

West Virginia Department of Environmental Protection

*Harold D. Ward
Cabinet Secretary*

Permit to Operate



*Pursuant to
Title V
of the Clean Air Act*

Issued to:
**Trivium Packaging USA Inc.
Weirton Plant
R30-00900012-2022**

Laura M. Crowder

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Director, Division of Air Quality

*Issued: September 7, 2022 • Effective: September 21, 2022
Expiration: September 7, 2027 • Renewal Application Due: March 7, 2027*

Permit Number: **R30-00900012-2022**
Permittee: **Trivium Packaging USA Inc.**
Facility Name: **Weirton Plant**
Permittee Mailing Address: **3030 Birch Drive, Weirton, WV 26062**

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

Facility Location:	Weirton, Brooke County, West Virginia
Facility Mailing Address:	3030 Birch Drive, Weirton, WV 26062
Telephone Number:	(304)797-1820
Type of Business Entity:	LLC
Facility Description:	The facility coats metal sheets for can making and can ends
SIC Codes:	3411
UTM Coordinates:	531.834 km Easting • 4,470.823 km Northing • Zone 17

Permit Writer: Robert Mullins

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

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

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1.0. Emission Units and Active R13, R14, and R19 Permits

1.1. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
1S	4E, 5E, 6E, 7E	Wagner Coater Oven Line #1	1979	7,300 sheets/hr	1C
2S	4E, 5E, 6E, 7E	FECO Coater Oven Line #2	1988	7,300 sheets/hr	1C
17S	23E, 24E	Wagner Coater Oven Line #3	1997	7,500 sheets/hr	2C
18S	28E, 29E	LTG Coater Oven Line #4	2001	7,500 sheets/hr	3C
15S	8E	Bulk Storage Tank #1	1998	10,000 gallons	NA
16S	9E	Bulk Storage Tank #2	1998	10,000 gallons	NA
30S	30E	Bulk Storage Tank #3	2004	1,500 gallons	NA
31S	31E	Litho Line	1980	5,100 sheets/hr	NA
32S	32E	Cleaning	NA	NA	NA

Control Device ID	Control Device Description	Year Installed	Design Capacity
1C	Thermal Oxidizer No.1 (Incinerator)	1979	15 MMBtu/hr
2C	Thermal Oxidizer No. 2 (TANN Corp Recuperative Thermal Oxidizer Model No. TO855)	2018	9.0 MMBtu/hr
3C	Thermal Oxidizer No.3	2001	6.0 MMBtu/hr

1.2. Active R13, R14, and R19 Permits

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

Permit Number	Date of Issuance
R13-2410E	May 22, 2018

2.0. General Conditions

2.1. Definitions

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

2.2. Acronyms

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

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§30-2.40]

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.

[45 CSR§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.]

2.23. Severability

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

[45CSR§30-5.1.e.]

2.24. Property Rights

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

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

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

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

[45CSR§30-5.1.d.]

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

[45CSR§30-5.1.a.2.]

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

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

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

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

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

[40 C.F.R. 68]

- 3.1.9. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-2410 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.

[45CSR13, R13-2410, 2.5.1.]

3.2. Monitoring Requirements

- 3.2.1. None.

3.3. Testing Requirements

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

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the

Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
 1. The permit or rule evaluated, with the citation number and language.
 2. The result of the test for each permit or rule condition.
 3. A statement of compliance or non-compliance with each permit or rule condition.

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

3.4. Recordkeeping Requirements

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
 - a. The date, place as defined in this permit and time of sampling or measurements;
 - b. The date(s) analyses were performed;
 - c. The company or entity that performed the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of the analyses; and
 - f. The operating conditions existing at the time of sampling or measurement.[45CSR§30-5.1.c.2.A.; 45CSR13, R13-2410, 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 57th Street SE
Charleston, WV 25304

US EPA:

Section Chief
U. S. Environmental Protection Agency, Region III
Enforcement and Compliance Assurance Division
Air Section (3ED21)
1650 Arch Street
Philadelphia, PA 19103-2029

DAQ Compliance and Enforcement¹:

DEPAirQualityReports@wv.gov

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

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.
[45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification. The annual certification shall be submitted in electronic format by e-mail to the following addresses:

DAQ:
DEPAirQualityReports@wv.gov

US EPA:
R3_APD_Permits@epa.gov

[45CSR§30-5.3.e.]

