

West Virginia Department of Environmental Protection

*Harold D. Ward
Cabinet Secretary*

Permit to Operate



*Pursuant to
Title V
of the Clean Air Act*

Issued to:
**Columbia Gas Transmission, LLC
Elk River Compressor Station
R30-03900670-2025**

Laura M. Crowder
Director, Division of Air Quality

*Issued: [Date of issuance] • Effective: [Equals issue date plus two weeks]
Expiration: [5 years after issuance date] • Renewal Application Due: [6 months
prior to expiration]*

Permit Number: **R30-03900670-2025**
Permittee: **Columbia Gas Transmission, LLC**
Facility Name: **Elk River Compressor Station**
Permittee Mailing Address: **1700 MacCorkle Avenue SE, Charleston, WV 25314**

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 - Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Facility Location: Clendenin, Kanawha County, West Virginia
Facility Mailing Address: 10450 Elk River Road North, Clendenin, WV 25045
Telephone Number: 304-548-1612
Type of Business Entity: LLC
Facility Description: Natural Gas Compressor Station
SIC Codes: Primary – 4922; Secondary – N/A; Tertiary – N/A
UTM Coordinates: 472.0 km Easting • 4,259.9 km Northing • Zone 17

Permit Writer: Robert Mullins

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

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

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

1.1. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
T1	T01	Solar Mars 100 Turbine	2018 (Construction Commenced: March 3, 2015)	15,600 hp @ 32°F	Dry-low-NO _x (SoLoNO _x)
T2	T02	Solar Mars 100 Turbine	2018 (Construction Commenced: March 3, 2015)	15,600 hp @ 32°F	Dry-low-NO _x (SoLoNO _x)
T3	T03	Solar Mars 100 Turbine	2018 (Construction Commenced: March 3, 2015)	15,600 hp @ 32°F	Dry-low-NO _x (SoLoNO _x)
G1	G1	Waukesha VGF-L36GL, Natural Gas-fired, 4-stroke, lean burn, Emergency Generator RICE	2018	880 hp	None
HTR1	H1	Fuel Gas Heater	2018	0.5 MMBtu/hr	None
HTR2	H2	Fuel Gas Heater	2018	0.25 MMBtu/hr	None
HTR3	SH1	Catalytic Heaters	2018	2.404 MMBtu/hr (total)	None
TK01	TK01	Wastewater Storage Tank	2018	1,000 gal	None
PL Tank	PL	Pipeline Liquids Tank	2018	10,000 gal	None

1.2. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

Permit Number	Date of Issuance
R13-3294C	July 9, 2024

2.0. General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.39.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

2.2. Acronyms

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

2.3. Permit Expiration and Renewal

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

2.4. Permit Actions

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

2.5. Reopening for Cause

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

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

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

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

[45CSR§30-6.4.]

2.7. Minor Permit Modifications

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

[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

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

[45CSR§30-6.5.b.]

2.9. Emissions Trading

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

[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

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

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

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

[45CSR§30-5.9.]

2.11. Operational Flexibility

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

[45CSR§30-5.8]

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

[45CSR§30-5.8.a.]

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

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

[45CSR§30-5.8.c.]

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

[45CSR§30-2.40]

2.12. Reasonably Anticipated Operating Scenarios

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

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

[45CSR§30-5.1.i.]

2.13. Duty to Comply

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

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

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

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

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

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:

- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

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

[45CSR§30-5.1.f.2.]

2.17. Reserved

2.18. Federally-Enforceable Requirements

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

[45CSR§30-5.2.a.]

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

2.19. Duty to Provide Information

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

directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.
[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.
[45CSR§30-4.2.]

2.21. Permit Shield

- 2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.
[45 CSR§30-5.6.a.]

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

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

[45CSR§30-5.6.c.]

2.22. Credible Evidence

- 2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.
[45CSR§30-5.3.e.3.B.]

2.23. Severability

- 2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.
[45CSR§30-5.1.e.]

