

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:

**U.S. Department of the Treasury, Internal Revenue Service
Martinsburg Computing Center Main Building and Annex Complex
R30-00300133-2017**

A handwritten signature in blue ink, appearing to read "William F. Durham", written over a horizontal line.

William F. Durham

Director

*Issued: June 29, 2017 • Effective: July 13, 2017
Expiration: June 29, 2022 • Renewal Application Due: December 29, 2021*

Permit Number: **R30-00300133-2017**
Permittee: **U.S. Department of the Treasury, Internal Revenue Service**
Facility Name: **Martinsburg Computing Center Main Building and Annex Complex**
Permittee Mailing Address: **250 Murall Drive, MS#2225, Kearneysville, WV 25430**

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

Facility Location:	Kearneysville, Berkeley County, West Virginia
Facility Mailing Address:	Same as above
Telephone Number:	(304) 264-5516
Type of Business Entity:	Government Agency
Facility Description:	Computing Center
SIC Codes:	Primary 9311; Secondary NA; Tertiary NA
UTM Coordinates:	248.928 km Easting • 4365.127 km Northing • Zone 18

Permit Writer: Frederick Tipane

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

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

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APPENDIX - MONTHLY/QUARTERLY OPACITY REPORT

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
Main Building					
ENG-1	ENG-1-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
ENG-2	ENG-2-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
ENG-3	ENG-3-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
ENG-4	ENG-4-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
ENG-5	ENG-5-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
ENG-6	ENG-6-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
ENG-7	ENG-7-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
ENG-8	ENG-8-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
ENG-9	ENG-9-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
ENG-10	ENG-10-S	Emergency Generator Set with Caterpillar 3516 CI Engine	1999	1917 HP	None
B-1.1	B2-001CS	Oil Fired Boiler (Bryan Steam LLC Model # RV500-W-FDO)	2012	5 MMBtu/hr	None
B-1.2	B2-001CS	Oil Fired Boiler (Bryan Steam LLC Model # RV500-W-FDO)	2012	5 MMBtu/hr	None
B-1.3	B2-001CS	Oil Fired Boiler (Bryan Steam LLC Model # RV500-W-FDO)	2012	5 MMBtu/hr	None
B-1.4	B2-001CS	Oil Fired Boiler (Bryan Steam LLC Model # RV500-W-FDO)	2012	5 MMBtu/hr	None
Annex Complex					
E41-001A	E41-001AS	Emergency Generator Set with Caterpillar 3516 CI Engine	1995	1917 HP	None
E41-002A	E41-002AS	Emergency Generator Set with Caterpillar 3516 CI Engine	1995	1917 HP	None
E41-003A	E41-003AS	Emergency Generator Set with Caterpillar 3516 CI Engine	1995	1917 HP	None
E41-004A	E41-004AS	Emergency Generator Set with Caterpillar 3516 CI Engine	1995	1917 HP	None
E41-005A	E41-005AS	Emergency Generator Set with Caterpillar 3516 CI Engine	1995	1917 HP	None

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
B2-001A	B2-001A-S	Oil Fired Boiler (Well McLain Model # P-1278-W)	1995	1.62 MMBtu	None
B2-002A	B2-002A-S	Oil Fired Boiler (Well McLain Model # P-1278-W)	1995	1.62 MMBtu	None
Storage Tanks (Underground)					
T-04-001C	T-04-001C	No 2 Fuel Oil Storage Tank	1999	25,000 Gal	None
T-04-002C	T-04-002C	No 2 Fuel Oil Storage Tank	1999	25,000 Gal	None
T-04-003C	T-04-003C	No 2 Fuel Oil Storage Tank	1999	25,000 Gal	None
T-4-001A	T-4-001A	No 2 Fuel Oil Storage Tank	1995	25,000 Gal	None
T-3-006A	T-3-006A	No 2 Fuel Oil Storage Tank	1995	25,000 Gal	None

1.2. Active R13, R14, and R19 Permits

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

Permit Number	Date of Issuance
R13-2787A	February 1, 2012
R13-2788	February 13, 2009

2.0 General Conditions

2.1 Definitions

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

2.2 Acronyms

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

2.3. Permit Expiration and Renewal

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

2.4. Permit Actions

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

2.5. Reopening for Cause

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

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

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

2.7. Minor Permit Modifications

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

2.8. Significant Permit Modification

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

2.9. Emissions Trading

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

2.10. Off-Permit Changes

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

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

[45CSR§30-5.9.]

