

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

*Division of Air Quality*

Randy C. Huffman  
Cabinet Secretary

# Permit to Modify



**R13- 2475B**

*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:*

**Valero Terrestrial Corporation  
Brooke County Sanitary Landfill  
009-00053**

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*John A. Benedict  
Director*

*Issued: DRAFT • Effective: DRAFT*

*This permit will supersede and replace Permit R13-2475A.*

Facility Location: Colliers, Brooke County, West Virginia  
Mailing Address: RR # 2, Box 410, Colliers, WV 26035  
Facility Description: Landfill Flare, Rock Crushing, and Screening  
NAICS Code(s): 562212  
UTM Coordinates: 535.865 km Easting • 4,469.677 km Northing • Zone 17  
Permit Type: Modification  
Description of Change: Installation of an additional rock screening operation.

*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.*

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**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>
<b>Landfill</b>					
01	01-CL1	Closure Area – Closed and capped	Pre 1993	1,323,118 Mg	
01	01-A1	F-1 – Active	1993	666,000 Mg	
01	01-A2	F2 – Active	1996	153,600 Mg	
01	01-A3	F-3 – Active	1999	247,800 Mg	
01	01-A4	F-4 Through F-8	Future	7,194,000 Mg	
<b>Flare</b>					
01	01-FL1	Enclosed Flare System by John Zink Company	2003	2,400 scfm	None
<b>Others</b>					
01	01-T1	Leachate Treatment Tank	1998	30,000 gals	None
01	01-T2	Leachate Treatment Tank	1998	30,000 gals	None
01	01-T3	Leachate Treatment Tank	1998	30,000 gals	None
<b>Haulroads</b>					
01	01-P1	Paved Road	Pre 1999	≈ 2,000 ft	None
01	01-UP1	Unpaved Road	N/A	≈ 7,500 ft	None
<b>Crushing and Screening</b>					
<b>Transfer Points</b>					
1S	TP1	Bulldozer pushing material to pile OS1	1993	200 TPH and 300,000 TPY	MC
3S	TP2	OS-1 to Hopper via Front End Loader	1993	200 TPH and 300,000 TPY	MC
6S	TP3	Jaw Crusher to BC2	1993	200 TPH and 300,000 TPY	MC
8S	TP4	BC2 to Screen	1993	200 TPH and 300,000 TPY	MC
10S	TP5	Screen to BC4	1993	200 TPH and 300,000 TPY	MC
11S	TP6	Screen to BC3	1993	200 TPH and 300,000 TPY	MC
14S	TP7	OS3 from BC4	1993	200 TPH and 300,000 TPY	MC

<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>
15S	TP8	OS2 from BC3	1993	200 TPH and 300,000 TPY	MC
18S	TP9	OS3 to Trucks via Front End Loader	1993	200 TPH and 300,000 TPY	MC
19S	TP10	OS2 to Trucks via Front End Loader	1993	200 TPH and 300,000 TPY	MC
TP1A	TP1A	Rock Truck to Ground	2011	100 TPH and 50,000 TPY	MC
TP2A	TP2A	Front End Loader to Pre-Screen (24S) Pile	2011	100 TPH and 50,000 TPY	MC
TP3A	TP3A	Front End Loader to Screen (24S)	2011	100 TPH and 50,000 TPY	MC
TP4A	TP4A	Screen (24S) to Ground	2011	50 TPH and 25,000 TPY	MC
TP5A	TP5A	Screen (24S) to Attached Conveyer	2011	50 TPH and 25,000 TPY	MC
TP6A	TP6A	Attached Screen (24S) Conveyer to Ground	2011	50 TPH and 25,000 TPY	MC
TP7A	TP7A	Front End Loader to Pile (OS5)	2011	50 TPH and 25,000 TPY	MC
TP8A	TP8A	Front End Loader to Pile (OS6)	2011	50 TPH and 25,000 TPY	MC
TP9A	TP9A	Front End Loader to Truck	2011	50 TPH and 25,000 TPY	MC
TP10A	TP10A	Front End Loader to Truck	2011	50 TPH and 25,000 TPY	MC
<b>Screening Operations</b>					
9S	S1	Double Deck Screen	1993	200 TPH and 300,000 TPY	MC
24S	24E	Portable Rock Screen w/ attached Belt Conveyer	2011	50 TPH and 50,000 TPY	MC
<b>Crushing Operations</b>					
5S	C1	Jaw Crusher	1993	200 TPH and 300,000 TPY	MC