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

DAQ:
DEPAirQualityReports@wv.gov

[45CSR§30-5.1.c.3.A.]

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

3.5.8. **Deviations.**

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

[45CSR§30-5.1.c.3.C.]

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

[45CSR§30-5.1.c.3.B.]

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

3.6. Compliance Plan

- 3.6.1. None.

3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.
- a. **40 C.F.R. Part 60 Subpart TT** - Standards of Performance for Metal Coil Surface Coating defines metal coil surface coating operation as the application system used to apply an organic coating to the surface of any continuous metal strip with thickness of 0.15 millimeter or more that is packaged in a roll or coil. This facility cuts the metal coils prior to coating, and as such, is not subject to 40 C.F.R. Part 60 Subpart TT.
 - b. **40 C.F.R. Part 63 Subpart KKKK** - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans. The Trivium Packaging USA Inc. Weirton Plant reduced their HAP emission limitations (per permit R13-2410) by modifying their use of coatings, cleaners, pastes and thinners to become a synthetic minor source under 40 C.F.R. Part 63 Subpart KKKK.

4.0. Coating Operations [emission point ID(s): 4E, 5E, 6E, 7E, 23E, 24E, 28E, 29E, 8E, 9E, 30E, 31E, and 32E]

4.1. Limitations and Standards

4.1.1. The following maximum annual coating and solvent throughputs and volatile organic compound (VOC) emission rates for the following bulk storage tanks shall not be exceeded:

Bulk Storage Tank ID	Emission Point ID Number	Product in Storage	Maximum Annual Limits	
			Coating Throughput (gallons/year)	VOC Emissions (pounds/year)
15S	8E	PPG4348807 Clear Enamel	200,000	342
16S	9E	96X069A	200,000	342
30S	30E	Glycol Ether (2-n-Butoxy-1-ethanol)	154,000	3.2

Note: The above table is a snapshot of coating storage at permit approval time. The permittee is allowed to change coating storage as long as the requirements given in sections 4.1.8, 4.1.9, and 4.1.10 of this permit are met.

[45CSR13, R13-2410, 4.1.1.]

4.1.2. The number of metal sheets coated via Wagner Coater Oven Line #1 (ID# 1S) shall not exceed 7,300/hr. [45CSR13, R13-2410, 4.1.2.]

4.1.3. The number of metal sheets coated via FECO Coater Oven Line #2 (ID# 2S) shall not exceed 7,300/hr. [45CSR13, R13-2410, 4.1.3.]

4.1.4. The number of metal sheets coated via Wagner Coater Oven Line #3 (Spot Coater C-3 Continuous Drying Oven Type DBL (150' x 6.5' x 10') (ID# 17S)) shall not exceed 7,500/hr. [45CSR13, R13-2410, 4.1.4.]

4.1.5. The number of metal sheets coated via LTG Coater Oven Line #4 (ID# 18S) shall not exceed 7,500/hr. [45CSR13, R13-2410, 4.1.5.]

4.1.6. The metal can sheet coating lines and associated control devices shall be installed, maintained, and operated so as to achieve the following minimum VOC capture efficiencies:

Can Coating Line	Minimum VOC Capture Efficiency	Minimum VOC Control Efficiency
1S (Line 1)	100%	95%
2S (Line 2)	100%	95%
17S (Line 3)	100%	98%

Can Coating Line	Minimum VOC Capture Efficiency	Minimum VOC Control Efficiency
18S (Line 4)	100%	99%

[45CSR13, R13-2410, 4.1.6.]

