

Fact Sheet



For Final Minor Modification Permitting Action Under 45CSR30 and Title V of the Clean Air Act

This Fact Sheet serves to address the changes specific to this Minor Modification, and shall be considered a supplement to the Fact Sheet corresponding with the Title V operating permit issued on January 24, 2014.

Permit Number: **R30-06100027-2014**
Application Received: **November 23, 2015**
Plant Identification Number: **03-54-06100027**
Permittee: **Morgantown Energy Associates**
Mailing Address: **555 Beechurst Avenue, Morgantown, WV 26505**

Permit Action Number: *MM01* Revised: *August 30, 2016*

Physical Location:	Morgantown, Monongalia County, West Virginia
UTM Coordinates:	589.20 km Easting • 4,388.10 km Northing • Zone 17
Directions:	From Charleston take Interstate 79 North to Exit 152. Bear right onto Fairmont Rd (US-19) approximately 1.9 miles. Turn right onto Holland Ave. (US-19) approximately 1.4 miles to University Avenue. Turn left on Beechurst Ave. Facility is located on the left approximately 0.8 miles.

Facility Description

The Morgantown Energy Facility is a fossil fuel fired cogeneration facility and operates under SIC code 4911. The facility consists of two (2) 375 MMBtu/hr waste coal and coal fired circulating fluidized bed (CFB) boilers and related facilities, including a steam transmission line and two (2) 132 MMBtu/hr auxiliary natural gas-fired boilers.

Proposed Change

The installation associated with this permitting action is for the addition of a control device, selective non-catalytic reduction (SNCR) system, to control nitrogen oxide emissions. The installation is being driven by the requirements for control of sulfur dioxide under the Mercury and Air Toxics Standard, 40 C.F.R. 63 Subpart UUUUU.

Emissions Summary

The table below sets forth the potential emissions changes (in tons per year) associated with the proposed permitting action.

Pollutant	2014 Renewal	MM01 Change ⁽¹⁾	Proposed
Sulfur Dioxide (SO ₂)	1,248	-591	657
Particulate Matter (PM _{2.5})	75.5	+ 0.0003 ⁽²⁾	75.5
Particulate Matter (PM ₁₀)	82.5	+ 0.0010 ⁽²⁾	82.5
Total Particulate Matter (TSP)	100.3	+ 0.0056 ⁽²⁾	100.3

(1) The application provided an estimated change in the potential emissions of sulfur dioxide and particulate matter for this modification; however, the exact amount of the change for sulfur dioxide is not available at the time of this modification since the number of startup and shutdown occurrences are not currently known. Though not in the Title V modification application, the Engineering Evaluation for R14-0007C indicates that emissions of other pollutants (e.g., NO_x and CO) will also decrease.

(2) The particulate matter increases are estimated fugitive emissions associated with increased consumption of fuel and limestone.

Title V Program Applicability Basis

With the proposed changes associated with this modification, this facility maintains the potential to emit 558.5 tpy of CO; 1,314 tpy of NO_x; 1,248 tpy of SO₂; and 24.0 tpy of HCl. Due to this facility's potential to emit over 100 tons per year of criteria pollutant, over 10 tons per year of a single HAP, and over 25 tons per year of aggregate HAPs, Morgantown Energy Associates is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45CSR30.

Legal and Factual Basis for Permit Conditions

The State and Federally-enforceable conditions of the Title V Operating Permits are based upon the requirements of the State of West Virginia Operating Permit Rule 45CSR30 for the purposes of Title V of the Federal Clean Air Act and the underlying applicable requirements in other state and federal rules.

The modification to this facility has been found to be subject to the following applicable rules:

Federal and State:	45CSR13	Permits for Construction/Modification
	45CSR30	Operating permit requirement.
	45CSR34	Emission Standards for HAPs
	40 C.F.R. 63 Subpart UUUUU	Utility Mercury and Air Toxics (MATS)
		MACT
	40 C.F.R. Part 97	Transport Rule Requirements

Each State and Federally-enforceable condition of the Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the Title V permit as such.

The Secretary's authority to require standards under 40 C.F.R. Part 60 (NSPS), 40 C.F.R. Part 61 (NESHAPs), and 40 C.F.R. Part 63 (NESHAPs MACT) is provided in West Virginia Code §§ 22-5-1 *et seq.*, 45CSR16, 45CSR34 and 45CSR30.

Active Permits/Consent Orders

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit (if any)
R14-0007C	April 5, 2016	

Conditions from this facility's Rule 13 permit(s) governing construction-related specifications and timing requirements will not be included in the Title V Operating Permit but will remain independently enforceable under the applicable Rule 13 permit(s). All other conditions from this facility's Rule 13 permit(s) governing the source's operation and compliance have been incorporated into this Title V permit in accordance with the "General Requirement Comparison Table," which may be downloaded from DAQ's website.