2.24. Property Rights

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

2.25. Acid Deposition Control

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

[45CSR§30-5.1.d.]

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.
[45CSR§30-5.1.a.2.]

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1. [45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible. [45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them. [40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public. [45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11. [45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality. [W.Va. Code § 22-5-4(a)(15)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

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

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

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

[40 C.F.R. 68]

- 3.1.9. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all air 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.

[45CSR13, R13-3294, 4.1.2.; 45CSR§13-5.10.]

- 3.1.10. No person shall cause, suffer, allow or permit fugitive particulate matter to be discharged beyond the boundary lines of the property on which the discharge originates or at any public or residential location, which causes or contributes to statutory air pollution.

[45CSR§17-3.1 (State-enforceable only)]

3.2. Monitoring Requirements

- 3.2.1. Reserved.

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:
 - a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
 - b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be

used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit shall be revised in accordance with 45CSR§30-6.4 or 45CSR§30-6.5 as applicable.

- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
 1. The permit or rule evaluated, with the citation number and language.
 2. The result of the test for each permit or rule condition.
 3. A statement of compliance or non-compliance with each permit or rule condition.

[WV Code §§ 22-5-4(a)(15-16) and 45CSR13]

3.4. Recordkeeping Requirements

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

[45CSR§30-5.1.c.2.A.; 45CSR13, R13-3294, 4.1.1.]

- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report,

application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

[45CSR§30-5.1.c.2.B.]

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

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

- 3.4.4. **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.

[45CSR13, R13-3294, 4.1.3.]

3.5. Reporting Requirements

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

[45CSR§§30-4.4. and 5.1.c.3.D.]

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

[45CSR§30-5.1.c.3.E.]

- 3.5.3. Except for the electronic submittal of the annual 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 Enforcement¹:

DEPAirQualityReports@wv.gov

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

3.5.4. **Fees.** The permittee shall pay fees on an annual basis in accordance with 45CSR§30-8.
[45CSR§30-8.]

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

DAQ:

DEPAirQualityReports@wv.gov

US EPA:

R3_APD_Permits@epa.gov

[45CSR§30-5.3.e.]

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

DAQ:

DEPAirQualityReports@wv.gov

[45CSR§30-5.1.c.3.A.]

3.5.7. **Reserved.**

3.5.8. **Deviations.**

- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
 1. 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.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

[45CSR§30-4.3.h.1.B.]

3.6. **Compliance Plan**

- 3.6.1. Reserved.

3.7. **Permit Shield**

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.
 - a. **40 C.F.R. 60, Subpart Dc: Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.** The heaters are less than 10 MMBtu/hr, therefore, according to 40 C.F.R. §60.40c(a), this rule does not apply.

b. **40 C.F.R. 60, Subpart OOOO: Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After August 23, 2011, and on or before September 18, 2015.** The pipeline liquids tank (PL Tank) at this facility was installed in 2018, which is after the applicability date specified in 40 C.F.R. §60.5365, therefore this rule does not apply to PL Tank. Per 40 C.F.R. §60.5365(b), a centrifugal compressor affected facility is a single centrifugal compressor using wet seals. As the centrifugal compressors driven by the turbines T1 to T3 use dry seals, the compressors at the Elk River Compressor Station are not subject to the Subpart OOOO requirements for centrifugal compressors.

c. **40 C.F.R. 60, Subpart OOOOa: Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015 and On or Before December 6, 2022.**

Subpart OOOOa applies to the affected facilities listed in §60.5365a for which construction commenced between September 18, 2015 and December 6, 2022. Although the turbines T1 to T3 which drive the compressors at the facility were installed in 2018, the permittee has reported that the purchase order date of the turbines was March 3, 2015. Therefore, in accordance with the definition of “commenced” in 40 C.F.R. §60.2, construction of the turbines and associated compressors commenced prior to the applicability dates of Subpart OOOOa and, in accordance with §60.5365a(j), the requirements for the collection of fugitive emissions components at a compressor station have not been triggered.

