

West Virginia Department of Environmental Protection

*Earl Ray Tomblin
Governor*

Division of Air Quality

*Randy C. Huffman
Cabinet Secretary*

Permit to Modify



R13-1073B

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 facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:
Silicon Processors, Inc.
Parkersburg Plant
107-00022

*John A. Benedict
Director*

Issued: DRAFT • Effective: DRAFT

This permit will supercede and replace Permit R13-1073A.

Facility Location: Parkersburg, Wood County, West Virginia

Mailing Address: 400 Buckeye St.
Parkersburg, WV 26101

Facility Description: Dry bulk material handling, storage and processing plant

SIC Codes: 3295, 3299, 4449, 5032, 5052

UTM Coordinates: 712.15 km Easting • 4,348.64 km Northing • Zone 17

Permit Type: Modification

Description of Change:

Addition of a second trona milling process line and 2 sand silos.

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.

This permit does not affect 45CSR30 applicability. The source is a nonmajor or area source subject to 45CSR30. The facility is not subject to the permitting requirements of 45CSR30 and is classified as a deferred source.

Table of Contents

1.0. Emission Units	3
2.0. General Conditions	7
2.1. Definitions	7
2.2. Acronyms	7
2.3. Authority	8
2.4. Term and Renewal	8
2.5. Duty to Comply	8
2.6. Duty to Provide Information	8
2.7. Duty to Supplement and Correct Information	9
2.8. Administrative Permit Update	9
2.9. Permit Modification	9
2.10. Major Permit Modification	9
2.11. Inspection and Entry	9
2.12. Emergency	9
2.13. Need to Halt or Reduce Activity Not a Defense	10
2.14. Suspension of Activities	10
2.15. Property Rights	10
2.16. Severability	11
2.17. Transferability	11
2.18. Notification Requirements	11
2.19. Credible Evidence	11
3.0. Facility-Wide Requirements	12
3.1. Limitations and Standards	12
3.2. Monitoring Requirements	12
3.3. Testing Requirements	12
3.4. Recordkeeping Requirements	14
3.5. Reporting Requirements	14
4.0. Source-Specific Requirements	16
4.1. Limitations and Standards	16
4.2. Monitoring Requirements	20
4.3. Testing Requirements	21
4.4. Recordkeeping Requirements	23
4.5. Reporting Requirements	24
CERTIFICATION OF DATA ACCURACY	26

1.0 Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
<i>Rail, Barge & Truck Crushing/Screening Plant</i>					
1S	1E	Roadways	1987	N/A	None
2S	2E	Stockpiles	1987	N/A	None
3S	3E	Transfer Points	1987	100 TPH	Partial Enclosure
4S	4E	Conveyors	1987	100 TPH	Partial Enclosure
U-1	5E	Universal Hammermill Crusher Model # 619x198 (Portable)	1992	100 TPH 25,000 TPY	Water Spray Bar
U-2	6E	Simplicity Triple Deck Screener	----	100 TPH 25,000 TPY	None
H-3	8E	Feed Hopper	1988	100 TPH	Partial Enclosure
P3, P7	_____	Coal & Bulk Anodes Bulk Material Stockpiles	n/a	40,000 ft ² (each)	None
P4, P5, P8, P9	_____	Limestone, Yard Sand, & Gravel / Other Stone Bulk Material Stockpiles	n/a	40,000 ft ² (each)	None
P6, P10	_____	Wood Chips & Cullet Bulk Material Stockpiles	n/a	10,000 ft ² (each)	None
IPA	_____	Fertilizer Bulk Material Stockpiles	n/a	10,000 ft ² (each)	Inside Storage
IPB	_____	Frac Sand Bulk Material Stockpiles	n/a	10,000 ft ² (each)	Inside Storage
(1) Bulk Annode Fertilizer, Wood Chips and Cullet, and Coal (2) Limestone, Sand, and Gravel					
<i>Trona Process</i>					
C1	NA	Auger Conveyor C1 - from railcar unloading (transfer point T1) to Conveyor C2 (transfer point T2)	2009	100 TPH	Partial / Full Enclosure