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
<b>Belt Conveyors</b>					
4S	BC1	Hopper to Jaw Crusher	1993	200 TPH and 300,000 TPY	MC
7S	BC2	Jaw Crusher to Screen	1993	200 TPH and 300,000 TPY	MC
12S	BC3	Screen to OS3	1993	200 TPH and 300,000 TPY	MC
13S	BC4	Screen to OS2	1993	200 TPH and 300,000 TPY	MC
<b>Open Stockpiles</b>					
2S	OS1	Unprocessed Material Storage Pile	1993	30,000 Tons	MC
17S	OS2	Oversize – Large Material Storage Pile	1993	30,000 Tons	MC
16S	OS3	Screened – Small Material Storage Pile	1993	30,000 Tons	MC
OS5	OS5	Large Rock/Rip Rap Stockpile	2011	400 ft <sup>2</sup>	Water Spray
OS6	OS6	¾ Inch Stone Stockpile	2011	400 ft <sup>2</sup>	Water Spray
<b>Miscellaneous</b>					
21S	VT1	OS2 via Rock Trucks on Unpaved Haul Roads	1993	200 TPH and 300,000 TPY	Water Spray
20S	VT2	OS3 via Rock Trucks on Unpaved Haul Roads	1993	200 TPH and 300,000 TPY	Water Spray
n/a	Fugitive	Delivery Trucks Associated with Portable Screening (24S) Operations	2011	100 TPH and 50,000 TPY	Water Spray
n/a	Fugitive	Front End Loader Mobile Work Area Associated with Portable Screening (24S) Operations	2011	n/a	Water Spray
22S	DG1	250 hp diesel engine to power crusher/screener operation	1993	200 TPH and 300,000 TPY	None
<b>Composting Operations</b>					
1S	1E thru 4E	Active Composting	1997	5,000 Wet Tons per month	1C & 2C Biofilter
2S	1E thru 4E	Window Building Work Area	1997	5,000 Wet Tons per month	1C & 2C Biofilter

<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>
3S	3E thru 4E	Sludge Receiving and Mixing Screening	1997	10,000 Wet Tons per month	1C & 2C Biofilter
4S	5E	Final Product Compost Curing	2002		3C – Biofilter
5S	6E	Fugitive Dust Emissions	2002		4C – Water Roads
PT Biofilter	1E thru 4E	Pretreatment Biofilter	1997	6,900 sq. ft.	1C
1C	1E and 2E	West Biofilter	1997	62,000 sq. ft.	Not Applicable
2C	3E and 4E	North Biofilter	1997	51,000 sq. ft.	Not Applicable
3C	5E	Compost Curing Building Biofilter	2002	14,000 sq. ft.	Not Applicable

## 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 R13-2475, R13-2475A, 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§15]
- 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. **[WV Code § 22-5-4(a)(15)]**

### **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 Enforcement and Permits Review  
(3AP12)  
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 [All Emission Units listed in Section 1.0]

##### 4.1. Recordkeeping Requirements

4.1.1. **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.

4.1.2. **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.

4.1.3. **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.

**5.0. Source-Specific Requirements [Crushing and Screening Operations]**

**5.1. Limitations and Standards**

- 5.1.1. The rock crushing and screening operations, as identified under Section 5.1.3. below, shall not exceed 200 tons per hour (TPH) and 30,000 tons per year (TPY). The annual rock crushing and screening rate shall be determined on a rolling twelve month total.
- 5.1.2. The 250 horsepower diesel engine, Equipment ID No. DG1, shall not operate more than 150 hours per year based upon a rolling twelve month total.
- 5.1.3. In accordance with the information filed in Permit Application R13-2475, the following equipment shall be installed, maintained, and operated so as to minimize particulate matter (PM) emissions:

