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west virginia department of environmental protection

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Division of Air Quality  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304-2345  
Phone: 304 926 0475 • Fax: 304 926 0479

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

August 25, 2016

CERTIFIED MAIL

91 7199 9991 7034 1376 2809

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Mr. James O'Connor  
Plant Manger  
The Chemours Company FC, LLC  
901 West Dupont Avenue  
Belle, WV 25015

Re: The Chemours Company FC, LLC  
Belle Plant  
Permit No. R13-3230  
Plant ID No.039-00001

Dear Mr. O'Connor:

Your application for a permit as required by Section 5 of 45CSR13 - "Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permit, General Permit, and Procedures for Evaluation" has been approved. The enclosed permit R13-3230 is hereby issued pursuant to Subsection 5.7 of 45CSR13. Please be aware of the notification requirements in the permit which pertain to commencement of construction, modification, or relocation activities; startup of operations; and suspension of operations.

*The source is subject to 45CSR30. Changes authorized by this permit must also be incorporated into the facility's Title V operating permit. Commencement of the operations authorized by this permit shall be determined by the appropriate timing limitations associated with Title V permit revisions per 45CSR30.*

In accordance with 45CSR30- Operating Permit Program, 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. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

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

Promoting a healthy environment.

Permit Cover Letter to Mr. O'Connor  
August 25, 2016  
Page 2 of 2

Board pursuant to article one [§§22B-1-1 et seq.], Chapter 22B of the Code of West Virginia.  
West Virginia Code §§22-5-14.

Should you have any questions or comments, please contact me at (304) 926-0499,  
extension 1214.



Edward S. Andrews, P.E.  
Engineer

Enclosures

ec. James O'Connor, [jim.a.oconnor@chemours.com](mailto:jim.a.oconnor@chemours.com)  
LeAnne Wheeler, P.E. [LEANNE.SCHOTTLE.WHEELER@chemours.com](mailto:LEANNE.SCHOTTLE.WHEELER@chemours.com)

# Permit to Modify



**R13-3230**

*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§22-5-1 et seq.) and 45 C.S.R. 13 – Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the above-referenced facility is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

*Issued to:*

**Chemours Company  
Belle Plant  
039-00001**

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

*William F. Durham  
Director*

*Issued: August 25, 2016*

Facility Location: 901 West DuPont Ave.  
Belle, Kanawha County, West Virginia 25015-1555  
Mailing Address: Same as above  
Facility Description: Chemical Manufacturing Facility  
NAICS Codes: 325199  
UTM Coordinates: 451.848 km Easting • 4,232.589 km Northing • Zone 17  
Permit Type: Construction  
Description of Change: This action is for the construction of four replacement vessels associated with the DMF Process Unit.

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

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*The source is subject to 45CSR30. Changes authorized by this permit must also be incorporated into the facility's Title V operating permit. Commencement of the operations authorized by this permit shall be determined by the appropriate timing limitations associated with Title V permit revisions per 45CSR30.*

**Table of Contents**

**1.0. Emission Units.....4**

**2.0. General Conditions.....5**

    2.1. Definitions .....5

    2.2. Acronyms .....5

    2.3. Authority .....5

    2.4. Term and Renewal.....6

    2.5. Duty to Comply .....6

    2.6. Duty to Provide Information.....6

    2.7. Duty to Supplement and Correct Information .....6

    2.8. Administrative Update.....7

    2.9. Permit Modification.....7

    2.10 Major Permit Modification.....7

    2.11. Inspection and Entry .....7

    2.12. Emergency.....7

    2.13. Need to Halt or Reduce Activity Not a Defense.....8

    2.14. Suspension of Activities .....8

    2.15. Property Rights .....8

    2.16. Severability.....8

    2.17. Transferability .....8

    2.18. Notification Requirements.....9

    2.19. Credible Evidence .....9

**3.0. Facility-Wide Requirements .....10**

    3.1. Limitations and Standards .....10

    3.2. Monitoring Requirements.....10

    3.3. Testing Requirements .....10

    3.4. Recordkeeping Requirements .....11

    3.5. Reporting Requirements .....12

**4.0. Source-Specific Requirements .....14**

    4.1. Limitations and Standards .....14

    4.2. Monitoring Requirements.....15

    4.3. Testing Requirements .....15

    4.4. Recordkeeping Requirements .....15

    4.5. Reporting Requirements .....17

**CERTIFICATION OF DATA ACCURACY.....18**

**1.0. Emission Units**

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
AM82	402.001	Storage Vessel S-112	2014	>151 m <sup>3</sup>	AMCD01
DMF29	402.001	Storage Vessel S-113	2014	>151 m <sup>3</sup>	AMCD01
DMF32	402.001	Storage Vessel S-102	2014	>151 m <sup>3</sup>	AMCD0
DMF37	DMF37	Storage Vessel S-110	2014	>151 m <sup>3</sup>	None

AMCD01 – referred as the Amines Flare.

