

*West Virginia Department of Environmental Protection*  
Earl Ray Tomblin  
Governor

*Division of Air Quality*

Randy C. Huffman  
Cabinet Secretary

# Permit to Modify



**R13-3006A**

*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:*

**CNX Gas Company (CNX)**  
**Rowland 310 Station**  
**081-00259**

---

*John A. Benedict*  
*Director*

*Issued: DRAFT • Effective: DRAFT*

This permit will supercede and replace Permit R13-3006.

Facility Location: near Glen Daniels, Raleigh County, West Virginia  
Mailing Address: 2481 John Nash Blvd., Bluefield, WV 24701  
Facility Description: Natural Gas Compressor Station  
NAICS Codes: 211111  
UTM Coordinates: 467.3 km Easting • 4,193.6 km Northing • Zone 17  
Permit Type: Modification  
Description of Change: The facility is replacing their existing Ford CSG-649 compressor engine (60 bhp) with a Caterpillar G3304NA compressor engine (95 bhp), 4-stroke rich burn.

*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.*

---

*The source is not subject to 45CSR30.*

---

## Table of Contents

|             |  |           |
|-------------|--|-----------|
| <b>1.0.</b> | <b>Emission Units .....</b>  | <b>4</b>  |
| <b>2.0.</b> | <b>General Conditions .....</b>  | <b>5</b>  |
| 2.1.        | Definitions .....  | 5         |
| <b>2.2.</b> | <b>Acronyms .....</b>  | <b>5</b>  |
| 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 .....                           | 7         |
| 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 .....   | 9         |
| 2.17.       | Transferability .....  | 9         |
| 2.18.       | Notification Requirements .....  | 9         |
| 2.19.       | Credible Evidence .....  | 9         |
| <b>3.0.</b> | <b>Facility-Wide Requirements .....</b>                                    | <b>10</b> |
| 3.1.        | Limitations and Standards .....  | 10        |
| 3.2.        | Monitoring Requirements .....  | 10        |
| 3.3.        | Testing Requirements .....   | 10        |
| 3.5.        | Reporting Requirements .....   | 12        |
| <b>4.0.</b> | <b>Source-Specific Requirements (EU-1S, EU-2S, EU-3S, and EU-4S) .....</b> | <b>14</b> |
| 4.1.        | Limitations and Standards .....  | 14        |
| 4.2.        | Monitoring Requirements .....  | 15        |
| 4.3.        | Recordkeeping Requirements .....   | 15        |
| <b>5.0.</b> | <b>Source-Specific Requirements (40 CFR 60 Subpart JJJJ, EU-1S) .....</b>  | <b>15</b> |
| 5.1.        | Limitations and Standards .....  | 15        |
| 5.2.        | Emission Standards for Owners and Operators .....                          | 16        |
| 5.3.        | Testing Requirements .....   | 16        |
| 5.4.        | Compliance Requirements .....  | 16        |
| 5.5.        | Notification, Reporting, Recordkeeping Requirements .....                  | 17        |
| <b>6.0.</b> | <b>Source-Specific Requirements (40 CFR 63 Subpart ZZZZ, EU-1S) .....</b>  | <b>17</b> |
| 6.1.        | Limitations and Standards .....  | 17        |
| <b>7.0.</b> | <b>Source-Specific Requirements (40 CFR 60 Subpart OOOO, EU-1S) .....</b>  | <b>18</b> |
| 7.1.        | Limitations and Standards .....  | 18        |
| 7.2.        | Initial Compliance Demonstration .....                                     | 18        |
| 7.3.        | Continuous Compliance Demonstration .....                                  | 19        |
| 7.4.        | Notification, Recordkeeping and Reporting Requirements .....               | 20        |
|             | <b>CERTIFICATION OF DATA ACCURACY .....</b>                                | <b>24</b> |

**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>  |
|-------------------------|--------------------------|----------------------------------|-----------------------|------------------------|------------------------|
| EU-1S                   | EP-1S                    | Caterpillar G3304 NA Compressor  | 2013                  | 95 bhp                 | 1C Catalytic Convertor |
| EU-2S                   | EP-2S                    | Ford LRG-425 Generator           | 2008                  | 32.5 bhp               | None                   |
| EU-3S                   | EP-3S                    | Condensate Drip Tank             | 2008                  | 8,820 gallons          | None                   |
| EU-4S                   | EP-4S                    | Condensate Drip Tank             | 2008                  | 8,820 gallons          | None                   |