In the Subpart OOOOa annual report submitted on December 20, 2019, the permittee reported that the Elk River Compressor Station did not operate any tanks with potential VOC emissions greater than 6 tpy. Therefore, storage tank PL is not an affected facility under Subpart OOOOa, and the requirements of §60.5410a(h) are inapplicable as determined in R30-03900670-2020(MM02).

d. **40 C.F.R. 60, Subpart OOOOb: Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022.** None of the equipment at the facility commenced construction after December 6, 2022. Therefore, according to 40 C.F.R. §60.5365b, this rule does not apply.

e. **40 C.F.R. 63 Subpart DDDDD – National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.** This subpart establishes national emission limitations and work practice standards for hazardous air pollutants (HAP) emitted from industrial, commercial, and institutional boilers and process heaters located at major sources of HAP (40 C.F.R. §63.7480). The facility is not a major source of HAPs; therefore, this regulation is not applicable to any heater at the facility.

f. **40 C.F.R. 63 Subpart JJJJJ – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.** This subpart is applicable to each industrial, commercial, or institutional boiler as defined in §63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP). The facility is an area source of HAPs that operates heaters. All the heaters combust natural gas, and as such, are not subject to this regulation as provided in §63.11195(e).

4.0. Turbines [Em. Unit IDs: T1, T2, T3; Em. Point IDs: T01, T02, T03]

4.1. Limitations and Standards

4.1.1. The Solar turbines (T1, T2, and T3) shall be operated and maintained in accordance with the manufacturer’s recommendations and specifications and in a manner consistent with good operating practices for minimizing emissions at all times (including during startup, shutdown, and malfunction) and shall only burn pipeline-quality natural gas.

[45CSR13, R13-3294, 5.1.1., 5.1.6., and 5.1.8.; 40 C.F.R. §60.4333(a); 45CSR16]

4.1.2. Maximum annual emissions from the Solar turbines (T01, T02, and T03) shall not exceed the following:

Emission Point ID#	NO _x	CO	VOC	SO ₂	PM ₁₀	CH ₂ O
	tons/year					
T01	32.29	80.63	4.19	0.42	3.85	0.41
T02	32.29	80.63	4.19	0.42	3.85	0.41
T03	32.29	80.63	4.19	0.42	3.85	0.41

Compliance with the annual emission limits shall be determined using a twelve-month rolling total. A twelve-month rolling total shall mean the sum of the emissions at any given time during the previous twelve consecutive calendar months

[45CSR13, R13-3294, 5.1.2.]

4.1.3. Maximum hourly emissions from the Solar Mars 100 turbines (T01, T02, and T03) shall not exceed the following:

Operating Parameter	T01	T02	T03
NO_x			
Full Load @ 32 °F	15 ppm _v @ 15% O ₂ (7.21 lb/hr)	15 ppm _v @ 15% O ₂ (7.21 lb/hr)	15 ppm _v @ 15% O ₂ (7.21 lb/hr)
Low Temp (<0 °F)	21.91 lb/hr	21.91 lb/hr	21.91 lb/hr
Low Load (<50%)	16.10 lb/hr	16.10 lb/hr	16.10 lb/hr
Startup/Shutdown	3.10 lb/event	3.10 lb/event	3.10 lb/event
CO			
Full Load @ 32 °F	25 ppm _v @ 15% O ₂ (7.31 lb/hr)	25 ppm _v @ 15% O ₂ (7.31 lb/hr)	25 ppm _v @ 15% O ₂ (7.31 lb/hr)

Operating Parameter	T01	T02	T03
Low Temp (<0 °F)	30.75 lb/hr	30.75 lb/hr	30.75 lb/hr
Low Load (<50%)	653.41 lb/hr	653.41 lb/hr	653.41 lb/hr
Startup/Shutdown	272.70 lb/event	272.70 lb/event	272.70 lb/event