Determinations and Justifications

1. **45CSR14, Permit R14-0007C.** The permittee determined that complying with the Mercury and Air Toxics Rule (MATS) sulfur dioxide (SO₂) limit of 0.20 lb/MMBtu will require operational changes. To meet this SO₂ limit under MATS, MEA proposes to enhance the removal efficiency for SO₂ from the existing limestone injection system and fabric filter baghouses for each unit by increasing the amount of limestone injected from 10% to approximately 30%. The limestone system is currently designed and permitted for the anticipated feed rates. This adjustment requires the fuel feed to increase by an estimated 1 to 3% to allow for the calcination of the additional limestone.

This action is for the change in method of operation for the two fluidized bed boilers to permit the installation and subsequent operation of the SNCR systems on both CFB boilers. This action also addresses the requirements pursuant to 40 C.F.R. 63 Subpart UUUUU (Mercury and Air Toxics Rule, MATS). The Engineering Evaluation for this underlying permit action states that the proposed project is not classified as a major modification under 45CSR14.

Title V Permit Modification Approach

Permit R14-0007C in new NSR permit format has superseded and replaced the old format permit R13-1085B/R14-7B. Superseded and replaced requirements have been stricken from the Title V permit, and where practicable and reasonable, new underlying permit requirements have replaced stricken language. In order to minimize the amount of clerical editing of cross references within the permit, the current permit numbering has been maintained by reserving conditions that are completely stricken. The table below indicates how each underlying requirement in R14-0007C has been incorporated into the revised Title V permit.

R14-0007C	Title V	Discussion
Facility-wide Limitations and Standards		
3.1.7.	3.1.10.	The underlying permit requirement regarding paved roads to minimize fugitive PM emissions has been retained in the revised Title V permit and the citation of authority has been revised.
3.1.8.	5.1.5.	The underlying permit requirement prohibiting open stockpiling has been retained in the revised Title V permit and the citation of authority has been revised.
3.1.9.	5.1.6.	The underlying permit requirement prescribing that haul trucks be fully covered has been retained in the revised Title V permit and the citation of authority has been revised.
Limitations and Standards for Boilers		
4.1.1.	4.1.7. 4.1.14. 4.1.16.	The PM requirements have been written in the operating permit as follows: <ul style="list-style-type: none"> • The underlying requirements 4.1.1., 4.1.1.a., and 4.1.1.b. have been written in the operating permit condition 4.1.7. Underlying permit requirement 4.1.1.a. cites 45CSR§2-4.1.b., while the Title V

R14-0007C	Title V	Discussion
		<p>condition’s footnote (1) specified compliance with 45CSR§2-4.1.a. A Type ‘a’ unit is one which has a primary purpose of generating steam or other vapor to produce electric power for sale. The permittee confirmed that the CFB boilers are type ‘a’ fuel burning units as defined in 45CSR§2-2.10.a.</p> <ul style="list-style-type: none"> • In condition 4.1.7. the citation of authority has been revised and the NSPS Subpart Da citations pertaining to SO₂ and NO_x have been stricken since the requirement is only for PM. The citation of §60.48Da(a) has been retained since it applies to PM, in addition to other pollutants. 45CSR§30-5.1.c. had been incorporated in the 2014 renewal to specify the 24-hour averaging periods for the SO₂ and NO_x pound per hour limits. Since the modified condition is for PM, this rule citation has been stricken. • The citation of §60.48Da(a) has been stricken since the requirements of this section of the NSPS is not part of this permit condition. • The underlying requirement 4.1.1.c. has been cited with the compliance date condition 4.1.14. because it specifies the extended compliance date of 4/16/2016 that applies to all MATS requirements except those for acid gases (i.e., SO₂). • The electrical output-based PM limit 0.30 lb/MWh has been added to condition 4.1.16.
4.1.2.	4.1.6. 4.1.14. 4.1.17.	<p>The SO₂ requirements have been written in the operating permit as follows:</p> <ul style="list-style-type: none"> • Underlying requirement 4.1.2.a. cites 40 C.F.R. §60.43Da(a)(2) as authority for the limit of 0.40 lb/MMBtu. While it is true that the limit 0.40 lb/MMBtu is less than the threshold of 0.60 lb/MMBtu in §60.43Da(a)(2), this paragraph in the NSPS is neither authority for the limit 0.40 lb/MMBtu, nor does 0.40 lb/MMBtu streamline a requirement in §60.43Da(a)(2). §60.43Da(a)(2) sets a percent reduction requirement <i>when</i> the emissions are less than 0.60 lb/MMBtu heat input. The paragraph does not require the emissions to be less than 0.60 lb/MMBtu. In this case emissions are less than 0.60 lb/MMBtu; therefore, the 70 percent reduction requirement has been applied. For these reasons §60.43Da(a)(2) has not been cited for operating permit condition 4.1.6.a. • Underlying requirement 4.1.2.b. is not based upon a limit in 40 C.F.R. 60 Subpart Da; therefore, no NSPS citation follows this requirement in condition 4.1.6.b. The nonsensical units “ppmvd per dscf” for the concentration limit in the underlying permit has been changed to “ppmvd” for the operating permit. • §60.43Da(g) prescribes a 30-day rolling average basis for compliance with the NSPS emission limitation and percent reduction requirements under §60.43Da. Therefore, §60.43Da(g) is cited in operating permit conditions 4.1.6.a. and 4.1.6.c. • Underlying requirement 4.1.2.c. specifies the required SO₂ reduction efficiency. A streamlining note has been included with condition 4.1.6.c. • Underlying requirement 4.1.2.d. specifies the 1-year compliance extension for MATS that was granted in the Director’s letter dated December 15, 2014, addressed to Mr. Todd Shirley (see Appendix B in the permit). This 1-year extension applies to requirements in MATS. However, a second 1-year extension has been granted in a similar letter dated April 15, 2016 (see Appendix C in the permit). The second 1-year extension applies only to HCl (the permittee has elected the alternative SO₂ limitation) requirements in the MATS. In that letter the compliance date in 4.1.2.d. has been extended to April