DRAFT

## 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>Ppm<sub>v</sub> 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 law 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 R13-3006, R13-3006A 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;
- 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. Said records shall be maintained on site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review. Any records submitted to the agency pursuant to a requirement of this permit or upon request by the Director shall be certified by a responsible official. 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 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 45CSR22 – Air Quality Management Fee Program, the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first obtaining and having in current effect a Certificate to Operate (CTO). Such Certificate to Operate (CTO) shall be renewed annually, shall be maintained on the premises for which the certificate 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 (EU-1S, EU-2S, EU-3S, and EU-4S)

##### 4.1. Limitations and Standards

- 4.1.1. To demonstrate compliance with Section 4.1.2., the quantity of natural gas that shall be consumed in the 95 bhp natural gas fired reciprocating engine, Caterpillar (EU-1S) shall not exceed 10,750 cubic feet per hour and  $94.2 \times 10^6$  cubic feet per year.
- 4.1.2. Maximum emissions from the 95 bhp natural gas fired reciprocating engine, Caterpillar (EU-1S), shall not exceed the following limits:

Table 4.1.2: Emission Limits for Caterpillar (EP-1S)

| Pollutant                               | Maximum Hourly Emissions (lb/hr) | Maximum Annual Emissions (ton/year) |
|---|----------------------------------|-------------------------------------|
| Nitrogen Oxides                         | 0.11                             | 0.46                                |
| Carbon Monoxide                         | 0.21                             | 0.92                                |
| Particulate Matter less than 10 microns | 0.01                             | 0.06                                |
| Volatile Organic Compounds              | 0.21                             | 0.92                                |
| Formaldehyde                            | 0.01                             | 0.06                                |

- 4.1.3. Requirements for Use of Catalytic Reduction Devices
  - a. Rich-burn natural gas compressor engines equipped with non-selective catalytic reduction (NSCR) air pollution control devices shall be fitted with a closed-loop, automatic air/fuel ratio controller to ensure emissions of regulated pollutants do not exceed the potential to emit for any engine/NSCR combination under varying load. The closed-loop, automatic air/fuel ratio controller shall control a fuel metering valve to deliver additional fuel when required to ensure a fuel-rich mixture and a resultant exhaust oxygen content of less than or equal to 0.5%. The automatic air/fuel ratio controller shall also incorporate dual-point exhaust gas temperature and oxygen sensors which provide temperature and exhaust oxygen content differential feedback. Such controls shall ensure proper and efficient operation of the engine and NSCR air pollution control device;
  - b. The automatic air/fuel ratio controller or closed-loop automatic feedback controller shall provide a warning or indication to the operator and/or be interlocked with the engine ignition system to cease engine operation in case of a masking, poisoning or overrich air/fuel ratio situation which results in performance degradation or failure of the catalyst element; and
  - c. No person shall knowingly:
    - 1. Remove or render inoperative any air pollution or auxiliary air pollution control device installed subject to the requirements of General Permit G30-D;
    - 2. Install any part or component when the principal effect of the part or component is to bypass, defeat or render inoperative any air pollution control device or auxiliary air pollution control device installed subject to the requirements of General Permit G30-D; or
    - 3. Cause or allow engine exhaust gases to bypass any catalytic reduction device.
- 4.1.4. To demonstrate compliance with Section 4.1.5., the quantity of natural gas that shall be consumed in the 32.5 bhp natural gas fired reciprocating engine, Ford LRG-425 (EU-2S) shall not exceed 264 cubic feet per hour and  $3.31 \times 10^6$  cubic feet per year.
- 4.1.5. Maximum emissions from the 32.5 bhp natural gas fired reciprocating engine, Ford LRG-425 (EP-2S), shall not exceed the following limits:

Table 4.1.5: Emission Limits for Ford LRG-425 (EP-2S)

| Pollutant                  | Maximum Hourly Emissions (lb/hr) | Maximum Annual Emissions (ton/year) |
|----------------------------|----------------------------------|-------------------------------------|
| Nitrogen Oxides            | 0.80                             | 3.50                                |
| Carbon Monoxide            | 3.77                             | 16.48                               |
| Volatile Organic Compounds | 0.01                             | 0.04                                |
| Formaldehyde               | 0.01                             | 0.03                                |

- 4.1.6. EU-1S and EU-2S are required to combust pipeline quality natural gas only.
- 4.1.7. The throughput for each tank (EU-3S and EU-4S) shall be limited to the 5,700 gallons/year.
- 4.1.8. Minor Source of Hazardous Air Pollutants (HAP). HAP emissions from the facility shall be less than 10 tons/year of any single HAP and 25 tons/year of any combination of HAPs. Compliance with this Section shall ensure that the facility is a minor HAP source.

