

West Virginia Department of Environmental Protection  
Division of Air Quality

*Earl Ray Tomblin*  
Governor

*Randy C. Huffman*  
Cabinet Secretary

# Permit to Operate



Pursuant to  
**Title V**  
of the Clean Air Act

Issued to:  
**Steel of West Virginia, Inc.**  
R30-01100009-2015

A blue ink signature of William F. Durham, written in a cursive style, positioned above a horizontal line.

*William F. Durham*

*Director*

*Issued: December 8, 2015 • Effective: December 22, 2015*  
*Expiration: December 8, 2020 • Renewal Application Due: June 8, 2020*

Permit Number: **R30-01100009-2015**  
Permittee: **Steel of West Virginia, Inc.**  
Permittee Mailing Address: **2nd Avenue and 17th Street, Huntington, WV 25726**

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*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.*

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Facility Location: Huntington, Cabell County, West Virginia  
Facility Mailing Address: 2nd Avenue and 17th Street, Huntington, WV 25726  
Telephone Number: 304-696-8200  
Type of Business Entity: Corporation  
Facility Description: Primary Metal Industries  
SIC Codes: 3312  
UTM Coordinates: 375.03 km Easting • 4253.77 km Northing • Zone 17

Permit Writer: Bobbie Scroggie

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

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*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
EU001	F001	Scrap Preparation Torches*	1952	0.5 MMBtu/hr	---
EU003	S008, F003	Lime Bin #1 Load-In; H.K. Porter	1970	0.83 tons/hr	Baghouse CE008
EU004	S007, F004	Lime Bin #2 Load-In; H.K. Porter	1970	0.83 tons/hr	Baghouse CE007
EU005A	F005A	Ladle Preheaters; Eclipse (4)	1983/2013	5.5 MMBtu/hr each	Building CE005
EU006	S008, F005	Electric Arc Furnace #1; Lectramelt	1979	20 tons/hr	Baghouse CE008
EU007	S007, F005	Electric Arc Furnace #2; Lectramelt	1979	20 tons/hr	Baghouse CE007
EU008	S008, S006	Electric Arc Furnace Canopy Hood	1989	40 tons/hr	Baghouse CE008, CE006
EU011	F005	Slag Handling	1950	40 tons/hr	Building CE005
EU012	F005	Continuous Caster; Concast	1975	40.5 tons/hr	Building CE005
EU013	F005	Caster Cutoff Torches	1975	40.5 tons/hr	Building CE005
EU014	S014	Reheat Furnace #1; Brickmont	1984	96 mmBtu/hr	---
EU015	F015	Hot Rolling Mill #1	1985	40 tons/hr	Building CE015
EU016	S016	Reheat Furnace #2; Brickmont	1997	130 mmBtu/hr	---
EU017	F017	Hot Rolling Mill #2	1994	36.8 tons/hr	Building CE017
EU020	F020	Paint Application	1997	20 gal/hr	---
EU022	S022	Continuous Wax Line Heater	1997	4 mmBtu/hr	---
EU023	F023a,b	Wax Application	1997	33 gal/hr	---
EU024	S024	Shot Blaster	1986	2.4 tons/hr	Dust Collector CE024
EU025	F025	Welding	1986	10 tons/hr	---
EU026	F026	Cold Cleaner	1975	0.3 gal/hr	---
EU028	F028	Plant Roads	1952	3.2 miles	---
EU029	F029	Baghouse Dust Handling*	1989	N/A	---
EU030	F030	Alloy Handling*	1979	N/A	---
EU031	S031	East Cooling Towers*	2000	1,800 gpm	---
EU032	S032	Melt Shop Cooling Towers*	1999	5,273 gpm	---
EU033	S033	Space Heaters (Natural Gas fired)*	1982	5 MMBtu/hr	---
EU034	S034	Emergency Generator #1; diesel fired	1996	97 HP	---

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
EU035	S035	Emergency Generator #2; natural gas fired	2010	255 HP	---
EU036	S036	Emergency Generator #3; natural gas fired	2013	268 HP	---
N/A	N/A	Gasoline Storage Tank	2014	300 gallons	---

\*Miscellaneous Equipment with no applicable requirements

## 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.

<b>Permit Number</b>	<b>Date of Issuance</b>
<b>R13-0834</b>	<b>April 1, 1986</b>

## 2.0. General Conditions

### 2.1. Definitions

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

### 2.2. Acronyms

<b>CAAA</b>	Clean Air Act Amendments	<b>NESHAPS</b>	National Emissions Standards for Hazardous Air Pollutants
<b>CBI</b>	Confidential Business Information	<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>CEM</b>	Continuous Emission Monitor	<b>NSPS</b>	New Source Performance Standards
<b>CES</b>	Certified Emission Statement	<b>PM</b>	Particulate Matter
<b>C.F.R. or CFR</b>	Code of Federal Regulations	<b>PM<sub>10</sub></b>	Particulate Matter less than 10µm in diameter
<b>CO</b>	Carbon Monoxide	<b>pph</b>	Pounds per Hour
<b>C.S.R. or CSR</b>	Codes of State Rules	<b>ppm</b>	Parts per Million
<b>DAQ</b>	Division of Air Quality	<b>PSD</b>	Prevention of Significant Deterioration
<b>DEP</b>	Department of Environmental Protection	<b>psi</b>	Pounds per Square Inch
<b>FOIA</b>	Freedom of Information Act	<b>SIC</b>	Standard Industrial Classification
<b>HAP</b>	Hazardous Air Pollutant	<b>SIP</b>	State Implementation Plan
<b>HON</b>	Hazardous Organic NESHAP	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>HP</b>	Horsepower	<b>TAP</b>	Toxic Air Pollutant
<b>lbs/hr</b>	Pounds per Hour	<b>TPY</b>	Tons per Year
<b>LDAR</b>	Leak Detection and Repair	<b>TRS</b>	Total Reduced Sulfur
<b>m</b>	Thousand	<b>TSP</b>	Total Suspended Particulate
<b>MACT</b>	Maximum Achievable Control Technology	<b>USEPA</b>	United States Environmental Protection Agency
<b>mm</b>	Million	<b>UTM</b>	Universal Transverse Mercator
<b>mmBtu/hr</b>	Million British Thermal Units per Hour	<b>VEE</b>	Visual Emissions Evaluation
<b>mmft<sup>3</sup>/hr</b>	Million Cubic Feet Burned per Hour	<b>VOC</b>	Volatile Organic Compounds
<b>NA or N/A</b>	Not Applicable		
<b>NAAQS</b>	National Ambient Air Quality Standards		

### **2.3. Permit Expiration and Renewal**

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

### **2.4. Permit Actions**

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

### **2.5. Reopening for Cause**

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

## **2.6. Administrative Permit Amendments**

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

## **2.7. Minor Permit Modifications**

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

## **2.8. Significant Permit Modification**

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

## **2.9. Emissions Trading**

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.  
**[45CSR§30-5.1.h.]**

## **2.10. Off-Permit Changes**

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
  - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
  - c. The change shall not qualify for the permit shield.
  - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
  - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.



- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

**[45CSR§30-5.9]**

## **2.11. Operational Flexibility**

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

**[45CSR§30-5.8]**

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

**[45CSR§30-5.8.a.]**

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

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

**[45CSR§30-5.8.c.]**

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

**[45CSR§30-2.39]**

## **2.12. Reasonably Anticipated Operating Scenarios**

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

- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
- b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
- c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.  
[45CSR§30-5.1.i.]

### **2.13. Duty to Comply**

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.  
[45CSR§30-5.1.f.1.]

### **2.14. Inspection and Entry**

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
  - a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
  - d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.  
[45CSR§30-5.3.b.]

### **2.15. Schedule of Compliance**

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

[45CSR§30-5.3.d.]

## **2.16. Need to Halt or Reduce Activity not a Defense**

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

[45CSR§30-5.1.f.2.]

## **2.17. Emergency**

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

[45CSR§30-5.7.a.]

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

[45CSR§30-5.7.b.]

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

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

[45CSR§30-5.7.c.]

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

[45CSR§30-5.7.d.]

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

[45CSR§30-5.7.e.]

## **2.18. Federally-Enforceable Requirements**

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.  
[45CSR§30-5.2.a.]
- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

## **2.19. Duty to Provide Information**

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.  
[45CSR§30-5.1.f.5.]

## **2.20. Duty to Supplement and Correct Information**

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

## **2.21. Permit Shield**

- 2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.  
[45CSR§30-5.6.a.]
- 2.21.2. Nothing in this permit shall alter or affect the following:
- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
  - b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
  - c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.  
[45CSR§30-5.6.c.]