R14-0007C	Title V	Discussion
		<p>16, 2017. This letter, as well as the underlying requirement, have been included and cited in permit condition 4.1.14. The statutory authority for granting the exemption is in §112(i)(3)(B), which has also been cited in condition 4.1.14. Underlying requirement 4.1.2.d. also specifies the MATS SO₂ limits; therefore, it has been included in the citation of authority for condition 4.1.17.</p> <ul style="list-style-type: none"> Underlying requirement 4.1.2.e. specifies the requirement to operate a <u>dry</u> flue gas desulfurization system. Since the regulation allows wet or dry technology, but the underlying permit specifies dry, the requirement has been written in condition 4.1.17. Also, the underlying permit requirement has been cited after the condition.
4.1.3.	4.1.5.	<p>The NO_x requirements have been written in the operating permit as follows:</p> <ul style="list-style-type: none"> The former underlying requirement for percent maximum sulfur content was based upon information in an affected source sheet included in a modification application. This requirement was not carried over to R14-0007C; therefore, the existing condition content has been stricken and replaced with new underlying terms for NO_x emissions. There is no streamlining note for condition 4.1.5.b. since the CFB boilers are not subject to a NO_x heat rate limit in NSPS Subpart Da. Typically, the CFB boilers combust a blend of 65% gob (nominal minimum waste coal percent) and 35% coal. Since the weight percentage of waste coal is greater than 25% of the blend composition, the CFB boilers are exempt from the NO_x standards and NO_x monitoring requirements of 40 C.F.R. §60.44Da(a) according to the exemption note under the table in §60.44Da(a)(1). The citation of authority has been revised.
4.1.4.	4.1.24.	The CO limitations for the CFB boilers have been written in the operating permit.
4.1.5.	4.1.25.	The VOC limit for the CFB boilers has been written in the operating permit.
4.1.6.	4.1.18.	The underlying permit has specified the mercury (Hg) limit from 40 C.F.R. 63 Subpart UUUUU, which was already in the operating permit. Therefore, the underlying permit requirement has been cited with the existing permit condition. The underlying permit limit mentions the 30-boiler operating day average which is already specified under existing permit conditions 4.2.16. and 4.3.20.; therefore, there is no need to include this from the underlying permit requirement in the permit limit condition. The electrical output-based Hg limit 0.013 lb/GWh has been added.
4.1.7.	4.1.22.	The underlying permit requirement has been cited with the existing permit condition that embodies the same requirement from 40 C.F.R. 63 Subpart UUUUU.
4.1.8.	4.1.19.	The underlying permit requirement has been cited with the existing permit condition that embodies the same requirement from 40 C.F.R. 63 Subpart UUUUU.
4.1.9.	4.1.20. 4.1.21.	This requirement applies to both startup and shutdown of the CFB boilers for compliance with Subpart UUUUU but does not introduce any new requirement not in the regulation; therefore, it has been cited with existing permit conditions that embody such Subpart UUUUU requirements.