## 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.

### 2.2. Acronyms

<b>CAAA</b>	Clean Air Act Amendments	<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>CBI</b>	Confidential Business Information	<b>NSPS</b>	New Source Performance Standards
<b>CEM</b>	Continuous Emission Monitor	<b>PM</b>	Particulate Matter
<b>CES</b>	Certified Emission Statement	<b>PM<sub>2.5</sub></b>	Particulate Matter less than 2.5 μm in diameter
<b>C.F.R. or CFR</b>	Code of Federal Regulations	<b>PM<sub>10</sub></b>	Particulate Matter less than 10μm in diameter
<b>CO</b>	Carbon Monoxide	<b>Ppb</b>	Pounds per Batch
<b>C.S.R. or CSR</b>	Codes of State Rules	<b>Pph</b>	Pounds per Hour
<b>DAQ</b>	Division of Air Quality	<b>Ppm</b>	Parts per Million
<b>DEP</b>	Department of Environmental Protection	<b>Ppmv or ppmv</b>	Parts per Million by Volume
<b>dscm</b>	Dry Standard Cubic Meter	<b>PSD</b>	Prevention of Significant Deterioration
<b>FOIA</b>	Freedom of Information Act	<b>Psi</b>	Pounds per Square Inch
<b>HAP</b>	Hazardous Air Pollutant	<b>SIC</b>	Standard Industrial Classification
<b>HON</b>	Hazardous Organic NESHAP	<b>SIP</b>	State Implementation Plan
<b>HP</b>	Horsepower	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>lbs/hr</b>	Pounds per Hour	<b>TAP</b>	Toxic Air Pollutant
<b>LDAR</b>	Leak Detection and Repair	<b>TPY</b>	Tons per Year
<b>M</b>	Thousand	<b>TRS</b>	Total Reduced Sulfur
<b>MACT</b>	Maximum Achievable Control Technology	<b>TSP</b>	Total Suspended Particulate
<b>MDHI</b>	Maximum Design Heat Input	<b>USEPA</b>	United States Environmental Protection Agency
<b>MM</b>	Million	<b>UTM</b>	Universal Transverse Mercator
<b>MMBtu/hr or mmbtu/hr</b>	Million British Thermal Units per Hour	<b>VEE</b>	Visual Emissions Evaluation
<b>MMCF/hr or mmcf/hr</b>	Million Cubic Feet per Hour	<b>VOC</b>	Volatile Organic Compounds
<b>NA</b>	Not Applicable	<b>VOL</b>	Volatile Organic Liquids
<b>NAAQS</b>	National Ambient Air Quality Standards		
<b>NESHAPS</b>	National Emissions Standards for Hazardous Air Pollutants		

### 2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Act W.Va. Code §§ 22-5-1. et seq. and the following Legislative Rules promulgated thereunder:

- 2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*

## **2.4. Term and Renewal**

- 2.4.1. This Permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any other applicable legislative rule;

## **2.5. Duty to Comply**

- 2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-3230, 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;  
[45CSR§§13-5.11 and 10.3.]
- 2.5.2. 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;
- 2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;
- 2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses, and/or approvals from other agencies; i.e., local, state, and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

## **2.6. Duty to Provide Information**

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 administratively updating, modifying, revoking, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records 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.

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

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.

## **2.8. Administrative Update**

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.  
[45CSR§13-4.]

## **2.9. Permit Modification**

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.  
[45CSR§13-5.4.]

## **2.10 Major Permit Modification**

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.  
[45CSR§13-5.1]

## **2.11. Inspection and Entry**

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; and
- 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.

## **2.12. Emergency**

- 2.12.1. An "emergency" means any situation arising from sudden and reasonable 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.
- 2.12.2. 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 Section 2.12.3 are met.

- 2.12.3. 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. 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 must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- 2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- 2.12.5 The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

### **2.13. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a permittee in an enforcement action that it should 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.

### **2.14. Suspension of Activities**

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

### **2.15. Property Rights**

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

### **2.16. Severability**

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

### **2.17. Transferability**

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. [45CSR§13-10.1.]

## **2.18. Notification Requirements**

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

## **2.19. Credible Evidence**

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 defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

### 3.0. Facility-Wide Requirements

#### 3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency 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, suffer, allow or permit 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.  
[40CFR§61.145(b) and 45CSR§34]
- 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. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.  
[45CSR§13-10.5.]
- 3.1.6. **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.]

