

West Virginia Department of Environmental Protection

Austin Caperton  
Cabinet Secretary

# Permit to Operate



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

*Issued to:*  
**Verso Luke LLC**  
West Virginia Operations  
R30-05700008-2018

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

*William F. Durham*  
*Director, Division of Air Quality*

*Issued: June 26, 2018 • Effective: July 10, 2018*  
*Expiration: June 26, 2023 • Renewal Application Due: December 26, 2022*

Permit Number: **R30-05700008-2018**  
Permittee: **Verso Luke LLC**  
Facility Name: **West Virginia Operations**  
Permittee Mailing Address: **300 Pratt Street, Luke, MD 21540**

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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: Beryl, Mineral County, West Virginia  
Facility Mailing Address: 300 Pratt Street, Luke, MD 21540  
Telephone Number: (301) 359-3311  
Type of Business Entity: LLC  
Facility Description: Lime kiln, woodyard, roll finishing, and receiving warehouse which supply supporting operations for pulp and paper mill.  
SIC Codes: 2621; 3274  
UTM Coordinates: 667.00 km Easting • 4371.00 km Northing • Zone 17

Permit Writer: Denton B. McDerment

*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**

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
001 (1S)	001 (1E)	Rotary Lime Kiln - Production of Lime	1966	103,083 lb/hr	Kiln Venturi Scrubber Kiln SO <sub>2</sub>
003	003	Storage Pile Chip Unloading - Wood chip truck unloading operation	1985	132 TPH	N/A
004	004	Screen House Chip Unloading - operation	1960	150 TPH	N/A
005	005	Log truck unloading operation	1960	300 TPH	N/A
006	006	Rail car unloading operation	1960	300 TPH	N/A
007	007	Loading Areas - Sawdust waste cleanup and loaded at various areas	1960	16 TPH	N/A
008	008	Woodyard Roads - Roadways used for raw material transfers and access	1985	5.65 vehicle miles	N/A
009	009	Scrap Wood Unloading - Scrap wood is unloaded in pile for employee use	1960	16 TPH	N/A
010	010	Wood Chip Storage - Storage pile for wood chips	1985	550 TPH	N/A
011	011	Roundwood Storage - Log storage	1960	500 TPH	N/A
012	012	Bark storage	1960	84 TPH	N/A
013	013	Slasher Deck - Saws logs to 4 ft.	1985	460 TPH	N/A
014	014	Log Moving Conveyors - Moves logs through process	1985	600 TPH	N/A
015	015	Debarking Drums - Log debarking operation	1985	600 TPH	N/A
016	016	Bark Moving Conveyors - Transporting bark through process	1985	84 TPH	N/A
017	017	Bark Loading Building - Bark and sawdust loaded into trucks	1985	84 TPH	N/A
018	018	Chipper - Wood chipping operation	1985	370 TPH	Chipper Cyclone

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
019	019	Chip Moving Conveyors - Moving chips through process	1985	550 TPH	N/A
020	020	Radial Arm Stacker - Transfers wood chips to storage pile	1985	150 TPH	N/A
021	021	Linear Stacker - Transfers wood chips to storage pile	1985	550 TPH	N/A
022	022	Scalper - Separates chips from reject knots and shives	1985	600 TPH	N/A
023	023	Screen House - Wood chip screening operation	1960	300 TPH	Screening Fabric Filter
024	024	Sawdust Building - Building for transfer chute for sawdust collection	1985	10 TPH	Sawdust Building Cyclone
025	025	Sawdust Loading - Secondary sawdust loading station	1960	10 TPH	Sawdust Loading Cyclones
026	026	Rechipper - Rechipping of oversized chips	1960	12 TPH	Rechipper Cyclone
031	031	Lime Slaker #16 - Slaking of lime w/t green liquor	1966	16.17 TPH	No. 16 Slaker Scrubber
036	036	#6 Lime Slaker - Slaking of lime w/t water	1966	16.17 TPH	No. 6 Slaker Scrubber
045	045	#16 Slaker Feeder - Feeder system for lime slaker	1966	20 TPH	No. 16 Slaker Feeder Enclosure
046	046	#6 Slaker Feeder - Feed system for lime slaker	1966	3 TPH	No. 6 Slaker Feeder Enclosure
047	047	Limestone Unloading	1966	50 TPH	Limestone Unloading Enclosure
048	048	Pebble lime unloading	1966	20 TPH	Pebble Line Unloading Enclosure
050 (4S)	050 (4E)	Access Roads - Roads used to haul waste fly ash, etc.	1966	4.25 veh-mi	N/A
051	051	Fly Ash Handling - Boiler fly ash handling system	1966	60 TPH	N/A
055	055	Paved Roads - Paved access roads to receiving warehouse	1966	2.4 veh-mi	N/A

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
057	057	Bark Unloading - Unloading of bark onto storage pile	1966	84 TPH	N/A
029	029	No. 1 Green Liquor Tank	1966	150,000 gal	N/A
030	030	150,000 Gal. Tank	1966	150,000 gal	N/A
032	032	No. 1 Causticizer	1966	35,000 gal	N/A
033	033	No. 2 Causticizer	1966	35,000 gal	N/A
034	034	No. 3 Causticizer	1966	35,000 gal	N/A
035	035	White Liquor Clarifier	1966	1,065,000 gal	N/A
037	037	Mud Washer	1966	350,000 gal	N/A
038	038	No. 3 Mud filter	1966	150,000 gal	N/A
039	039	No. 1 Vacuum Pump	1966	16.17 Tons/hr	N/A
040	040	No. 2 Vacuum Pump	1966	16.17 Tons/hr	N/A
041	041	No. 1 Mud Filter Tank	1966	250 gal	N/A
042	042	No. 2 Mud Filter Tank	1966	250 gal	N/A
043	043	Mud Filter Filtrate Tank	1966	3,770 gal	N/A
044	044	Calibration Tank	1966	1,500 gal	N/A
049	049	Auxiliary Gas Drive Motor	1966	0.16 mmBtu/hr	N/A
054	054	Cotton Roll Grinding	1989	3 rolls /day	N/A
058	058	Liquor Storage Tank	1965	700,000 gal	N/A
060	060	No. 2 fuel Oil Tank	1966	1,500 gal	N/A
061	061	Auxiliary Gas Drive Fuel Tank	1966	150 gal	N/A
2S	2E	Silo Bin Vent	2008	188.8 lb/hr	2C
3S	3E	Densi-Filter Exhaust	2008	2.67 tons/hr	3C
4S	4E	Unpaved Haulroads	2008	993 trips/yr	N/A

