

West Virginia Department of Environmental Protection  
Division of Air Quality

Jim Justice  
Governor

Austin Caperton  
Cabinet Secretary

# Permit to Operate



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

*Issued to:*  
**Columbia Gas Transmission, LLC**  
Flat Top Compressor Station  
R30-08900004-2018

A handwritten signature in blue ink, appearing to read "William F. Durham".

*William F. Durham*

*Director*

*Issued: January 2, 2018 • Effective: January 16, 2018*  
*Expiration: January 2, 2023 • Renewal Application Due: July 2, 2022*

Permit Number: **R30-08900004-2018**  
Permittee: **Columbia Gas Transmission, LLC**  
Facility Name: **Flat Top Compressor Station**  
Permittee Mailing Address: **5151 San Felipe St., Suite 2400, Houston, TX 77056**

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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:	Flat Top, Summers County, West Virginia
Facility Mailing Address:	450 Ellison Ridge Rd., Flat Top, WV 25841
Telephone Number:	(304) 787 5401
Type of Business Entity:	LLC
Facility Description:	Natural Gas Compression Facility
SIC Codes:	4922
UTM Coordinates:	491.094 km Easting • 4,160.159 km Northing • Zone 17

Permit Writer: Rex Compston, P.E.

*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
BLR2*	BL2	Heating System Boiler; Ajax; Model # WNG1250W	1998	1.25 mmBtu/hr	N/A
BLR3*	BL3	Hot Water Boiler; Ajax; Model # WNG-2000-W	2000	2.0 mmBtu/hr	N/A
HTR1*	H1	Indirect Line Heater; NATCO; Model # MB30-8-8B	1997	1.0 mmBtu/hr	N/A
01109*	E09	Turbine Engine/Compressor; Solar Taurus 60-7302S	1998	6,083 hp	N/A
011G1*	G1	Emergency Reciprocating Engine/Generator; Ingersoll-Rand PSVG-8; 4 Cycle, Rich Burn	1989	544 hp	N/A
011A1	AC1	Reciprocating Engine/Air Compressor; (Gasoline Fired) Curtis CWG9711EG	2000	16 hp	N/A

\* Equipment burns pipeline quality natural gas only.

### 1.2 Active R13, R14, and R19 Permits

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

Permit Number	Date of Issuance
R13-2065G	7/3/2014

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

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

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

### **2.4. Permit Actions**

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

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

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

[45CSR§30-6.6.a.]

## **2.6. Administrative Permit Amendments**

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

## **2.7. Minor Permit Modifications**

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

## **2.8. Significant Permit Modification**

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

## **2.9. Emissions Trading**

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

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

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

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

[45CSR§30-5.9.]

## 2.11. Operational Flexibility

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

[45CSR§30-5.8]

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

[45CSR§30-5.8.a.]

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

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

[45CSR§30-5.8.c.]

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

[45CSR§30-2.39]

## 2.12. Reasonably Anticipated Operating Scenarios

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

[45CSR§30-5.1.i.]

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

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

[45CSR§30-5.1.f.1.]

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

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

[45CSR§30-5.3.b.]

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

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

[45CSR§30-5.3.d.]

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

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

[45CSR§30-5.1.f.2.]

## 2.17. Emergency

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

[45CSR§30-5.7.a.]

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

[45CSR§30-5.7.b.]

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

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

variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

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

[45CSR§30-5.7.d.]

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

[45CSR§30-5.7.e.]

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

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

[45CSR§30-5.2.a.]

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

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

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

[45CSR§30-5.1.f.5.]

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

2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

[45CSR§30-4.2.]

## **2.21. Permit Shield**

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

[45CSR§30-5.6.a.]

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

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

[45CSR§30-5.6.c.]

## **2.22. Credible Evidence**

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

[45CSR§30-5.3.e.3.B. and 45CSR38]

## **2.23. Severability**

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

[45CSR§30-5.1.e.]

## **2.24. Property Rights**

- 2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.