<b>Equipment Description</b>	<b>Equipment ID No.</b>
<b><i>Transfer Points</i></b>	
Bulldozer pushing material into pile OS1.	TP1
Front end loader loading hopper.	TP2
Batch drop from crusher onto BC2.	TP3
Batch drop from BC2 onto screener.	TP4
Batch drop screened material onto BC4.	TP5
Batch drop oversized material onto BC3.	TP6
Batch drop screened material onto OS3 from BC4.	TP7
Batch drop oversized material onto OS2 from BC3.	TP8
Front end loader loading screened material.	TP9
Front end loader loading oversized material.	TP10
<b><i>Screening Operations</i></b>	
Screening	S1
<b><i>Crushing Operations</i></b>	
Crushing	C1
<b><i>Belt Conveyors</i></b>	
Belt conveyor to crusher.	BC1
Belt conveyor from crusher to screener.	BC2
Oversized material belt conveyor to stockpile.	BC3
Screened material belt conveyor to stockpile.	BC4
<b><i>Open Stockpiles</i></b>	
Unprocessed material stockpile.	OS1
Oversized material stockpile.	OS2
Screened material stockpile.	OS3
<b><i>Miscellaneous</i></b>	
Unpaved haul roads	VT1, VT2
250 hp diesel engine to power crusher/screener operation	DG1

- 5.1.4. Emissions to the atmosphere from the 250 hp diesel engine, Equipment ID No. DG1, shall not exceed the following:

Pollutant	Emissions Limit	
	PPH	TPY
NO <sub>x</sub>	7.75	0.59
CO	1.67	0.13
SO <sub>2</sub>	0.52	0.04
PM <sub>10</sub>	0.55	0.05
VOC	0.62	0.05

- 5.1.5. Fugitive emissions to the atmosphere from transfer points TP3, TP4, TP5, TP6, TP7, and TP8, from screening operations S1, from belt conveyors BC1, BC2, BC3, and BC4, from open stockpiles OS1, OS2, and OS3, and from unpaved haul roads VT1 and VT2 shall not exceed 10 percent opacity. Fugitive emissions to the atmosphere from crushing operations C1 shall not exceed 15 percent opacity.  
**[40 CFR §60.672]**
- 5.1.6. In accordance with the information filed in Permit Application R13-2475B, the portable rock screening operation throughput shall not exceed 100 TPH or 50,000 TPY (Compliance with the annual throughput limit shall be based on a on a rolling twelve month total). The following authorized equipment utilized in the portable rock screening operation shall be installed, maintained, and operated so as to minimize particulate matter (PM) emissions:

Equipment Description	Equipment ID No.
<b><u>Transfer Points</u></b>	
Rock Truck to Ground	TP1A <sup>(1)</sup>
Front End Loader to Pile	TP2A <sup>(1)</sup>
Front End Loader to Screen (24S)	TP3A <sup>(1)</sup>
Screen (24S) to Ground	TP4A <sup>(1)</sup>
Screen to Attached Conveyer	TP5A <sup>(1)</sup>
Conveyer to Ground	TP6A <sup>(1)</sup>
Front End Loader to Pile (OS5)	TP7A <sup>(1)</sup>
Front End Loader to Pile (OS6)	TP8A <sup>(1)</sup>
Front End Loader to Truck	TP9A <sup>(1)</sup>
Front End Loader to Truck	TP10A <sup>(1)</sup>
<b><u>Screening Operations</u></b>	
Screening	24S
<b><u>Belt Conveyors</u></b>	
Conveyer Attached to Screen	24S
<b><u>Open Stockpiles</u></b>	
Screen Reject: Large Rock/Rip Rap Stockpile	OS5
Screen Pass-Through: ¾ Inch Stone Stockpile	OS6
<b><u>Miscellaneous</u></b>	
Trucking Haulroad	n/a
Front End Loader Mobile Work Area	

(1) Transfer points are identified here with an "A" to distinguish them from other transfer points at the facility with the same number.

- 5.1.7. The Open Stockpiles identified under 5.1.6. as OS5 and OS6, shall each not exceed a maximum base area of 400 ft<sup>2</sup> and shall utilize water sprays as often as necessary to minimize wind erosion.
- 5.1.8. The portable rock screening operation – specifically the screen and the attached belt conveyer - is subject to the applicable limitations and standards under 40 CFR 60, Subpart OOO, including the requirements given below under (a) and (b).
- a. Affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of Subpart OOO within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11. The requirements in Table 3 of Subpart OOO apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.  
**[40 CFR §60.672(a)]**
- b. Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.  
**[40 CFR §60.672(d)]**
- 5.1.9. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in subsections 3.2, 3.3, 3.4, 3.5, 3.6, and 3.7. [45CSR7-3.1]
- 5.1.10. The provisions of subsection 3.1 shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period. [45CSR7-3.2]
- 5.1.11. No person shall cause, suffer, allow or permit particulate matter to be vented into the atmosphere from any type source operation or duplicate source operation or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantity specified under the appropriate source operation type in Table 45-7A found at the end of this rule. [45CSR7-4.1]
- 5.1.12. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but is not limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable. [45CSR7-5.1]
- 5.1.13. The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment. [45CSR7-5.2]
- 5.1.14. At such reasonable times as the Director may designate, the operator of any manufacturing process source operation may be required to conduct or have conducted stack tests to determine the particulate matter loading in exhaust gases. Such tests shall be conducted in such manner as the Director may specify and be filed on forms and in a manner acceptable to the Director. The Director, or his duly authorized representative, may at his option witness or conduct such stack tests. Should the Director exercise his option to conduct such tests, the operator will provide all the necessary sampling connections and sampling ports to be located in such a manner as the Director may require, power for test equipment and the required safety equipment such as