4.1.7. The following coatings and solvents have been permitted for use on metal can sheet Wagner Coater Oven Line #1, FECO Coater Oven Line #2, Wagner Coater Oven Line #3, LTG Coater Oven Line #4 (Coating Lines C1 - C4) (ID# 1S, 2S, 17S, &18S), and at the maximum usage rates given below:

Description	Maximum Usage Rate (gallons/yr)	Maximum VOC Usage Rate (lb/yr)
Coatings		
9200-014	1,600	8,640
13S07WF	50,000	180,000
ICI 642E118	200,000	720,000
9851-019	185,000	943,500
9434039	7,500	64,425
9851-577	4,800	24,480
8406026	55	292
8744-902	110	583
20S78AA	2,000	17,200
20S82AA	600	3,720
20S67WA	50,000	421,500
6256054	10,000	53,000
PPG G23	300	1,530
657 HE 1293	7,500	59,925
657HE 13501	8,300	39,840
5698014	39,800	131,340
9009-920	38,900	202,280
9851-579	5,000	26,000
646C140	3,000	16,416
9851589	2,000	10,608

Description	Maximum Usage Rate (gallons/yr)	Maximum VOC Usage Rate (lb/yr)
92X111H	10,000	88,000
96X069A	200,000	695,942
26S96EJ	300	3,540
2019-03	1,140	9,610
4001S13V	12,000	113,640
4348807	113,330	917,973
4348312	3,207	25,978
816610	2,500	22,000
816361	1,800	14,868
51-017	3,000	25,500
Pastes, Lubricants, and Thinners		
4623105	1,100	5,610
1949101	7,000	23,100
6661011	210	1,365
7789001	300	1,080
Hi Sol 10	110	803
Glycol Ether EB	46,000	346,395
Mineral Spirits 66/3	10,000	64,974
Aromatic 100	208	1,508
Isophorone	52	355
Arcosolve PM Acetate	6,000	47,981
Belt Cleaners		
Eastman MPK	330	371
Cleanup Solvents		
Reformulated 4212-1	16,000	112,160
IPA Anhydrous	5,000	32,900

Description	Maximum Usage Rate (gallons/yr)	Maximum VOC Usage Rate (lb/yr)
UV Wash 5700	2,000	11,400
General Wash	2,000	13,800
Total		5,506,132

Note: The above table is a snapshot of coating usage at permit approval time. The permittee is allowed to change coatings and coating usage rates as long as the requirements given in sections 4.1.8., 4.1.9, and 4.1.10 of this permit are met.

[45CSR13, R13-2410, 4.1.7.]

4.1.8. Use of any surface coating, paste, lubricant, thinner, solvent or cleaner containing any constituent identified in Section 112(b) of the 1990 Clean Air Act Amendments as a HAP and not listed below shall be in accordance with the following:

- a. The permittee shall notify the Director in writing of the surface coating to be used and the HAP(s) contained therein within thirty (30) days of the use of the surface coating. Additionally, an MSDS sheet for the surface coating shall be supplied at this time to the Director.
- b. The use of the surface coating shall be incorporated into the record keeping requirements contained herein.

HAP	CAS Number	HAP	CAS Number
Cumene	98828	Xylene	1330207
Ethyl Benzene	100414	Isophorone	78591
Methyl Isobutyl Ketone	108101	Naphthalene	91203
Glycol Ethers	NA	*Cresol	1319223
Ethylene Glycol	107211	Toluene	108883
Formaldehyde	50000	Hexane	110543
Methanol	67561	Methyl Carbitol	111773
Phenol	108952		

Note: *Cresol may include o-cresol (CAS 95-48-7), m-cresol (108-39-4), or p-cresol (106-445) or a combination thereof.

[45CSR13, R13-2410, 4.1.8.]

4.1.9. Emissions of criteria pollutants from the facility shall not exceed the following:

Emission Unit ID	VOC		PM ₁₀		CO		SO ₂		NO _x	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
Line 1 (1S)	14.83	80.90	0	0	0	0	0	0	0	0
Line 2 (2S)	14.83		0	0	0	0	0	0	0	0
Line 3 (17S)	6.10		0	0	0	0	0	0	0	0
Line 4 (18S)	3.05		0	0	0	0	0	0	0	0
Cleaning (32S)	279.53	58.20	0	0	0	0	0	0	0	0
Printer (31S)	1.03	2.58	0	0	0	0	0	0	0	0
Tanks (15S, 16S, 30S)	NA	0.34	0	0	0	0	0	0	0	0

[45CSR13, R13-2410, 4.1.9.]

4.1.10. Emissions of Hazardous Air Pollutants (HAPs) from the facility shall not exceed 10 tons per year of any individual HAP nor 25 tons per year of all combined HAPs.

[45CSR13, R13-2410, 4.1.10.]