[45CSR§30-5.1.f.4]

## **2.25. Acid Deposition Control**

- 2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

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

[45CSR§30-5.1.d.]

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

### 3.0 Facility-Wide Requirements

#### 3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1. [45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible. [45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them. [40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public. [45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11. [45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality. [W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

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

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

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

**[40 C.F.R. 68]**

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

**[45CSR§17-3.1; State Enforceable Only]**

### **3.2. Monitoring Requirements**

- 3.2.1. Reserved

### **3.3. Testing Requirements**

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
- 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.; 45CSR13, Permit R13-2065, Conditions 4.1.1 & 4.2.1]

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

[45CSR§30-5.1.c.2.B.]

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

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

### 3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.  
[45CSR§§30-4.4. and 5.1.c.3.D.]
- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.  
[45CSR§30-5.1.c.3.E.]
- 3.5.3. Except for the electronic submittal of the annual compliance certification and semi-annual monitoring reports to the DAQ and USEPA as required in 3.5.5 and 3.5.6 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class or by private carrier with postage prepaid to the address(es), or submitted in electronic format by e-mail as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

**DAQ:**

Director  
WVDEP  
Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

**US EPA:**

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

**DAQ Compliance and Enforcement<sup>1</sup>:**

DEPAirQualityReports@wv.gov

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

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.  
[45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on

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

**DAQ:**  
DEPAirQualityReports@wv.gov

**US EPA:**  
R3\_APD\_Permits@epa.gov

[45CSR§30-5.3.e.]

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

**DAQ:**  
DEPAirQualityReports@wv.gov

[45CSR§30-5.1.c.3.A.]

- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

3.5.8. **Deviations.**

- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
  2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
  3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
  4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.  
 [45CSR§30-5.1.c.3.B.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.  
 [45CSR§30-4.3.h.1.B.]

**3.6. Compliance Plan**

- 3.6.1. 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.

<b>45CSR4</b>	<i>To Prevent and Control the Discharge of Air Pollutants into the Open Air Which Cause or Contributes to an Objectionable Odor or Odors:</i> This State Rule shall not apply to the following source of objectionable odor until such time as feasible control methods are developed: Internal combustion engines.
<b>45CSR10</b>	<i>To Prevent and Control Air Pollution from the Emission of Sulfur Dioxide - Emissions from Indirect Heat Exchangers.</i> WVDAQ has determined that 45CSR10 does not apply to natural gas fired engines. Also, 45CSR10 is not applicable to the facility's boilers and heater because they are fuel burning units less than 10 MMBtu/hr in accordance with the exemptions defined within 45CSR§10-10.1.
<b>45CSR21</b>	<i>To Prevent and Control Air Pollution from the Emission of Volatile Organic Compounds:</i> All storage tanks at the station, which are listed as insignificant sources, are below 40,000 gallons in capacity which exempts the facility from 45CSR§21-28. The compressor station is not engaged in the extraction or fractionation of natural gas which exempts the facility from 45CSR§21-29. Additionally this site is not located within one of the five designated VOC maintenance counties (Cabell, Kanawha, Putnam, Wayne & Wood)
<b>45CSR27</b>	<i>To Prevent and Control the Emissions of Toxic Air Pollutants:</i> Natural gas is included as a petroleum product and contains less than 5% benzene by weight. 45CSR§27-2.4 exempts equipment "used in the production and distribution of petroleum products providing that such equipment does not produce or contact materials containing more than 5% benzene by weight."
<b>40 C.F.R. Part 60 Subpart Dc</b>	<i>Standards of Performance for Steam Generating Units:</i> The boilers and line heater at this facility are less than 10 mmBtu/hr design heat capacity which is below the applicability criteria stated in 40CFR§60.40c(a).
<b>40 C.F.R. Part 60 Subpart K and Ka</b>	<i>Standards of Performance for Storage Vessels for Petroleum Liquids:</i> All tanks at the facility are below 40,000 gallons in capacity as specified in 40CFR§§60.110(a) and 60.110a(a).