VOC

Full Load @ 32 °F	5 ppm _v @ 15% O ₂ (0.84 lb/hr)	5 ppm _v @ 15% O ₂ (0.84 lb/hr)	5 ppm _v @ 15% O ₂ (0.84 lb/hr)
Low Temp (<0 °F)	1.81 lb/hr	1.81 lb/hr	1.81 lb/hr
Low Load (<50%)	7.47 lb/hr	7.47 lb/hr	7.47 lb/hr
Startup/Shutdown	3.12 lb/event	3.12 lb/event	3.12 lb/event

SO₂ (short term emission rate based on 20 gr S/100 scf)

Full Load @ 32 °F	7.61 lb/hr	7.61 lb/hr	7.61 lb/hr
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PM₁₀

Full Load @ 32 °F	0.88 lb/hr	0.88 lb/hr	0.88 lb/hr
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[45CSR13, R13-3294, 5.1.3.]

- 4.1.4. NO_x emissions from the Solar turbines (T01 through T03) shall not exceed 25 ppm at 15% O₂ (or an alternative limit of 150 ng/J of useful output or 1.2 lb/MWh). When operating at less than 75% peak load or at temperatures less than 0 °F, the emission limit for NO_x is 150 ppm at 15% O₂ (or an alternative limit of 1,100 ng/J of useful output or 8.7 lb/MWh).

[45CSR13, R13-3294, 5.1.4.; 40 C.F.R. §60.4320(a) and Table 1 to 40 C.F.R. 60 Subpart KKKK; 45CSR16]

- 4.1.5. Emissions of SO₂ shall not exceed 0.060 lb of SO₂/MMBTU heat input. For purpose of demonstrating compliance with this limit, the permittee shall maintain the Federal Energy Regulatory Commission (FERC) tariff limit on total sulfur content of 20 grains of sulfur per 100 standard cubic feet of natural gas combusted in the turbines.

[45CSR13, R13-3294, 5.1.5.; 40 C.F.R. §60.4330(a)(2) and §60.4365(a); 45CSR16]

- 4.1.6. The startup/shutdown events shall not exceed 200 events per turbine per year.

[45CSR13, R13-3294, 5.1.7.]

4.2. Monitoring Requirements

- 4.2.1. For the purpose of determining compliance with the annual limits for each combustion turbine (T1, T2, and T3), the permittee shall monitor and record the following for each calendar month.

- a. Hours the turbine operated at normal conditions, which is when the turbine is at or above 50% load, and the ambient temperature is above 0°F.
- b. Hours the turbine operated at low-load conditions, which is when the turbine load is less than 50% load.
- c. Hours the turbine operated at low temperature conditions, which is when the ambient temperature is less than 0°F but at or above -20°F.
- d. Hours the turbine operated at very-low temperature conditions, which is when the ambient temperature is less than -20°F.
- e. The number of startup and shutdown cycles that occurred during the month.
- f. Such records shall be maintained in accordance with Condition 3.4.2. of this permit

[45CSR13, R13-3294, 5.2.1.]

4.3. Testing Requirements

- 4.3.1. For the purposes of demonstrating compliance with the NO_x emission standards in permit conditions 4.1.3. and 40 C.F.R. §60.4320(a), the permittee shall conduct an initial performance test within 60 days after achieving maximum output of each turbine, but no later than 180 days after initial startup. After the initial test, subsequent performance testing shall be conducted annually (no more than 14 months following the previous test) unless the previous results demonstrate that the affected units achieved compliance of less than or equal to 75 percent of the NO_x emission limit, then the permittee may reduce the frequency of subsequent tests to once every two years (no more than 26 calendar months following the previous test) as allowed under 40 C.F.R. §60.4340(a). If the results of any subsequent performance test exceed 75 percent of the NO_x emission limit, then the permittee must resume annual performance tests. Such testing shall be conducted in accordance with Condition 3.3.1. and 40 CFR §60.4400. Records of such testing shall be maintained in accordance with Condition 3.4.2.