2.11. Operational Flexibility

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

[45CSR§30-5.8]

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

[45CSR§30-5.8.a.]

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

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

[45CSR§30-5.8.c.]

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

[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

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

[45CSR§30-5.1.i.]

2.13. Duty to Comply

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

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

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

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

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

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

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

[45CSR§30-5.1.f.2.]

2.17. Emergency

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

[45CSR§30-5.7.a.]

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

[45CSR§30-5.7.b.]

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

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

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

[45CSR§30-5.7.d.]

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

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

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

[45CSR§30-5.2.a.]

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

2.19. Duty to Provide Information

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

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

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

[45CSR§30-4.2.]

2.21. Permit Shield

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

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

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

[45CSR§30-5.6.c.]

2.22. Credible Evidence

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

2.23. Severability

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

2.24. Property Rights

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

2.25. Acid Deposition Control

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

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.

- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

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

[45CSR§30-5.1.a.2.]

3.0 Facility-Wide Requirements

3.1. Limitations and Standards

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

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

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

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

[40 C.F.R. 68]

3.2. 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, R13-2787 §4.4.1.; R13-2788 §4.4.1.]

- 3.4.2. **Retention of records.** The permittee shall maintain and retain records of all required information (including monitoring data, support information, reports and notifications) required by this permit for a period of at least five (5) years from the date of each occurrence, monitoring sample, measurement, maintenance, corrective action, report, application, or record creation date. Such records shall be recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation and copies of all reports required by the permit.
 - a. For records required by Permits R13-2787 and R13-2788, at a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time.
 - b. For records required by 40 CFR 63 Subpart JJJJJ, at a minimum, the most recent two (2) years of data shall be retained on site. The remaining three (3) years of data may be retained off site.

Where appropriate, the permittee may maintain records in computerized form (e.g., on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

[45CSR§30-5.1.c.2.B.; Permits R13-2787 §3.4.1; R13-2788 §3.4.1.; 45CSR34, 40 CFR §§63.10(b)(1), 63.11225(c) and (d)]

- 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 57th Street SE
Charleston, WV 25304

US EPA:

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

DAQ Compliance and Enforcement¹:

DEPAirQualityReports@wv.gov

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

3.5.4. **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.

45CSR10

To Prevent and Control Air Pollution From Emissions of Sulfur Oxides:
The maximum design heat input for each boiler is less than 10 MMBtu/hr. Therefore, the boilers are not subject to 45CSR10 per 45CSR§10-10.1.

**40 CFR Part 60
Subpart Dc**

Standards of Performance for fossil-fuel-fired steam generators for which construction is commenced after June 9, 1989: The maximum design heat input for each boiler is less than 10 MMBtu/hr, which is below the applicability threshold of 40 CFR §60.40c(a).

**40 CFR Part 60
Subpart Kb**

Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984: Fifteen (15) No. 2 fuel oil “day” tanks are less than 75 m³ in capacity and therefore not subject to this subpart per 40 CFR §60.110b(a). Five (5) No. 2 fuel oil storage tanks are between 75 m³ and 151 m³ in capacity with a maximum true vapor pressure less than 15.0 kPa (2.18 psi) and therefore are not subject to this subpart per 40 CFR §60.110b(b).

**40 CFR Part 60
Subpart IIII**

Standards of Performance for Stationary Compression Ignition Internal Combustion Engines: The fifteen (15) emergency generator engines are compression ignition, internal combustion engines manufactured before July 11, 2005. Therefore, these engines are not subject to this subpart per 40 CFR §60.4200(a)(2).

**40 CFR Part 60
Subpart JJJJ**

Standards of Performance for Stationary Spark Ignition Internal Combustion Engines: The fifteen (15) emergency generator engines are not spark ignition internal combustion engines. Therefore, the engines are not subject to this subpart.