## **2.22. Credible Evidence**

- 2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.  
**[45CSR§30-5.3.e.3.B. and 45CSR38]**

### **2.23. Severability**

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

### **2.24. Property Rights**

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

### **2.25. Acid Deposition Control**

- 2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.
- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
  - b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
  - c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.  
**[45CSR§30-5.1.d.]**
- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.  
**[45CSR§30-5.1.a.2.]**

### 3.0. Facility-Wide Requirements

#### 3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1.  
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.  
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee 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 and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.  
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.  
[45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.  
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.  
[40 C.F.R. 82, Subpart F]

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.  
**[40 C.F.R. 68]**
- 3.1.9. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable.  
**[45CSR§7-5.1.]**
- 3.1.10. The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment.  
**[45CSR§7-5.2.]**
- 3.1.11. On or before July 1 of each year, the owner or operator of a stationary source subject to the requirements of 45CSR29 shall submit an emission statement to the Director for the prior calendar year.  
**[45CSR§29-4.1.]**

### **3.2. Monitoring Requirements**

- 3.2.1. Visual emission checks of each emission point subject to an opacity limit, with the exception of CE006, CE007, and CE008, shall be conducted once per week during periods of normal facility operation using 40 C.F.R. 60 Appendix A, Method 22. If during these checks, or at any other time, visible emissions are observed at any emission point, compliance shall be determined by conducting tests in accordance with the methodology set forth in 45CSR7A "Compliance Test Procedures for 7A." If no visible emissions are observed after one month, visible emission checks shall be conducted monthly. If any visible emissions are observed during the monthly emission checks, visible emission checks shall return to being performed weekly. If no visible emissions are observed after four months, visible emission checks shall be conducted each calendar quarter. If any visible emissions are observed during the quarterly emission checks, visible emission checks shall return to being performed each calendar month. Records shall be maintained on site and shall include all data required by 40 C.F.R. 60 Appendix A, Method 22, or 45CSR7A, whichever is appropriate. These records shall include, at a minimum, the date and time of each visible emission check, the visible emissions survey results and, if appropriate, all corrective actions taken.  
**[45CSR§30-5.1.c. (except CE006, CE007, and CE008)]**

### **3.3. Testing Requirements**

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the

Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
  1. The permit or rule evaluated, with the citation number and language.
  2. The result of the test for each permit or rule condition.
  3. A statement of compliance or non-compliance with each permit or rule condition.

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

### **3.4. Recordkeeping Requirements**

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
  - a. The date, place as defined in this permit and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;



- d. The analytical techniques or methods used;
  - e. The results of the analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.
- [45CSR§30-5.1.c.2.A.]**

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

**[45CSR§30-5.1.c.2.B.]**

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

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

### 3.5. Reporting Requirements

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

**[45CSR§30-4.4. and 5.1.c.3.D.]**

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

**[45CSR§30-5.1.c.3.E.]**

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

**If to the DAQ:**

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

**If to the US EPA:**

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

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.  
[45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The annual certification to the USEPA shall be submitted in electronic format only. It shall be submitted by e-mail to the following address: R3\_APD\_Permits@epa.gov. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.  
[45CSR§30-5.3.e.]
- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.  
[45CSR§30-5.1.c.3.A.]
- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.
- 3.5.8. **Deviations.**
- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
  2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
  3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
  4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.  
[45CSR§30-5.1.c.3.C.]

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

**[45CSR§30-5.1.c.3.B.]**

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

**[45CSR§30-4.3.h.1.B.]**

3.5.10. **Emission Statement Requirements.**

1. The emission statement shall contain, at a minimum, the following information:
  - a. Certification that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement. The certification shall include the full name, title, signature, date of signature, and telephone number of the certifying individual.
  - b. Source identification information: Full name, physical location, and mailing address of the facility.
  - c. Operating data:
    1. Percentage annual throughput;
    2. Days per week for both the normal operating schedule and for a typical ozone season day (if different from the normal operating schedule);
    3. Hours per day for both the normal operating schedule and for a typical ozone season day (if different from the normal operating schedule); and
    4. Hours per year for both the normal operating schedule and for a typical ozone season day (if different from the normal operating schedule).
  - d. Emissions information:
    1. Actual VOC and/or NO<sub>x</sub> emissions at the process level, in tons per year and pounds per day for a typical ozone season day (estimated or measured);
    2. Emission method code (estimated or measured);
    3. Units code to identify the emissions units (tons per year or pounds per day); and
    4. Calendar year for the emissions.
  - e. Control equipment information:
    1. Current primary and secondary control equipment identification codes; and
    2. Current control equipment efficiencies (%).

- f. Process rate data:
  1. Annual fuel or process throughput rate; and
  2. Peak ozone season daily process rate.
2. The owner or operator submitting an emission statement pursuant to the provisions of this rule shall maintain records of test methods, procedures, calculations or other information used to determine emission estimates for a period of three (3) years following the date of submittal.
3. The Director may require the submittal of records, test methods, or other data upon which the information in Section 3.5.10.2. is based to verify emission estimates.
4. All non-confidential emission statement data will be submitted by the Director to U.S. EPA by updating AIRS/AFS on an annual basis. All confidential emission statement data will be submitted by the Director to U.S. EPA in accordance with the provisions of W. Va. Code §22-5-10 and rules promulgated thereunder.  
[45CSR§29-5.]

### **3.6. Compliance Plan**

- 3.6.1. None.

### **3.7. Permit Shield**

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.
  - a. 40 CFR Part 60, Subpart AA and AAa - The existing EAFs and associated baghouses were constructed prior to October 21, 1974. Work was performed on the EAFs in 1979, however the work did not meet the definition of "modification" or "reconstruction" as determined in the July 10, 2006 significant modification.
  - b. 40 CFR Part 60, Subparts K, Ka, Kb - The facility does store petroleum-based liquids in fixed roof storage tanks, however there are no tanks with capacities greater than 65,000 gallons (Subpart K), 40,000 gallons (Subpart Ka), or 75 cubic meters (Subpart Kb).
  - c. 40 CFR Part 63, Subpart DDDDD - The facility does not meet the definition of a major source of HAPs
  - d. 40 CFR Part 63, Subpart FFFFF - The facility does not meet the definition of a major source of HAPs.
  - e. 40 CFR Part 63, Subpart MMMM - The facility does not meet the definition of a major source of HAPs.

**4.0. Manufacturing Processes Requirements [EU003, EU004, EU005A, EU006, EU007, EU011, EU012, EU013, EU014, EU015, EU016, EU017, EU024, EU025]**

**4.1. Limitations and Standards**

4.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in subsections 3.2, 3.3, 3.4, 3.5, 3.6, and 3.7. of 45CSR7.

**[45CSR§7-3.1. (except EU006 and EU007)]**

4.1.1.a. The provisions of 4.1.1. above, shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period.

**[45CSR§7-3.2.]**

4.1.2. No person shall cause, suffer, allow or permit visible emissions from any storage structure(s) associated with any manufacturing process that pursuant to 45CSR§7-5.1 is required to have a full enclosure and be equipped with a particulate matter control device.

**[45CSR§7-3.7. (EU003 and EU004)]**

4.1.3. No person shall cause, suffer, allow, or permit PM to be vented into the open air from any type source operation or duplicate source operation, or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantities specified in this permit.

<b>Emission Unit ID</b>	<b>Equipment Description</b>	<b>Max. Allowable PM Emission Limit (lb/hr)</b>
EU005A	Ladle Preheaters	29.4
EU006	Electric Arc Furnace #1	28
EU007	Electric Arc Furnace #2	28
EU012	Continuous Caster	32.2
EU013	Caster Cutoff Torches	32.2
EU014	Reheat Furnace #1	33.4
EU016	Reheat Furnace #2	21.9
EU015	Hot Rolling Mill #1	32.2
EU017	Hot Rolling Mill #2	15.6
EU025	Welding	14.3

**[45CSR§7-4.1.]**

4.1.4. No person shall circumvent the provisions of 45CSR7 by adding additional gas to any exhaust or group of exhausts for the purpose of reducing the stack gas concentration.