4.1.11. The metal can sheet coating lines shall be vented to thermal oxidizers (lines 1 and 2 to a common TO and lines 3 and 4 to two separate TO's) at all times during which the coating lines are in operation and shall not be by-passed, disconnected, or otherwise rendered ineffective in the control of VOC.

[45CSR13, R13-2410, 4.1.11.]

4.1.12. The can end making lines originally permitted in R13-1042R (issued January 26, 1989) are authorized only to be installed and operated using water based compounds with zero VOC and HAP content.

[45CSR13, R13-2410, 4.1.15.]

4.2. Monitoring Requirements

4.2.1. None.

4.3. Testing Requirements

4.3.1. The owner or operator of the affected facility shall construct the VOC emission reduction systems so that all volumetric flow rates and total VOC emissions can be accurately determined by the applicable test methods and procedures of 40 C.F.R. Part 60 Appendix A.

[45CSR13, R13-2410, 4.2.1.]

4.3.2. At least once every 5 years thereafter the permittee shall perform or have performed USEPA approved tests to determine compliance with the emission limitations and emissions control requirements set forth in Sections 4.1.6, 4.1.9, and 5.1.1.

Note: Capture and destruction efficiency testing was last conducted on May 26, 2021 for Coating Lines 1 (1S), 2 (2S), and 3 (17S) to verify the effectiveness of the PTE and to confirm the destruction efficiency of thermal oxidizers 1C and 2C. Compliance stack testing for thermal oxidizer 3C for Coating Line 4 (18S) was not completed until October 8, 2021, which resulted in the issuance of Consent Order CO-R30-E-2022-04.

[45CSR13, R13-2410, 4.2.2.]

4.4. Recordkeeping Requirements

4.4.1. The permittee shall maintain records of the amount and type of coatings, cleaners, pastes and thinners used and VOC and HAP emissions for the coating lines. VOC and HAP emissions shall be calculated using the minimum required control and capture efficiencies as outlined in this permit. Said records shall be maintained on a monthly and 12 month rolling total basis.

[45CSR13, R13-2410, 4.3.4.]

4.4.2. The permittee shall maintain hourly records of the metal sheets that are coated on each coating line as required by Sections 4.1.2, 4.1.3, 4.1.4, and 4.1.5.

[45CSR§30-5.1.c.]

4.5. Reporting Requirements

4.5.1. None.

4.6. Compliance Plan

4.6.1. None.

5.0. Thermal Oxidizers [emission point ID(s): 4E, 5E, 6E, 7E, 23E, 24E, 28E and 29E]

5.1. Limitations and Standards

5.1.1. Emissions of criteria pollutants from the facility thermal oxidizers shall not exceed the following:

Emission Unit ID	VOC		PM ₁₀		CO		SO ₂		NO _x	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
4E, 5E, 6E, 7E	0.08	0.36	0.11	0.50	1.26	5.52	0.01	0.04	1.50	6.57
23E, 24E	0.04	0.19	0.06	0.27	0.67	2.94	0.01	0.02	0.40	1.75
28E, 29E	0.03	0.14	0.05	0.20	0.50	2.21	0.01	0.02	0.30	1.31

Compliance with 45CSR§6-4.1 (5.1.5.) will be shown by the more stringent requirements of Section 5.1.1. [45CSR13, R13-2410, 4.1.9.]

5.1.2. The maximum heat input rates and maximum natural gas consumption rates for pollution control devices 1C, 2C and 3C shall not exceed the limits given below:

Can Coating Line	Pollution Control Device				
	ID #	Maximum Heat Input		Maximum Natural Gas Consumed	
		MMBtu/hr	MMBtu/year	ft ³ /hr	MMft ³ /year
Lines 1&2 (ID#s 1S & 2S)	1C	15	131,400	15,000	131.4
Line 3 (ID# 17S)	2C	9	78,840	8,000	70.08
Line 4 (ID# 18S)	3C	6	52,560	6,000	52.56

[45CSR13, R13-2410, 4.1.12]

5.1.3. The thermal oxidizers 2C and 3C shall be operated at the following minimum combustion chamber temperatures during all times the coating line associated with the control device is in operation.