**40 CFR Part 63
Subpart ZZZZ**

National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines: The facility's fifteen (15) emergency generator sets are defined as "existing institutional emergency stationary RICE located at an area source of HAP" and therefore are not subject to this subpart per 40 CFR §63.6585(f)(3).

40 CFR Part 64

Compliance Assurance Monitoring (CAM): There are no pollutant specific emissions units (PSEU) that satisfy all of the applicability criteria of 40 CFR §64.2(a). Therefore, the facility is not subject to CAM.

4.0 Boilers and Emergency Generators [emission point ID(s): *B2-001CS, B2-001A-S, B2-002A-S, ENG-1-S through ENG-10-S, E41-001AS through E41-005AS*]

4.1. Limitations and Standards

Main Building

4.1.1. Installation, operation, and maintenance of each of the four 5 MMBtu/hr boilers identified as B-1.1, B-1.2, B-1.3, and B-1.4 shall be conducted in accordance with the following operational and emission limitations:

a. Emissions for each boiler shall not exceed the following limits:

Pollutant	lb/hr	TPY
Oxides of Nitrogen (NO _x)	0.71	3.11
Sulfur Dioxide (SO ₂)	1.01	4.42
Carbon Monoxide (CO)	0.95	4.16

b. Visible emissions from each boiler stack (discharge point) shall not exceed 10% opacity.

c. The permittee shall conduct a performance tune-up of each boiler every 5 years as specified in 40 CFR §63.11223(b)(1) through (7). The first tune-up of each boiler must be conducted no later than 61 months after the initial start-up. Each 5-year tune-up thereafter, must be conducted no more than 61 months after the previous tune-up. Such tune-up must be conducted in accordance with i. through vi. of this condition.

- i. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (the permittee may delay the burner inspection until the next scheduled unit shutdown, but must inspect each burner at least once every 72 months).
- ii. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.
- iii. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown, not to exceed 72 months from the previous inspection).
- iv. Optimize total emissions of carbon monoxide. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject.
- v. Measure the concentrations in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer.

- vi. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.

[45CSR13, R13-2787 §4.1.1.; 45CSR§2-3.1.; 45CSR34; 40 CFR §§63.11210(g) 63.11223(b) and 63.11223(e)]

- 4.1.2. Installation, operation, and maintenance of the ten emergency generator sets identified as ENG-1, ENG-2, ENG-3, ENG-4, ENG-5, ENG-6, ENG-7, ENG-8, ENG-9, and ENG-10 shall be conducted in accordance with the following operational and emission limitations:

- a. Emissions for each engine shall not exceed the following limits:

Pollutant	Maximum Emissions	
	lb/hr	TPY
PM/PM ₁₀	1.34	0.20
SO ₂	3.10	0.47
NO _x	46.01	6.90
CO	10.54	1.58
VOC	1.35	0.20

- b. Each engine shall not have a maximum power output greater than 1,917 bhp.
- c. Each engine shall not be operated more than 500 hours per year for any purpose, which shall include emergencies and maintenance/readiness tests.
- d. Each engine shall be operated and maintained in accordance with the manufacturer's written instructions. A copy of such instruction shall be permanently maintained on site for the life of the engine.

[45CSR13, R13-2787 §4.1.2.]

- 4.1.3. For the purposes of demonstrating compliance with the annual emission limits in Sections 4.1.1 and 4.1.2., the total amount of fuel oil consumed by emission units associated with the Main Building shall not exceed 1,863,278 gallons per year. Compliance with this limit shall be demonstrated by monitoring the amount of fuel oil delivered to the storage tanks at the main building on an annual basis.

[45CSR13, R13-2787 §4.1.3.]

Annex Complex

- 4.1.4. Installation, operation, and maintenance of the 1.62 MMBtu/hr boilers identified as B2-001A, and B2-002A shall be conducted in accordance with the following operational and emission limitations:

- a. Emissions for each boiler shall not exceed the following limits:

Pollutant	Maximum Emissions	
	lb/hr	TPY
SO ₂	0.33	1.44
NO _x	0.28	1.22

- b. Visible emissions from each boiler stack (discharge point) shall not exceed 10% opacity.

