR NO_X Ozone Season Group 3 Trading Program) and,* 97.630 through 97.635 *(CSAPR SO_2 Group 1 Trading Program).* The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading program.

4. Owners and operators shall submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable.

5. Owners and operators that want to use an alternative monitoring system shall submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR part 75, subpart E, 40 CFR 75.66, and the applicable trading program provisions found in 40 CFR *97.435 (CSAPR NO_X Annual Trading Program), 97.1035 (CSAPR NO_X Ozone Season Group 3 Trading Program) and, 97.635 (CSAPR SO_2 Group 1 Trading Program).* The

Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at https://www.epa.gov/airmarkets/complete-list-responses-40-cfr-part-75-petitions.

6. Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR *97.430 through 97.434 (CSAPR NO_X Annual Trading Program), 97.1030 through 97.1034 (CSAPR NO_X Ozone Season Group 3 Trading Program) and/or, 97.630 through 97.634 (CSAPR SO_2 Group 1 Trading Program)* shall submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and *97.435 (CSAPR NO_X Annual Trading Program), 97.1035 (CSAPR NO_X Ozone Season Group 3 Trading Program) and/or 97.635 (CSAPR SO_2 Group 1 Trading Program).* The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on EPA's website at https://www.epa.gov/airmarkets/complete-list-responses-40-cfr-part-75-petitions.

CSAPR NO_X Annual Trading Program requirements (40 CFR 97.406)

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

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

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

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

(c) NO_X emissions requirements.

(1) CSAPR NO_X Annual emissions limitation.

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

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

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

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

(2) CSAPR NO_X Annual assurance provisions.

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

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

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

(B). The amount by which total NO_X emissions from all CSAPR NO_X Annual units at CSAPR NO_X Annual sources in West Virginia for such control period exceed the state assurance level.

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

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

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

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

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

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

(3) Compliance periods.

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

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

(4) Vintage of CSAPR NO_X Annual allowances held for compliance.

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

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

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

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

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

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

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

(d) Title V permit revision requirements.

(1) Owners and operators shall not be required to revise the title V permit for any allocation, holding, deduction, or transfer of CSAPR NO_X Annual allowances in accordance with 40 CFR part 97, subpart AAAAA.

(2) Owners and operators shall revise the title V permit for any addition of, or change to, a unit's description in the CSAPR Monitoring Requirements Table above. The addition of, or change to, a unit's description of whether a unit is required to monitor and report NOx emissions using a continuous emission monitoring system (under subpart H of part 75 of this chapter), an excepted monitoring system (under appendices D and E to part 75 of this chapter), a low mass emissions excepted monitoring methodology (under §75.19 of this chapter), or an alternative monitoring system (under subpart E of part 75 of this chapter) in accordance with §§97.430 through 97.435 is eligible for minor permit modification procedures in accordance with 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

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

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

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

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

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

(f) Liability.

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

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

(g) Effect on other authorities.

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

CSAPR NO_X Ozone Season Group 3 Trading Program Requirements (40 CFR 97.1006)

(a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.1013 through 97.1018.

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

(1) The owners and operators, and the designated representative, of each CSAPR NO_X Ozone Season Group 3 source and each CSAPR NO_X Ozone Season Group 3 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.1030 (general monitoring, recordkeeping, and reporting requirements, including: installation, certification, and data accounting; compliance deadlines; reporting data; prohibitions; and long-term cold storage), 97.1031 (initial monitoring system certification and recertification procedures), 97.1032 (monitoring system out-of-control periods), 97.1033 (notifications concerning monitoring), 97.1034 (recordkeeping and reporting, including: monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.1035 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.1030 through 97.1035 shall be used to calculate allocations of CSAPR NO_X Ozone Season Group 3 allowances under 40 CFR 97.1011(a)(2) and (b) and 97.1012 and to determine compliance with the CSAPR NO_X Ozone Season Group 3 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.1030 through 97.1035 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NO_X emissions requirements.

(1) CSAPR NO_X Ozone Season Group 3 emissions limitation.

(i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_X Ozone Season Group 3 source and each CSAPR NO_X Ozone Season Group 3 unit at the source shall hold, in the source's compliance account, CSAPR NO_X Ozone Season Group 3 allowances available for deduction for such control period under 40 CFR 97.1024(a) in an amount not less than the tons of total NO_X emissions for such control period from all CSAPR NO_X Ozone Season Group 3 units at the source.