scaffolding, railings and ladders to comply with generally accepted good safety practices. [45CSR7-8.1]

- 5.1.15. The Director, or his duly authorized representative, may conduct such other tests as he or she may deem necessary to evaluate air pollution emissions. [45CSR7-8.2]
- 5.1.16. Due to unavoidable malfunction of equipment, emissions exceeding those set forth in this rule may be permitted by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director. [45CSR7-9.1]
- 5.1.17. **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.]

## 5.2. Testing Requirements

- 5.2.1. The permittee shall meet all applicable testing requirements under 45CSR7 and 40 CFR 60, Subpart OOO.

## 5.3. Recordkeeping Requirements

- 5.3.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:
- The date, place as defined in this permit, and time of sampling or measurements;
  - The date(s) analyses were performed;
  - The company or entity that performed the analyses;
  - The analytical techniques or methods used;
  - The results of the analyses; and
  - The operating conditions existing at the time of sampling or measurement.
- 5.3.2. **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.
- 5.3.3. **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:
- The equipment involved.
  - 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.
- 5.3.4. For the purpose of determining compliance with the maximum hourly and annual processing rate set forth in Section 5.1.1 and 5.1.6., the permittee shall maintain hourly, monthly, and yearly records utilizing the forms given in Appendix A and B. These records shall be maintained on-site for a period of not less than five (5) years and made available upon request to the Director or his designated representatives.
- 5.3.5. For the purpose of determining compliance with the maximum annual operating limit set forth in Section 5.1.2, the permittee shall maintain hourly, monthly, and yearly records utilizing the forms given in Appendix C and D. These records shall be maintained on-site for a period of not less than five (5) years and made available upon request to the Director or his designated representatives.
- 5.3.6. For the purpose of determining compliance with the opacity limits set forth in Section 5.1.9, the permittee shall perform monthly Method 9 tests of all rock crushing and screening operations at the facility during any month in which the operation is in use. The permittee shall perform these tests in accordance with the test methods and procedures as described in 45CFR60 Subpart OOO §60.675. The permittee shall maintain records of these opacity tests utilizing the forms given in 45CFR60 Appendix A. These records shall be maintained on-site for a period of not less than five (5) years and made available upon request to the Director or his designated representatives.
- 5.3.7. Fugitive particulate dust control system(s) shall be properly designed, installed, operated, and maintained in such a manner so as to minimize the generation and entrainment of fugitive particulate emissions. Such system(s) at a minimum shall include, but not be limited to:
- a. The permittee shall maintain functional water sprays to apply water or a mixture of water and an environmentally acceptable dust control additive (solution) to haulroads and work areas where mobile equipment is used. The water sprays shall be equipped with commercially available spray nozzles of sufficient size and number so as to provide adequate coverage to the area being treated. The water sprays shall be capable of delivering an adequate quantity of water or solution at a sufficient pressure to ensure the minimization of atmospheric entrainment of fugitive particulate emissions generated from haulroads, work areas, and stockpiles. The water sprays shall be in operation at all times when fugitive particulate emissions from haulroads, work areas, and stockpiles are generated as a result of activity or wind.
  - b. All water sprays shall employ properly designed, installed, and maintained winterization systems in such a manner so that all fugitive particulate dust control systems remain functional when ambient temperatures are below 32 degrees Fahrenheit (°F).
- 5.3.8. The permittee shall meet all applicable record-keeping requirements under 45CSR7 and 40 CFR 60, Subpart OOO.

**5.4. Reporting Requirements**

- 5.4.1. The permittee shall meet all applicable record-keeping requirements under 45CSR7 and 40 CFR 60, Subpart OOO.