**Control Devices**

001 (1S)	001 (1E)	Kiln Venturi Scrubber - Control particulate emissions from operation of lime kiln	1966 mod 1982	60,000 ft <sup>3</sup> /min	N/A
001	001	Kiln SO <sub>2</sub> - Inherent control of SO <sub>2</sub> by lime absorption	1966	60,000 ft <sup>3</sup> /min	N/A

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
018	018	Chipper Cyclone - Control particulate emissions from wood chipping operation	1985	75,000 ft <sup>3</sup> /min	N/A
023	023	Screening Fabric Filter - Control particulate emissions from screening and rechipping of wood chips	1966	80,000 ft <sup>3</sup> /min	N/A
024	024	Sawdust Building Cyclone - Control particulate emissions from collection of sawdust	1985	8,436 ft <sup>3</sup> /min	N/A
025	025	Sawdust Loading Cyclone - Control particulate emissions from loading sawdust into trucks	1985	N/A	N/A
026	026	Rechipper Cyclone - Control particulate emissions from rechipping operations	1966	8,000 ft <sup>3</sup> /min	N/A
031	031	No. 16 Slaker Scrubber - Control particulate emissions from slaking of lime with green liquor	1966	7,100 ft <sup>3</sup> /min	N/A
036	036	No. 6 Slaker Scrubber - Control particulate emissions from slaking of lime with water	1966	7,400 ft <sup>3</sup> /min	N/A
045	045	No.16 Slaker Feeder Enclosure - Control particulate emissions from discharge of lime kiln to slaker	1966	N/A	N/A
046	046	No. 6 Slaker Feeder Enclosure - Control particulate emissions from discharge of lime to slaker	1966	N/A	N/A
047	047	Limestone Unloading Enclosure - Control particulate emissions during unloading of limestone trucks	1966	N/A	N/A
048	048	Pebble Lime Unloading Enclosure - Control particulate matter emissions during unloading of pebble lime trucks	1966	N/A	N/A
2C	2E	Silo Bin Filter Vent Baghouses	2008	1,100 ACFM	N/A
3C	3E	Densi-Filter Baghouses	2008	200 ACFM	N/A

**1.2. Active R13, R14, and R19 Permits**

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

<b>Permit Number</b>	<b>Date of Issuance</b>
R13-0511C	June 17, 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

<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.]

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## **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. The permitted facility shall be constructed and operated in accordance with information filed in Permit Application R13-0511, and any amendments thereto. The Director may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.

**[45CSR13, R13-0511, 2.5.1.]**

### **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 R13-0511 (Condition 4.3.1.)]

- 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:**

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

**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. Reserved.

### 3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.
  - a. **40 C.F.R. 60 Subpart BB - Standards of Performance for Kraft Pulp Mills.** The Lime Kiln was installed in 1966. It has not been modified since. Since it was not constructed or modified after September 24, 1976, it is not subject to the requirements of this subpart in accordance with §60.280(b).
  - b. **45CSR27 - To Prevent and Control the Emissions of Toxic Air Pollutants.** The total amounts of toxic air pollutants estimated to be emitted from the West Virginia operations are as follows: benzene - 626 lb/yr (threshold 1,000 lb/yr); chloroform - 872 lb/yr (threshold 1,000 lb/yr); formaldehyde - 504 lb/yr (threshold 1,000 lb/yr); Methylene chloride - 32 lb/yr (threshold 5,000 lb/yr). Since the estimated emission rates of all toxic air pollutants are below the respective emission thresholds, the regulations in 45CSR27 are not applicable.
  - c. **Condition 4.2.1. in Permit R13-0511C.** Compliance stack testing was required within 180 days of first use of pet coke as a fuel for the lime kiln. According to a May 25, 2012 email from the permittee, the testing was performed on March 25, 2009. The requirement has been fulfilled, and there are no ongoing requirements; therefore, the condition is no longer applicable.

- d. **40 C.F.R. 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.** Tanks 029, 030, 032, 033, 034, 035, 037, 038, and 058, were constructed in 1966 and have not been reconstructed or modified; therefore, this regulation is not applicable to these tanks.
- e. **40 C.F.R. 60 Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants.** This regulation applies to affected facilities listed in 40 C.F.R. §60.670(a)(1) located at nonmetallic mineral processing plants. 40 C.F.R. §60.671 defines a *nonmetallic mineral processing plant* as “any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located...” The permittee utilizes the *nonmetallic mineral* limestone in its Beryl facility operations. However, according to technical correspondence (5/25/2012 email), the permittee does not crush or grind limestone at the Beryl facility. Therefore, the Beryl facility does not meet the definition of a *nonmetallic mineral processing plant* in 40 C.F.R. §60.671 and therefore this regulation does not apply.

**4.0 Lime Kiln and Woodyard Operations [emission point ID(s): Refer to permit section 1.1.]**

**4.1. Limitations and Standards**

4.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in Condition 4.1.2.