## 4.2. Monitoring Requirements

### 4.2.1. Catalytic Oxidizer Control Devices

- a. The registrant shall regularly inspect, properly maintain and/or replace catalytic reduction devices and auxiliary air pollution control devices to ensure functional and effective operation of the engine's physical and operational design. The registrant shall ensure proper operation, maintenance and performance of catalytic reduction devices and auxiliary air pollution control devices by:
  - 1. Maintaining proper operation of the automatic air/fuel ratio controller or automatic feedback controller.
  - 2. Following operating and maintenance recommendations of the catalyst element manufacturer.

## 4.3. Recordkeeping Requirements

- 4.3.1. To demonstrate compliance with sections 4.1.1, 4.1.2., 4.1.4, 4.1.5, the permittee shall maintain records of the amount of natural gas consumed in each engine and the hours of operation of each engine. The permittee shall also maintain records of maintenance records performed on the catalytic oxidizer device. Said records shall be maintained on site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review. Any records submitted to the agency pursuant to a requirement of this permit or upon request by the Director shall be certified by a responsible official.
- 4.3.2. To demonstrate compliance with 4.1.7 the throughput for each tank (EU-3S and EU-4S) will be calculated after each time a truck is loaded.

## 5.0. Source-Specific Requirements (40 CFR 60 Subpart JJJJ, EU-1S)

### 5.1. Limitations and Standards

- 5.1.1. The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (6) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator. [40CFR§60.4230(a)]

- 5.1.2. The provisions of §60.4236 of this subpart are applicable to all owners and operators of stationary SI ICE that commence construction after June 12, 2006. [40CFR§60.4230(a)(6)]
- 5.1.3. After July 1, 2010, owners and operators may not install stationary SI ICE with a maximum engine power of less than 500 HP that do not meet the applicable requirements in §60.4233. [40CFR§60.4236(a)]

## **5.2. Emission Standards for Owners and Operators**

- 5.2.1. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for field testing in 40 CFR 1048.101(c) for their non-emergency stationary SI ICE and with the emission standards in Table 1 to this subpart for their emergency stationary SI ICE. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) manufactured prior to January 1, 2011, that were certified to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP, may optionally choose to meet those standards. [40CFR§60.4233(d)]
- 5.2.2. Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine. [40CFR§60.4234]

## **5.3. Testing Requirements**

- 5.3.1. Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section. [40CFR§60.4233(h)]

## **5.4. Compliance Requirements**

- 5.4.1. If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section. [40CFR§60.4243(b)]
- 5.4.2. Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in § 60.4233(d) or (e) and according to the requirements specified in § 60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section. [40CFR§60.4243(b)(2)]
- 5.4.3. If you are an owner or operator of a stationary SI internal combustion engine greater than 25 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance. [40CFR§60.4243(b)(2)(i)]
- 5.4.4. Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of § 60.4233. [40CFR§60.4243(e)]

- 5.4.5. If you are an owner or operator of a stationary SI internal combustion engine that is less than or equal to 500 HP and you purchase a non-certified engine or you do not operate and maintain your certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, you are required to perform initial performance testing as indicated in this section, but you are not required to conduct subsequent performance testing unless the stationary engine is rebuilt or undergoes major repair or maintenance. A rebuilt stationary SI ICE means an engine that has been rebuilt as that term is defined in 40 CFR 94.11(a). [40CFR§60.4243(f)]
- 5.4.6. It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times. [40CFR§60.4243(g)]

## **5.5. Notification, Reporting, Recordkeeping Requirements**

- 5.5.1. Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.
- (a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.
- (1) All notifications submitted to comply with this subpart and all documentation supporting any notification.
- (2) Maintenance conducted on the engine.
- (3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.
- (4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to § 60.4243(a)(2), documentation that the engine meets the emission standards. [40CFR§60.4245(a)]
- 5.5.2. Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed. [40CFR§60.4245(d)]

## **6.0. Source-Specific Requirements (40 CFR 63 Subpart ZZZZ, EU-1S)**

### **6.1. Limitations and Standards**

- 6.1.1. You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.
- (c) An area source of HAP emissions is a source that is not a major source.  
[40CFR§63.6585(c)]
- 6.1.2. New stationary RICE. A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006. [40CFR§63.6590(a)(2)(iii)]

- 6.1.3. Stationary RICE subject to Regulations under 40 CFR Part 60. An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

(1) A new or reconstructed stationary RICE located at an area source;  
[40CFR§63.6590(c)(1)]

## **7.0. Source-Specific Requirements (40 CFR 60 Subpart OOOO, EU-1S)**

### **7.1. Limitations and Standards**

- 7.1.1. You must comply with the standards in paragraphs (a) through (d) of this section for each reciprocating compressor affected facility.