**6.0. Source-Specific Requirements [Landfill Flare (01-FL1)]**

**6.1. Limitations and Standards**

- 6.1.1. Flare (E1) emissions to the atmosphere shall not exceed the following limits:

Emission Point	Emission Point ID No.	Pollutant	Maximum Emissions	
			lbs/hr	tons/yr
Flare/Heat Exchanger	1e	Volatile Organic Compounds (VOC)	0.04	0.16
		Carbon Monoxide (CO)	2.57	11.26
		Sulfur Dioxide (SO <sub>2</sub> )	11.72	51.33
		Nitrogen Oxide (NO <sub>x</sub> )	2.57	11.26
		Particulate Matter (PM)	0.55	2.40
		Particulate Matter less than 10 microns (PM <sub>10</sub> )	0.14	0.60

- 6.1.2. Only landfill gas generated from the municipal solid waste contained in the Brooke County Sanitary Landfill shall be routed to and combusted in the flare (1c).
- 6.1.3. The permittee shall install, calibrate, maintain, and operate according to the manufacturer's specifications an ultra violet monitor at the pilot light or the flame itself to indicate the continuous presence of a flame. When the heat sensing device detects failure of the flame, the flare system (1c) shall automatically attempt to re-ignite the flame. In the event that the pilot flame fails, re-ignition will be attempted 3 times with 1-2 minutes between attempts. If the flame goes out, the flare (1c), the flame will need to be manually restarted.
- 6.1.4. The Flare System (1c) shall be designed to achieve a minimum destruction efficiency of 98% for volatile organic compounds (VOCs).
- 6.1.5. The amount of landfill gas consumed/fed to the flare (1e) shall not exceed 2400 scf/min and 1261.44 mmscf/yr.
- 6.1.6. The provisions of 45CSR§6-4.3 shall not apply to smoke which is less than forty (40%) percent opacity, for a period or periods aggregating no more than eight (8) minutes per start-up. [45CSR§6-4.4.]
- 6.1.7. The emission of particles of unburned or partially burned refuse of ash from the flare which are large enough to be individually distinguished in the open air shall not be allowed or permitted. [45CSR§6-4.5.]

- 6.1.8. The flare, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors. [45CSR§6-4.6.]
- 6.1.9. If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator shall route all the collected gas to a control system that complies with the requirements in 40 C.F.R. §60.752(b)(2)(iii)(A).
- (a) An open flare designed and operated in accordance with 40 C.F.R. §60.18.
- [45CSR16, 45CSR23, 40 C.F.R. §60.752 (b)(2) and (b)(2)(iii)(A)]
- 6.1.10. Flares shall be designed for and operated with no visible emissions as determined by the methods specified in 40 C.F.R. §60.18(f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. [45CSR16, 40 C.F.R. §60.18(c)(1)]
- 6.1.11. Flares shall be operated with a flame present at all times, as determined by the methods specified in 40 C.F.R. §60.18(f). [45CSR16, 40 C.F.R. §60.18(c)(2)]
- 6.1.12. The non-assisted open flare shall have a net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater. The net heating value of the gas being combusted shall be determined by the methods specified in 40 C.F.R. §60.18(f)(3). [45CSR16, 40 C.F.R. §60.18(c)(3)(ii)]
- 6.1.13. The non-assisted open flare shall be designed for and operated with an exit velocity, as determined by the methods specified in 40 C.F.R. §60.18(f)(4), less than 18.3 m/sec (60 ft/sec), except as provided in 40 C.F.R. §60.18 (c)(4)(ii) and (iii). [45CSR16, 40 C.F.R. §60.18(c)(4)(I)]
- 6.1.14. Flares used to comply with provisions of 40 C.F.R. Part 60 Subpart A shall be operated at all times when emissions may be vented to them. [45CSR16, 40 C.F.R. §60.18(e)]
- 6.1.15. For approval of collection and control systems that include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions, you must follow the procedures in 40 C.F.R. §60.752(b)(2). If alternatives have already been approved under 40 C.F.R. Part 60 Subpart WWW or the Federal plan, or EPA approved and effective State or tribal plan, these alternative can be used to comply with 40 C.F.R. Part 63 Subpart AAAAA, except that all affected sources must comply with the start-up, shutdown, and malfunction (SSM) requirements in 40 C.F.R. Part 63 Subpart A as specified in Table 1 of 40 C.F.R. Part 63 Subpart AAAAA and all affected source must submit compliance reports every 6 months as specified in 40 C.F.R. §63.1980 (a) and (b), including information on all deviations that occurred during the 6-month reporting period. Deviations for continuous emission monitors or numerical continuous parameter monitors must be determined using a 3 hour monitoring block average. [45CSR34, 40 C.F.R. §63.1955 (c)]
- 6.1.16. Compliance is determined in the same way it is determined for 40 C.F.R. Part 60 Subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring and other credible evidence. In addition, continuous parameter monitoring data, collected under 40 C.F.R. §60.756 (b)(1), (c)(1), and (d), are used to demonstrate compliance with the operating conditions for control systems. If a deviation occurs, the facility has failed to meet the control device operating conditions described in 40 C.F.R. Part 63 Subpart AAAAA and have deviated from the requirements of 40 C.F.R. Part 63 Subpart AAAAA. Finally, the SSM plan must be maintained on site. Failure to write or maintain a copy of the SSM plan is a deviation from the requirements of 40 C.F.R. Part 63 Subpart AAAAA. [45CSR34, 40 C.F.R. §63.1960]
- 6.1.17. For Startup, Shutdown, and Malfunction (SSM) Plan requirements see 40 C.F.R. §63.6(e).