**[45CSR§7-4.3.]**

- 4.1.5. If a duplicate source operation that meets the requirements of 45CSR7 is expanded or if a source operation that meets the requirements of this rule is expanded to form a duplicate source operation, the total allowable emission rate for the expanded portion shall be determined by the following formula:

$$R_e = \left( \frac{W_e}{W_{et}} \right) R_{et}$$

Where,

$R_e$  is the total allowable emission rate in pounds per hour for the new expanded portion of the duplicate source operation;

$W_{et}$  is the total operating process weight rate in pounds per hour of the source operation or duplicate source operation prior to expansion plus the operating process weight rate of the new expanded portion;

$R_{et}$  is allowable emission rate in pounds per hour found in Section 4.1.3. in this permit; and

$W_e$  is the operating process weight rate in pounds per hour for the new expanded portion.

**[45CSR§7-4.4. (EU016, EU017)]**

- 4.1.6. Any stack serving any process source operation or air pollution control equipment on any process source operation shall contain flow straightening devices or a vertical run of sufficient length to establish flow patterns consistent with acceptable stack sampling procedures.  
**[45CSR§7-4.12.]**
- 4.1.7. Potential Hazardous Material Emissions--Persons responsible for manufacturing process source operations from which hazardous particulate matter material may be emitted such as, but not limited to, lead, arsenic, beryllium and other such materials shall give the utmost care and consideration to the potential harmful effects of the emissions resulting from such activities. Evaluations of these facilities as to adequacy, efficiency and emission potential will be made on an individual basis by the Director working in conjunction with other appropriate governmental agencies.  
**[45CSR§7-4.13. (EU006 and EU007)]**
- 4.1.8. No person shall cause, suffer, allow or permit the emission into the open air from any source operation an in-stack sulfur dioxide concentration exceeding 2,000 parts per million by volume from existing source operations, except as provided in subdivisions 4.1.a through 4.1.e. of 45CSR10.  
**[45CSR§10-4.1. (EU006, EU007, EU014, EU016)]**
- 4.1.9. The particulate emission rate from each of the two (2) shot blasting machines (EU024) and related fabric dust collectors (CE024) shall not exceed 0.295 lb/hr. Compliance with this limit shall demonstrate compliance with the less stringent limit of 45CSR§7-4.1.  
**[45CSR13 - Permit R13-0834, Condition (A) and 45CSR§7-4.1. (EU024)]**
- 4.1.10. **What are the requirements for the control of contaminants from scrap?**
- a. *Chlorinated plastics, lead, and free organic liquids.* For metallic scrap utilized in the EAF at your facility, you must comply with the requirements in either paragraph a.1. or 2. of this section. You may have certain scrap at your facility subject to paragraph a.1. of this section and other scrap subject to paragraph a.2. of this section provided the scrap remains segregated until charge make-up.

1. *Pollution prevention plan.* For the production of steel other than leaded steel, you must prepare and implement a pollution prevention plan for metallic scrap selection and inspection to minimize the amount of chlorinated plastics, lead, and free organic liquids that is charged to the furnace. For the production of leaded steel, you must prepare and implement a pollution prevention plan for scrap selection and inspection to minimize the amount of chlorinated plastics and free organic liquids in the scrap that is charged to the furnace. You must submit the scrap pollution prevention plan to the permitting authority for approval. You must operate according to the plan as submitted during the review and approval process, operate according to the approved plan at all times after approval, and address any deficiency identified by the permitting authority within 60 days following disapproval of a plan. You may request approval to revise the plan and may operate according to the revised plan unless and until the revision is disapproved by the permitting authority. You must keep a copy of the plan onsite, and you must provide training on the plan's requirements to all plant personnel with materials acquisition or inspection duties. Each plan must include the information in paragraphs a.1.i. through iii. of this section:
  - i. Specifications that scrap materials must be depleted (to the extent practicable) of undrained used oil filters, chlorinated plastics, and free organic liquids at the time of charging to the furnace.
  - ii. A requirement in your scrap specifications for removal (to the extent practicable) of lead-containing components (such as batteries, battery cables, and wheel weights) from the scrap, except for scrap used to produce leaded steel.
  - iii. Procedures for determining if the requirements and specifications in paragraph a.1. of this section are met (such as visual inspection or periodic audits of scrap providers) and procedures for taking corrective actions with vendors whose shipments are not within specifications.
  - iv. The requirements of paragraph a.1. of this section do not apply to the routine recycling of baghouse bags or other internal process or maintenance materials in the furnace. These exempted materials must be identified in the pollution prevention plan.
2. *Restricted metallic scrap.* For the production of steel other than leaded steel, you must not charge to a furnace metallic scrap that contains scrap from motor vehicle bodies, engine blocks, oil filters, oily turnings, machine shop borings, transformers or capacitors containing polychlorinated biphenyls, lead-containing components, chlorinated plastics, or free organic liquids. For the production of leaded steel, you must not charge to the furnace metallic scrap that contains scrap from motor vehicle bodies, engine blocks, oil filters, oily turnings, machine shop borings, transformers or capacitors containing polychlorinated biphenyls, chlorinated plastics, or free organic liquids. This restriction does not apply to any post-consumer engine blocks, post-consumer oil filters, or oily turnings that are processed or cleaned to the extent practicable such that the materials do not include lead components, chlorinated plastics, or free organic liquids. This restriction does not apply to motor vehicle scrap that is charged to recover the chromium or nickel content if you meet the requirements in paragraph b.3.; of this section.
- b. *Mercury requirements.* For scrap containing motor vehicle scrap, you must procure the scrap pursuant to one of the compliance options in paragraphs b.1., 2., or 3. of this section for each scrap provider, contract, or shipment. For scrap that does not contain motor vehicle scrap, you must procure the scrap pursuant to the requirements in paragraph b.4. of this section for each scrap provider, contract, or shipment. You may have one scrap provider, contract, or shipment subject to one compliance provision and others subject to another compliance provision.

1. *Site-specific plan for mercury switches.* You must comply with the requirements in paragraphs b.1.i. through v. of this section.
  - i. You must include a requirement in your scrap specifications for removal of mercury switches from vehicle bodies used to make the scrap.
  - ii. You must prepare and operate according to a plan demonstrating how your facility will implement the scrap specification in paragraph b.1.i. of this section for removal of mercury switches. You must submit the plan to the permitting authority for approval. You must operate according to this plan as submitted during the review and approval process, operate according to the approved plan at all times after approval, and address any deficiency identified by the permitting authority within 60 days following disapproval of a plan. You may request approval to revise the plan and may operate according to the revised plan unless and until the revision is disapproved by the permitting authority. The permitting authority may change the approval status of the plan upon 90-days written notice based upon the semiannual compliance report or other information. The plan must include:
    - A. A means of communicating to scrap purchasers and scrap providers the need to obtain or provide motor vehicle scrap from which mercury switches have been removed and the need to ensure the proper management of the mercury switches removed from that scrap as required under the rules implementing subtitle C of the Resource Conservation and Recovery Act (RCRA) (40 CFR parts 261 through 265 and 268). The plan must include documentation of direction to appropriate staff to communicate to suppliers throughout the scrap supply chain the need to promote the removal of mercury switches from end-of-life vehicles. Upon the request of the permitting authority, you must provide examples of materials that are used for outreach to suppliers, such as letters, contract language, policies for purchasing agents, and scrap inspection protocols;
    - B. Provisions for obtaining assurance from scrap providers that motor vehicle scrap provided to the facility meet the scrap specification;
    - C. Provisions for periodic inspections or other means of corroboration to ensure that scrap providers and dismantlers are implementing appropriate steps to minimize the presence of mercury switches in motor vehicle scrap and that the mercury switches removed are being properly managed, including the minimum frequency such means of corroboration will be implemented; and
    - D. Provisions for taking corrective actions (i.e., actions resulting in scrap providers removing a higher percentage of mercury switches or other mercury-containing components) if needed, based on the results of procedures implemented in paragraph b.1.ii.C. of this section.
  - iii. You must require each motor vehicle scrap provider to provide an estimate of the number of mercury switches removed from motor vehicle scrap sent to your facility during the previous year and the basis for the estimate. The permitting authority may request documentation or additional information at any time.
  - iv. You must establish a goal for each scrap provider to remove at least 80 percent of the mercury switches. Although a site-specific plan approved under paragraph b.1. of this section may require only the removal of convenience light switch mechanisms, the permitting authority will credit all documented and verifiable mercury-containing components removed from motor vehicle scrap



(such as sensors in anti-locking brake systems, security systems, active ride control, and other applications) when evaluating progress towards the 80 percent goal.