[45CSR§2-3.1.; 45CSR13, R13-2788 §4.1.1.]

- 4.1.5. The permittee shall conduct a performance tune-up of each boiler (B2-001A and B2-002A) every 5 years as specified in 40 CFR §63.11223(b)(1) through (7). The first tune-up of each boiler must be conducted no later than March 21, 2014. Each 5-year tune-up thereafter must be conducted no more than 61 months after the previous tune-up. Such tune-up must be conducted in accordance with a. through f. of this condition.

- a. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (the permittee may delay the burner inspection until the next scheduled unit shutdown, but must inspect each burner at least once every 72 months).
- b. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.
- c. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown, not to exceed 72 months from the previous inspection).
- d. Optimize total emissions of carbon monoxide. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject.
- e. Measure the concentrations in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer.
- f. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.

[45CSR34; 40 CFR §§63.11210(c), 63.11223(b) and 63.11223(e)]

- 4.1.6. Installation, operation, and maintenance of the five emergency generator sets identified as E41-001A, E41-002A, E41-003A, E41-004A, and E41-005A shall be conducted in accordance with the following operational and emission limitations:

- a. Emissions for each engine shall not exceed the following limits:

Pollutant	Maximum Emissions	
	lb/hr	TPY
PM/PM ₁₀	1.34	0.34
SO ₂	3.10	0.78
NO _x	46.01	11.50
CO	10.54	2.64
VOC	1.35	0.34

- b. Each engine shall not have a maximum power output greater than 1,917 bhp.
- c. Each engine shall not be operated more than 500 hours per year for any purpose, which shall include emergencies and maintenance/readiness tests.
- d. Each engine shall be operated and maintained in accordance with the manufacturer's written instructions. A copy of such instruction shall be permanently maintained on site for the life of the engine.

[45CSR13, R13-2788 §4.1.2.]

- 4.1.7. For the purposes of demonstrating compliance with the annual emission limits in Sections 4.1.4 and 4.1.6, the total amount of fuel oil consumed by emission units associated with the Annex Complex shall not exceed 513,732 gallons per year. Compliance with this limit shall be demonstrated by monitoring the amount of fuel oil delivered to the storage tanks at the annex complex on an annual basis.

[45CSR13, R13-2788 §4.1.3.]

Main Building and Annex Complex

- 4.1.8. The boilers and generator sets identified in Sections 4.1.1, 4.1.2, 4.1.4, and 4.1.6 shall be limited to consuming only #2 fuel oil with a sulfur content not greater than 0.2% by wt.

[45CSR13, R13-2787 §4.1.4. and R13-2788 §4.1.4.]

- 4.1.9. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Applications R13-2787, R13-2787A and R13-2788 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.

[45CSR13, R13-2787 §2.5.1. and R13-2788 §2.5.1.]

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

[45CSR34; 40 CFR § 63.11205(a)]

4.2. Monitoring Requirements

- 4.2.1. For the purposes of demonstrating compliance with the hours of operation limits in Sections 4.1.2 and 4.1.6, the permittee shall record the time, date, and length of operation and note the reason the engine operated. Such records shall be maintained in accordance with Section 3.4.2.

[45CSR13, R13-2787 §4.2.1. and R13-2788 §4.2.1.]

- 4.2.2. For the purpose of determining compliance with the opacity limits of Sections 4.1.1.b and 4.1.4.b, the permittee shall conduct visible emission checks and/or opacity monitoring and recordkeeping for all emission sources subject to an opacity limit.

The visible emission check shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 C.F.R. Part 60 Appendix A, Method 22 or from the lecture portion of the 40 C.F.R. Part 60 Appendix A, Method 9 certification course.

Visible emission checks shall be conducted at least once per calendar month. These checks shall be performed at each source (stack, transfer point, fugitive emission source, etc.) for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Visible emission checks shall be performed during periods of normal facility operation and appropriate weather conditions.

If visible emissions are present at a source(s) for three (3) consecutive monthly checks, the permittee shall conduct an opacity reading at that source(s) using the procedures and requirements of METHOD 9 as soon as practicable, but within seventy-two (72) hours of the final visual emission check. A METHOD 9 observation at a source(s) restarts the count of the number of consecutive readings with the presence of visible emissions.