## 6.2. Monitoring Requirements

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

Visible emission checks shall be conducted at least once per calendar month with a maximum of forty-five (45) days between consecutive readings. These checks shall be performed at each source flare for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Visible emissions checks shall be performed during periods of normal facility operation and appropriate weather conditions. If visible emissions are present at a source(s) for three (3) consecutive monthly checks, the permittee shall conduct a opacity reading at that source(s) using the procedures and requirements of Method 9 as soon as practicable, but within seventy-two (72) hours of the final visual emission check. A Method 9 observation at a source(s) restarts the count of the number of consecutive readings with the presence of visible emissions. If Method 9 shows a noncompliant result, the facility shall take appropriate remedial action to correct the situation.

- 6.2.2. Each owner or operator seeking to comply with 40 C.F.R. §60.752(b)(2)(iii) using an open flare shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:
- (1) A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame.
  - (2) A device that records flow to or bypass of the flare. The owner or operator shall either:
    - (i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or
    - (ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line. [45CSR16, 45CSR23, 40 C.F.R. §60.756(c)]

## 6.3. Testing Requirements

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

#### **6.4. Recordkeeping Requirements**

- 6.4.1. The permittee shall maintain records of all monitoring data required for opacity, documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6-10 mph NE wind) during the visual emission check(s). An example form is supplied as Appendix A of the permit. Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.
- 6.4.2. Each owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in 40 C.F.R. §60.758(b)(4) as measured during the initial performance test or compliance determination. Records of subsequent test or monitoring shall be maintained for a minimum of 5 years. Records of the control device vendor specifications shall be maintained until removal.
  - (1) Where an owner or operator subject to the provisions of 40 C.F.R. Part 60 Subpart WWW seeks to demonstrate compliance with 40 C.F.R. §60.752 (b)(2)(iii)(A) through use of an open flare, the flare type (i.e., steam-assisted, air-assisted, or non-assisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 C.F.R. §60.18; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame or the flare flame is absent. [45CSR16, 45CSR23, 40 C.F.R. §§60.758(b) and (b)(4)]
- 6.4.3. Each owner or operator seeking to comply with the provisions of 40 C.F.R. Part 60 Subpart WWW by use of an open flare shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under 40 C.F.R. §60.756(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent. [45CSR16, 45CSR23, 40 C.F.R. §60.758(c)(4)]
- 6.4.4. Keep records and reports as specified in 40 C.F.R. Part 60 Subpart WWW or EPA approved State plan that implements 40 CFR Part 60 Subpart CC, whichever applies to your landfill, with one exception: You must submit the annual report described in 40 C.F.R. §60.757(f) every 6 months. [45CSR34, 40 C.F.R. §63.1980(a)]
- 6.4.5. You must also keep records and reports as specified in the general provisions of 40 C.F.R. Part 60 and 40 C.F.R. Part 63 Subpart AAAA, Table 1. Applicable records in the general provisions include items such as SSM plans and the SSM plan reports. [45CSR34, 40 C.F.R. §63.1980(b)]
- 6.4.6. For the purpose of demonstrating compliance with the emission limits and throughput limits set forth in 6.1.1 and 6.1.5, the permittee shall maintain accurate records of the amount of landfill gas consumed/led to the flare system. Compliance with the annual consumption limit shall be determined using a 12-month rolling total. A 12-month rolling total shall mean the sum of natural gas consumed at any given time for the previous twelve (12) calendar months. Said records shall be maintained on site for a period of five (5) years. Said records shall be made available to the Director of the Division of Air Quality or his/her duly authorized representative upon request and shall be certified by a responsible official upon the submittal.