[45CSR13, R13-3294, 5.3.1.; 40 C.F.R. §§ 60.8(a), 60.4340(a), and 60.4400; 45CSR16]

- 4.3.2. In order to show compliance with the CO emission limits contained in 4.1.2 - 4.1.3. of this permit the permittee shall perform performance tests using EPA approved methods (or other alternative methods approved by the Director) as requested by the Secretary and outlined in Section 3.3. Said testing shall be performed while the turbines are operating at normal conditions, within 25% of full load or at the highest achievable load (and while ambient temperatures are above 0°F).

[45CSR13, R13-3294, 5.3.2.]

4.4. Recordkeeping Requirements

- 4.4.1. To demonstrate compliance with sections 4.1.2. and 4.1.3., the permittee shall maintain records of the amount of natural gas consumed and the hours of operation of each of the Solar turbines (T1, T2, and T3).

[45CSR13, R13-3294, 5.4.1.]

- 4.4.2. The permittee shall maintain the fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel, specifying that the maximum total sulfur content for natural gas use

in continental areas is 20 grains of sulfur or less per 100 standard cubic feet, has potential sulfur emissions of less than 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input for continental areas.

[45CSR13, R13-3294, 5.4.2.; 40 C.F.R. §60.4365(a); 45CSR16]

- 4.4.3. In order to demonstrate compliance with the emission limitations of condition 4.1.2. – 4.1.3. of this permit the permittee will monitor and record the monthly operating hours for each operating parameter listed in permit conditions 4.1.3. Monthly emissions for each pollutant will be calculated using the following equation:

$$MEP_x = DLNP_x * DLN\ hrs + LLP_x * LL\ hrs + LTP_x * LT\ hrs + SSP_x * SS\ cycles$$

Where:

- MEP_x is the monthly emissions for each pollutant
- $DLNP_x$ is the unit emission rates (lb/hr) for pollutant X during normal (DLN) operation
- LLP_x is the unit emission rates (lb/hr) for pollutant X during low-load (LL) operation
- LTP_x is the unit emission rates (lb/hr) for pollutant X during low-temperature (LT) operation
- SSP_x is the unit emission rates (lb/cycle) for pollutant X during startup/shutdown (SS) operation

At the end of each month, the monthly emissions will be summed for the preceding 12 months to determine compliance with the annual emissions limits.

[45CSR13, R13-3294, 5.4.3.]

- 4.4.4. The number and dates of the startup/shutdown cycles shall be recorded to help demonstrate compliance with 4.1.6.

[45CSR13, R13-3294, 5.4.4.]

4.5. Reporting Requirements

- 4.5.1. The permittee shall submit a notification to the Director of the initial start-up of turbines. Such notice must be submitted within 15 days after the actual date of start-up for the affected source. This notification supersedes the 30-day notification requirements of Condition 2.18. in permit R13-3294.

[45CSR13, R13-3294, 5.5.1.; 40 C.F.R. §60.7(a)(3); 45CSR16]

- 4.5.2. The permittee shall submit a written report of the results of testing required in 4.3. of this permit before the close of business on the 60th day following the completion of such testing to the Director. Such report(s) shall include all records and readings taken during such testing, as appropriate for the required report

[45CSR13, R13-3294, 5.5.2.; 40 C.F.R. §60.4375(b); 45CSR16]

4.6. Compliance Plan

- 4.6.1. Reserved

5.0. Emergency Generator RICE [Em. Unit ID: G1; Em. Point ID: G1]

5.1. Limitations and Standards

5.1.1. **Maximum Yearly Operation Limitation.** The maximum yearly operating hours of the 880 hp natural gas fired reciprocating engine, Waukesha VGF-L36GL (G1) shall not exceed 500 hours per year during periods of non-emergencies. Compliance with the Maximum Yearly Operation Limitation shall be determined using a twelve-month rolling total. A twelve-month rolling total shall mean the sum of the hours of operation at any given time during the previous twelve consecutive calendar months.

[45CSR13, R13-3294, 6.1.1.]