C2	NA	Auger Conveyor C2 - from Coneyor C1 (transfer point T2) to Conveyors C3 & C4 (transfer points T3 & T4)	2009	100 TPH	Full Enclosure
C3	NA	Auger Conveyor C3 - from Conveyor C2 (transfer point T3) to Raw Material Stockpile P1 (transfer point T5)	2009	100 TPH	Full Enclosure
C4	NA	Auger Conveyor C4 - from Coneyor C2 (transfer point T4) to Raw Material Stockpile P2 (transfer point T6)	2009	100 TPH	Full Enclosure
H1	NA	Mill Feed Hopper H1 - from Raw Material Stockpiles P1 & P2 to Mill Feed Hopper (transfer point T7) via End Loader	2009	12.5 TPH	Full Enclosure
M1	E1	Crushing / Air-Swept Classifier Mill M1 - from Mill Feed Hopper H1 (transfer point T8) via gravity feed	2009	12.5 TPH	Integral Baghouse BH1
C5	E1	Pneumatic Tube C5 - from Crushing Mill M1 to Product Collector (transfer point T9)	2009	12.5 TPH	Integral Baghouse BH1
C6	NA	Pneumatic Tube C6 - from Product Collector (transfer point T10) to Product Storage Silos S1 - S4 (transfer point T11)	2009	12.5 TPH	Bin Vents BV1 - BV4
S1 - S4	E2, E5A	Product Storage Silos S1 - S4 (4 total)	2009	200 Tons (each Silo)	Bin Vents BV1 - BV5
LS1 - LS4	E3	Product Load-Outs LS1 - LS4 - to outgoing trucks via gravity feed; fugitives emissions (transfer point T12), captured emissions (transfer point T13)	2009	60 TPH	Telescopic Chute, Baghouse BH2
C7	E1	Pneumatic Tube C7-from Crushing Mill M2 to Product Collector	2012	12.5 TPH	Baghouse BH3

C8	NA	Pneumatic Tube C8 - from Product Collector to Product Storage Silos S1-S6	2012	12.5 TPH	Bin Vent Filter
H2	NA	Mill Feed Hopper	2012	15 TPH	Full Enclosure
M2	E4A	Crushing Mill	2012	15 TPH	Baghouse BH3
S5-S6	E5A	Product Storage Silos	2012	200 tons each	Bin Vent Filter
LS5-LS6	E3	Product Loadouts to outgoing trucks	2012	60 TPH	Baghouse BH2
S7-S8	E5B	Product Storage Silos	2012	200 tons each	Bin Vent Filter
LS7-LS8	E6	Product Loadouts to outgoing trucks	2012	60 TPH	Baghouse BH4
<i>Control Devices</i>					
Control Device ID		Description	Efficiency		
BH1		Trona Mill Baghouse(Mfg. Classifier Milling Systems Corp. - Model # CMS-300	99.9% > 1 micron		
BH2		Trona Product Load-Out Baghouse (Mfg. Mac - Model # 96 LST-81)	99.9% > 1 micron		
BV1 - BV4		Bin Vents Cartridge Filters (Mfg. Mac Flotronic; Model # 39FSBC 25)	99.9% > 1 micron		
BH3		Trona 2 nd Mill Baghouse Baghouse(Mfg. Classifier Milling Systems Corp. - Model # CMS-300)	99.9% > 1 micron		
BH4		Sand Product Load-Out Baghouse (Mfg. Mac - Model # 96 LST-81)	99.9% > 1 micron		
BV5		Trona Bin Vent Cartridge Filters (Mfg. Mac Flotronic; Model # 39FSBC 25)	99.9% > 1 micron		
BV6		Bin Vent Cartridge Filters (Mfg. Mac Flotronic; Model # 39FSBC 25)	99.9% > 1 micron		
DC 1400		In-Line cartridge filter (Mfg. RBT Inc.)	99.9% > 0.3 micron		
<i>Transfer Equipment</i>					
Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
BP1400	E4	Portable Pneumatic Conveying Unit	2009	75 TPH	Integral Product Filter PF1

BP1400	E4	Cummins Diesel Engine (Model #B4.5, Engine Family 7CEXL0275AAC)	2007 Model Year	99 HP	None
DC1400	E7	Portable Pneumatic Conveying Unit	2012	75 tph	Integral Product Filter PF3
<i>Control Devices</i>					
Control Device ID		Description		Efficiency	
PF1		Integral Product Filter		99.9% @ 0.3 micron	
PF3		Integral Product Filter		99.9% @ 0.3 micron	