#### 3.2. Monitoring Requirements

*[Reserved]*

#### 3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary

exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 as 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. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 as applicable.
- 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 sixty (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; and,
  3. A statement of compliance or noncompliance with each permit or rule condition.

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

### **3.4. Recordkeeping Requirements**

- 3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports, and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information

includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

- 3.4.2. **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§4. *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.
- 3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
- 3.5.3. **Correspondence.** 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 with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

**If to the DAQ:**

Director  
WVDEP  
Division of Air Quality  
601 57<sup>th</sup> Street  
Charleston, WV 25304-2345

**If to the US EPA:**

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

#### 3.5.4. Operating Fee

- 3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, 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. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.
- 3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal

requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

#### 4.0. Source-Specific Requirements

##### 4.1. Limitations and Standards

- 4.1.1. The permittee shall comply with the following requirements for Storage Vessels S-102, S-112 and S113:
- a. Each vessel shall be vented to the Amines Flare (AMCD01) through a closed vent system. This *closed-vent system* shall be not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow inducing devices that transport gas or vapor from these vessel to the Amines Flare. This system shall not allow any means to by-pass the control device. **[40 CFR §63.111 and 119(a)(1)]**
  - b. The permittee shall connect the atmospheric vent from Tank S-113 to the closed vent system as required in item b. of this condition within 8 calendar months after issuance of this permit.
  - c. The Amine Flare (AMCD01) shall be designed and operated to reduce inlet emissions of total organic HAP by 95 percent or greater. To comply with this requirement, the flare shall be a non-assisted flare and meet the specifications described in the general control device requirements of 40 CFR §63.11(b), which are:  
**[40 CFR §§63.119(e) & (e)(1)]**
    - i. The Amine Flare shall be operated at all times when emissions may be vented to it. **[40 CFR §63.11(b)(3)]**
    - ii. The Amine Flare shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. Test Method 22 in Appendix A of Part 60 of this chapter shall be used to determine the compliance of flares with the visible emission provisions of this part. The observation period is 2 hours and shall be used according to Method 22. **[40 CFR §63.11(b)(4)]**
    - iii. The Amine Flare shall be operated with a flame present at all times. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame. **[40 CFR §63.11(b)(3)]**
    - iv. The net heating value of the effluent being combusted by the Amine Flare shall be no less than 7.45 mega joule (MJ)/standard cubic meter (200 Btu/scf) **[40 CFR §63.11(b)(6)(ii)]**
    - v. The Amine Flare shall be operated with an exit velocity less than 18.3 m/sec (60 ft/sec). The actual exit velocity of a flare shall be determined by dividing by the volumetric flow rate of gas being combusted (in units of emission standard temperature and pressure), as determined by Test Method 2, 2A, 2C, or 2D in appendix A to 40 CFR part 60 of this chapter, as appropriate, by the unobstructed (free) cross-sectional area of the flare tip. **[40 CFR §63.11(b)(7)(i)]**
  - d. Periods of planned routine maintenance of the Amine Flare, during which the flare does not meet the specifications in item d of this condition shall not exceed 240 hours per year. **[40 CFR §§63.119(e)(3)]**

- 4.1.2. The permittee shall comply with the following requirements for Storage Vessel S-110:
- a. The vessel shall only store organic liquids that have a maximum true vapor pressure no greater than 0.7 kPa (0.102 psia). Satisfying this requirement means this vessel is classified as a Group 2 vessel under Subpart G of Part 63.  
[40 CFR §63.119(a)(3), §63.111, and Table 6 to Subpart G of Part 63—Group 1 Storage Vessels at New Sources]
  - b. VOC emissions from the vessel shall not exceed 0.9 tons per year.
  - c. HAP emissions from the vessel shall not exceed 0.9 tons per year.
- 4.1.3. **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 1.0 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.  
[45CSR§13-5.11.]