- a. You must replace the reciprocating compressor rod packing according to either paragraph (a)(1) or (2) of this section.
  1. Before the compressor has operated for 26,000 hours. The number of hours of operation must be continuously monitored beginning upon initial startup of your reciprocating compressor affected facility, or October 15, 2012, or the date of the most recent reciprocating compressor rod packing replacement, whichever is later.
  2. Prior to 36 months from the date of the most recent rod packing replacement, or 36 months from the date of startup for a new reciprocating compressor for which the rod packing has not yet been replaced.
- b. You must demonstrate initial compliance with standards that apply to reciprocating compressor affected facilities as required by § 60.5410.
- c. You must demonstrate continuous compliance with standards that apply to reciprocating compressor affected facilities as required by § 60.5415.
- d. You must perform the required notification, recordkeeping, and reporting as required by § 60.5420.

[40CFR§60.5385, Reciprocating Compressor Engines]

### **7.2. Initial Compliance Demonstration**

- 7.2.1. You must determine initial compliance with the standards for each affected facility using the requirements in paragraph (c) of this section. The initial compliance period begins on October 15, 2012 or upon initial startup, whichever is later, and ends no later than one year after the initial startup date for your affected facility or no later than one year after October 15, 2012. The initial compliance period may be less than one full year.

- c. To achieve initial compliance with the standards for each reciprocating compressor affected facility you must comply with paragraphs (c)(1) through (4) of this section.
  1. During the initial compliance period, you must continuously monitor the number of hours of operation or track the number of months since the last rod packing replacement.
  2. You must submit the notifications required in 60.7(a)(1), (3), and (4).

3. You must submit the initial annual report for your reciprocating compressor as required in § 60.5420(b).
4. You must maintain the records as specified in § 60.5420(c)(3) for each reciprocating compressor affected facility.

[40CFR§60.5410, Reciprocating Compressor Engines]

### 7.3. Continuous Compliance Demonstration

7.3.1. For each reciprocating compressor affected facility, you must demonstrate continuous compliance according to paragraphs (1) through (3) of this section.

1. You must continuously monitor the number of hours of operation for each reciprocating compressor affected facility or track the number of months since initial startup, or October 15, 2012, or the date of the most recent reciprocating compressor rod packing replacement, whichever is later.
2. You must submit the annual report as required in § 60.5420(b) and maintain records as required in § 60.5420(c)(3).
3. You must replace the reciprocating compressor rod packing before the total number of hours of operation reaches 26,000 hours or the number of months since the most recent rod packing replacement reaches 36 months.

[40CFR§60.5415, Reciprocating Compressor Engines]

7.3.2. Affirmative defense for violations of emission standards during malfunction. In response to an action to enforce the standards set forth in §§ 60.5375, you may assert an affirmative defense to a claim for civil penalties for violations of such standards that are caused by malfunction, as defined at § 60.2. Appropriate penalties may be assessed, however, if you fail to meet your burden of proving all of the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.

- (1) To establish the affirmative defense in any action to enforce such a standard, you must timely meet the reporting requirements in § 60.5420(a), and must prove by a preponderance of evidence that:
  - (i) The violation:
    - (A) Was caused by a sudden, infrequent, and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner; and
    - (B) Could not have been prevented through careful planning, proper design or better operation and maintenance practices; and
    - (C) Did not stem from any activity or event that could have been foreseen and avoided, or planned for; and
    - (D) Was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; and
  - (ii) Repairs were made as expeditiously as possible when a violation occurred. Off-shift and overtime labor were used, to the extent practicable to make these repairs; and

- (iii) The frequency, amount and duration of the violation (including any bypass) were minimized to the maximum extent practicable; and
  - (iv) If the violation resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
  - (v) All possible steps were taken to minimize the impact of the violation on ambient air quality, the environment and human health; and
  - (vi) All emissions monitoring and control systems were kept in operation if at all possible, consistent with safety and good air pollution control practices; and
  - (vii) All of the actions in response to the violation were documented by properly signed, contemporaneous operating logs; and
  - (viii) At all times, the affected source was operated in a manner consistent with good practices for minimizing emissions; and
  - (ix) A written root cause analysis has been prepared, the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the violation resulting from the malfunction event at issue. The analysis shall also specify, using best monitoring methods and engineering judgment, the amount of any emissions that were the result of the malfunction.
- (2) Report. The owner or operator seeking to assert an affirmative defense shall submit a written report to the Administrator with all necessary supporting documentation, that it has met the requirements set forth in paragraph (h)(1) of this section. This affirmative defense report shall be included in the first periodic compliance, deviation report or excess emission report otherwise required after the initial occurrence of the violation of the relevant standard (which may be the end of any applicable averaging period). If such compliance, deviation report or excess emission report is due less than 45 days after the initial occurrence of the violation, the affirmative defense report may be included in the second compliance, deviation report or excess emission report due after the initial occurrence of the violation of the relevant standard.
- [40CFR§60.5415]