Can Coating Line	Pollution Control Device	
	ID #	Minimum Combustion Chamber Operating Temperature
Line 3 (ID# 17S)	2C	1350 °F
Line 4 (ID# 18S)	3C	1275 °F ⁽¹⁾

(1) The thermal oxidizer may be operated at a DAQ-approved lower temperature while awaiting a permit update to formally lower the temperature. DAQ approval is granted to the permittee to

lower the temperature once approved testing has shown that the control device still maintains its required destruction efficiency at the new lower temperature. All testing must be preceded by an approved test protocol and followed by the submittal to DAQ of a test report.

[45CSR13, R13-2410, 4.1.13.]

- 5.1.4. During all times Wagner Coater Oven Line #1 (ID# 1S) and/or FECO Coater Oven Line #2 (ID# 2S) are in operation, thermal oxidizer 1C shall be operated at the minimum temperature established during the most recent performance test which showed compliance with Sections 4.1.6, 4.1.9 and 5.1.1.

[45CSR13, R13-2410, 4.1.14.]

- 5.1.5. No person shall cause, suffer, allow or permit particulate matter to be discharged from Thermal Oxidizer No. 1, 2, and 3 into the open air in excess of 1.41 LB/hr, 0.72 LB/hr, and 0.58 LB/hr, respectively. Compliance with 45CSR§6-4.1 will be shown by the more stringent requirements of Section 5.1.1.

[45CSR§6-4.1.]

- 5.1.6. No person shall cause, suffer, allow or permit emission of smoke into the atmosphere from any incinerator which is twenty (20%) percent opacity or greater.

[45CSR§6-4.3.]

- 5.1.7. The provisions of Section 5.1.6 [45CSR§6-4.3] shall not apply to smoke which is less than forty (40%) percent opacity, for a period or periods aggregating no more than eight (8) minutes per start-up, or six (6) minutes in any sixty (60)-minute period for stoking operations.

[45CSR§6-4.4.]

- 5.1.8. No person shall cause, suffer, allow or permit the emission of particles of unburned or partially burned refuse or ash from any incinerator which are large enough to be individually distinguished in the open air.

[45CSR§6-4.5.]

- 5.1.9. Incinerators, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors.

[45CSR§6-4.6.]

- 5.1.10. Due to unavoidable malfunction of equipment, emissions exceeding those provided for in 45CSR6 may be permitted by the Director for periods not to exceed five (5) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director.

[45CSR§6-8.2.]

- 5.1.11. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.1 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, R13-2410, 4.1.16.]

5.2. Monitoring Requirements

- 5.2.1. For the purpose of determining compliance with the opacity limits of 45CSR6, visible emission checks of the thermal oxidizer (1C, 2C, 3C) shall be conducted. The visible emission checks shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 C.F.R. Part 60 Appendix A, Method 22 or from the lecture portion of the 40 C.F.R. Part 60, Appendix A, Method 9 certification course.

Visible emission checks shall be conducted on a semi-annual basis. If visible emissions are observed, the permittee shall conduct visible emission checks at least once monthly for three months. If no visible emissions are observed after three months, the permittee may conduct visible emissions checks again on a semi-annual basis. These checks shall be performed at each thermal oxidizer for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Visible emission checks shall be performed during periods of facility operation and appropriate weather conditions.

If visible emissions are observed for three (3) consecutive months, the permittee shall conduct an opacity evaluation in accordance with Method 9 of 40 C.F.R. 60 Appendix A, as soon as practicable, but within 72 hours unless the visible emissions are corrected beforehand and the units are operated at normal operating conditions.

[45CSR§30-5.1.c.]

- 5.2.2. The permittee shall install, calibrate, maintain, and continuously operate a device(s) to measure and record each of the pollution control devices' combustion chamber temperatures. All temperature records shall be retained on-site for a period of at least five (5) years and shall be made available to the Secretary or his duly authorized representative upon request. The device for 2C shall have an accuracy of ± 2.5 °C (± 4.5 °F) or ± 0.75 percent of the temperature being measured expressed in degree Celsius. The devices for 1C and 3C shall be certified by the manufacturer to be accurate within plus or minus 1% in degrees Fahrenheit.