<b>40 C.F.R. Part 60 Subpart Kb</b>	<i>Standards of Performance for Volatile Organic Liquid Storage Vessels:</i> All tanks at the facility are below 75m <sup>3</sup> (19,813 gallons) in capacity and are not subject to Subpart Kb as specified in 40CFR§60.110b(a).
<b>40 C.F.R. Part 60 Subpart KKK</b>	<i>Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plant(s).</i> The station is not engaged in the extraction or fractionation of natural gas liquids from field gas, the fractionation of mixed natural gas liquids to natural gas products, or both. As a result, the station has no affected sources operating within this source category.
<b>40 C.F.R. Part 60 Subpart IIII</b>	<i>Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.</i> The Compressor Station does not have any compression ignition internal combustion engines.
<b>40 C.F.R. Part 60 Subpart JJJJ</b>	<i>Standards of Performance for Stationary Spark Ignition (SI) Internal Combustion Engines.</i> All engines at the facility were constructed, reconstructed, or modified prior to the June 12, 2006 applicability date listed in 40CFR§60.4230(a)(4).
<b>40 C.F.R. Part 60 Subpart OOOO</b>	<i>Standards of Performance for Crude Oil and Natural Gas Production, Transmission, and Distribution.</i> The Storage Vessel requirements defined for production sources is not applicable to this site because all vessels were constructed, modified, or commenced reconstruction, prior to August 23, 2011 as stated in 40CFR§60.5365. No other affected sources were identified at this site.
<b>40 C.F.R. Part 60 Subpart OOOOa</b>	<i>Standards of Performance for Crude Oil and Natural Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015.</i> The requirements defined by this NSPS are not applicable to this site because all affected sources commenced construction prior to September 18, 2015 in accordance with the applicability criteria defined within 40CFR§60.5365a.
<b>40 C.F.R. Part 60 Subpart KKKK</b>	<i>Standards of Performance for Stationary Combustion Turbines.</i> The provisions of this subpart are not applicable to this facility's turbine because it predates the NSPS applicability date of February 18, 2005 defined by §60.4305(a)
<b>40 C.F.R. Part 63 Subpart HHH</b>	<i>National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities.</i> The Compressor Station is not subject to Subpart HHH since the station's function is to compress production gas and it is not a natural gas transmission and storage facility as defined under 40 C.F.R. § 63.1270. Additionally, the station does not utilize dehydration and is not a major source of HAPs.
<b>40 C.F.R. Part 63 Subpart YYYY</b>	<i>National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.</i> This facility is not a major source of HAPs, therefore this subpart does not apply.
<b>40 C.F.R. Part 63 Subpart JJJJJ</b>	<i>National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.</i> The facility is not subject to 40 C.F.R. Part 63 Subpart JJJJJ since the boilers and line heater are fueled by natural gas as defined in 40CFR§63.11195(e).
<b>40 C.F.R. Part 64</b>	<i>Compliance Assurance Monitoring (CAM).</i> The compliance assurance monitoring provisions of Part 64 are not applicable due to there being no add-on controls at this facility, as stated in 40CFR§64.2(a)(2).

### 3.8. Emergency Operating Scenario

For emergency situations which interrupt the critical supply of natural gas to the public, and which pose a life threatening circumstance to the customer, the permittee is allowed to temporarily replace failed engine(s) as long as all of the following conditions are met:

- a. The replacement engine(s) is only allowed to operate until repair of the failed engine(s) is complete, but under no circumstance may the replacement engine(s) operate in excess of sixty (60) days;

- b. Both the replacement engine(s) and the repaired failed engine(s) shall not operate at the same time with the exception of any necessary testing of the repaired engine(s) and this testing may not exceed five (5) hours;
- c. Potential hourly emissions from the replacement engine(s) are less than or equal to the potential hourly emissions from the engine(s) being replaced;
- d. Credible performance emission test data verifying the emission rates associated with the operation of the substitute engine shall be submitted to the Director within five (5) days;
- e. The permittee must provide written notification to the Director within five (5) days of the replacement. This notification must contain:
  - i. Information to support the claim of life threatening circumstances to justify applicability of this emergency provision;
  - ii. Identification of the engine(s) being temporarily replaced;
  - iii. The design parameters of the replacement engine(s) including, but not limited to, the design horsepower and emission factors;
  - iv. Projected duration of the replacement engine(s); and
  - v. The appropriate certification by a responsible official.