(ii). If total NO_X emissions during a control period in a given year from the CSAPR NO_X Ozone Season Group 3 units at a CSAPR NO_X Ozone Season Group 3 source exceed the CSAPR NO_X Ozone Season Group 3 emissions limitation set forth in paragraph (c)(1)(i) above, then:

(A). The owners and operators of the source and each CSAPR NO_X Ozone Season Group 3 unit at the source shall hold the CSAPR NO_X Ozone Season Group 3 allowances required for deduction under 40 CFR 97.1024(d); and

(B). The owners and operators of the source and each CSAPR NO_X Ozone Season Group 3 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart GGGGG and the Clean Air Act.

(2) CSAPR NO_X Ozone Season Group 3 assurance provisions.

(i). If total NO_X emissions during a control period in a given year from all CSAPR NO_X Ozone Season Group 3 units at CSAPR NO_X Ozone Season Group 3 sources in West Virginia exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_X emissions during such control period exceeds the common designated representative's assurance level for West Virginia and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_X Ozone Season Group 3 allowances available for deduction for such control period under 40 CFR 97.1025(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.1025(b), of multiplying—

(A). The quotient of the amount by which the common designated representative's share of such NO_X emissions exceeds the common designated representative's assurance level divided by the sum of the

amounts, determined for all common designated representatives for such sources and units in West Virginia for such control period, by which each common designated representative's share of such NO_X emissions exceeds the respective common designated representative's assurance level; and

(B). The amount by which total NO_X emissions from all CSAPR NO_X Ozone Season Group 3 units at CSAPR NO_X Ozone Season Group 3 sources in West Virginia for such control period exceed the state assurance level.

(ii). The owners and operators shall hold the CSAPR NO_X Ozone Season Group 3 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period.

(iii). Total NO_X emissions from all CSAPR NO_X Ozone Season Group 3 units at CSAPR NO_X Ozone Season Group 3 sources in West Virginia during a control period in a given year exceed the state assurance level if such total NO_X emissions exceed the sum, for such control period, of the state NO_X Ozone Season Group 3 Trading budget under 40 CFR 97.1010(a) and the state's variability limit under 40 CFR 97.1010(b).

(iv). It shall not be a violation of 40 CFR part 97, subpart GGGGG or of the Clean Air Act if total NO_X emissions from all CSAPR NO_X Ozone Season Group 3 units at CSAPR NO_X Ozone Season Group 3 sources in West Virginia during a control period exceed the state assurance level or if a common designated representative's share of total NO_X emissions from the CSAPR NO_X Ozone Season Group 3 units at CSAPR NO_X Ozone Season Group 3 sources in the state during a control period exceeds the common designated representative's assurance level.

(v). To the extent the owners and operators fail to hold CSAPR NO_X Ozone Season Group 3 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

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

(B). Each CSAPR NO_X Ozone Season Group 3 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart GGGGG and the Clean Air Act.

(3) Compliance periods.

(i). A CSAPR NO_X Ozone Season Group 3 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of May 1, 2021 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.1030(b) and for each control period thereafter.

(ii). A CSAPR NO_X Ozone Season Group 3 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of May 1, 202 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.1030(b) and for each control period thereafter.

(4) Vintage of CSAPR NO_X Ozone Season Group 3 allowances held for compliance.

(i). A CSAPR NO_X Ozone Season Group 3 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR NO_X Ozone Season Group 3 allowance that was allocated for such control period or a control period in a prior year.

(ii). A CSAPR NO_X Ozone Season Group 3 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (c)(2)(i) through (iii) above for a control period in a given year must be a CSAPR NO_X Ozone Season Group 3 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each CSAPR NO_X Ozone Season Group 3 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart GGGGG.

(6) Limited authorization. A CSAPR NO_X Ozone Season Group 3 allowance is a limited authorization to emit one ton of NO_X during the control period in one year. Such authorization is limited in its use and duration as follows:

(i). Such authorization shall only be used in accordance with the CSAPR NO_X Ozone Season Group 3 Trading Program; and

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

(7) Property right. A CSAPR NO_X Ozone Season Group 3 allowance does not constitute a property right.

(d) Title V permit revision requirements.

(1) Owners and operators shall not be required to revise the title V permit for any allocation, holding, deduction, or transfer of CSAPR NO_X Annual allowances in accordance with 40 CFR part 97, subpart GGGGG.