#### **6.5. Reporting Requirements**

- 6.5.1. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observations using 40 C.F.R. Part 60, Appendix A, Method 9 must be reported in writing to

the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

- 6.5.2. The permittee shall follow the procedure for submitting SSM semi-annual reports, see 40 CFR §§63.10(a)(5) and (d)(5).

**APPENDIX A**  
 DAILY/MONTHLY ROCK CRUSHING AND SCREENING OPERATIONS PROCESSING RATE <sup>1,2</sup>

Brooke County Sanitary Landfill  
 Plant ID No.: 009-00053  
 Permit No.: R13-2475B

Month: \_\_\_\_\_ Year: \_\_\_\_\_

Date	Daily Tons Processed (TPD)	Hours of Operation (hr/day)	Hourly Processing Rate <sup>3</sup> (TPH)	Date	Daily Tons Processed (TPD)	Hours of Operation (hr/day)	Hourly Processing Rate <sup>3</sup> (TPH)
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16							
<b>MONTHLY TOTAL</b>							

<sup>1</sup> Upon the request of the Director or his/her authorized representatives the CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side of this form must be completed.

<sup>2</sup> This record shall be maintained on site for a period of not less than five (5) years. Certified copies shall be made available, upon request, to the Director or his/her authorized representative.

<sup>3</sup> Hourly processing rates (TPH) shall be determined by dividing the Daily Tons Crushed (TPD) by the Hours of Operation (hours per day) and shall not exceed 200 TPH.

**APPENDIX B**  
**ANNUAL ROCK CRUSHING AND SCREENING OPERATIONS**  
**PROCESSING RATE <sup>1, 2</sup>**

Brooke County Sanitary Landfill  
Plant ID No.: 009-00053  
Permit No.: R13-2475B

Year: \_\_\_\_\_

<b>MONTH</b>	<b>Monthly Tons Processed (TPM)</b>
January	
February	
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	
<b>TOTAL</b>	
<b>PERMIT LIMIT</b>	<b>30,000 tons</b>

<sup>1</sup> Upon the request of the Director or his/her authorized representatives the CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side of this form must be completed.

<sup>2</sup> This record shall be maintained on site for a period of not less than five (5) years. Certified copies shall be made available, upon request, to the Director or his/her authorized representative.

**APPENDIX C**  
 DAILY/MONTHLY 250 HORSEPOWER DIESEL ENGINE USAGE <sup>1, 2</sup>

Brooke County Sanitary Landfill  
 Plant ID No.: 009-00053  
 Permit No.: R13-2475B

Month: \_\_\_\_\_ Year: \_\_\_\_\_

Date	Hours of Operation (hr/day)	Date	Hours of Operation (hr/day)
1		17	
2		18	
3		19	
4		20	
5		21	
6		22	
7		23	
8		24	
9		25	
10		26	
11		27	
12		28	
13		29	
14		30	
15		31	
16			
<b>MONTHLY TOTAL</b>			

<sup>1</sup> Upon the request of the Director or his/her authorized representatives the CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side of this form must be completed.

<sup>2</sup> This record shall be maintained on site for a period of not less than five (5) years. Certified copies shall be made available, upon request, to the Director or his/her authorized representative.

**APPENDIX D**

**ANNUAL 250 HORSEPOWER DIESEL ENGINE USAGE <sup>1, 2</sup>**

Brooke County Sanitary Landfill  
Plant ID No.: 009-00053  
Permit No.: R13-2475

Year: \_\_\_\_\_

<b>MONTH</b>	<b>HOURS OF OPERATION</b>
January	
February	
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	
<b>TOTAL</b>	
<b>PERMIT LIMIT</b>	<b>150 hours</b>

<sup>1</sup> Upon the request of the Director or his/her authorized representatives the CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side of this form must be completed.

<sup>2</sup> This record shall be maintained on site for a period of not less than five (5) years. Certified copies shall be made available, upon request, to the Director or his/her authorized representative.

### 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.