[45CSR§30-12.7]

### **3.9. NO<sub>x</sub> Compliance Plan (CO-R40-C-2017-7)**

- 3.9.1. To realize and demonstrate a reduction in ozone season NO<sub>x</sub> emissions of 235 tons as required under 45CSR40 §9.1, the Company will take all measures to comply with all terms and conditions of 45CSR40 §9, the NO<sub>x</sub> Compliance Plan, this Order, and applicable permits. Beginning in the 2017 ozone season and each ozone season thereafter, the Company will reduce emissions of NO<sub>x</sub> at the facilities below using the following methods. The Company will quantify reductions using mathematical calculations for each facility identified in the NO<sub>x</sub> Compliance Plan:
  - a. Flat Top Compressor Station - WV ID# 089-00004 - Ozone season NO<sub>x</sub> emissions will be reduced by replacing the historic load capacity from the permanently retired reciprocating internal combustion engines solely with the existing Solar Taurus 60- 7302S turbine (Emission Unit ID #01109, Emission Point ID# E09).
- 3.9.2. Pursuant to 45CSR40 §9.5.c, the Company will submit an ozone season NO<sub>x</sub> Compliance Plan Report to the Director by October 31 of each year, beginning in 2017. The report will demonstrate and certify compliance with the required ozone season NO<sub>x</sub> reduction of 235 tons set forth in 45CSR40 §9.1. The report will quantify and total all creditable ozone season NO<sub>x</sub> reductions from the affected facilities using the methodologies contained in the NO<sub>x</sub> Compliance Plan, in accordance with 45CSR40 §9 and this Order.
- 3.9.3. Columbia Gas Transmission will comply with all performance test, monitoring, recordkeeping, and reporting requirements under 45CSR40 §9 and the approved NO<sub>x</sub> Compliance Plan.

[CO-R40-C-2017-7; Order for Compliance, Conditions 1, 2, and 3]

**4.0 Miscellaneous Indirect Natural Gas Heaters and Boilers less than 10 MMBtu/hr [emission point ID(s): BL2, BL3, H1]**

**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 fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average. [45CSR§2-3.1.]
- 4.1.2. Compliance with the visible emission requirements of 45CSR§2-3.1 (Section 4.1.1 of this permit) shall be determined in accordance with 40 C.F.R. Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Director. The Director may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of 45CSR§2-3.1 (Section 4.1.1 of this permit). Continuous opacity monitors shall not be required on fuel burning units which employ wet scrubbing systems for emission control. [45CSR§2-3.2.]

**4.2. Monitoring Requirements**

- 4.2.1. At such reasonable times as the Secretary may designate, the permittee shall conduct Method 9 emissions observations using Method 22 for the purpose of demonstrating compliance with Section 4.1.1. Method 9 shall be conducted in accordance with 40 CFR 60 Appendix A. [45CSR13, Permit R13-2065, Condition 5.2.1]

**4.3. Testing Requirements**

- 4.3.1. N/A

**4.4. Recordkeeping Requirements**

- 4.4.1. N/A

**4.5. Reporting Requirements**

- 4.5.1. N/A

**4.6. Compliance Plan**

- 4.6.1. None

**5.0 40 C.F.R. 63, Subpart ZZZZ GACT Requirements for Emergency Reciprocating Internal Combustion Engine(s) RICE [emission point ID(s): G1 and AC1]**

**5.1. Limitations and Standards**

5.1.1. As stated in 40 C.F.R. §§63.6603, the permittee must comply with the following requirements from Table 2d for existing stationary RICE located at area sources of HAP emissions:

For each . . .	The permittee must meet the following requirements, except during periods of startup . . .	During periods of startup, the permittee must . . .
Emergency stationary SI RICE and black start stationary SI RICE <sup>2</sup>	Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>1</sup>	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
	Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first; and	
	Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	

<sup>1</sup> Sources have the option to utilize an oil analysis program as described in 40 C.F.R. §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of this subpart.