#### 4.2. Monitoring Requirements

- 4.2.1. The permittee shall continuously monitor the presence of a flame for the Amines Flare. Periods when the pilot flare for the flare is absent, the permittee shall record the date, time and duration that the flame was absent.  
[40 CFR §63.120(e)(4)]
- 4.2.2. The permittee shall inspect the closed vent system that is required in Condition 4.1.1.a. at least once per year as specified in 40 CFR §§63.148.(b)(1)(i) and (ii). The initial required inspection shall be performance in accordance with 40 CFR §148(c). Annual inspections shall be conducted for visible, audible, or olfactory indications of leaks. These inspections shall be done during filling of the storage vessels. Records of these inspections and associated repairs of leaks shall be maintained in accordance with Condition 3.4.1.  
[40 CFR §63.120(d)(5), §63.148(b)(1)]
- Leaks, as indicated by an instrument reading greater than 500 parts per million above background or by visual inspections, shall be repaired as soon as practicable, except as provided in 40 CFR §63.148(e).
- i. A first attempt at repair shall be made no later than 5 calendar days after the leak is detected.
  - ii. Repair shall be completed no later than 15 calendar days after the leak is detected, except as provided in paragraph (d)(3) of this section.  
[40 CFR §63.148(d)]

#### 4.3. Testing Requirements

*[Reserved]*

#### 4.4. Recordkeeping Requirements

- 4.4.1. **Record of Monitoring.** 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.

4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, 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.

4.4.4. The permittee shall keep readily accessible records showing the dimensions of the storage vessel and an analysis showing the capacity of Storage Vessel S-102, S-110, S-112, and S-113. These records shall be kept as long as the storage vessel retains Group 1 or Group 2 status and is in operation.

[40 CFR §63.123(a)]

4.4.5. The permittee shall keep in a readily accessible location the records specified in the following.

- a. A record of the measured values of the parameters monitored in accordance with Condition 4.2.1. (40 CFR §63.120(d)(5)).

- b. A record of the planned routine maintenance performed on the control device including the duration of each time the Amines Flare does not meet the specifications of Condition 4.1.1.c. (40 CFR §63.119(e)(1)).
    - i. The first time of day and date the requirements of Condition 4.1.1.d. (40 CFR §63.119 (e)(1)) were not met at the beginning of the planned routine maintenance, and
    - ii. The first time of day and date the requirements of Condition 4.1.1.d. (40 CFR §63.119 (e)(1)) were met at the conclusion of the planned routine maintenance.
- [40 CFR §§63.123(f), (f)(1) through (f)(2)]**

- 4.4.6. The permittee shall maintain a copy of the most recent compliance determination for the Amine Flare with the specification in 40 CFR §63.11(b) at the facility.
- 4.4.7. For the purposes of demonstrating compliance with the emission limits in Condition 4.1.2, the permittee shall maintain records of the VOC and HAPs emissions from Tank S-110 on a monthly and 12-month rolling basis.

#### **4.5. Reporting Requirements**

- 4.5.1. The permittee shall include the following as part of the next Periodic Report required by 40 CFR §63.152(c) with the following information.  
**[40 CFR §122(a)(4)]**

- a. The Periodic Report shall include the information specified in following for those planned routine maintenance operations that would require the control device (Amines Flare) not to meet the requirements of Condition 4.1.1.d. (40 CFR §63.119 (e)(1)).
  - i. A description of the planned routine maintenance that is anticipated to be performed for the control device during the next 6 months. This description shall include the type of maintenance necessary, planned frequency of maintenance, and lengths of maintenance periods.
  - ii. A description of the planned routine maintenance that was performed for the control device during the previous 6 months. This description shall include the type of maintenance performed and the total number of hours during those 6 months that the control device did not meet the requirements of Condition 4.1.1.d. (40 CFR §63.119 (e)(1)) due to planned routine maintenance.

**[40 CFR 63.122(g)(1)]**

- b. The Periodic Report shall describe each occurrence when the Amines Flare does not meet the general control device requirements specified in Condition 4.1.1.d. (40 CFR §63.11(b)) and shall include the information specified in following:
  - i. Identification of the flare which does not meet the general requirements specified in §63.11(b) of subpart A of this part, and
  - ii. Reason the flare did not meet the general requirements specified in Condition 4.1.1.c. (40 CFR 63.11(b)).

**[40 CFR 63.122(g)(3)]**

Such Periodic Reports shall be submitted in accordance with 40 CFR 63.152(c) and Condition 3.5.1.

**CERTIFICATION OF DATA ACCURACY**

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached \_\_\_\_\_, representing the period beginning \_\_\_\_\_ and ending \_\_\_\_\_, and any supporting documents appended hereto, is true, accurate, and complete.

Signature<sup>1</sup> \_\_\_\_\_  
(please use blue ink) Responsible Official or Authorized Representative Date

Name & Title \_\_\_\_\_  
(please print or type) Name Title

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

- <sup>1</sup> This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:
- a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
    - (i) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or
    - (ii) the delegation of authority to such representative is approved in advance by the Director;
  - b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
  - c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of U.S. EPA); or
  - d. The designated representative delegated with such authority and approved in advance by the Director.