- v. For each scrap provider, you must submit semiannual progress reports to the permitting authority that provide the number of mercury switches removed or the weight of mercury recovered from the switches, the estimated number of vehicles processed, an estimate of the percent of mercury switches removed, and certification that the removed mercury switches were recycled at RCRA-permitted facilities or otherwise properly managed pursuant to RCRA subtitle C regulations referenced in paragraph b.1.ii.A. of this section. This information can be submitted in aggregated form and does not have to be submitted for each scrap provider, contract, or shipment. The permitting authority may change the approval status of a site-specific plan following 90-days notice based on the progress reports or other information.
2. *Option for approved mercury programs.* You must certify in your notification of compliance status that you participate in and purchase motor vehicle scrap only from scrap providers who participate in a program for removal of mercury switches that has been approved by the Administrator based on the criteria in paragraphs b.2.i. through iii. of this section. If you purchase motor vehicle scrap from a broker, you must certify that all scrap received from that broker was obtained from other scrap providers who participate in a program for the removal of mercury switches that has been approved by the Administrator based on the criteria in paragraphs b.2.i. through iii. of this section.
    - i. The program includes outreach that informs the dismantlers of the need for removal of mercury switches and provides training and guidance for removing mercury switches;
    - ii. The program has a goal to remove at least 80 percent of mercury switches from the motor vehicle scrap the scrap provider processes. Although a program approved under paragraph b.2. of this section may require only the removal of convenience light switch mechanisms, the Administrator will credit all documented and verifiable mercury-containing components removed from motor vehicle scrap (such as sensors in anti-locking brake systems, security systems, active ride control, and other applications) when evaluating progress towards the 80 percent goal; and
    - iii. The program sponsor agrees to submit progress reports to the Administrator no less frequently than once every year that provide the number of mercury switches removed or the weight of mercury recovered from the switches, the estimated number of vehicles processed, an estimate of the percent of mercury switches recovered, and certification that the recovered mercury switches were recycled at facilities with permits as required under the rules implementing subtitle C of RCRA (40 CFR parts 261 through 265 and 268). The progress reports must be based on a database that includes data for each program participant; however, data may be aggregated at the State level for progress reports that will be publicly available. The Administrator may change the approval status of a program or portion of a program (e.g., at the State level) following 90-days notice based on the progress reports or on other information.
    - iv. You must develop and maintain onsite a plan demonstrating the manner through which your facility is participating in the EPA-approved program.
      - A. The plan must include facility-specific implementation elements, corporate-wide policies, and/or efforts coordinated by a trade association as appropriate for each facility.
      - B. You must provide in the plan documentation of direction to appropriate staff to communicate to suppliers throughout the scrap supply chain the need to promote the removal of mercury switches from end-of-life vehicles. Upon the request of the permitting authority, you must

provide examples of materials that are used for outreach to suppliers, such as letters, contract language, policies for purchasing agents, and scrap inspection protocols.

- C. You must conduct periodic inspections or provide other means of corroboration to ensure that scrap providers are aware of the need for and are implementing appropriate steps to minimize the presence of mercury in scrap from end-of-life vehicles.
3. *Option for specialty metal scrap.* You must certify in your notification of compliance status that the only materials from motor vehicles in the scrap are materials recovered for their specialty alloy (including, but not limited to, chromium, nickel, molybdenum, or other alloys) content (such as certain exhaust systems) and, based on the nature of the scrap and purchase specifications, that the type of scrap is not reasonably expected to contain mercury switches.
4. *Scrap that does not contain motor vehicle scrap.* For scrap not subject to the requirements in paragraphs b.1. through 3. of this section, you must certify in your notification of compliance status and maintain records of documentation that this scrap does not contain motor vehicle scrap.

[45CSR34, 40 CFR §§ 63.10685(a) and (b)]

#### 4.1.11. What are the requirements for electric arc furnaces?

- a. You must install, operate, and maintain a capture system that collects the emissions from each EAF (including charging, melting, and tapping operations) and conveys the collected emissions to a control device for the removal of particulate matter (PM).
- b. You must not discharge or cause the discharge into the atmosphere from an EAF any gases which:
1. exit from a control device and contain in excess of 0.0052 gr/dscf of PM; and
  2. exit from a melt shop and, due solely to the operations of any affected EAF(s), exhibit 6 percent opacity or greater. Compliance with this limit shall demonstrate compliance with the less stringent limitation of 45CSR§7-3.1.

[45CSR34, 40 CFR §§ 63.10686(a) and (b); and 45CSR§7-3.1. (EU006 and EU007)]

## 4.2. Monitoring Requirements

- 4.2.1. Visual emission checks of each baghouse emission point shall be conducted once per week for three 6-minute intervals during periods of EAF operation using 40 C.F.R. 60 Appendix A, Method 22 by personnel trained and certified semi-annually. If during these checks, or at any other time, visible emissions are observed, the compartment(s) observed to have emissions shall be isolated for inspection and repairs if necessary. Records shall be maintained on site and shall include all data required by 40 C.F.R. 60 Appendix A, Method 22. These records shall include, at a minimum, the date and time of each visible emission check, the visible emissions survey results and, if appropriate, all corrective actions taken.

[45CSR§30-5.1.c., 45CSR34, 40 CFR §63.10686(e), and 40 CFR § 64.3(a)(1) and (2) (CE006, CE007, and CE008)]

- 4.2.2. The owner or operator of fuel burning unit, manufacturing process source or combustion source shall demonstrate compliance with Section 4.1.8. of this permit by testing and /or monitoring in accordance with one or more of the following: 40 CFR Part 60, Appendix A, Method 6, Method 15, or fuel sampling and analysis as set forth in an approved monitoring plan for each emission unit.

[45CSR§10-8.2.c. (EU006, EU007, EU014, EU016)]

- 4.2.3. The permittee shall comply with Section 4.1.7. of this permit by minimizing HAP emissions from the Electric Arc Furnaces by operating and maintaining equipment in accordance with good plant operating procedures. **[45CSR§30-5.1.c. (EU006 and EU007)]**
- 4.2.4. You must monitor the capture system and PM control device required by 40 CFR part 63, subpart YYYYYY, and maintain records according to the compliance assurance monitoring requirements in 40 CFR part 64. **[45CSR34, 40 CFR § 63.10686(e) (EU006 and EU007)]**
- 4.2.5. The permittee shall measure, read and record the total fan amperage for the two baghouse fans on the Wheelabrator baghouse (CE007), the single baghouse fan for the East baghouse (CE006), and the single baghouse fan for the West baghouse (CE008) once per shift when the EAF is operational. Fan amperage should be maintained between 185 and 205 amps  $\pm 15\%$  for CE006 and CE008; and 60 to 65 amps  $\pm 15\%$  for CE007 (Indicator Range). An excursion is defined as fan motor amp readings outside of the Indicator Range over a 24-hour averaging period. All readings taken shall be averaged over a 24-hour period for each fan motor. Upon demonstrating compliance with the applicable emissions limits in subsequent performance tests at an average fan amperage that is either above the upper fan range or below the lower fan amperage range, then the new upper or lower fan amperage, as applicable, will replace the corresponding fan amperage noted in this term. SWVA shall maintain a record, and notify WV DEP, identifying the new fan amperage range. **[45CSR34, 45CSR§30-5.1.c., 40 CFR §63.10686(e), 40 CFR § 64.3(a)(1) and (2) (CE006, CE007, and CE008)]**
- 4.2.6. *Proper maintenance.* At all times, the owner or operator shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment. **[45CSR§30-5.1.c., 40 CFR § 64.7(b) (CE006, CE007, and CE008)]**
- 4.2.7. *Continued operation.* Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. **[45CSR§30-5.1.c., 40 CFR § 64.7(c) (CE006, CE007, and CE008)]**
- 4.2.8. *Response to excursions or exceedances.*
1. Upon detecting an excursion or exceedance, the owner or operator shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

2. Determination of whether the owner or operator has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.

[45CSR§30-5.1.c., 40 CFR § 64.7(d) (CE006, CE007, and CE008)]

- 4.2.9. *Documentation of need for improved monitoring.* After approval of monitoring under this part, if the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the owner or operator shall promptly notify the permitting authority and, if necessary, submit a proposed modification to the part 70 or 71 permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

[45CSR§30-5.1.c., 40 CFR § 64.7(e) (CE006, CE007, and CE008)]

### 4.3. Testing Requirements

- 4.3.1. Compliance with the mass emission standards set forth in Section 4.1.3. of this permit shall be determined in accordance with the following:

- a. Except as otherwise provided in this section, stack testing to determine particulate mass emissions shall be performed using the methodology set forth in 40 CFR, Part 60, Appendix A, Methods 1 through 5, as published July 1, 1997, unless the Director determines that some aspect of the methods are not appropriate or adaptable to a particular manufacturing process source operation due to process parameters, access to test location, or other factors.