5.1.2. Maximum emissions from the 880 hp natural gas fired reciprocating engine, Waukesha VGF-L36GL (G1) shall not exceed the following limits:

Pollutant	Maximum Hourly Emissions (lb/hr)	Maximum Annual Emissions (ton/year)
Nitrogen Oxides	3.88	0.97
Carbon Monoxide	2.52	0.63
Volatile Organic Compounds	0.47	0.12

[45CSR13, R13-3294, 6.1.2.]

5.1.3. **Fuel Requirement.** The emergency generator RICE shall only be fired with pipeline-quality natural gas.

[45CSR13, R13-3294, 6.1.3.]

5.1.4. Emissions from emergency generator RICE (G1) shall not exceed the following:

- i. NO_x emissions from the engine shall not exceed 2.0 grams of NO_x per horsepower-hour (g/hp-hr) or 160 ppmvd at 15 percent O₂;
- ii. CO emissions from engine shall not exceed 4.0 g/hp-hr or 540 ppmvd at 15 percent O₂;
- iii. VOC emissions from the engine shall not exceed 1.0 g/hp-hr or 86 ppmvd at 15 percent O₂. Emission of formaldehyde shall be excluded when determining compliance with this VOC limit.

[45CSR13, R13-3294, 6.2.1.; 40 C.F.R. §60.4233(e), Table 1 to Subpart JJJJ of Part 60 - NO_x, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines > 100 HP, Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines > 25 HP; 45CSR16]

5.1.5. Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

[45CSR13, R13-3294, 6.2.2.; 40 C.F.R. §60.4234; 45CSR16]

5.1.6. Starting on July 1, 2010, if the emergency stationary SI internal combustion engine that is greater than or equal to 500 HP that was built on or after July 1, 2010, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

[45CSR13, R13-3294, 6.4.1.; 40 C.F.R. §60.4237(a); 45CSR16]

- 5.1.7. If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of 40 C.F.R. §60.4243.
- a. Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in §60.4233(d) or (e) and according to the requirements specified in §60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of 40 CFR §60.4243.
1. If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance

[45CSR13, R13-3294, 6.5.1.; 40 C.F.R. §§60.4243(b)(2) and (b)(2)(ii); 45CSR16]

- 5.1.8. If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (d)(1) through (3) of 40 CFR §60.4243. In order for the engine to be considered an emergency stationary ICE under 40 CFR 60 Subpart JJJJ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (d)(1) through (3) of 40 CFR §60.4243, is prohibited. If you do not operate the engine according to the requirements in paragraphs (d)(1) through (3) of 40 CFR §60.4243, the engine will not be considered an emergency engine under 40 CFR 60 Subpart JJJJ and must meet all requirements for non-emergency engines.
- (1) There is no time limit on the use of emergency stationary ICE in emergency situations.
- (2) You may operate your emergency stationary ICE for the purpose specified in paragraph (d)(2)(i) of 40 CFR §60.4243 for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (d)(3) of 40 CFR §60.4243 counts as part of the 100 hours per calendar year allowed by paragraph (d)(2) of 40 CFR §60.4243.
- (i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.
- (3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (d)(2) of 40 CFR §60.4243. Except as provided in paragraph (d)(3)(i) of 40 CFR §60.4243, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

- (i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
 - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
 - (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
 - (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
 - (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
 - (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[45CSR13, R13-3294, 6.5.2.; 40 C.F.R. §60.4243(d); 45CSR16]

5.1.9. **40 CFR 63, Subpart ZZZZ**

The emergency generator (G1) is subject to all applicable regulations given under 40 CFR 63, Subpart ZZZZ including the following:

- a. *Stationary RICE subject to Regulations under 40 CFR Part 60.* An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of 40CFR§63.6590 must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

[45CSR34; 40CFR§63.6590(c)]

5.2. Monitoring Requirements

- 5.2.1. Reserved.