[45CSR13, R13-2410, 4.3.5.] (1C, 2C and 3C)

- 5.2.3. The permittee shall monitor the Thermal Oxidizer No. 1C combustion temperature throughout the day while Wagner Coater Oven Line #1 (1S) and FECO Coater Oven Line #2 (2S) are in operation. The Thermal Oxidizer No. 1C minimum temperature is to be established during the most recent performance test (see Section 5.1.4.). The temperature monitoring device on the Thermal Oxidizer No. 1C shall have an accuracy within plus or minus 1% in degrees Fahrenheit (see Section 5.2.2.). The temperature gauge shall be calibrated annually according to manufacturer's specifications and recommendations. When VOC and HAPs are not being processed through the thermal oxidizer, the temperature can be lower than the determined minimum temperature. The data collection frequency shall be at least one (1) data point read every sixty (60) seconds by a continuous electronic recorder. Fifteen (15) consecutive data points shall be averaged to generate one (1) record of datum every 15-minute cycle, equivalent to four (4) data points equally spaced over one (1) hour. The permittee must determine the average of all recorded readings for each successive 3-hour period for the emission control device operation. An excursion shall be defined as when the average combustion temperature in each 3-hour block period is less than the minimum combustion temperature limit established in condition 5.1.4.

[45CSR§30-5.1.c; 40 C.F.R. § 64.6 (c)]

- 5.2.4. The permittee shall monitor the Thermal Oxidizer No. 2C combustion temperature throughout the day while Wagner Coater Oven Line #3 (17S) is in operation. When VOC and HAPs are not being processed through the thermal oxidizer, the temperature can be lower than the determined minimum temperature of 1350 °F. The temperature monitoring device on the Thermal Oxidizer No. 2C shall have an accuracy of ± 2.5 °C (± 4.5 °F) or ± 0.75 percent of the temperature being measured expressed in degree Celsius (see Section 5.2.2.). The temperature gauge shall be calibrated annually according to manufacturer's specifications and recommendations. The data collection frequency shall be at least one (1) data point read every sixty (60) seconds by a continuous electronic recorder. Fifteen (15) consecutive data points shall be averaged to generate one (1) record of datum every 15-minute cycle, equivalent to four (4) data points equally spaced over one (1) hour. The permittee must determine the average of all recorded readings for each successive 3-hour period for the emission control device operation. An excursion shall be defined as when the average combustion temperature in each 3-hour block period is less than the minimum combustion temperature limit of 1350 °F.
[45CSR§30-5.1.c; 40 C.F.R. § 64.6 (c)]
- 5.2.5. The permittee shall monitor the Thermal Oxidizer No. 3C combustion temperature throughout the day while LTG Coater Oven Line #4 (18S) is in operation. When VOC and HAPs are not being processed through the thermal oxidizer, the temperature can be lower than the determined minimum temperature of 1275 °F. The temperature monitoring device on the Thermal Oxidizer No. 3C shall have an accuracy within plus or minus 1% in degrees Fahrenheit (see Section 5.2.2.). The temperature gauge shall be calibrated annually according to manufacturer's specifications and recommendations. The data collection frequency shall be at least one (1) data point read every sixty (60) seconds by a continuous electronic recorder. Fifteen (15) consecutive data points shall be averaged to generate one (1) record of datum every 15-minute cycle, equivalent to four (4) data points equally spaced over one (1) hour. The permittee must determine the average of all recorded readings for each successive 3-hour period for the emission control device operation. An excursion shall be defined as when the average combustion temperature in each 3-hour block period is less than the minimum combustion temperature limit of 1275 °F.
[45CSR§30-5.1.c; 40 C.F.R. § 64.6 (c)]
- 5.2.6. **Proper maintenance.** At all times, the owner or operator shall maintain the monitoring specified in Sections 5.2.3, 5.2.4, and 5.2.5, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
[45CSR§30-5.1.c; 40 C.F.R. § 64.7 (b)]
- 5.2.7. **Continued operation.** Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
[45CSR§30-5.1.c; 40 C.F.R. § 64.7 (c)]

5.2.8. **Response to excursions or exceedances.**

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

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

- 5.2.9. **Documentation of need for improved monitoring.** After approval of monitoring under 40 C.F.R. 64, if the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the owner or operator shall promptly notify the permitting authority and, if necessary, submit a proposed modification to the part 70 or 71 permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

[45CSR§30-5.1.c; 40 C.F.R. § 64.7 (e)]