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4.1.10.	4.1.20.	This requirement applies to startup periods and requires use of natural gas for ignition, whereas the Subpart UUUUU also allows for use of distillate oil. Since the underlying requirement specifies natural gas that the permittee is utilizing, the condition language has been modified to reflect this.
4.1.11.	4.1.21.	This requirement applies to shutdowns and sets forth the same requirement as in revised permit condition 4.1.21. The underlying permit requirement has been cited with the existing permit condition.
4.1.12.	4.1.26.	This underlying requirement sets forth the Subpart UUUUU requirement to develop and submit a site-specific monitoring plan if in the future the permittee would utilize a CPMS or CEMS to demonstrate compliance with the MATS PM or Hg limits. The current plan is to demonstrate compliance using LEE procedures. Compliance options not utilized are not typically included in operating permits; however, since this is an applicable requirement in the underlying permit, it has been included in the operating permit.
4.1.13.	4.1.15.a.	<p>This requirement specifies the date which is 180 days after the extended compliance date of April 16, 2016. In his letter of December 15, 2014, the Director granted conditional approval for a 1-year extension to the requirements of 40 C.F.R. 63 Subpart UUUUU until April 16, 2016. §63.9984(f) requires that the compliance demonstration be completed no later than 180 days after the compliance date. Therefore, compliance demonstration for all requirements, except SO₂*, must be completed by October 13, 2016. This underlying requirement applies to PM; therefore, it is a separate paragraph in the permit condition.</p> <p>*Note that the second 1-year extension granted on April 15, 2016, was for SO₂ only – not all MATS emission limitations and standards.</p>
4.1.14.	4.1.15.b.	This underlying requirement applies to SO ₂ , and was finalized before the Director granted the second 1-year extension specifically for MATS acid gases. The Director’s second compliance extension letter specifies October 13, 2017, as the date by which the compliance demonstration must be completed. The second extension has been incorporated into the revised operating permit by changing the year from 2016 to 2017 in requirement 4.1.14. of permit R14-0007C.
4.1.15.	4.1.15.c.	This underlying requirement for mercury is similar to that discussed above regarding PM in underlying requirement 4.1.13. The requirement has been incorporated into the operating permit.
4.1.16.a.	4.1.8.	<p>These requirement for the Auxiliary Boilers have been written in the operating permit as follows:</p> <ul style="list-style-type: none"> • The hourly limits’ significant digits have been revised to reflect the underlying permit requirements. • The asterisk note has been added for the NO_x heat rate limitation. • The citation of authority has been revised.
4.1.16.b.	4.1.11.	<p>The underlying permit cites §63.7500(c) as authority. However, §63.7500(c) is not applicable because the Auxiliary Boilers are not limited-use boilers as defined in §63.7575, which was specified in the Fact Sheet for the 2014 Title V renewal.</p> <p>The underlying permit also cites §§63.7540(a)(11) and (12), which are not applicable since the units are not subject to biennial and 5-year frequencies for tune-ups.</p> <p>The applicable requirements of §63.7515(d) have been added to the permit condition as they were included in the underlying permit.</p>

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4.1.17.	4.1.9.	<p>This requirement accounts for the combined operation of the CFB and Auxiliary Boilers and has been written in the operating permit.</p> <ul style="list-style-type: none"> • Underlying opacity limit in 4.1.17.m. has been cited with existing condition 4.1.1. rather than including it with revised operating permit condition 4.1.9. • The table footnote (1) has been deleted since it was not included in R14-0007C. • The table footnote (2) for the PM mass rate limit streamlining has been added following condition 4.1.9.a. • The table footnote (3) for the SO₂ mass rate limit streamlining has been added following condition 4.1.9.c. • The table footnote (4) for the PM heat rate limit streamlining has been added following condition 4.1.9.b. The SO₂ heat rate limit was not carried over to R14-0007C; therefore, the corresponding streamlining is not retained in the revised operating permit. • The citations of §60.43Da(a)(2) and §60.43Da(g) have been deleted since the SO₂ heat rate limit is no longer part of this underlying requirement and is covered in the CFB boiler requirements in modified permit condition 4.1.6.c. • The citation of §60.44Da(a)(1) has been deleted since the NSPS Subpart Db NO_x heat rate limit for the CFB boilers is no longer part of this underlying requirement. • The citations of §§60.44b(a)(1)(ii) and 60.44b(i) have been deleted since the NSPS Subpart Da NO_x heat rate limit for the auxiliary boilers is no longer part of this underlying requirement.
4.1.18.	3.1.14.	The requirement has been written in the revised operating permit.
Monitoring Requirements for Boilers		
4.2.1.	4.2.1.	The first paragraph of this requirement is already embodied by the terms of the existing operating permit condition; therefore, the underlying requirement has been cited in the citation of authority.
4.2.1.a.	4.2.1.	With the exception of the recordkeeping, this paragraph of the requirement is already embodied by the terms of the existing operating permit condition; therefore, the underlying requirement has been cited in the citation of authority. The language regarding recordkeeping from Subparts F and G in 40 C.F.R. Part 75 has been added to the condition and requirement 4.2.1.a. included in the citation of authority. The SO ₂ CEMS requirement from 45CSR§10-8.2.c.1. has also been cited.
4.2.1.a.i.	4.2.11.	This requirement is already embodied by the terms of the existing operating permit condition; therefore, the underlying requirement has been cited in the citation of authority.
4.2.1.a.ii.	4.2.12.(2)	This requirement is already embodied by the terms of the existing operating permit condition; therefore, the underlying requirement has been cited in the citation of authority.
4.2.1.a.iii.	4.2.12.(3)	This requirement is already embodied by the terms of the existing operating permit condition; therefore, the underlying requirement has been cited in the citation of authority. The language has been revised to reflect the current version of Subpart UUUUU.
4.2.1.a.iv.	4.2.12.(4)	This requirement is already embodied by the terms of the existing operating permit condition; therefore, the underlying requirement has been cited in the citation of authority. The new Subpart UUUUU language has been added to the requirement.
4.2.1.b.	4.2.1.	This NO _x CEMS requirement has been added to the CEMS monitoring permit condition.