[45CSR§7-3.1] (Facility-wide except 008, 010, 011, 012, 050, 051, 055)

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

[45CSR§7-3.2] (Facility-wide except 008, 010, 011, 012, 050, 051, 055)

4.1.3. No person shall cause, suffer, allow or permit visible emissions from any storage structure(s) associated with any manufacturing process(es) that pursuant to Condition 4.1.8 is required to have a full enclosure and be equipped with a particulate matter control device.

[45CSR§7-3.7] (010, 011, 012)

4.1.4. Emissions from Emission Point 001 (the scrubber controlling the lime kiln) shall not exceed the following when said kiln is firing natural gas:

	NO <sub>x</sub>		SO <sub>2</sub>		CO		TSP		PM <sub>10</sub>		VOCs	
	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
Scrubber 001	27.33	119.7	0.10	0.43	2.93	12.82	31.58	138.3	31.58	138.3	0.75	3.26

[45CSR13, Permit R13-0511 (Condition 4.1.1.); 45CSR§7-4.1.] (001) *Compliance with this streamlined PM limit assures compliance with 45CSR§7-4.1.*

4.1.5. Emissions from Emission Point 001 (the scrubber controlling the lime kiln) shall not exceed the following when said kiln is firing No. 2 fuel oil:

	NO <sub>x</sub>		SO <sub>2</sub>		CO		TSP		PM <sub>10</sub>		VOCs	
	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
Scrubber 001	19.08	83.6	0.05	0.21	0.97	4.25	31.58	138.3	31.58	138.3	0.10	0.43

[45CSR13, Permit R13-0511 (Condition 4.1.2.); 45CSR§7-4.1.] (001) *Compliance with this streamlined PM limit assures compliance with 45CSR§7-4.1.*

4.1.6. No person shall cause, suffer, allow or permit particulate matter to be vented into the open air from any type source operation in excess of the quantity specified under the appropriate source operation type in Table 45CSR7A of 45CSR7. Limits for affected emission points are given below.

<u>Limit</u>	<u>Emission Points</u>
50 lbs/hr-	013, 015, 018, 022, 023
18.4 lbs/hr-	026
6.73 lbs/hr-	031, 036

[45CSR§7-4.1]

- 4.1.7. No person shall circumvent the provisions of 45CSR7 by adding additional gas to any exhaust or group of exhausts for the purpose or reducing the stack gas concentration.  
**[45CSR§7-4.3] (001)**
- 4.1.8. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable.  
**[45CSR§7-5.1]**
- 4.1.9. The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment.  
**[45CSR§7-5.2] (008, 050, 055)**
- 4.1.10. No person shall cause, suffer, allow or permit any source of fugitive particulate matter to operate that is not equipped with a fugitive particulate matter control system. This system shall be operated and maintained in such a manner as to minimize the emission of fugitive particulate matter.  
**[45CSR§2-5.1] (051)**
- 4.1.11. The concentration of particulate matter in the lime kiln exhaust gases discharged to the atmosphere must be less than or equal to 0.064 gr/dscf corrected to 10% oxygen.  
**[45CSR13, Permit R13-0511 (Condition 4.1.5); 45CSR34; 40 C.F.R. §63.862(a)(i)(C)] (001)**
- 4.1.12. Raw material usage in the Lime Kiln shall not exceed 1,237 tons per day of lime mud (composed of calcium carbonate (CaCO<sub>3</sub>) in a wet cake of about 70% solids).  
**[45CSR13, Permit Application R13-0511, amended by information provided by PD97-122, additional information provided by letter on July 1, 2002.; 45CSR§30-12.7.] (001)**
- 4.1.13. The Permittee is required to take corrective action when any 3-hour average parameter value is less than the operating range for the wet scrubber of the lime kiln given below:
- (1) Pressure Drop – 25.0 inches H<sub>2</sub>O
  - (2) Scrubbing liquid flow rate – 700 gallons per minute
- [45CSR13, Permit R13-0511 (Condition 4.1.6); 45CSR34; 40 C.F.R. §63.864(k)(1)(ii)] (001)**
- 4.1.14. The Permittee is in violation of the emission limit of Condition 4.1.11 if the monitoring exceedances given below occur:
- When six or more 3-hour average parameter values within any 6-month reporting period are less than the range of values listed in Condition 4.1.13.
- [45CSR34; 40 C.F.R. §63.864(k)(2)(iv)] (001)**

- 4.1.15. Emissions from Emission Point 001 (the scrubber controlling the lime kiln) shall not exceed the following when said kiln is firing recycled oil:

	NO <sub>x</sub>		SO <sub>2</sub>		CO		TSP		PM <sub>10</sub>		VOCs	
	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
Scrubber 001	19.08	83.6	0.1	0.4	0.97	4.25	31.58	138.3	31.58	138.3	0.10	0.43

**[45CSR13, Permit R13-0511 (Condition 4.1.3.); 45CSR§7-4.1.] (001)** *Compliance with this streamlined PM limit assures compliance with 45CSR§7-4.1.*

- 4.1.16. Emissions from the following emission points shall not exceed the following when said kiln is firing petroleum coke:

	NO <sub>x</sub>		SO <sub>2</sub>		CO		TSP		PM <sub>10</sub>		VOCs	
	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
Scrubber 001	35.53	155.6	1.6	7.02	4.22	18.49	31.58	138.3	31.58	138.3	0.75	3.26
Silo Vent 2E	0	0	0	0	0	0	0.08	0.02	0.04	0.01	0	0
Densi Filter 3E	0	0	0	0	0	0	0.02	0.01	0.01	0.01	0	0
UPHR 4E	0	0	0	0	0	0	---	6.68	---	1.99	0	0
Total	35.5	156	1.6	7.02	4.22	18.5	31.7	145	31.6	140	0.75	3.26