#### **7.4. Notification, Recordkeeping and Reporting Requirements**

- 7.4.1. You must submit the notifications required in § 60.7(a)(1) and (4), and according to paragraphs (a)(1) and (2) of this section, if you own or operate one or more of the affected facilities specified in § 60.5365 that was constructed, modified, or reconstructed during the reporting period.
- 7.4.2. Reporting requirements. You must submit annual reports containing the information specified in paragraphs (b)(4) of this section to the Administrator and performance test reports as specified in paragraph (b)(7) of this section. The initial annual report is due 30 days after the end of the initial compliance period as determined according to § 60.5410. Subsequent annual reports are due on the same date each year as the initial annual report. If you own or operate more than one affected facility, you may submit one report for multiple affected facilities provided the report contains all of the information required as specified in paragraphs (b)(1) through (6) of this section. Annual reports may coincide with title V reports as long as all the required elements of the annual report are included. You may arrange with the Administrator a common schedule on which reports required by this part may be submitted as long as the schedule does not extend the reporting period.
  - 1. The general information specified in paragraphs (b)(1)(i) through (iv) of this section.

- (i) The company name and address of the affected facility.
- (ii) An identification of each affected facility being included in the annual report.
- (iii) Beginning and ending dates of the reporting period.
- (iv) A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

2. *Reserved*

3. *Reserved*

4. For each reciprocating compressor affected facility, the information specified in paragraphs (b)(4)(i) through (ii) of this section.

(i) The cumulative number of hours of operation or the number of months since initial startup, October 15, 2012, or since the previous reciprocating compressor rod packing replacement, whichever is later.

(ii) Records of deviations specified in paragraph (c)(3)(iii) of this section that occurred during the reporting period.

6. (i) Within 60 days after the date of completing each performance test (see § 60.8 of this part) as required by this subpart you must submit the results of the performance tests required by this subpart to EPA's WebFIRE database by using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) ([www.epa.gov/cdx](http://www.epa.gov/cdx)). Performance test data must be submitted in the file format generated through use of EPA's Electronic Reporting Tool (ERT) (see <http://www.epa.gov/ttn/chief/ert/index.html>). Only data collected using test methods on the ERT Web site are subject to this requirement for submitting reports electronically to WebFIRE. Owners or operators who claim that some of the information being submitted for performance tests is confidential business information (CBI) must submit a complete ERT file including information claimed to be CBI on a compact disk or other commonly used electronic storage media (including, but not limited to, flash drives) to EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: WebFIRE Administrator, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT file with the CBI omitted must be submitted to EPA via CDX as described earlier in this paragraph. At the discretion of the delegated authority, you must also submit these reports, including the confidential business information, to the delegated authority in the format specified by the delegated authority.

(ii) All reports required by this subpart not subject to the requirements in paragraph (a)(2)(i) of this section must be sent to the Administrator at the appropriate address listed in § 63.13 of this part. The Administrator or the delegated authority may request a report in any form suitable for the specific case (e.g., by commonly used electronic media such as Excel spreadsheet, on CD or hard copy). The Administrator retains the right to require submittal of reports subject to paragraph (a)(2)(i) and (ii) of this section in paper format.

[40CFR§60.5420]

7.4.3. Recordkeeping requirements. You must maintain the records identified as specified in § 60.7(f) and in paragraph (c)(3) and (4) of this section. All records must be maintained for at least 5 years.

3. For each reciprocating compressors affected facility, you must maintain the records in paragraphs (c)(3)(i) through (iii) of this section.
  - (i) Records of the cumulative number of hours of operation or number of months since initial startup or October 15, 2012, or the previous replacement of the reciprocating compressor rod packing, whichever is later.
  - (ii) Records of the date and time of each reciprocating compressor rod packing replacement.
  - (iii) Records of deviations in cases where the reciprocating compressor was not operated in compliance with the requirements specified in § 60.5385.  
[40CFR§60.5420]

DRAFT

DRAFT

### 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.