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4.2.1.c.	4.2.1.	This diluent requirement has been added to the CEMS monitoring permit condition.
4.2.1.d.	4.2.1.	This flow monitor requirement has been added to the CEMS monitoring permit condition.
4.2.1.e.	4.2.1.	This COMS requirement has been added to the CEMS monitoring permit condition that already specifies opacity in the first statement of the condition. Since R14-0007C specifies the monitoring, the permit number has been changed in the italicized notes following permit conditions 4.2.2. and 4.2.3.
4.2.1.f.	4.3.13.(vi)	This underlying requirement from §63.10000(c)(1)(vi) requires use of Hg CEMS or sorbent trap monitoring if the EGUs do not qualify as a LEE for Hg. §63.10010(g) specifies how the CEMS is to be operated. While the latter section of the regulation was not included in the renewal since Hg CEMS was not the planned option for complying with the Hg standard, the former section was included in permit condition 4.3.13.(vi) to account for the possibility that LEE status may not be achieved and another compliance option must be utilized. For this permitting action the permittee is still following the LEE option for mercury; therefore, rather than include all the MATS specific requirements for Hg CEMS, this underlying permit requirement has been cited in permit condition 4.3.13.
4.2.1.g.	4.3.13.(iv)	Same rationale as for underlying requirement 4.2.1.f. above, except for the pollutant PM and the affected permit condition is 4.3.13.(iv).
4.2.1.h.	4.2.18.	This NO _x and SO ₂ CEMS requirement has been incorporated into the operating permit.
4.2.1.i.	4.2.19.	This NO _x and SO ₂ emissions calculations requirement has been incorporated into the operating permit.
4.2.1.j.	4.4.17.	This continuous monitoring system recordkeeping requirement has been incorporated into the operating permit. However, there is no site-specific monitoring plan in condition 4.1.1. of R14-0007C as mentioned in the underlying requirement. The plan is mentioned only in underlying requirement 4.1.12., which is operating permit condition 4.1.26.
4.2.2.	4.2.20.	This fuel monitoring system requirement has been incorporated into the operating permit. However, there is no condition 3.2.1. of R14-0007C as mentioned in the underlying requirement. Instead the requirement should refer to 3.4.1., which has been specified in the operating permit condition 4.2.20.
Testing Requirements for Boilers		
4.3.1. 1 st paragraph	4.3.13. 4.3.27.	40 C.F.R. §63.10000(c)(1)(iv), §63.10006(b)(1), and §63.10021(d) have been incorporated into the permit in condition 4.3.13. §63.10006(f)(1)(iii) has been incorporated into the permit in condition 4.3.27. Therefore, the underlying permit requirements have been included in the citations of authority. A parenthetical reference to 4.3.27.(1)(ii) has been added to sub-condition 4.3.13.(ii).
4.3.1. 2 nd paragraph	4.3.13.	§63.10005(h) has been incorporated into the permit in condition 4.3.13. Therefore, the underlying permit requirement has been included in the citation of authority.
4.3.1. 3 rd paragraph	4.3.13.	§63.10006(b) has been incorporated into the permit in condition 4.3.13. Therefore, the underlying permit requirement has been included in the citation of authority.
4.3.1. 4 th paragraph	4.3.25. 4.5.19.	§63.10030(d) and §63.10031(f) have been incorporated into the permit in conditions 4.3.25. and 4.5.19., respectively. Therefore, the underlying permit requirement has been included in the citations of authority.

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4.3.2. 1 st paragraph	4.3.13. 4.3.27.	40 CFR §63.10000(c)(1)(iv), §63.10006(b)(1) and §63.10021(d) have been incorporated into the permit in condition 4.3.13. §63.10006(f)(1)(ii)(B) has been incorporated into the permit in condition 4.3.27. Therefore, the underlying permit requirements have been included in the citations of authority. A parenthetical reference to 4.3.27.(1)(iii) has been added to sub-condition 4.3.13.(iii).
4.3.2. 2 nd paragraph	4.3.13.	§63.10005(h) has been incorporated into the permit in condition 4.3.13. Therefore, the underlying permit requirement has been included in the citation of authority.
4.3.2. 3 rd paragraph	4.3.13.	§63.10006(b)(2) has been incorporated into the permit in condition 4.3.13. Therefore, the underlying permit requirement has been included in the citation of authority.
4.3.2. 4 th paragraph	4.3.25. 4.5.19.	§63.10030(d) and §63.10031(f) have been incorporated into the permit in conditions 4.3.25. and 4.5.19., respectively. Therefore, the underlying permit requirement has been included in the citations of authority.
Recordkeeping Requirements for Boilers		
4.4.1.	3.4.1.	This recordkeeping of monitoring data has been cited with the similar Title V condition.
4.4.2.	3.4.5.	The requirement has been written in the revised operating permit.
4.4.3.	3.4.6.	The requirement has been written in the revised operating permit.
4.4.4.a.	4.4.9.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority.
4.4.4.b.	4.4.10.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority.
4.4.4.c.	4.4.11.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority.
4.4.4.d.	4.4.12. 4.4.1.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority for condition 4.4.12. The 45CSR2A requirement cited in the underlying permit is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority for condition 4.4.1.
4.4.4.e.	4.4.13.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority.
4.4.4.f.	4.4.14.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority.
4.4.4.g.	4.4.15.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority.
4.4.4.h.	4.4.16.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority.
4.4.4.i.	4.2.14.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority. The regulation language has been updated.
4.4.4.j.	4.2.15.	This MATS requirement is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority.