(2) Owners and operators shall revise the title V permit for any addition of, or change to, a unit's description in the CSAPR Monitoring Requirements Table above. The addition of, or change to, a unit's description of whether a unit is required to monitor and report NOx emissions using a continuous emission monitoring system (under subpart H of part 75 of this chapter), an excepted monitoring system (under appendices D and E to part 75 of this chapter), a low mass emissions excepted monitoring methodology (under §75.19 of this chapter), or an alternative monitoring system (under subpart E of part 75 of this chapter) in accordance with §§97.1030 through 97.1035 is eligible for minor permit modification procedures in accordance with 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each CSAPR NO_X Ozone Season Group 3 source and each CSAPR NO_X Ozone Season Group 3 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i). The certificate of representation under 40 CFR 97.1016 for the designated representative for the source and each CSAPR NO_X Ozone Season Group 3 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.1016 changing the designated representative.

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

(iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_X Ozone Season Group 3 Trading Program.

(2) The designated representative of a CSAPR NO_X Ozone Season Group 3 source and each CSAPR NO_X Ozone Season Group 3 unit at the source shall make all submissions required under the CSAPR NO_X Ozone Season Group 3 Trading Program, except as provided in 40 CFR 97.1018. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR parts 70 and 71.

(f) Liability.

(1) Any provision of the CSAPR NO_X Ozone Season Group 3 Trading Program that applies to a CSAPR NO_X Ozone Season Group 3 source or the designated representative of a CSAPR NO_X Ozone Season Group 3 source shall also apply to the owners and operators of such source and of the CSAPR NO_X Ozone Season Group 3 units at the source.

(2) Any provision of the CSAPR NO_X Ozone Season Group 3 Trading Program that applies to a CSAPR NO_X Ozone Season Group 3 unit or the designated representative of a CSAPR NO_X Ozone Season Group 3 unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the CSAPR NO_X Ozone Season Group 3 Trading Program or exemption under 40 CFR 97.1005 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NO_X Ozone Season Group 3 source or CSAPR NO_X Ozone Season Group 3 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

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

(a) Designated representative requirements.

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

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

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

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

(c) SO_2 emissions requirements.

(1) CSAPR SO_2 Group 1 emissions limitation.

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

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

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

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

(2) CSAPR SO_2 Group 1 assurance provisions.

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

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

Virginia for such control period, by which each common designated representative's share of such SO_2 emissions exceeds the respective common designated representative's assurance level; and

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

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

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

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

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

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

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

(3) Compliance periods.

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

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

(4) Vintage of CSAPR SO_2 Group 1 allowances held for compliance.

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

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

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

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

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

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

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

(d) Title V permit revision requirements.

(1) Owners and operators shall not be required to revise the title V permit for any allocation, holding, deduction, or transfer of CSAPR NO_X Annual allowances in accordance with 40 CFR part 97, subpart CCCCC.

(2) Owners and operators shall revise the title V permit for any addition of, or change to, a unit's description in the CSAPR Monitoring Requirements Table above. The addition of, or change to, a unit's description of whether a unit is required to monitor and report NOx emissions using a continuous emission monitoring system (under subpart B of part 75 of this chapter), an excepted monitoring system (under appendices D and E to part 75 of this chapter), a low mass emissions excepted monitoring methodology (under §75.19 of this chapter), or an alternative monitoring system (under subpart E of part 75 of this chapter) in accordance with §§97.630 through 97.635 is eligible for minor permit modification procedures in accordance with 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each CSAPR SO_2 Group 1 source and each CSAPR SO_2 Group 1 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i). The certificate of representation under 40 CFR 97.616 for the designated representative for the source and each CSAPR SO_2 Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.616 changing the designated representative.

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

(iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO_2 Group 1 Trading Program.

(2) The designated representative of a CSAPR SO_2 Group 1 source and each CSAPR SO_2 Group 1 unit at the source shall make all submissions required under the CSAPR SO_2 Group 1 Trading Program, except as provided in 40 CFR 97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR parts 70 and 71.

(f) Liability.

(1) Any provision of the CSAPR SO_2 Group 1 Trading Program that applies to a CSAPR SO_2 Group 1 source or the designated representative of a CSAPR SO_2 Group 1 source shall also apply to the owners and operators of such source and of the CSAPR SO_2 Group 1 units at the source.

(2) Any provision of the CSAPR SO_2 Group 1 Trading Program that applies to a CSAPR SO_2 Group 1 unit or the designated representative of a CSAPR SO_2 Group 1 unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the CSAPR SO_2 Group 1 Trading Program or exemption under 40 CFR 97.605 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR SO_2 Group 1 source or CSAPR SO_2 Group 1 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.