<sup>2</sup> 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 in Table 2d of this subpart, 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 C.F.R. §63.6603(a), and Table 2d of 40 CFR 63, Subpart ZZZZ, Item 5]

5.1.2. The permittee shall comply with the following general requirements:

- a. The permittee must be in compliance with the operating limitations in this subpart that apply to the permittee at all times.
- b. At all times the permittee 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 the permittee to make any further efforts to reduce emissions if required levels 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 C.F.R. § 63.6605]

5.1.3. The permittee shall demonstrate continuous compliance by doing the following:

- a. The permittee must demonstrate continuous compliance with each emission limitation and operating limitation in Table 2d to 40 C.F.R. 63, Subpart ZZZZ that apply to the permittee according to methods specified in Table 6 to 40 C.F.R. 63, Subpart ZZZZ.

Table 6 states that for work or management practices the permittee shall operate and maintain the stationary RICE according to the manufacturer's emission related operation and maintenance instructions; or develop and follow 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.

**[45CSR34; 40 C.F.R. § 63.6640(a) and Table 6 of 40CFR63, Subpart ZZZZ, Item 9]**

- 5.1.4. If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (a) through (c) 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 (a) through (c) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (a) through (c) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
- a. There is no time limit on the use of emergency stationary RICE in emergency situations.
  - b. You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (b)(1) through (3) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (c) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (b).
    1. 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.
    2. 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.
    3. 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.
  - c. 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 (b) of this section. Except as provided in paragraph (c)(1) 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.
    1. 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:

- i. The engine is dispatched by the local balancing authority or local transmission and distribution system operator.
- ii. 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.
- iii. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
- iv. The power is provided only to the facility itself or to support the local transmission and distribution system.
- v. 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.

**[45CSR34; 40 C.F.R. § 63.6640(f)]**

- 5.1.5. The permittee shall comply with all General Provisions which apply according to Table 8 to 40 C.F.R., Part 63, Subpart ZZZZ.

**[45CSR34; 40 C.F.R. § 63.6665]**

## **5.2. Monitoring Requirements**

- 5.2.1. This facility is subject to the following requirements:

- a. The permittee 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.  
**[45CSR34; 40 C.F.R. §63.6625(e)(3)]**
- b. If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or 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.  
**[45CSR34; 40 C.F.R. §63.6625(f)]**
- 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 Tables 1a, 2a, 2c, and 2d to this subpart apply.  
**[45CSR34; 40 C.F.R. §63.6625(h)]**
- d. If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of Table 2c to this subpart or in items 5, 6, 7, 9, or 11 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same

frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid 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 C.F.R. §63.6625(j)]

### **5.3. Testing Requirements**

5.3.1. N/A

### **5.4. Recordkeeping Requirements**

5.4.1. The permittee shall keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applied.

[45CSR34; 40 CFR §63.6655(d), Table 6 of 40 CFR 63, Subpart ZZZZ, Item 9]

5.4.2. The permittee must keep records of the maintenance conducted on each stationary RICE in order to demonstrate that the permittee operated and maintained each stationary RICE and after-treatment control device (if any) according to the permittee's own maintenance plan.