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4.4.5.	4.4.1.	The 45CSR2A requirement cited in the underlying permit is already in the Title V permit; therefore, the underlying permit requirement has been added to the citation of authority for condition 4.4.1.
4.4.6.	4.4.18.	The NSPS Subpart Db requirement for the auxiliary boilers in the underlying permit have been incorporated into the revised Title V permit.
Reporting Requirements for Boilers		
4.5.1.	4.5.1.	The content of the existing permit condition is an underlying permit requirement that is an IBR of NSPS Subpart Da reporting requirements. The revised underlying permit expanded these reporting requirements, and they have been incorporated into the revised Title V permit.
4.5.2.	4.5.12.	This underlying requirement is for the NOCS required by 40 C.F.R. 63 Subpart UUUUU. The NOCS requirement is already in the current Title V permit; therefore, this underlying requirement has been added to the citation of authority.
4.5.3.	4.5.16.	This underlying requirement is for the Compliance Report required by 40 C.F.R. 63 Subpart UUUUU. The Compliance Report requirement is already in the current Title V permit; therefore, this underlying requirement has been added to the citation of authority.
4.5.4.	4.5.19.	The underlying permit requirements set forth the requirements of §63.10031(f)(6), which was not in the regulation at the time of permit renewal. The requirement has been added to the existing permit condition that embodies the applicable requirements in §63.10031(f).
4.5.5.	4.5.19.	The underlying requirement is already in the current Title V permit; therefore, it has been added to the citation of authority. Regulatory text in paragraphs (1) and (4) of the condition has been updated.
4.5.6.	4.5.19.	The underlying requirement is already in the current Title V permit; therefore, it has been added to the citation of authority. Regulatory text in paragraph (5) of the condition has been updated.
4.5.7.	4.5.11.	This underlying requirement is for the Compliance Report required by 40 C.F.R. 63 Subpart DDDDD for the auxiliary boilers. The Compliance Report requirement is already in the current Title V permit; therefore, this underlying requirement has been added to the citation of authority.
Limitations and Standards for Fuel, Limestone, and Ash Handling		
5.1.1.	5.1.1.	The citation of authority has been revised.
5.1.2.	5.1.4.	The citation of authority has been revised.
5.1.3.	3.1.9.	The streamlining note and citation of authority have been revised.

The Certification of Data Accuracy appended to R14-0007C has not been included in the revised Title V permit because no requirement in the underlying permit specifically requires use of the form.

The acronyms SNCR and TBtu have been added to permit section 2.2.

2. **45CSR30 – Requirements for Operating Permits.** This rule provides for the establishment of a comprehensive air quality permitting system consistent with the requirements of Title V of the Clean Air Act. 45CSR§30-5.1.c.1.B. provides that where the applicable requirement (which in this case are the emission limitations in the revised underlying permit R14-0007C) does not require periodic testing or monitoring, the Title V permit must specify periodic monitoring sufficient to yield reliable data for practical compliance demonstration. This monitoring must assure, among other items, the test methods to be utilized for the monitoring. Several conditions in permit subsection 4.3. were not retained in the underlying permit R14-0007C; nevertheless, the compliance demonstration requirements and test methods prescribed in those permit conditions are necessary. For this reason, the former underlying permit citations have been stricken and replaced (where necessary) with the citation of 45CSR§30-5.1.c. The affected permit conditions are: 4.3.1. through 4.3.6. and 4.3.8. through 4.3.11.
3. **40 C.F.R. Part 63, Subpart UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units.** This regulation, also known as the “Utility Mercury and Air Toxics (MATS)” rule, applies to coal- and oil-fired EGUs as defined in §63.10042 of 40 C.F.R. Part 63. The Utility MATS rule establishes national emission limitations and work practice standards for HAP, as well as requirements to demonstrate initial and continuous compliance with the emission limitations and work practice standards. Existing affected sources must comply with the requirements of Subpart UUUUU no later than April 16, 2015 (cf. §63.9984(b)). It has been noted in 5/18/2016 technical correspondence received from the permittee that the paragraph (1) definition of “startup” in §63.10042 will be utilized.