**[45CSR13, Permit R13-0511 (Condition 4.1.4); 45CSR§7-4.1.]** *Compliance with this streamlined PM limit assures compliance with 45CSR§7-4.1 for Scrubber 001.*

- 4.1.17. Production of CaO shall not exceed 388.08 tons per day.  
**[45CSR13, Permit R13-0511 (Condition 4.1.7)]**
- 4.1.18. Maximum sulfur content of the petcoke shall not exceed 10%.  
**[45CSR13, Permit R13-0511 (Condition 4.1.8)]**
- 4.1.19. The maximum amount of petcoke fired in the kiln shall not exceed 23,389 tons per year based on a rolling 12 month total basis.  
**[45CSR13, Permit R13-0511 (Condition 4.1.9)]**
- 4.1.20. Sulfur Dioxide (SO<sub>2</sub>) emissions from Emission Point 001 (the scrubber controlling the lime kiln) shall not exceed 2,000 parts per million by volume.  
**[45CSR§10-4.1.] (001)**
- 4.1.21. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate the Kiln Venturi Scrubber 001, Silo Bin Filter Vent Baghouses 2C, and Densi-Filter Baghouses 3C, and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.  
**[45CSR13, Permit R13-0511 (Condition 4.1.10)] (001, 2C, 3C)**

- 4.1.22. At all times, the owner or operator 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 owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements 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. §63.860(d)] (001)**

## **4.2. Monitoring Requirements**

- 4.2.1. The permittee shall monitor all particulate capture or suppression systems to ensure that the systems are operated and maintained in conformance with the manufacturer's design specifications. Records shall be maintained on site stating the types of particulate capture and suppression systems used, the times these systems were inoperable and the corrective actions taken.  
**[45CSR§30-5.1.c.]**
- 4.2.2. At least weekly (except for the Chipper Cyclone 018 and Screening Fabric Filter 023 which shall be done daily), visual emission checks shall be conducted for each emission point subject to an opacity limit, and for sources subject to particulate matter mass rate limits in condition 4.1.6. and for the Silo Vent 2E and Densi Filter 3E in permit condition 4.1.16. For units emitting directly into the open air from points other than a stack outlet, visible emissions are to include visible fugitive dust emissions that leave the plant site boundaries.
- a. For these units (except the Lime Kiln 001) these checks shall be conducted during periods of facility operation for a sufficient time interval (but no less than 1 minute) to determine if the unit has visible emissions using procedures outlined in 40 CFR 60, Appendix A, Method 22. If sources of visible emissions are identified during the survey, or at any other time, the permittee shall conduct an evaluation as outlined in 45CSR§§7A-2.1.a. and b. within twenty-four (24) hours. A 45CSR§§7A-2.1.a. and b. evaluation shall not be required if the visible emission condition is corrected in a timely manner and the units are operated at normal operating conditions. A record of each visible emission check required above shall be maintained on site. Said record shall include the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer.
- b. For the Lime Kiln, these checks shall be conducted during periods of facility operation for a sufficient time interval (but no less than 1 minute) to determine the visible emission levels using procedures outlined in 45CSR§§7A-2.1.a. and b. A record of each visible emission check required above shall be maintained on site. Said record shall include, but not be limited to, the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s) was/were taken, and the name of the observer.

**[45CSR§§7A-2.1.a. and b.; 45CSR§30-5.1.c.]**  
**[40 C.F.R. §§ 64.3(a) and (b); 45CSR§30-5.1.c.] (018, 023)**

- 4.2.3. The permittee must calibrate, maintain, and operate a Continuous parameter monitoring system (CPMS) that can be used to determine and record the pressure drop across the scrubber and the scrubbing liquid flow rate at least once every successive 15-minute period using the procedures in 40 C.F.R. §63.8(c), as well as the procedures in paragraphs (i) and (ii) of this condition:

- (i) The monitoring device used for the continuous measurement of the pressure drop of the gas stream across the scrubber must be certified by the manufacturer to be accurate to within a gage pressure of  $\pm 500$  pascals ( $\pm 2$  inches of water gage pressure); and
- (ii) The monitoring device used for continuous measurement of the scrubbing liquid flow rate must be certified by the manufacturer to be accurate within  $\pm 5$  percent of the design scrubbing liquid flow rate.

**[45CSR13, Permit R13-0511 (Condition 4.3.7); 45CSR34; 40 C.F.R. §63.864(e)(10)] (Kiln Venturi Scrubber 001)**

4.2.4. **Commencement of operation** – The permittee shall conduct the monitoring required under 40 C.F.R. Part 64 upon issuance of this permit that includes such monitoring.  
**[40 C.F.R. § 64.7(a); 45CSR§30-5.1.c.] (018, 023)**

4.2.5. **Proper Maintenance** – At all times, the permittee shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.  
**[40 C.F.R. § 64.7(b); 45CSR§30-5.1.c.] (018, 023)**

4.2.6. **Continued Operation** – Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of 40 C.F.R. Part 64, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.  
**[40 C.F.R. § 64.7(c); 45CSR§30-5.1.c.] (018, 023)**

4.2.7. **Response to Excursions or Exceedances**

- (1) Upon detecting an excursion or exceedance, the permittee shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
- (2) Determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.