In the event that Methods 1-5 cannot be employed for a particular process operation, the Director may specify or approve alternative methods or variances to these reference methods that have been demonstrated to be equivalent. Such alternative methods may include the methodology set forth in 40 CFR, Part 60, Appendix A, Method 17, as published July 1, 1997.

1. Compliance shall be determined by taking the average of the mass emission rates determined from three (3) consecutive test runs conducted during a seven (7) day period.
  2. Unless otherwise approved or specified by the Director, a minimum volume of thirty (30) standard cubic feet (SCF) of gas must be sampled per test run.
- b. Unless otherwise approved or specified by the Director, all mass emission compliance tests shall be conducted during periods of maximum production rates and under conditions which are otherwise representative of normal operation. Maximum production rates shall be the maximum design capacity of the emitting source or unit, unless the Director has determined that the equipment can be and is routinely operated at production rates above the design rate or it is demonstrated to the satisfaction of the Director that the equipment cannot be operated at design capacity.
  - c. At least thirty (30) days prior to each compliance test, a test protocol must be furnished to the Director for his review and approval and providing as a minimum, the following information:

1. Identification and description of the process operation that is to be tested;

2. A discussion of the manner in which the process operation will be operated during the test periods with respect to production or process weight rates, representativeness of feed or raw materials to be used, operating temperatures, and other factors which may affect emissions;
  3. A description or listing of process and control equipment data that will be monitored and recorded during the tests runs;
  4. A description of test methods and equipment that will be employed with requests for approval of any variances to the reference test methods. If sampling is to be non-continuous as a result of the cyclical nature of the process or other factors, this must be fully described;
  5. A drawing of the stack or duct sections where samples will be taken showing distances to upstream and downstream gas flow disturbances or bends and changes in duct or stack cross sections;
  6. A drawing of the test plane(s) showing dimensions and number and location of sampling (traverse) points;
  7. The sampling time at each traverse point and total sampling time for each test run. If the sampling time per traverse point is to be less than two minutes, comments must be written concerning the variability of gas flow and temperatures during the short sampling time and how the sampling rate will be monitored and adjusted to maintain isokinetic conditions;
  8. The minimum volume (SCF) of gas that will be sampled per test run; and
  9. Name of the person to contact concerning the scheduled tests and affiliation of personnel who will actually conduct the tests.
- d. Notification of the dates upon which compliance testing will be conducted must be provided to the Director, in writing, no later than fifteen (15) days prior to the date of the first test run so that he may, at his option, have an observer present during the test runs and sample analyses. Sampling data, operating parameters and other information relevant to the emissions tests, are to be made available to the Director's test observers, on request, during the test periods. Any such data or other information so made available to the Director shall also be made available to the public in accordance with W.Va. Code §§22-5-1 et seq., 29B-1-1 et seq., and 45CSR31.
- e. A compliance test report providing the following information and any additional information that the Director may require shall be submitted to the Director within sixty (60) days of the completion of the compliance testing.
1. General Information.
    - A. Plant name and location;
    - B. Units/stack tested;
    - C. Name and address of company performing the tests; and
    - D. Test dates and times.
  2. Report Certification. The following persons shall certify that the test report contains true and accurate information:

- 
- A. Test team supervisor;
  - B. Reviewer of test report (if applicable); and
  - C. If test is performed by source owner, the report shall also be certified by plant manager or corporate official.
3. Test Summary.
    - A. Description of emissions sources/stacks tested;
    - B. Purpose of test;
    - C. Pollutants measured;
    - D. Process data;
      1. Process and air pollution control equipment flow diagram;
      2. Summary of process parameters including production rates, process weight rates and other relevant parameters measured and recorded and/or calculated for the test periods. Any calculations shall be attached to the report; and
      3. Description of any unusual or non-typical operating mode, raw materials, fuels, etc. occurring or used during the tests.
4. Test Results.
    - A. Mass emission results with emissions reported in units of the applicable standard and in pounds per hour;
    - B. Visible emissions results, if applicable, as measured by observer or transmissometer. If observed by personnel from test company or plant, evidence of observer's certification shall be attached to the report;
    - C. Description of collected samples (if such information is deemed to be useful); and
    - D. Description and discussion of real or apparent errors involved in test or process measurements, analysis, etc.
5. Test Procedures.
    - A. Description of test equipment including drawing of sampling train;
    - B. Description of test procedures employed with detailed documentation of deviations from reference methods;
    - C. Description of analytical procedures employed with detailed documentation of deviations from reference methods;
    - D. Dimensioned drawing of sampling port location showing distances to upstream and downstream gas flow disturbances; and

E. Cross-sectional drawing of sampling plane showing location and numbers or other designations of sampling points.

6. Appendix.

A. Copies of original field data sheets from test runs;

B. Copies or original log sheets, strip charts and other process or control equipment data recorded during tests. These attachments shall be certified by a responsible plant official;

C. Laboratory report including chain of custody;

D. Description of test equipment calibration procedures and calibration results for test equipment used;

E. Description of calibration performed on devices recording important process data during the tests;

F. Copies of strip charts or other original outputs from continuous emission monitoring (CEM) equipment on the tested source and description of CEM system calibration and operation prior to and/or during tests;

G. Copies of relevant correspondence such as letters approving test method variances; and

H. Names and titles of persons involved in the test including sampling team members, company personnel, and outside observers.

**[45CSR§§7A-3.1.a., b., c., d., and e.]**

f. Except as provided in 45CSR§7A-3.1.h.4., stack sampling procedures for determining compliance with applicable emission standards for facilities equipped with modular baghouses shall be as follows:

1. The methods described in section a. shall be used except as provided in f.2. and f.3.

2. Compliance shall be determined from the results of at least one (1) test run performed on each stack or exhaust vent. For the purpose of determining compliance with a mass emission rate standard expressed in pounds per hour, the results of the tests performed on each stack or exhaust vent shall be summed. Compliance with a mass concentration standard shall be determined by using a gas flow-weighted average of the concentrations measured from all stacks or vents.

3. The compliance demonstration shall be based upon a minimum of three (3) test runs. If more than one test run is performed on one stack or exhaust vent the results of the test runs on that stack shall be averaged prior to summing or determining weighted averages in accordance with f.2.

**[45CSR§7A-3.1.h.]**

4.3.2. At such reasonable times as the Director may designate, the owner or operator of any manufacturing process source(s) or combustion source(s) may be required to conduct or have conducted tests to determine the compliance of such source(s) with the emission limitations of sections 3, 4 or 5 of 45CSR10. Such tests shall be conducted in accordance with the appropriate test method set forth in 40 CFR Part 60, Appendix A, Method 6, Method 15 or other equivalent EPA testing method approved by the Director. The Director, or his or her duly authorized representative, may at his or her option witness or conduct such tests. Should the Director exercise his or her option to conduct such tests, the operator will provide all necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment, and the required safety equipment such as scaffolding, railings, and ladders to comply with generally accepted good safety practices.

**[45CSR§10-8.1.a. (EU006, EU007, EU014, EU015)]**

- 4.3.3. You must conduct performance tests to demonstrate initial compliance with the applicable emissions limit for each emissions source subject to an emissions limit in Section 4.1.11. of this permit.
1. You must conduct each PM performance test for an EAF according to the procedures in 40CFR§ 63.7 and 40CFR§60.275a using the following test methods in 40 CFR part 60, appendices A-1, A-2, A-3, and A-4:
    - i. Method 1 or 1A of appendix A-1 of 40 CFR part 60 to select sampling port locations and the number of traverse points in each stack or duct. Sampling sites must be located at the outlet of the control device (or at the outlet of the emissions source if no control device is present) prior to any releases to the atmosphere.
    - ii. Method 2, 2A, 2C, 2D, 2F, or 2G of appendix A-1 of 40 CFR part 60 to determine the volumetric flow rate of the stack gas.
    - iii. Method 3, 3A, or 3B of appendix A-3 of 40 CFR part 60 to determine the dry molecular weight of the stack gas. You may use ANSI/ASME PTC 19.10-1981, "Flue and Exhaust Gas Analyses" (incorporated by reference - see 40CFR§63.14) as an alternative to EPA Method 3B.
    - iv. Method 4 of appendix A-3 of 40 CFR part 60 to determine the moisture content of the stack gas.
    - v. Method 5 or 5D of appendix A-3 of 40 CFR part 60 to determine the PM concentration. Three valid test runs are needed to comprise a PM performance test. For EAF, sample only when metal is being melted and refined.
  2. You must conduct each opacity test for a melt shop according to the procedures in 40 CFR §63.6(h) and Method 9 of appendix A-4 of 40 CFR part 60. When emissions from any EAF are combined with emissions from emission sources not subject to this subpart, you must demonstrate compliance with the melt shop opacity limit based on emissions from only the emission sources subject to this subpart.
  3. During any performance test, you must monitor and record the information specified in 40 CFR §60.274a(h) for all heats covered by the test.
  4. You must notify and receive approval from the Administrator for procedures that will be used to determine compliance for an EAF when emissions are combined with those from facilities not subject to this subpart.
- [40 CFR § 63.10686(b) and 45CSR34 (EU006 and EU007)]**