5.3. Testing Requirements

- 5.3.1. Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (g) of 40 C.F.R. §60.4244.
 - a. Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in §60.8 and under the specific conditions that are specified by Table 2 to 40 CFR 60 Subpart JJJJ.
[40 C.F.R. §60.4244(a)]

- b. You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

[40 C.F.R. §60.4244(b)]

- c. You must conduct three separate test runs for each performance test required in 40 CFR 60 Subpart JJJJ, as specified in §60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

[40 C.F.R. §60.4244(c)]

- d. To determine compliance with the NO_x mass per unit output emission limitation, convert the concentration of NO_x in the engine exhaust using Equation 1 of 40 CFR §60.4244:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{HP - hr} \quad (\text{EQ. 1})$$

Where:

ER = Emission rate of NO_x in g/HP-hr.

C_d = Measured NO_x concentration in parts per million by volume (ppmv).

1.912×10⁻³ = Conversion constant for ppm NO_x to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

[40 C.F.R. §60.4244(d)]

- e. To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of 40 CFR §60.4244:

$$ER = \frac{C_d \times 1.164 \times 10^{-3} \times Q \times T}{HP - hr} \quad (\text{EQ. 2})$$

Where:

ER = Emission rate of CO in g/HP-hr.

C_d = Measured CO concentration in ppmv.

1.164×10⁻³ = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

[40 C.F.R. §60.4244(e)]

- f. For purposes of 40 CFR 60 Subpart JJJJ, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of 40 CFR §60.4244:

$$ER = \frac{C_d \times 1.833 \times 10^{-3} \times Q \times T}{HP - hr} \quad (\text{EQ. 3})$$

Where:

ER = Emission rate of VOC in g/HP-hr.

C_d = VOC concentration measured as propane in ppmv.

1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

[40 C.F.R. §60.4244(f)]

- g. If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of 40 CFR §60.4244. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of 40 CFR §60.4244.

$$RF_i = \frac{C_{Mi}}{C_{Ai}} \quad (\text{EQ. 4})$$

Where:

RF_i = Response factor of compound i when measured with EPA Method 25A.

C_{Mi} = Measured concentration of compound i in ppmv as carbon.

C_{Ai} = True concentration of compound i in ppmv as carbon.

$$C_{icorr} = RF_i \times C_{imeas} \quad (\text{Eq. 5})$$

Where:

C_{icorr} = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

C_{imeas} = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

$$C_{Peq} = 0.6098 \times C_{icorr} \quad (\text{Eq. 6})$$

Where:

C_{Peq} = Concentration of compound i in mg of propane equivalent per DSCM.

[40 C.F.R. §60.4244(g)]

[45CSR13, R13-3294, 6.6.1.; 40 C.F.R. §§ 60.4244(a) through (g); 45CSR16]

5.4. Recordkeeping Requirements

5.4.1. The permittee shall keep records of the hours of operation for the RICE identified as G1. The records must document how many hours are spent for emergency operation, including what classified the operation as an emergency, and how many hours spent for non-emergency operation with corresponding reason for the non-emergency operation. Such records shall be maintained in accordance with Condition 3.4.2. and must be in a manner to demonstrate compliance with the operating limits of Condition 5.1.1.

[45CSR13, R13-3294, 6.3.1.; 40 C.F.R. §60.4245(b); 45CSR16]

5.4.2. Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of §60.4233.

[45CSR13, R13-3294, 6.5.3.; 40 C.F.R. §60.4243(e); 45CSR16]

5.4.3. Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of 40 C.F.R. §60.4245.

1. All notifications submitted to comply with 40 CFR 60 Subpart JJJJ and all documentation supporting any notification.
2. Maintenance conducted on the engine.
3. If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 1048, 1054, and 1060, as applicable.
4. If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

[45CSR13, R13-3294, 6.7.1.a.; 40 C.F.R. §60.4245(a); 45CSR16]

- 5.4.4. For all stationary SI emergency ICE greater than or equal to 500 HP manufactured on or after July 1, 2010, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.
[45CSR13, R13-3294, 6.7.1.b.; 40 C.F.R. §60.4245(b); 45CSR16]

5.5. Reporting Requirements

- 5.5.1. Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in §60.4231 must submit an initial notification as required in §60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of 40 C.F.R. §60.4245. Beginning on February 26, 2025 submit the notification electronically according to 40 C.F.R. §60.4245(g).