**[40 C.F.R. § 64.7(d); 45CSR§30-5.1.c.] (018, 023)**

- 4.2.8. **Documentation of Need for Improved Monitoring** – After approval of monitoring under 40 C.F.R. Part 64, if the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly notify the Director and, if necessary, submit a proposed modification to the permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.  
[40 C.F.R. § 64.7(e); 45CSR§30-5.1.c.] (018, 023)
- 4.2.9. **Excursion for 018 Chipper** – A CAM *excursion* shall be defined as an opacity reading greater than 20 percent (20%). Refer to conditions 4.2.7. (Response to Excursions and Exceedances), 4.4.15. (General recordkeeping requirements for CAM), and 4.5.5. (General reporting requirements for CAM) for recordkeeping and reporting requirements for excursions.  
[40 C.F.R. § 64.6(c)(2); 45CSR§30-5.1.c.]
- 4.2.10. **Excursion for 023 Screen House** – A CAM *excursion* shall be defined as an opacity reading greater than 20 percent (20%). Refer to conditions 4.2.7. (Response to Excursions and Exceedances), 4.4.15. (General recordkeeping requirements for CAM), and 4.5.5. (General reporting requirements for CAM) for recordkeeping and reporting requirements for excursions.  
[40 C.F.R. § 64.6(c)(2); 45CSR§30-5.1.c.]
- 4.2.11. **Quality Improvement Plan (QIP) Threshold for 018 Chipper** – Based on the results of a determination made under §64.7(d)(2) (Response to excursions or exceedances, permit condition 4.2.7.(2)), the Administrator or the Director may require the permittee to develop and implement a QIP. Consistent with 40 C.F.R. §64.6(c)(3), the permittee is limited to an accumulation of exceedances or excursions no more than six (6) excursions during a six-month reporting period using procedures outlined in 45CSR§§7A-2.1.a. and b. (see condition 4.2.2.a.), prior to requiring the implementation of a QIP. If a QIP is required, then it shall be developed, implemented, and modified as required according to 40 C.F.R. §§ 64.8(b) through (e). Refer to permit condition 4.5.5.(2)c. for the reporting required when a QIP is implemented.  
[40 C.F.R. § 64.8; 45CSR§30-5.1.c.]
- 4.2.12. **Quality Improvement Plan (QIP) Threshold for 023 Screen House** – Based on the results of a determination made under §64.7(d)(2) (Response to excursions or exceedances, permit condition 4.2.7.(2)), the Administrator or the Director may require the permittee to develop and implement a QIP. Consistent with 40 C.F.R. §64.6(c)(3), the permittee is limited to an accumulation of exceedances or excursions no more than six (6) excursions during a six-month reporting period using procedures outlined in 45CSR§§7A-2.1.a. and b. (see condition 4.2.2.a.), prior to requiring the implementation of a QIP. If a QIP is required, then it shall be developed, implemented, and modified as required according to 40 C.F.R. §§ 64.8(b) through (e). Refer to permit condition 4.5.5.(2)c. for the reporting required when a QIP is implemented.  
[40 C.F.R. § 64.8; 45CSR§30-5.1.c.]

### 4.3. Testing Requirements

4.3.1. **Compliance Dates for Revised 40 C.F.R. 63 Subpart MM Requirements.** The owner or operator of an existing source or process unit must comply with the revised requirements published on October 11, 2017 no later than October 11, 2019, with the exception of the following:

- (1) The first of the 5-year periodic performance tests must be conducted by October 13, 2020, and thereafter within 5 years following the previous performance test; and
- (2) The date to submit performance test data through the CEDRI is within 60 days after the date of completing each performance test.

**[45CSR34; 40 C.F.R. §§ 63.863(c), (c)(1), and (c)(2)] (001)**

4.3.2. **Determination of Operating Limits.**

- (1) During the initial or periodic performance test required in §63.865, the owner or operator of any affected source or process unit must establish operating limits for the monitoring parameters in paragraphs (e)(10) of this §63.864 (permit condition 4.1.13.), as appropriate; or
- (2) The owner or operator may base operating limits on values recorded during previous performance tests or conduct additional performance tests for the specific purpose of establishing operating limits, provided that data used to establish the operating limits are or have been obtained during testing that used the test methods and procedures required in 40 C.F.R. 63 Subpart MM. The owner or operator of the affected source or process unit must certify that all control techniques and processes have not been modified subsequent to the testing upon which the data used to establish the operating parameter limits were obtained.

**[45CSR34; 40 C.F.R. §§ 63.864(j), (j)(1), and (j)(2)] (001)**

4.3.3. **Performance Test Requirements and Test Methods.** The owner or operator of each affected source or process unit subject to the requirements of 40 C.F.R. 63 Subpart MM is required to conduct an initial performance test and periodic performance tests using the test methods and procedures listed in §63.7 and paragraph (b) of §63.865. The owner or operator must conduct the first of the periodic performance tests within 3 years of the effective date of the revised standards and thereafter within 5 years following the previous performance test. Performance tests shall be conducted based on representative performance (*i.e.*, performance based on normal operating conditions) of the affected source for the period being tested. Representative conditions exclude periods of startup and shutdown. The owner or operator may not conduct performance tests during periods of malfunction. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

**[45CSR34; 40 C.F.R. §63.865] (001)**

#### 4.4. Recordkeeping Requirements

4.4.1. The permittee shall maintain records indicating the use of any dust suppressants or other suitable dust control measures applied at the facility. These records shall be maintained on site.  
[45CSR§30-5.1.c.]

4.4.2. Compliance with the SO<sub>2</sub>, CO, NO<sub>x</sub>, TSP, PM<sub>10</sub>, and VOC limits for emission point 001 as required by conditions 4.1.4., 4.1.5., 4.1.15., and 4.1.16., shall be demonstrated by showing proper operation and maintenance of the lime kiln and lime kiln scrubber as follows:

A. Proper operation:

- i. The permittee shall operate the lime kiln during calcination operation at a minimum of 1,600 degrees F. and a maximum of 2,600 degrees F.
- ii. The permittee shall maintain the liquor flow rate through the lime kiln scrubber during calcination at a minimum of 700 GPM and a maximum of 1,300 GPM.
- iii. The permittee shall maintain the pressure drop across the lime kiln during calcination operation to within 18 inches and 34 inches water column.
- iv. The permittee shall maintain the oxygen content within the lime kiln during calcination between 0.2% and 5%.