[45CSR34; 40 CFR §63.6655(e)(2)]

5.4.3. 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 §63.6640(f)(2)(ii) or (iii) or §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(f)(2)]

### **5.5. Reporting Requirements**

5.5.1. N/A

### **5.6. Compliance Plan**

5.6.1. None

## 6.0 40 C.F.R. 60, Subpart GG Requirements for Stationary Gas Turbines [emission point ID(s): E09]

### 6.1. Limitations and Standards

- 6.1.1. No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine, any gases which contain nitrogen oxides (NO<sub>x</sub>) in excess of:

$$STD = 0.0150 \frac{(14.4)}{Y} + F$$

where:

STD = the allowable ISO corrected (if required as given in §60.335(b)(1)) NO<sub>x</sub> emission concentration (percent by volume @ 15% O<sub>2</sub> on a dry basis),

Y = manufacturer's rated heat rate at rated peak load (kilojoules per watt hour), or actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kJ/W-hr, and

F = NO<sub>x</sub> emission allowance for fuel bound nitrogen as defined in § 60.332(a)(4).

[45CSR16; 40 CFR §60.332(a)(2)]

- 6.1.2. Stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 million Btu/hr) but less than or equal to 107.2 gigajoules per hour (100 million Btu/hr) based on the lower heating value of the fuel fired, shall comply with the provision in paragraph (a)(2) [Condition 6.1.1] of this section.

[45CSR16; 40 CFR §60.332(c)]

- 6.1.3. No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine gases which contain SO<sub>2</sub> in excess of 0.015 percent by volume at 15% O<sub>2</sub> and on a dry basis or shall burn any fuel which contains total sulfur in excess of 0.8 percent by weight (8000 ppmw).

[45CSR16; 40 CFR §60.333]

### 6.2. Monitoring Requirements

- 6.2.1. For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which does not use steam or water injection to control NO<sub>x</sub> emissions, the owner or operator may, but is not required to, for purposes of determining excess emissions, use a CEMS that meets the requirements of paragraph (b) of this section. Also, if the owner or operator has previously submitted and received EPA, State, or local permitting authority approval of a procedure for monitoring compliance with the applicable NO<sub>x</sub> emission limit under §60.332, that approved procedure may continue to be used.

[45CSR16; 40 CFR § 60.334(c)]

- 6.2.2. The owner or operator of any stationary gas turbine subject to the provisions of this subpart;

- a. Shall monitor the total sulfur content of the fuel being fired in the turbine, except as provided in condition 6.2.2.c. The sulfur content of the fuel must be determined using total sulfur methods described in §60.335(b)(10). Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than 0.4 weight percent (4000 ppmw), ASTM D4084-82, 94, D5504-01,

D6228-98, or Gas Processors Association Standard 2377-86 (all of which are incorporated by reference-see §60.17), which measure the major sulfur compounds may be used; and

- b. Shall monitor the nitrogen content of the fuel combusted in the turbine, if the owner or operator claims an allowance for fuel bound nitrogen (i.e., if an F-value greater than zero is being or will be used by the owner or operator to calculate STD in §60.332). The nitrogen content of the fuel shall be determined using methods described in §60.335(b)(9) or an approved alternative.
- c. Notwithstanding the provisions of condition 6.2.2.a, the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:
  1. The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or
  2. Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

[45CSR16; 40 CFR § 60.334(h)]

- 6.2.3. The frequency of determining the sulfur and nitrogen content of the fuel shall be as follows;

Gaseous fuel. Any applicable nitrogen content value of the gaseous fuel shall be determined and recorded once per unit operating day. For owners and operators that elect not to demonstrate sulfur content using options in §60.334(h)(3), and for which the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel shall be determined and recorded once per unit operating day.

[45CSR16; 40 CFR § 60.334(i)(2)]

- 6.2.4. For each affected unit that elects to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown and malfunction.

[45CSR16; 40 CFR § 60.334(j)]

### 6.3. Testing Requirements

- 6.3.1. The permittee shall do the following

- a. The owner or operator shall conduct the performance tests required in §60.8, using either (1) EPA Method 20; (2) ASTM D6522-00 (incorporated by reference, see §60.17), or (3) EPA Method 7E and either EPA Method 3 or 3A in appendix A to this part to determine NO<sub>x</sub> and the diluent concentration.