5.2.10. **Quality Improvement Plan (QIP)**

- a. Based on the results of a determination made under Section 5.2.8.b, the Administrator or the permitting authority may require the owner or operator to develop and implement 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 Section 5.5.2.b.iii for the reporting required when a QIP is implemented.
- b. If during a calendar quarter, an excursion (as defined under Sections 5.2.3, 5.2.4, and 5.2.5.) occurred on more than five (5) percent of the days that the thermal oxidizer (1C, 2C, or 3C) was operated, the permittee shall develop and implement a QIP. The Director may waive this QIP requirement upon a demonstration that the cause(s) of the excursions have been corrected, or may require stack tests at any time pursuant to Section 3.3.1.

[45CSR§30-5.1.c; 40 C.F.R. § 64.8]

5.3. Testing Requirements

- 5.3.1. At such reasonable times as the Director may designate, the operator of any incinerator shall be required to conduct or have conducted stack tests to determine the particulate matter loading, by using 40 C.F.R. Part 60, Appendix A, Method 5 or other equivalent EPA approved method approved by the Director, in exhaust gases. Such tests shall be conducted in such manner as the Director may specify and be filed on forms and in a manner acceptable to the Director. The Director, or the Director's authorized representative, may at the Director's option witness or conduct such stack tests. Should the Director exercise his option to conduct such tests, the operator will provide all the necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment and the required safety equipment such as scaffolding, railings and ladders to comply with generally accepted good safety practices.
[45CSR§6-7.1.]
- 5.3.2. The Director, or the Director's duly authorized representative, may conduct such other tests as the Director may deem necessary to evaluate air pollution emissions other than those noted above.
[45CSR§6-7.2.]
- 5.3.3. See Sections 4.3.1 and 4.3.2 for additional testing.

5.4. Recordkeeping Requirements

- 5.4.1. The permittee shall maintain records of all monitoring data required by Section 5.2.1, documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE wind) during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the evaluation, the record of observation may note "out of service" (O/S) or equivalent
[45CSR§30-5.1.c.]
- 5.4.2. The permittee shall maintain records of the amount of natural gas burned in the thermal oxidizers. Said records shall be maintained on a monthly and 12 month rolling total basis.
[45CSR13, R13-2410, 4.3.6.]
- 5.4.3. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.1, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
[45CSR13, R13-2410, 4.3.2.]
- 5.4.4. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.1, 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, R13-2410, 4.3.3.]

- 5.4.5. The permittee shall maintain the following records in the manner specified under Condition 3.4.2:
- a. Records of the thermal oxidizers' (1C, 2C, and 3C) combustion temperatures shall be continuously recorded and maintained. The temperature monitoring data shall be recorded using either the process distributed control system, operating log, or other equivalent method approved by the Director.
 - b. A record of the number, duration and cause(s) of all excursions or exceedances, and the corrective actions taken shall be maintained for the thermal oxidizers (1C, 2C, and 3C).
 - c. A record of the number, duration, and cause for the downtime of the thermal oxidizers' (1C, 2C, and 3C) temperature gauge shall be kept. This excludes downtime for calibration checks. This document shall also include the measures taken to correct the downtime.
 - d. The permittee shall maintain maintenance records on the thermal oxidizers (1C, 2C, and 3C).

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

- 5.4.6. The thermal oxidizers' (1C, 2C, and 3C) records of all periodic testing/checks, calibration, and maintenance per manufacturer's specifications and recommendations shall be maintained.

All records shall be maintained in the manner specified in Condition 3.4.2.

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

- 5.4.7. **General recordkeeping requirements for 40 C.F.R. Part 64 (CAM).** 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 (Condition 5.2.10) 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).

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

5.5. Reporting Requirements

5.5.1. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observations using 40 C.F.R. Part 60 Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.
[45CSR§30-5.1.c.]

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

- a. 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. Part 64, the permittee shall submit monitoring reports to the DAQ in accordance with Section 3.5.6.
- b. A report for monitoring under 40 C.F.R. Part 64 shall include, at a minimum, the information required under Section 3.5.8 and the following information, as applicable:
 - i. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
 - ii. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
 - iii. A description of the actions taken to implement a QIP during the reporting period as specified in 40 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.