1. Name and address of the owner or operator;
2. The address of the affected source;
3. Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;
4. Emission control equipment; and
5. Fuel used.

[45CSR13, R13-3294, 6.7.1.c.; 40 C.F.R. §60.4245(c); 45CSR16]

- 5.5.2. Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348-03 (incorporated by reference - see 40 C.F.R. §60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and 11.1.1.4; for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348-03 report results of all QA/QC procedures in Annexes 1-7. Beginning on February 26, 2025 performance tests must be reported electronically according to 40 C.F.R. §60.4245(f).

[45CSR13, R13-3294, 6.7.1.d.; 40 C.F.R. §60.4245(d); 45CSR16]

- 5.5.3. If you own or operate an emergency stationary SI ICE with a maximum engine power more than 100 HP that operates for the purpose specified in C.F.R. §60.4243(d)(3)(i), you must submit an annual report according to the requirements in 40 C.F.R. §§60.4245(e)(1) through (3).

1. The report must contain the following information:
 - i. Company name and address where the engine is located.
 - ii. Date of the report and beginning and ending dates of the reporting period.
 - iii. Engine site rating and model year.

- iv. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
 - v. Hours spent for operation for the purposes specified in § 60.4243(d)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in § 60.4243(d)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
2. The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
 3. The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4. Beginning on February 26, 2025, submit annual report electronically according to 40 C.F.R. §60.4245(g).

[40 C.F.R. §60.4245(e); 45CSR16]

5.6. Compliance Plan

- 5.6.1. None

6.0. Heaters [Em. Unit IDs: HTR1, HTR2, HTR3; Em. Point IDs: H1, H2, SH1]

6.1. Limitations and Standards

6.1.1. Maximum Design Heat Input (MDHI). The MDHI for the heaters shall not exceed the following:

Emission Unit ID#	Emission Unit Description	MDHI
HTR1	Fuel Gas Heater	0.50 MMBTU/hr
HTR2	Fuel Gas Heater	0.25 MMBTU/hr
HTR3	Catalytic Heaters	2.404 MMBTU/hr Total

[45CSR13, R13-3294, 7.1.1.]

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

[45CSR13, R13-3294, 7.1.2.; 45CSR§2-3.1.] (HTR1, HTR2)

6.1.3. Fuel Requirement. The heaters shall only be fired with pipeline-quality natural gas.

[45CSR13, R13-3294, 7.1.3.]

6.2. Monitoring Requirements

6.2.1. At such reasonable times as the Secretary may designate, the permittee shall conduct Method 9 emission observations for the purpose of demonstrating compliance with permit condition 6.1.2. Method 9 shall be conducted in accordance with 40 CFR 60 Appendix A.

[45CSR13, R13-3294, 7.2.1.]

6.3. Testing Requirements

6.3.1. Upon request by the Secretary, compliance with the visible emission requirements of permit condition 6.1.2. shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Secretary. The Secretary may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of permit condition 6.1.2. Continuous opacity monitors shall not be required on fuel burning units which employ wet scrubbing systems for emission control.

[45CSR§2-3.2; 45CSR13, R13-3294, 7.3.1.] (HTR1, HTR2)

6.4. Recordkeeping Requirements

6.4.1. The permittee shall maintain records of all monitoring data required by permit condition 6.2.1 documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE

wind) during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9.

[45CSR13, R13-3294, 7.4.1.]

6.5. Reporting Requirements

6.5.1. Any deviation(s) from the allowable visible emission requirement for any emission source discovered during observations using 40 CFR 60, Appendix A, Method 9 or 22 shall be reported in writing to the Director of the Division of Air Quality as soon as practicable, but in any case within ten (10) calendar days of the occurrence and shall include at least the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

[45CSR13, R13-3294, 7.5.1.]

6.6. Compliance Plan

6.6.1. None