- b. For each run of the performance test, the mean nitrogen oxides emission concentration ( $\text{NO}_{x_0}$ ) corrected to 15 percent  $\text{O}_2$  shall be corrected to ISO standard conditions using the following equation. Notwithstanding this requirement, use of the ISO correction equation is optional for: Lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices:

$$\text{NO}_X = (\text{NO}_{x_0})(P_r/P_0)^{0.5} e^{19(H_0-0.00633)} (288^\circ\text{K}/T_a)^{1.53}$$

Where:

$\text{NO}_X$  = emission concentration of  $\text{NO}_X$  at 15 percent  $\text{O}_2$  and ISO standard ambient conditions, ppm by volume, dry basis,

$\text{NO}_{x_0}$  = mean observed  $\text{NO}_X$  concentration, ppm by volume, dry basis, at 15 percent  $\text{O}_2$ ,

$P_r$  = reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure. Alternatively, you may use 760 mm Hg (29.92 in Hg),

$P_0$  = observed combustor inlet absolute pressure at test, mm Hg. Alternatively, you may use the barometric pressure for the date of the test,

$H_0$  = observed humidity of ambient air, g  $\text{H}_2\text{O}/\text{g}$  air,

$e$  = transcendental constant, 2.718, and

$T_a$  = ambient temperature,  $^\circ\text{K}$

- c. To determine the fuel bound nitrogen content of fuel being fired (if an emission allowance is claimed for fuel bound nitrogen), the owner or operator may use equipment and procedures meeting the requirements of:
1. For gaseous fuels, shall use analytical methods and procedures that are accurate to within 5 percent of the instrument range and are approved by the Administrator.
- d. If the owner or operator is required under §60.334(i)(1) or (3) to periodically determine the sulfur content of the fuel combusted in the turbine, a minimum of three fuel samples shall be collected during the performance test. Analyze the samples for the total sulfur content of the fuel using:
1. For gaseous fuels, ASTM D1072-80, 90 (Reapproved 1994); D3246-81, 92, 96; D4468-85 (Reapproved 2000); or D6667-01 (all of which are incorporated by reference, see §60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the prior approval of the Administrator.

[45CSR16; 40 CFR §§60.335(a)(1)-(3), (b)(1), (b)(9)(ii), and (b)(10)(ii)]

## 6.4. Recordkeeping Requirements

6.4.1. N/A

## **6.5. Reporting Requirements**

- 6.5.1. All records required under 40CFR60 Subpart GG shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.  
**[45CSR13, Permit R13-2065, Condition 5.5.1]**
- 6.5.2. The permitted facility shall comply with all applicable provisions of 40CFR60 Subpart GG. The permittee must also notify the Director of excess emissions as required.  
**[45CSR16; 40 CFR §§60.330-335 & 45CSR13, Permit R13-2065, Condition 5.5.2]**

## **6.6. Compliance Plan**

- 6.6.1. None

**7.0 45CSR13, NSR Permit Requirements [emission point ID(s): E09 and AC1]**

**7.1. Limitations and Standards**

7.1.1. Maximum hourly emission rates from Emission Unit 01109 shall not exceed the following limits;

Operating Mode	Emissions (lb/hr)	
	NO <sub>x</sub>	CO
Full Load ( $\geq 0^{\circ}\text{F}$ )	5.36	6.52
Low Load Operation (<50%)	9.92	189.79
Low-Temp Operation (< 0 $^{\circ}\text{F}$ )	26.74	20.34
Startup/Shutdown	3.86	72.00

**[45CSR13, Permit R13-2065, Condition 5.1.1]**

7.1.2. Maximum annual emission rates from Emission Unit 01109 shall not exceed the following limits;

	Emissions (ton/yr)
NO <sub>x</sub>	39.00
CO	99.00

**[45CSR13, Permit R13-2065, Condition 5.1.2]**

7.1.3. Emission Unit 01109 shall consume no more than 58,495 standard cubic feet (scf) of natural gas per hour or  $5.13 \times 10^8$  scf of natural gas per year.