The permittee shall record the following at a minimum of every one hour while the lime kiln is in operation: oxygen content, temperature of the kiln, and the pressure drop across the scrubber. Compliance with these limits shall be shown by maintaining rolling three hour averages of these parameters and operating the kiln within these specified parameters. The permittee shall maintain records of fuel usage.

B. Proper Maintenance:

- i. The permittee shall perform daily visual inspections of the lime kiln and take corrective action when necessary.

The permittee shall maintain records of the daily visual inspections of the lime kiln, as well as maintenance performed on the lime kiln.

The above records shall be maintained on site and shall be made available to the Secretary or his duly authorized representative upon request.

Compliance with the annual limitations required by conditions 4.1.4., 4.1.5., 4.1.15., and 4.1.16. shall be demonstrated on a 12-month rolling total.

[45CSR§30-12.7]

4.4.3. The owner or operator of manufacturing process source(s) shall maintain on-site a record of all required monitoring data as established in a monitoring plan pursuant to 45CSR§10-8.2.c. The monitoring plan is given in Appendix A of this Permit.  
[45CSR§10-8.3.a.]

4.4.4. Compliance with the Sulfur Dioxide limits as required by Condition 4.1.4., 4.1.5., 4.1.15., and 4.1.16. and the recordkeeping and reporting requirements of Conditions 4.4.3 and 4.5.1 shall be demonstrated as outlined in the 45CSR10 Monitoring Plan as attached in Appendix A. The SO<sub>2</sub> concentrations included in the quarterly summary reports as required by the 45CSR10 Monitoring Plan shall be calculated by using the following equations.

i. The amount of SO<sub>2</sub> emissions per hour are to be calculated and recorded based on the following equation.

$$\text{lbs SO}_2/\text{hr} = 0.006 \text{ lb SO}_2 / \text{ton CaO} * \text{Ave. ton / hour CaO}$$

ii. Calculate and record SO<sub>2</sub> emissions in part per million volume based on the following equation.

$$\text{SO}_2 \text{ ppmv} = (\text{SO}_2 \text{ lb/hr})/0.224$$

**[45CSR§10-8.3.]**

4.4.5. Compliance with the raw material usage limit of Lime Mud as required by Condition 4.1.12 shall be demonstrated by recording at a minimum of once an hour the calculated feed rate of the Lime Mud (composed of calcium carbonate (CaCO<sub>3</sub>) in a wet cake of about 70% solids). Compliance with these limits shall be shown by maintaining rolling three hour averages of the feed rate. Such records shall be maintained on site and shall be made available to the Secretary of his duly authorized representative upon request.

**[45CSR§30-5.1.c.]**

4.4.6. The permittee shall maintain records of the usage rates (lbs/hr) of wood and lime processed on a monthly, and 12-month rolling total basis. Such records shall be maintained on site and shall be made available to the Secretary or his duly authorized representative upon request.

**[45CSR§30-5.1.c.]**

4.4.7. **Records of Parametric Monitoring.**

(1) Records of parameter monitoring data required under §63.864 (conditions 4.1.13., 4.1.14., 4.2.3.), including any period when the operating parameter levels were inconsistent with the levels established during the performance test, with a brief explanation of the cause of the monitoring exceedance, the time the monitoring exceedance occurred, the time corrective action was initiated and completed, and the corrective action taken.

(2) Records and documentation of supporting calculations for compliance determinations made under §63.865(a) through (d) (condition 4.3.3.).

(3) Records of parameter operating limits established for each affected source or process unit (condition 4.1.13.).

(4) **Parametric Monitoring Failure**

(i) In the event that an affected unit fails to meet an applicable standard, including any emission limit in §63.862 (condition 4.1.11.) or CPMS operating limit in §63.864 (conditions 4.1.13., 4.1.14., 4.2.3.), record the number of failures. For each failure record the date, start time, and duration of each failure.

- (ii) For each failure to meet an applicable standard, record and retain a list of the affected sources or equipment, and the following information:
  - (a) For any failure to meet an emission limit in §63.862 (condition 4.1.11.), record an estimate of the quantity of each regulated pollutant emitted over the emission limit and a description of the method used to estimate the emissions.
  - (b) For each failure to meet an operating limit in §63.864 (conditions 4.1.13., 4.1.14., 4.2.3.), maintain sufficient information to estimate the quantity of each regulated pollutant emitted over the emission limit. This information must be sufficient to provide a reliable emissions estimate if requested by the Administrator.
- (iii) Record actions taken to minimize emissions in accordance with §63.860(d) (condition 4.1.22.) and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

**[45CSR34; 40 C.F.R. §§ 63.866(c)(3), (c)(4), and (c)(5); 40 C.F.R. §§ 63.866(d)(1) through (d)(3)]**

- 4.4.8. The owner or operator of an affected source or process unit must maintain records of any occurrence when corrective action is required under Condition 4.1.13, and when a violation is noted under Condition 4.1.14.  
**[45CSR34; 40 C.F.R. §63.866(b)]**
- 4.4.9. The Permittee must keep records of CaO production rates in tons per day for the lime kiln.  
**[45CSR34; 40 C.F.R. §63.866(c)(2)]**
- 4.4.10. In order to determine compliance with the production limit of Condition 4.1.17, the permittee shall maintain records of the amount of CaO produced each day.  
**[45CSR13, Permit R13-0511 (Condition 4.3.4)]**
- 4.4.11. In order to determine compliance with the sulfur content limit of Condition 4.1.18, the permittee shall obtain a vendor guarantee ensuring that the sulfur content of the pet coke is less than or equal to 10%. Alternatively, if such a guarantee is unavailable, the permittee shall test random samples of pet coke for sulfur content at least once each month that pet coke is received on site.  
**[45CSR13, Permit R13-0511 (Condition 4.3.5)]**
- 4.4.12. In order to determine compliance with the fuel use limit of Condition 4.1.19, the permittee shall maintain records of the amount of pet coke used as fuel on a monthly basis.  
**[45CSR13, Permit R13-0511 (Condition 4.3.6)]**
- 4.4.13. **Record of Maintenance of Air Pollution Control Equipment.** For the Kiln Venturi Scrubber 001, Silo Bin Filter Vent Baghouses 2C, and Densi-Filter Baghouses 3C, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.  
**[45CSR13, Permit R13-0511 (Condition 4.3.2)] (001, 2C, and 3C)**