[45CSR13, R13-2787 §4.2.2. and R13-2788 §4.2.2.]

4.3. Testing Requirements

- 4.3.1. Reserved

4.4. Recordkeeping Requirements

- 4.4.1. The permittee shall record and maintain the following information on each fuel oil shipment received at the main building and annex complex:

- a. Name of the supplier;
- b. The sulfur content of the oil;
- c. Amount of oil delivered; and
- d. Date received.

[45CSR13, R13-2787 §4.4.4. and R13-2788 §4.4.4.]

4.4.2. The permittee shall maintain records of all monitoring data required by Section 4.2.2 documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80 degrees F, 6 - 10 mph NE wind) during the visual emission check(s). An example form is supplied as Appendix A. Should a visible emission observation be required to be performed per the requirements specified in METHOD 9, the data records of each observation shall be maintained per the requirements of METHOD 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.

[45CSR13, R13-2787 §4.4.6. and R13-2788 §4.4.5.]

4.4.3. The facility shall maintain records of the fuel oil consumed by each boiler and the hours that each boiler operates. Using these records along with the AP-42 emission factors [Section 1.3, Tables 1.3-1 (Distillate Oil #2 Heating Oil for Boilers <100 MMBtu/hr), 1.3-7, 1.3-9 and 1.3-10], the permittee shall calculate their emissions to demonstrate compliance with the emission limits in Sections 4.1.1.a and 4.1.4.a upon request by the Director.

[45CSR§30-5.1.c.]

4.4.4. The permittee shall maintain the following records, in accordance with Condition 3.4.2., of the 5-year tune-ups for the boilers as required in Conditions 4.1.1.c. and 4.1.5.:

- a. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler.
- b. A description of any corrective actions taken as a part of the tune-up of the boiler.
- c. The type and amount of fuel used over the 12 months prior to the tune-up of the boiler;
- d. Date(s) when the tune-up took place.

[45CSR34; 40 CFR §§63.11223(b)(6)(i through iii); 45CSR13, R13-2787 §4.4.5.]

4.4.5. For the boilers, the permittee must maintain the records specified in a. through e. below:

- a. As required in §63.10(b)(2)(xiv), you must keep a copy of each notification and report that you submitted to comply with this subpart and all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted.
- b. You must keep records to document conformance with the work practices, emission reduction measures, and management practices required by §63.11214 and §63.11223 as specified below.
 - i. Records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.
- c. Records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment.

- d. Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in §63.11205(a), including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation.
- e. Records must be in a form suitable and readily available for expeditious review. You must keep each record for 5 years following the date of each recorded action. You must keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. You may keep the records off site for the remaining 3 years.

[45CSR34; 40 CFR §§63.11223(a), 63.11225(c) and (d)]

4.5. Reporting Requirements

- 4.5.1. Any exceedances of the allowable visible emission requirement for any emission source discovered during observations using 40 C.F.R. Part 60 Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the exceedances, and any corrective measures taken or planned.
[45CSR13, R13-2787 §4.5.2., and R13-2788 §4.5.1.]
- 4.5.2. The permittee shall submit to the Director and Administrator a Notification of Compliance for boilers B2-001A and B2-002A subject to the work practices (boiler tune-up) of 40 CFR 63, Subpart JJJJJJ by no later than July 19, 2014. This notification must be signed by a responsible official and be submitted in accordance with and include the following:
 - a. The information required in §63.9(h)(2), except the information listed in §63.9(h)(2)(i)(B), (D), (E), and (F).
 - b. “This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boiler.”
 - c. For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: “No secondary materials that are solid waste were combusted in any affected unit.”
 - d. The notification must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA’s Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written Notification of Compliance Status must be submitted to the Administrator at the appropriate address listed in §63.13 (see condition 3.5.3.).

[45CSR34; 40 CFR §63.11225(a)(4)]

4.6. Compliance Plan

- 4.6.1. Reserved

Appendix A

MONTHLY/QUARTERLY OPACITY REPORT