#### 4.4. Recordkeeping Requirements

- 4.4.1. The owner or operator of manufacturing process source(s) or combustion source(s) subject to sections 3, 4 or 5 of 45CSR10 shall maintain on-site a record of all required monitoring data as established in a monitoring plan. The approved monitoring plan submitted to DAQ on May 7, 2001 requires the permittee to maintain records of the amount of natural gas combusted in the reheat furnaces. 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§10-8.3.a. (EU006, EU007, EU014, EU016)]**

- 4.4.2. The permittee shall comply with Section 4.1.9 by visible emissions checks in accordance with Section 3.2.1. and by maintaining monthly records of the tons of steel produced and the operating hours of the shot blasters.

**[45CSR§30-5.1.c. (EU024)]**

- 4.4.3. The owner or operator shall maintain daily records of the time and duration of each charge; and the time and duration of each tap.

**[45CSR§30-5.1.c. (EU006, EU007)]**

- 4.4.4. *Recordkeeping and reporting requirements.* In addition to the records required by 40 CFR § 63.10, you must keep records to demonstrate compliance with the requirements for your pollution prevention plan in Section 4.1.10.a.1. and/or for the use of only restricted scrap in Section 4.1.10.a.2. and for mercury in Sections 4.1.10.b.1. through 3. as applicable. You must keep records documenting compliance with Section 4.1.10.b.4. for scrap that does not contain motor vehicle scrap.

1. If you are subject to the requirements for a site-specific plan for mercury under Section 4.1.10.b.1., you must:

- i. Maintain records of the number of mercury switches removed or the weight of mercury recovered from the switches and properly managed, the estimated number of vehicles processed, and an estimate of the percent of mercury switches recovered; and
- ii. Submit semiannual reports of the number of mercury switches removed or the weight of mercury recovered from the switches and properly managed, the estimated number of vehicles processed, an estimate of the percent of mercury switches recovered, and a certification that the recovered mercury switches were recycled at RCRA-permitted facilities. The semiannual reports must include a certification that you have conducted inspections or taken other means of corroboration as required under Section 4.1.10.b.1.ii.C. of this permit. You may include this information in the semiannual compliance reports required under Section 4.5.2. of this permit.

2. If you are subject to the option for approved mercury programs under Section 4.1.10.b.2. of this permit, you must maintain records identifying each scrap provider and documenting the scrap provider's participation in an approved mercury switch removal program. If you purchase motor vehicle scrap from a broker, you must maintain records identifying each broker and documentation that all scrap provided by the broker was obtained from other scrap providers who participate in an approved mercury switch removal program.

**[45CSR34, 40 CFR §§ 63.10685(c)(1) and (2)]**

- 4.4.5. *General recordkeeping requirements.*

1. The owner or operator shall comply with the recordkeeping requirements specified in 40 CFR §70.6(a)(3)(ii). The owner or operator shall maintain records of monitoring data, monitor performance data, corrective actions

taken, any written quality improvement plan required pursuant to 40 CFR §64.8 and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under this part (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).

2. Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements.  
**[45CSR§30-5.1.c., 40 CFR § 64.9(b) (CE006, CE007, and CE008)]**

#### **4.5. Reporting Requirements**

4.5.1. The owner or operator shall submit a periodic exception report to the Director, in a manner specified by the Director. Such an exception report shall provide details of all excursions outside the range of measured emissions or monitored parameters established in an approved monitoring plan and shall include, but not be limited to, the time of the excursion, the magnitude of the excursion, the duration of the excursion, the cause of the excursion and the corrective action taken.

**[45CSR§10-8.3.b. (EU006, EU007, EU014, EU016)]**

4.5.2. You must submit semiannual compliance reports to the Administrator for the control of contaminants from scrap according to the requirements in 40 CFR § 63.10(e). The report must clearly identify any deviation from the requirements in Sections 4.1.10.a. and b. and the corrective action taken. You must identify which compliance option in Section 4.1.10.b. applies to each scrap provider, contract, or shipment.

**[45CSR34, 40 CFR § 63.10685(c)(3)]**

4.5.3. *General reporting requirements.*

1. On and after the date specified in 40 CFR§64.7(a) by which the owner or operator must use monitoring that meets the requirements of this part, the owner or operator shall submit monitoring reports to the permitting authority in accordance with 40 CFR §70.6(a)(3)(iii).
2. A report for monitoring under this part shall include, at a minimum, the information required under 40 CFR §70.6(a)(3)(iii) and the following information, as applicable:
  - i. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
  - ii. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
  - iii. A description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR §64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

**[45CSR§30-5.1.c., 40 CFR § 64.9(a) (CE006, CE007, and CE008)]**

#### **4.6. Compliance Plan**

4.6.1. None.

## **5.0. Fuel Burning Unit Requirements [EU022]**

### **5.1. Limitations and Standards**

- 5.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average.  
[45CSR§2-3.1]

### **5.2. Monitoring Requirements**

- 5.2.1. The Continuous Wax Line Heater shall be operated and maintained in accordance with the manufacturer's recommendations and specifications and in a manner consistent with good operating practices and shall only burn natural gas.  
[45CSR§30-5.1.c.]

### **5.3. Testing Requirements**

- 5.3.1. None.

### **5.4. Recordkeeping Requirements**

- 5.4.1. None.

### **5.5. Reporting Requirements**

- 5.5.1. None.

### **5.6. Compliance Plan**

- 5.6.1. None.

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## 6.0. Painting/Coating Operations and Degreasing Requirements [EU020, EU023, EU026]

### 6.1. Limitations and Standards

6.1.1. Upon startup of a new coating line or operation, or upon changing the method of compliance for an existing subject coating line or operation from daily-weighted averaging or control devices to the use of complying coatings, the owner or operator of a coating line or operation shall certify to the Director that the coating line or operation is or will be in compliance with the requirements of the applicable section of this regulation on and after the initial startup date. Such certification shall include:

1. The name and location of the facility;
2. The address and telephone number of the person responsible for the facility;
3. Identification of subject sources;
4. The name and identification number of each coating, as applied, on each coating line or operation;
5. The mass of VOC per volume (minus water and exempt compounds) and the volume of each coating (minus water and exempt compounds), as applied; and
6. The time at which the facility's "day" begins if a time other than midnight local time is used to define a "day".

**[45CSR§21-4.3.a. (EU020, EU023)]**

6.1.2. Upon startup of a new coating line or operation, or upon changing the method of compliance for an existing subject coating line or operation from the use of complying coatings or control devices to daily-weighted averaging, the owner or operator of the subject coating line or operation shall certify to the Director that the coating line or operation is or will be in compliance on and after the initial startup date. Such certification shall include:

1. The name and location of the facility;
2. The address and telephone number of the person responsible for the facility;
3. Identification of subject sources;
4. The name and identification number of each coating line or operation which will comply by means of daily-weighted averaging;
5. The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating (minus water and exempt compounds), as applied, used each day on each coating line or operation;
6. The method by which the owner or operator will create and maintain records each day as required in Section 6.4.2.;
7. An example of the format in which the records required in Section 6.4.2. will be kept;

8. Calculation of the daily-weighted average, using the procedure in Section 6.4.5., for a day representative of current or projected maximum production levels; and

9. The time at which the facility's "day" begins if a time other than midnight local time is used to define a "day".

**[45CSR§21-4.4.a. (EU020, EU023)]**

6.1.3. No owner or operator of a miscellaneous metal parts and products coating line shall cause or allow the application of any coating with VOC content in excess of 3.5 lbs per volume of coating in gallons, minus water and exempt compounds, as applied.