4.4.14. **Record of Malfunctions of Air Pollution Control Equipment.** For the Kiln Venturi Scrubber 001, Silo Bin Filter Vent Baghouses 2C, and Densi-Filter Baghouses 3C, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the event.
- c. The duration of the event.
- d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

**[45CSR13, Permit R13-0511 (Condition 4.3.3)] (001, 2C, and 3C)**

4.4.15. **General recordkeeping requirements for 40 C.F.R. Part 64 (CAM).** The permittee shall comply with the recordkeeping requirements specified in permit conditions 3.4.1. and 3.4.2. The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to 40 C.F.R. §64.8 (conditions 4.2.11. and 4.2.12.) and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under 40 C.F.R. Part 64 (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).

**[40 C.F.R. § 64.9(b); 45CSR§30-5.1.c.] (018, 023)**

## **4.5. Reporting Requirements**

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

**[45CSR§10-8.3.b.]**

4.5.2. The permittee must notify the Administrator before any of the following actions of this Condition are taken:

- (i) The wet scrubber for the lime kiln is modified or replaced;
- (ii) The lime kiln is shut down for more than 60 consecutive days; or

- (iii) A continuous monitoring parameter or the value or range of values of a continuous monitoring parameter for the lime kiln given in Condition 4.1.13 is changed.

**[45CSR13, Permit R13-0511 (Condition 4.4.1); 45CSR34; 40 C.F.R. §63.867(b)(3)]**

- 4.5.3. The Permittee must report quarterly if the wet scrubber operates at or below the ranges given in Condition 4.1.13, and/or if the number of exceedances meet or exceed the number listed in Condition 4.1.14. This report must contain the information specified in 40 C.F.R. §63.10(c), as well as the duration of occurrences when the operating conditions dropped below the ranges listed in Condition 4.1.13, and the number and duration of occurrences when the Permittee met or exceeded the conditions listed in Condition 4.1.14. Reporting excess emissions below the violation thresholds of 40 C.F.R. §63.864(k) does not constitute a violation of the applicable standard.

**[45CSR13, Permit R13-0511 (Condition 4.4.2); 45CSR34; 40 C.F.R. §63.867(c)]**

- 4.5.4. When no exceedances of parameters specified in Conditions 4.1.13 and 4.1.14 have occurred, the Permittee must submit a semiannual report stating that no excess emissions occurred during the reporting period.

**[45CSR13, Permit R13-0511 (Condition 4.4.3); 45CSR34; 40 C.F.R. §63.867(c)(1)]**

**4.5.5. General reporting requirements for 40 C.F.R. Part 64 (CAM)**

- (1) On and after the date specified in 40 C.F.R. §64.7(a) by which the permittee must use monitoring that meets the requirements of 40 C.F.R. 64, the permittee shall submit CAM monitoring reports with the quarterly excess emissions reports. A copy of the CAM monitoring reports generated within the semi-annual monitoring report period shall be included with the semi-annual monitoring report under permit condition 3.5.6. Incorporation by reference within the semi-annual monitoring report is not acceptable.
- (2) A report for monitoring under 40 C.F.R. 64 shall include, at a minimum, the information required under permit condition 3.5.8. and the following information, as applicable:
  - a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
  - b. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
  - c. A description of the actions taken to implement a QIP during the reporting period as specified in 40 C.F.R. §64.8. Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

**[40 C.F.R. § 64.9(a); 45CSR§30-5.1.c.] (018, 023)**

**4.6. Compliance Plan**

- 4.6.1. Reserved.

## 5.0 Auxiliary Gas Drive Motor [emission point ID: 049]

### 5.1. Limitations and Standards

5.1.1. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than October 19, 2013.  
[40 C.F.R. §63.6595(a)(1); 45CSR34]

5.1.2. For each emergency stationary SI RICE<sup>1</sup>, you must meet the following requirements, except during periods of startup:

- a. Change oil and filter every 500 hours of operation or annually, whichever comes first<sup>2</sup>;
- b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
- c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary<sup>3</sup>.

<sup>1</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 work practice requirements on the schedule required in Table 2c of 40 C.F.R. 63 Subpart ZZZZ, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The work 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 work practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.

<sup>2</sup> Sources have the option to utilize an oil analysis program as described in 40 C.F.R. §63.6625(j) (permit condition 5.1.6.) in order to extend the specified oil change requirement in Table 2c of 40 C.F.R. 63 Subpart ZZZZ.

<sup>3</sup> Sources can petition the Administrator pursuant to the requirements of 40 C.F.R. §63.6(g) for alternative work practices.

During periods of startup you must 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.