Compliance Extensions

In his letter dated December 15, 2014, the Director granted conditional approval for a 1-year extension to the requirements of 40 C.F.R. 63 Subpart UUUUU until April 16, 2016, which is included in permit condition 4.1.14. This extension applies to all MATS requirements.

On April 15, 2016, the Director granted a second 1-year extension specifically for MATS acid gases only (i.e., the alternate SO₂ has been elected by the permittee instead of HCl). This second extension has been incorporated into the revised operating permit by changing the year from 2016 to 2017 for SO₂ in Title V condition 4.1.14. (R14-0007C, 4.1.2.d.) as specified in the Director’s second compliance extension letter. Because the facility is considered a waste coal facility, in accordance with §112(i)(3)(B), an extension for MATS acid gases could be up to three years in addition to the 1-year overall MATS compliance extension, which could extend the compliance date for acid gases to April 15, 2019. However, only a 1-year additional extension for acid gases has been granted by the Director at the time of this minor modification.

Revisions to 40 C.F.R. 63 Subpart UUUUU

On February 17, 2015, proposed revisions to 40 C.F.R. 63 Subpart UUUUU were published in the Federal Register. The purpose of the proposed rule was to correct certain regulatory text. EPA has categorized the proposed corrections as follows: (a) Resolution of conflicts between preamble and regulatory text, (b) corrections that EPA stated it would make in response to comments that were inadvertently not made, and (c) clarification of language in regulatory text.

On March 17, 2016, the EPA Administrator, Gina McCarthy, signed a notice that was submitted for publication in the Federal Register (FR). On April 6, 2016, the changes were published in the FR. The changes to the affected applicable requirements have been incorporated into the Title V permit. In the subsequent discussion the terms “current regulation” means the regulation as revised when published in the FR on April 6, 2016.

Table UUUUU below specifies how the revisions to Subpart UUUUU have been incorporated into the operating permit. Note that this table neither addresses changes provided for in permit R14-0007C though related to MATS (e.g., the Hg electrical output limit has been included as done in the underlying permit) since these have been address above, nor does it address other MATS requirements existing in the permit that were unaffected by the MATS revisions published on April 6, 2016.

Table UUUUU – Revisions to MATS

Subpart UUUUU Section	Title V	Discussion
Limitations and Standards		
§63.9991(a)	4.1.18.	<p>The compliance demonstration language has been revised to reflect the current regulation. In particular, the 10 days maximum has been replaced by the sampling period in Appendix A to Subpart UUUUU.</p> <p>It has been noted that the language “boiler operating” should be included so that the language reads, “LEE testing for 30 boiler operating days”. While Item #1.c. in Table 2 to Subpart UUUUU does not include this language, it is specified in the LEE requirements in §63.10005(h)(3) for mercury, which reads, “For Hg, you must conduct a 30- (or 90-) boiler operating day performance test using Method 30B in appendix A-8 to part 60 of this chapter to determine whether a unit qualifies for LEE status.” Therefore, §63.10005(h)(3) clarifies that the LEE testing is for 30 boiler operating days, which has been incorporated into the permit condition.</p>
§63.9991(c)	4.1.17.	§§63.9991(c)(1) and (2) have been revised to replace “unit” with “EGU” and specify the SO ₂ CEMS in paragraph (2).
General Compliance Requirements		
§63.10000(c)	4.3.13.	§63.10000(c)(1)(i) has been revised so that the word “unit” has been changed to “EGU” in condition 4.3.13.(i).
§63.10000(l)	4.2.21.	The requirements in this paragraph were not included in the renewal. Although not affected by the April 6, 2016 revisions, this requirement has been incorporated into the operating permit.
§63.10000(m)	None	Since this MATS requirement applies when the paragraph (2) definition of startup is utilized, this requirement is not applicable.
Testing and Initial Compliance Requirements		
§63.10005(a)	4.3.14.	<ul style="list-style-type: none"> • The first paragraph has been revised with regard to gross output-based limits and data. • Condition 4.3.14.(2) has been revised. • Condition 4.3.14.(2)(i) has been revised to remove “30 boiler operating day”.
§63.10005(b)	4.3.15.	<ul style="list-style-type: none"> • Condition 4.3.15.(4) has been revised to replace “electrical loads” with “gross outputs”. • Condition 4.3.15.(6) has been added to the permit. • The citation of authority has been revised to include §63.10005(b)(6).
§63.10005(f)	4.1.15.d.	The deadline to complete the initial tune-up has been revised. The date has been changed from April 16, 2015 to April 16, 2016 based upon the Director’s 1-year MATS compliance extension. Language regarding sources with neural networks is excluded due to non-applicability. The former regulatory language regarding the deadline has been stricken.
§63.10006(f)	4.3.27.	§63.10006(f) was revised. Due to the revision, the applicability of this section has changed and the performance test timing requirements have been incorporated into the revised operating permit.
§63.10006(j)	4.5.13.	This paragraph has been deleted from the regulation; therefore, the permit condition has been stricken and reserved.