**[45CSR13, Permit R13-2065, Condition 5.1.3]**

7.1.4. The 16 hp Curtis, Model CWG9711EG reciprocating engine/air compressor (011A1) shall not be operated in excess of 500 hours per year.

**[45CSR13, Permit R13-2065, Condition 5.1.4]**

7.1.5. The permitted facility shall comply with all applicable provisions of 40 CFR §§ 60.332, 60.333, 60.334, 60.335, provided that compliance with any more stringent limitation set forth in this permit shall also be demonstrated. The permittee must notify the Director of the DAQ of excess emissions as required.

**[45CSR13, Permit R13-2065, Condition 5.1.5]**

**7.2. Monitoring Requirements**

7.2.1. N/A

### 7.3. Testing Requirements

- 7.3.1. In the event that the secretary requests emissions test to be conducted to determine the carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM<sub>10</sub>), sulfur dioxide (SO<sub>2</sub>), and volatile organic compounds (VOC) from emission points, the methods listed below from Appendix A of 40CFR60 shall be utilized for purposes of conducting performance tests, unless the Secretary approves an alternate or equivalent method. Submission of test protocol and notification of testing is required as described in Section 3.3.1 of this permit.

<i>Pollutant</i>	<i>Method</i>
CO	10, 10A or 10B
NO <sub>x</sub>	40 CFR 60 Subpart GG
Formaldehyde	18
SO <sub>2</sub>	40 CFR 60 Subpart GG
VOC	25 or 25A

[45CSR13, Permit R13-2065, Condition 5.3.1]

### 7.4. Recordkeeping Requirements

- 7.4.1. To demonstrate compliance with Condition 7.1.2. the permittee shall maintain monthly operating hours at normal dry low NO<sub>x</sub> (DLN) conditions ( $\geq 50\%$  of rated load and ambient temperatures  $\geq 0^\circ\text{F}$ ), non-dry low NO<sub>x</sub> (non-DLN) conditions and low ambient temperature ( $< 0^\circ\text{F}$ ) conditions as well as the monthly number of startup and shutdown cycles. These monthly records will be used to calculate monthly emissions (ME) for each regulated pollutant (P<sub>x</sub>) using the following equation;

$$\text{ME } P_x = \text{DLN } P_x * \text{DLN hrs} + \text{non DLN } P_x * \text{non DLN hrs} + \text{LT } P_x * \text{LT hrs} + \text{SSP}_x * \text{SS cycles}$$

*Where:* DLN P<sub>x</sub>, non DLN P<sub>x</sub>, LT P<sub>x</sub> and SS P<sub>x</sub> are the unit emission rates (lb/hr or lb/cycle) for pollutant X during normal DLN, non dry Low NO<sub>x</sub>, low temperature, and startup/shutdown operation, respectively.

[45CSR13, Permit R13-2065, Condition 5.4.1]

- 7.4.2. To demonstrate compliance with Condition 7.1.1. the permittee shall utilize the monthly emission formula listed in Condition 7.4.1 and keep records of the hours of operation of the Emission Unit 01109.  
[45CSR13, Permit R13-2065, Condition 5.4.2]

- 7.4.3. To demonstrate compliance with Condition 7.1.3. the permittee shall maintain records of the amount of natural gas consumed in Emission Unit 01109. Said records shall be maintained on site for a period of five (5) years and shall be made available to the Director of the DAQ or his/her duly authorized representative upon request and shall be certified by a responsible official upon submittal.  
[45CSR13, Permit R13-2065, Condition 5.4.3]

- 7.4.4. To demonstrate compliance with Condition 7.1.4, the permittee shall maintain records of the hours of operation in Emission Unit 011A1. Said records shall be maintained on site for a period of five (5) years and shall be made available to the Director of the DAQ or his/her duly authorized representative upon request and shall be certified by a responsible official upon submittal.  
[45CSR13, Permit R13-2065, Condition 5.4.4]

### 7.5. Reporting Requirements

- 7.5.1. N/A

## **7.6. Compliance Plan**

7.6.1. None