[40 C.F.R. §63.6602, Table 2c, Item #6; 40 C.F.R. §63.6625(h); 45CSR34]

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

[40 C.F.R. §63.6605(b); 45CSR34]

- 5.1.4. If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.  
**[40 C.F.R. §§63.6625(e) and 63.6625(e)(2); 40 C.F.R. §63.6640(a), Table 6, Item #9; 45CSR34]**
- 5.1.5. 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, you must install a non-resettable hour meter if one is not already installed.  
**[40 C.F.R. §63.6625(f); 45CSR34]**
- 5.1.6. If you own or operate a stationary SI engine that is subject to the work, operation or management practices in item #6 of Table 2c to 40 C.F.R. 63 Subpart ZZZZ (permit condition 5.1.2.), you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2c to 40 C.F.R. 63 Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c to 40 C.F.R. 63 Subpart ZZZZ (permit condition 5.1.2.a.). 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 (permit condition 5.1.4.).  
**[40 C.F.R. §63.6625(j); 45CSR34]**
- 5.1.7. If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (1) through (3) of this condition. In order for the engine to be considered an emergency stationary RICE under 40 C.F.R. 63 Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (1) through (3) of this condition, is prohibited. If you do not operate the engine according to the requirements in paragraphs (1) through (3) of this condition, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
- (1) There is no time limit on the use of emergency stationary RICE in emergency situations.
  - (2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (2)(i) through (iii) of this condition for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (3) of this condition counts as part of the 100 hours per calendar year allowed by this paragraph (2).

- (i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year
  - (ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.
  - (iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.
- (3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (2) of this condition. 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 supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[40 C.F.R. §§ 63.6640(f), (f)(1), (f)(2), and (f)(3); 45CSR34]

- 5.1.8. The permittee shall comply with the applicable General Provisions in 40 C.F.R. §§ 63.1 through 63.15.  
[40 C.F.R. §63.6665, Table 8; 45CSR34]

## **5.2. Monitoring Requirements**

- 5.2.1. Reserved.

## **5.3. Testing Requirements**

- 5.3.1. Reserved.

## **5.4. Recordkeeping Requirements**

- 5.4.1. You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan (permit condition 5.1.4.) if you own or operate an existing stationary emergency RICE.

[40 C.F.R. §§63.6655(e) and 63.6655(e)(2); 45CSR34]

5.4.2. 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 that does not meet the standards applicable to non-emergency engines, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.  
**[40 C.F.R. §§63.6655(f) and 63.6655(f)(1); 45CSR34]**

5.4.3. **Format and Retention of Records for 40 C.F.R. 63 Subpart ZZZZ.**

(a) Your records must be in a form suitable and readily available for expeditious review according to 40 C.F.R. §63.10(b)(1).

(b) As specified in 40 C.F.R. §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 C.F.R. §63.10(b)(1).

**[40 C.F.R. §§63.6660(a), (b), and (c); 45CSR34]**

**5.5. Reporting Requirements**

5.5.1. You must report each instance in which you did not meet each limitation in Table 2c to 40 C.F.R. 63 Subpart ZZZZ (permit condition 5.1.2.). These instances are deviations from the emission and operating limitations in 40 C.F.R. 63 Subpart ZZZZ. These deviations must be reported according to the requirements in 40 C.F.R. §63.6650 (permit condition 5.5.3.).  
**[40 C.F.R. §63.6640(b); 45CSR34]**

5.5.2. You must also report each instance in which you did not meet the requirements in Table 8 to 40 C.F.R. 63 Subpart ZZZZ that apply to you.  
**[40 C.F.R. §63.6640(e); 45CSR34]**

5.5.3. The permittee must report all deviations as defined in 40 C.F.R. 63 Subpart ZZZZ in the semiannual monitoring report required by permit condition 3.5.6.  
**[40 C.F.R. §63.6650(f); 45CSR34]**

**5.6. Compliance Plan**

5.6.1. Reserved.

## APPENDIX A

### 45 CSR 10 Monitoring Plan

Revision 1: August 22, 2001

Revision 2: April, 28, 2009

Verso Luke LLC  
Source: Lime Kiln  
TV Point Source ID: 001

**Testing:** We are hereby petitioning the Director to continue the exemption granted for the lime kiln source from the testing requirements in 5.2.a. (WV DAQ Letter dated August 30, 2001). Since the date of that exemption, we have received a Series 13 Permit (R13-0511A issued on September 4, 2008) which allows the burning of petcoke for fuel, in addition to fuel oils and natural gas, in our lime kiln unit. The lime kiln process is a natural scrubber for SO<sub>2</sub> (CaO dust interaction), and has a venture wet scrubber. The high removal rate for SO<sub>2</sub> follows the example given in 5.2.b for manufacturing sources exempted when employing flares. When burning petcoke at a maximum rate, we estimate maximum emissions to be 7 t/yr controlled, 1400 t/yr potential (uncontrolled).

**Monitoring:** Fuel type, usage, and calcium carbonate processing rates for the lime kiln will be tracked on a monthly basis. Emission factors will be applied to these processing rates to determine compliance. The emission factors for fuel oil and petcoke were calculated using the maximum permitted sulfur concentration in each fuel. The resulting emissions calculations will be compared to the limit for compliance determination.

**Recordkeeping and Reporting:** Records of fuel type, usage, and calcium carbonate processing rates will be maintained on site for a minimum of five years. Unless instructed otherwise, quarterly "Monitoring Summary Reports" containing this information will be submitted to the department within 30 days of the end of each calendar quarter, beginning at the end of the third quarter 2001. An "Excursion and Monitoring Plan Performance Report" will also be submitted once per quarter. This plan will include the following items:

The magnitude and the date and time, including starting and ending times.

Specific identification of each excursion that occurs during start-ups, shutdowns, and malfunctions of the facility.

The nature and cause of any excursion (if known), the corrective action taken, and preventative measures adopted (if any).

The date and time identifying each period when data (processing or fuel usage rates) is unavailable, the reason for data unavailability, and the corrective action.

When no excursions have occurred or there were no periods of data unavailability, such information shall be stated in the report.