Subpart UUUUU Section	Title V	Discussion
§63.10007(f)	4.3.28.	This requirement is applicable to the SO ₂ CEMS, and could become applicable to PM and/or Hg in the future. Therefore, the default values section of the regulation has been included in the permit, but the specific values have been IBR since these data can be retrieved from the regulation if and when necessary.
§63.10007(g)	4.3.23.	The citation of authority for condition 4.3.23. had been §63.10007(f). However, the recordkeeping in current permit condition 4.3.23. is based upon §63.10007(g). Therefore, the citation has been revised.
§63.10010(f)	4.2.12.	§63.10010(f)(3) and (4) have been revised. Therefore, conditions 4.2.12.(3) and (4) have been revised to reflect the current version of Subpart UUUUU.
§63.10011(c)(2)	4.3.24.	The language has been revised to reflect the current regulation.
§63.10011(e)	4.5.12.	The language has been changed from “according to” to “in accordance with” §63.10030(e) in the first paragraph of the permit condition.
§63.10011(g)	4.1.20. 4.1.21.	The language has been changed for these startup and shutdown requirements in Table 3 to Subpart UUUUU. In condition 4.1.20. the language “periods of startup” has been revised to “startup periods”. In condition 4.1.21. the majority of the language has been revised to reflect the current regulation.
§63.10020(e)	None	This requirement is not applicable since it applies when relying upon the paragraph (2) definition of startup.
§63.10021(e)	4.1.19.	<p>The first paragraph of §63.10021(e) was not in the renewal permit. However, it has been incorporated into the operating permit modification and specified in the citation of authority.</p> <p>The language of §63.10021(e)(9) has been revised; therefore, the changes have been incorporated into the operating permit modification. However, the year 2017 specified in the regulation has been extended by one (1) year in keeping with the Director’s compliance date extension for all MATS requirements, which has been added to the citation of authority.</p>
Notifications		
§63.10030(e)	4.5.12.(1), (7), and (8)	§63.10030(e)(1) and (7)(i) have been revised and these changes are incorporated into the revised permit. §§63.10030(e)(7)(iii) and (e)(8) have been added to the permit condition. Even though the permittee has informed this writer that paragraph (1) definition of startup will be used, the regulation still requires this be included in the NOCS. Therefore, §63.10030(e)(8) has been included in the revised operating permit.
§63.10030(f)	None	This new paragraph has been added to rule about submitting the notifications in §63.10000(h)(2) and (i)(2). However, neither of these are applicable to the permittee as documented in the Fact Sheet for the renewal permit. Therefore, §63.10030(f) has not been incorporated into the revised operating permit.
Reports		
§63.10031(c)	4.5.16.a.(1) through (9)	§§63.10031(c)(4) and (5) have been revised. §§63.10031(c)(6), (7), (8), and (9) have been added to regulation and the revised permit. §63.10031(c)(5) has been excluded from the permit since the permittee is relying upon the paragraph (1) definition of startup. The citation of authority for the permit condition has been revised.

Subpart UUUUU Section	Title V	Discussion
Records		
§63.10032(f)	4.4.13.	§63.10032(f)(1) through (4) have been revised. In particular, §63.10032(f)(3) and (4) have been changed to (2)(ii) and (2)(iii), which apply when the paragraph (2) definition of startup is utilized. In this case, since paragraph (1) is used, only revised requirement §63.10032(f)(1) is applicable and has been included in the revised operating permit.

4. **40 C.F.R. 97 Subparts AAAAA, BBBBB, and CCCCC – Transport Rule (TR) Requirements.** These requirements have been incorporated into the operating permit by replacing the CAIR requirements (45CSR39, 45CSR40, 45CSR41) and CAIR application that have been in permit conditions 3.1.11. through 3.1.13., and permit Appendix A.

Non-Applicability Determinations

The following requirements have been determined not to be applicable to the subject facility due to the following:

None.

Request for Variances or Alternatives

None.

Insignificant Activities

Insignificant emission unit(s) and activities are identified in the Title V application.

Comment Period

Beginning Date: Not Applicable for minor modifications.
Ending Date: N/A

Point of Contact

All written comments should be addressed to the following individual and office:

Denton B. McDerment, P.E.
West Virginia Department of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone: 304/926-0499 ext. 1221 • Fax: 304/926-0478
denton.b.mcderment@wv.gov

Procedure for Requesting Public Hearing

During the public comment period, any interested person may submit written comments on the draft permit and may request a public hearing, if no public hearing has already been scheduled. A request for public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Secretary shall grant such a request for a hearing if he/she concludes that a public hearing is appropriate. Any public hearing shall be held in the general area in which the facility is located.

Response to Comments (Statement of Basis)

No comments were received from U.S. EPA.