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

5.6. Compliance Plan

5.6.1. None.

5.7. CAM Plan Summary of Requirements for Thermal Oxidizer No. 1 (1C)

	Indicator No. 1
I. Indicator	Combustion chamber temperature
Measurement Approach	The combustion chamber temperature is monitored with a thermocouple.
II. Indicator Range	An excursion is defined as 3-hour block average temperature readings less than the determined minimum temperature when VOC and HAPs are being processed in the oxidizer. (Sections 5.1.4 and 5.2.3.) Excursion triggers an inspection and evaluation, corrective action, recordkeeping, and reporting requirements (permit conditions 5.2.8, 5.4.5, and 5.5.2).
III. Performance Criteria	
A. Data Representativeness	Combustion chamber temperature measured using a thermocouple with an accuracy of plus or minus 1% in degrees Fahrenheit. (Section 5.2.2.)
B. Verification of Operations Status	Not applicable.
C. QA/QC Practices and Criteria	The temperature gauge shall be calibrated annually. (Section 5.2.3.)
D. Monitoring Frequency	Measured continuously while the Coating Lines #1 and #2 are operating. (Section 5.2.3.)
Data Collection Procedure	Data points collected at least every 60 seconds. (section 5.2.3)
Averaging Period	15 consecutive points averaged for a 15-minute interval. One average number is recorded every 15 minutes and four numbers are recorded per hour at evenly spaced intervals. These four readings are reduced to a 3-hour block average.

5.8. CAM Plan Summary of Requirements for Thermal Oxidizer No. 2 (2C)

	Indicator No. 1
I. Indicator	Combustion chamber temperature
Measurement Approach	The combustion chamber temperature is monitored with a thermocouple.
II. Indicator Range	An excursion is defined as 3- hour block average temperature readings less than 1350 °F when VOC and HAPs are being processed in the oxidizer. (Sections 5.1.3 and 5.2.4.) Excursion triggers an inspection and evaluation, corrective action, recordkeeping, and reporting requirements (permit conditions 5.2.8, 5.4.5, and 5.5.2).
III. Performance Criteria	
A. Data Representativeness	Combustion chamber temperature measured using a thermocouple with an accuracy of ± 2.5 °C (± 4.5 °F) or ± 0.75 percent of the temperature being measured expressed in degree Celsius. (Section 5.2.2.)
B. Verification of Operational Status	Not applicable.
C. QA/QC Practices and Criteria	The temperature gauge shall be calibrated annually. (Section 5.2.4.)
D. Monitoring Frequency	Measured continuously while the Coating Line No. 3 is operating. (Section 5.2.4.)
Data Collection Procedure	Data points collected at least every 60 seconds. (section 5.2.4)
Averaging Period	15 consecutive points averaged for a 15-minute interval. One average number is recorded every 15 minutes and four numbers are recorded per hour at evenly spaced intervals. These four readings are reduced to a 3-hour block average.

5.9. CAM Plan Summary of Requirements for Thermal Oxidizer No. 3 (3C)

	Indicator No. 1
I. Indicator	Combustion chamber temperature
Measurement Approach	The combustion chamber temperature is monitored with a thermocouple.
II. Indicator Range	An excursion is defined as 3- hour block average temperature readings less than 1275°F when VOC and HAPs are being processed in the oxidizer. (Sections 5.1.3 and 5.2.5.) Excursion triggers an inspection and evaluation, corrective action, recordkeeping, and reporting requirements (permit conditions 5.2.8, 5.4.5, and 5.5.2).
III. Performance Criteria	
A. Data Representativeness	Combustion chamber temperature measured using a thermocouple with an accuracy of plus or minus 1% in degrees Fahrenheit. (Section 5.2.2.)
B. Verification of Operational Status	Not applicable.
C. QA/QC Practices and Criteria	The temperature gauge shall be calibrated annually. (Section 5.2.5.)
D. Monitoring Frequency	Measured continuously while the Coating Line #4 is operating. (Section 5.2.5.)
Data Collection Procedure	Data points collected at least every 60 seconds. (section 5.2.5)
Averaging Period	15 consecutive points averaged for a 15-minute interval. One average number is recorded every 15 minutes and four numbers are recorded per hour at evenly spaced intervals. These four readings are reduced to a 3-hour block average.