**[45CSR§21-19.3.a.4. (EU020, EU023)]**

6.1.4. The owner or operator of a cold cleaning facility (metal solvent cleaning) shall:

a. Provide a permanent, legible, conspicuous label, summarizing the operating requirements;

b. Store waste solvent in covered containers;

c. Close the cover whenever parts are not being handled in the cleaner;

d. Drain the cleaned parts until dripping ceases;

e. Degrease only materials that are neither porous nor absorbent.

**[45CSR§21-30.3.a. (EU026) State-enforceable only]**

6.1.5. The emission rate of HAPs from the Paint Application, EU020, shall not exceed 5.7 tons per year. The paint used in the Paint Application shall not exceed 62,500 gallons per year. The annual limit represents a twelve (12) month rolling total limit.

**[45CSR§30-12.7.]**

6.1.6. No owner or operator of a miscellaneous metal parts and products coating line that applies multiple coatings, all of which are subject to the same numerical emission limitation within section 6.1.3., during the same day (e.g., all coatings used on the line are subject to 0.42 kg/L [3.5 lb/gal]), shall apply coatings on that line during any day whose daily-weighted average VOC content calculated in accordance with the procedure specified in 45CSR§21-43 exceeds the coating VOC content limit corresponding to the category of coating used.

**[45CSR§21-19.4. (EU020, EU023)]**

## **6.2. Monitoring Requirements**

6.2.1. None.

## **6.3. Testing Requirements**

6.3.1. None.

## **6.4. Recordkeeping Requirements**

6.4.1. The owner or operator of a coating line or operation and complying by the use of complying coatings shall collect and record the following information each day for each coating line or operation and maintain the information at the facility for a period of 3 years:

- a. the name and identification number of each coating, as applied, on each coating line or operation; and
- b. the mass of VOC per volume of each coating (minus water and exempt compounds), as applied, used each day on each coating line or operation.

**[45CSR§21-4.3.b. (EU020, EU023)]**

6.4.2. The owner or operator of a coating line or operation and complying by means of daily-weighted averaging shall collect and record all of the following information each day for each coating line or operation and maintain the information at the facility for a period of 3 years:

1. The name and identification number of each coating, as applied, on each coating line or operation;
2. The mass of VOC per volume (minus water and exempt compounds) and the volume of each coating (minus water and exempt compounds), as applied, used each day on each coating line or operation; and
3. The daily-weighted average VOC content of all coatings, as applied, on each coating line or operation calculated according to the procedure in Section 6.4.5.

**[45CSR§21-4.4.b. (EU020, EU023)]**

6.4.3. An owner or operator of a miscellaneous metal parts and products coating line and complying by the use of complying coatings shall comply with the certification, recordkeeping, and reporting requirements in Sections 6.1.1., 6.4.1., and 6.5.1.

**[45CSR§21-19.7.b. (EU020, EU023)]**

6.4.4. An owner or operator of a miscellaneous metal parts and products coating line and complying by daily-weighted averaging shall comply with the certification, recordkeeping, and reporting requirements in Sections 6.1.2., 6.4.2., and 6.5.2.

**[45CSR§21-19.7.c. (EU020, EU023)]**

6.4.5. Daily-weighted average. -- The daily-weighted average VOC content, in units of mass of VOC per unit volume of coating, minus water and exempt compounds, as applied, of the coatings used on a day on a coating line or operation shall be calculated using the following equation:

$$\text{VOC}_w = \frac{\sum_{i=1}^n V_i C_i}{V_T}$$

where:

$\text{VOC}_w$  = The daily-weighted average VOC content of the coatings, as applied, used on a coating line or operation in units of kilograms of VOC per liter of coating (kg VOC/L) (pounds of VOC per gallon of coating [lb VOC/gal]), minus water and exempt compounds;

n = The number of different coatings, as applied, each day on a coating line or operation;

$V_i$  = The volume of each coating, as applied, each day on a coating line or operation in units of L (gal), minus water and exempt compounds; and

$C_i$  = The VOC content of each coating, as applied, each day on a coating line or operation in units of kg VOC/L of coating (lb VOC/gal), minus water and exempt compounds; and

$V_T$  = The total volume of all coating, as applied, each day on a coating line or operation in units of L (gal), minus water and exempt compounds.

**[45CSR§21-43.1. (EU020, EU023)]**

- 6.4.6. To determine compliance with the emission limits set forth in Section 6.1.5. of this permit, the permittee shall keep records on a monthly, and 12-month rolling total basis, of the amount of coatings, type of coatings, and HAP constituents and amount in coatings, used in the Paint Application. The permittee shall calculate the HAP emissions on a monthly, and 12-month rolling total basis.

**[45CSR§30-5.1.c. (EU020)]**

## **6.5. Reporting Requirements**

- 6.5.1. The owner or operator of a subject coating line or operation and complying by the use of complying coatings shall notify the Director in the following instances:

1. Any record showing use of any non-complying coatings shall be reported by sending a copy of such record to the Director within 30 days following that use; and
2. At least 30 calendar days before changing the method of compliance from the use of complying coatings to daily-weighted averaging, the owner or operator shall comply with all requirements of section 6.1.2. Upon changing the method of compliance from the use of complying coatings to daily-weighted averaging, the owner or operator shall comply with all requirements of the section of this regulation applicable to the coating line or operation.

**[45CSR§21-4.3.c. (EU020, EU023)]**

- 6.5.2. The owner or operator of a subject coating line or operation and complying by daily-weighted averaging shall notify the Director in the following instances:

1. Any record showing noncompliance with the applicable daily-weighted average requirements shall be reported by sending a copy of the record to the Director within 30 days following the occurrence, except as provided in 45CSR§21-9.3.
2. At least 30 calendar days before changing the method of compliance from daily-weighted averaging to the use of complying coatings, the owner or operator shall comply with all requirements of section 6.1.1. Upon changing the method of compliance from daily-weighted averaging to the use of complying coatings, the owner or operator shall comply with all requirements of the section of this regulation applicable to the coating line or operation.

**[45CSR§21-4.4.c. (EU020, EU023)]**

## **6.6. Compliance Plan**

- 6.6.1. None.

## **7.0. Emergency Generators Requirements [(EU034, EU035, EU036)]**

### **7.1. Limitations and Standards**

#### **EU034:**

7.1.1. **What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?** If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d of 40 CFR 63 subpart ZZZZ that apply to you.

You must meet the following requirements, except during periods of startup. During periods of startup you must comply with Condition 7.2.1.c.

- a. Change oil and filter every 500 hours of operation or annually, whichever comes first; (Sources have the option to utilize an oil analysis program as described in Condition 7.2.1.d. in order to extend the specified oil change requirement.)
- b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
- c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

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

**[45CSR34, 40 CFR §63.6603(a) and Table 2d(4) and footnote 2 to Table 2d]**

7.1.2. **What are my general requirements for complying with this subpart?**

- a. You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.
- b. At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

**[45CSR34, 40 CFR §63.6605]**



**EU035 and EU036:**

**7.1.3. What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?**

Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards below for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in the Table below, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.

Engine type and fuel	Maximum engine power	Emission standards <sup>a</sup>					
		g/HP-hr			ppmvd at 15% O <sub>2</sub>		
		NO <sub>x</sub>	CO	VOC <sup>b</sup>	NO <sub>x</sub>	CO	VOC <sup>b</sup>
Emergency	HP ≥ 130	2	4	1	160	540	86

<sup>a</sup> Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O<sub>2</sub>.

<sup>b</sup> For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

**[40CFR§60.4233(e) and Table 1, 45CSR16]**

**7.1.4. How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?** Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in Section 7.1.3. over the entire life of the engine.  
**[40CFR§60.4234, 45CSR16]**

**7.1.5. What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?** Starting on January 1, 2011, if the emergency stationary SI internal combustion engine that is greater than or equal to 130 HP and less than 500 HP that was built on or after January 1, 2011, does not meet the standards applicable to non emergency engines, the owner or operator must install a non resettable hour meter.  
**[40CFR§60.4237(b), 45CSR16]**

**7.2. Monitoring Requirements**

**EU034:**

**7.2.1. What are my monitoring, installation, collection, operation, and maintenance requirements?**

- a. If you own or operate an existing emergency or black start stationary RICE located at an area source of HAP emissions, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:
- b. If you own or operate an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

- c. If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2d to 40 CFR 63 subpart ZZZZ apply.
- d. If you own or operate a stationary CI engine that is subject to the work, operation or management practices in Condition 7.1.1., you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement. The oil analysis must be performed at the same frequency specified for changing the oil in Condition 7.1.1. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

**[45CSR34, 40 CFR §§63.6625(e), (f), (h), and (i)]**

**7.2.2. How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?**

- a. You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in 40 CFR 63 subpart ZZZZ, Table 2d that apply to you according to methods specified in 40 CFR 63 subpart ZZZZ, Table 6 (same as Condition 7.2.1.a.)
- b. You must report each instance in which you did not meet each emission limitation or operating limitation in 40 CFR 63 part ZZZZ, Table 2d that apply to you. These instances are deviations from the emission and operating limitations in this subpart.
- c. If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs 1. through 3. of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs 1. through 3. of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs 1. through 3. of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
  - 1. There is no time limit on the use of emergency stationary RICE in emergency situations.
  - 2. You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs 2.i. through iii. of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph 3. of this section counts as part of the 100 hours per calendar year allowed by this paragraph 2.
    - i. Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer,

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

- ii. Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.
  - iii. Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.
3. Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph 2. of this section. 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.

**[45CSR34, 40 CFR §§ 63.6640(a), (b), (f)(1), (2), and (4), and Table 6(9)]**

**EU035 and EU036:**

7.2.3. If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in Condition 7.1.3., you must demonstrate compliance according to one of the methods specified in paragraph 1. and 2.

1. Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in 40 CFR § 60.4243(a).
2. Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in Condition 7.1.3. and according to the requirements specified in 40 CFR § 60.4244, as applicable, and according to paragraph (i) below.
  - (i) If you are an owner or operator of a stationary SI internal combustion engine greater than 25 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance.

3. Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in Section 7.1.3. and according to the requirements specified in 40 CFR §60.4244, as applicable, and according to the following:

**[40CFR§§60.4243(b), (b)(1), (b)(2), and (b)(2)(i), 45CSR16]**

7.2.4. If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs 1. through 3. below. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing,

emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs 1. through 3. below, is prohibited. If you do not operate the engine according to the requirements in paragraphs 1. through 3. of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

1. There is no time limit on the use of emergency stationary ICE in emergency situations.
2. You may operate your emergency stationary ICE for any combination of the purposes specified in paragraphs i. through iii. below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph 3. of this section counts as part of the 100 hours per calendar year allowed by this paragraph 2.
  - i. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.
  - ii. Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see 40 CFR §60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Emergency Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.
  - iii. Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.
3. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph 2. above. Except as provided in paragraph 3.i. below, 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.

[40CFR§60.4243(d), 45CSR16]

- 7.2.5. 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 Section 7.1.3.

[40CFR§60.4243(e), 45CSR16]

- 7.2.6. It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

[40CFR§60.4243(g), 45CSR16]

### 7.3. Testing Requirements

#### EU035 and EU036:

- 7.3.1. Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs a. through f. of this section.

- 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 C.F.R. part 60, subpart JJJJ.
- 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.
- c. You must conduct three separate test runs for each performance test required in this section, 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.
- d. To determine compliance with the NO<sub>x</sub> mass per unit output emission limitation, convert the concentration of NO<sub>x</sub> in the engine exhaust using Equation 1 of this section:

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

Where: ER = Emission rate of NO<sub>x</sub> in g/HP-hr.

C<sub>d</sub> = Measured NO<sub>x</sub> concentration in parts per million by volume (ppmv).

1.912×10<sup>-3</sup> = Conversion constant for ppm NO<sub>x</sub> to grams/standard cubic meter at 20° 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).

- 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 this section:

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

Where:

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

$C_d$  = Measured CO concentration in ppmv.

$1.164 \times 10^{-3}$  = Conversion constant for ppm CO to grams per standard cubic meter at 20° 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.

- f. For purposes of this subpart, 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 this section:

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

Where:

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

$C_d$  = VOC concentration measured as propane in ppmv.

$1.833 \times 10^{-3}$  = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20° 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.

- 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 this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

$$RF_i = C_{Mi} / C_{Ai} \quad (\text{Eq. 4})$$

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.

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

Where:

$C_{\text{peq}}$  = Concentration of compound i in mg of propane equivalent per DSCM.  
[40CFR§§60.4244(a)-(g), 45CSR16]

## 7.4. Recordkeeping Requirements

### **EU034:**

#### 7.4.1. What records must I keep?

- a. If you must comply with the emission and operating limitations, you must keep the records described in paragraphs a.1. through a.4., b.1. and b.2., and c. below.
  1. A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Notification of Compliance Status that you submitted, according to the requirement in 40 CFR §63.10(b)(2)(xiv).
  2. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
  3. Records of all required maintenance performed on the air pollution control and monitoring equipment.
  4. Records of actions taken during periods of malfunction to minimize emissions in accordance with Condition 7.1.2.b., including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- b. You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;
  1. An existing stationary emergency RICE.
  2. An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.
- c. If you own or operate an existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in 40 CFR §63.6640(f)(2)(ii) or (iii) or 40 CFR §63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

[45CSR34, 40 CFR §§ 63.6655(a), (e), and (f)(2)]

- 7.4.2. **In what form and how long must I keep my records?** Your records must be in a form suitable and readily available for expeditious review according to 40 CFR §63.10(b)(1). As specified in 40 CFR §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. You must keep each record readily accessible in hard copy or electronic form for at

least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR §63.10(b)(1).  
**[45CSR34, 40 CFR § 63.6660]**

**EU035 and EU036:**

- 7.4.3. Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.
- a. Owners and operators of all stationary SI ICE must keep records of the information in paragraphs a.1. through 4. of this section.
    - 1. All notifications submitted to comply with this subpart 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 90, 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 40 CFR §60.4243(a)(2), documentation that the engine meets the emission standards.
  - b. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 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.
  - c. Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in 40 CFR §60.4244 within 60 days after the test has been completed.  
**[40CFR§§60.4245(a), (b), and (d), 45CSR16]**

**7.5. Reporting Requirements**

- 7.5.1. None.

**7.6. Compliance Plan**

- 7.6.1. None.



## **8.0. Gasoline Dispensing Facilities Requirements [(Gasoline Storage Tank)]**

### **8.1. Limitations and Standards**

- 8.1.1. If your GDF has a monthly throughput of less than 10,000 gallons of gasoline, you must comply with the requirements in Section 8.2.2.  
**[45CSR34, 40 CFR § 63.11111(b)]**
- 8.1.2. If your affected source's throughput ever exceeds an applicable throughput threshold, the affected source will remain subject to the requirements for sources above the threshold, even if the affected source throughput later falls below the applicable throughput threshold.  
**[45CSR34, 40 CFR § 63.11111(i)]**
- 8.1.3. The dispensing of gasoline from a fixed gasoline storage tank at a GDF into a portable gasoline tank for the on-site delivery and subsequent dispensing of the gasoline into the fuel tank of a motor vehicle or other gasoline-fueled engine or equipment used within the area source is only subject to 40 CFR §63.11116.  
**[45CSR34, 40 CFR § 63.11111(j)]**

### **8.2. Monitoring Requirements**

- 8.2.1. **What are my general duties to minimize emissions?** You must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.  
**[45CSR34, 40 CFR § 63.11115(a)]**
- 8.2.2. **Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline.**
- a. You must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:
1. Minimize gasoline spills;
  2. Clean up spills as expeditiously as practicable;
  3. Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
  4. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
- b. You are not required to submit notifications or reports as specified in 40 CFR §63.11125, 40 CFR §63.11126, or 40 CFR 63 subpart A, but you must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.
- c. You must comply with the requirements of this subpart upon startup of the affected source.
- d. Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with paragraph a.3. of this section.  
**[45CSR34, 40 CFR §§63.11113(a)(2) and 63.11116]**

### **8.3. Testing Requirements**

- 8.3.1. None.

### **8.4. Recordkeeping Requirements**

- 8.4.1. An affected source shall, upon request by the Administrator, demonstrate that their monthly throughput is less than the 10,000-gallon or the 100,000-gallon threshold level, as applicable. For new or reconstructed affected sources, as specified below, recordkeeping to document monthly throughput must begin upon startup of the affected source. Records required under this paragraph shall be kept for a period of 5 years.

An affected source is a new affected source if you commenced construction on the affected source after November 9, 2006, and you meet the applicability criteria in 40 CFR §63.11111 at the time you commenced operation.

**[45CSR34, 40 CFR §§ 63.11111(e) and 63.11112(b)]**

- 8.1.3. Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two or more GDF at separate locations within the area source, each GDF is treated as a separate affected source.

**[45CSR34, 40 CFR § 63.11111(h)]**

### **8.5. Reporting Requirements**

- 8.5.1. None.