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 (45 CSR § 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

CAAA	Clean Air Act Amendments	NSPS	New Source Performance
CBI	Confidential Business Information	PM	Particulate Matter
CEM	Continuous Emission Monitor	PM_{2.5}	Particulate Matter less than 2.5µm in diameter
CES	Certified Emission Statement	PM₁₀	Particulate Matter less than 10µm in diameter
C.F.R. or CFR	Code of Federal Regulations	Ppb	Pounds per Batch
CO	Carbon Monoxide	pph	Pounds per Hour
C.S.R. or CSR	Codes of State Rules	ppm	Parts per Million
DAQ	Division of Air Quality	Ppmv or ppmv	Parts per million by volume
DEP	Department of Environmental Protection	PSD	Prevention of Significant Deterioration
dscm	Dry Standard Cubic Meter	psi	Pounds per Square Inch
FOIA	Freedom of Information Act	SIC	Standard Industrial Classification
HAP	Hazardous Air Pollutant	SIP	State Implementation Plan
HON	Hazardous Organic NESHAP	SO₂	Sulfur Dioxide
HP	Horsepower	TAP	Toxic Air Pollutant
lbs/hr	Pounds per Hour	TPY	Tons per Year
LDAR	Leak Detection and Repair	TRS	Total Reduced Sulfur
M	Thousand	TSP	Total Suspended Particulate
MACT	Maximum Achievable Control Technology	USEPA	United States Environmental Protection Agency
MDHI	Maximum Design Heat Input	UTM	Universal Transverse Mercator
MM	Million	VEE	Visual Emissions Evaluation
MMBtu/hr or mmbtu/hr	Million British Thermal Units per Hour	VOC	Volatile Organic Compounds
MMCF/hr or mmcf/hr	Million Cubic Feet per Hour	VOL	Volatile Organic Liquids
NA	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		
NO_x	Nitrogen Oxides		

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 supercedes and replaces previously issued Permit R13-1073A. 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 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 R13-1073, R13-1073A and R13-1073B 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 13-10.3]**
- 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 not 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 emission, 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 45 C.S.R. 11.
[45CSR§11-5.2.]

3.2. Monitoring Requirements

[Reserved]

3.3. Testing Requirements

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

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

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
- d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
 1. The permit or rule evaluated, with the citation number and language;
 2. The result of the test for each permit or rule condition; and,
 3. A statement of compliance or noncompliance with each permit or rule condition.

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

3.4. Recordkeeping Requirements

- 3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.
- 3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§4. *State-Enforceable only.*]

3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- 3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
- 3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345

If to the USEPA:

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 (CES) 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.

- 3.5.4.2. In accordance with 45CSR30 – Operating Permit Program, enclosed with this permit is a Certified Emissions Statement (CES) Invoice, from the date of initial startup through the following June 30. Said invoice and the appropriate fee shall be submitted to this office no later than 30 days prior to the date of initial startup. For any startup date other than July 1, the permittee shall pay a fee or prorated fee in accordance with the Section 4.5 of 45CSR22. A copy of this schedule may be found attached to the Certified Emissions Statement (CES) Invoice.
- 3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. The amount of Coal & Carbon Products; Fertilizer; Sand, Gravel, and Stone; Non-Metallic Minerals; and Miscellaneous Bulk Materials loaded and shipped from the facility by truck, rail car, and barge combined shall not exceed the throughput limits listed in Table 4.1.1. Compliance with all throughput limits shall be determined using a 12 month rolling total. For the purposes of this permit, a 12 month rolling total means the sum of material throughput at the end of any given month for the previous 12 months.

Table 4.1.1

Material Family	Material	Material Storage Location	Material Max. Throughput (tons/yr)	Material Family Max. On-Site Storage in Stockpiles or Silos (tons)
Coal & Carbon Products	Coal	Outside	200,000	25,000
	Bulk Anode	Outside		
Fertilizer	Fertilizer	Inside building storage piles	25,000	3,000
Stone, Gravel, and Sand	Limestone	Outside	300,000	75,000
	Franc Sand	Inside building storage piles		
	Yard Sand	Outside		
	Gravel / Other Stone	Outside		
Non-Metallic Minerals	Trona	Inside building storage piles or in product silos	200,000	20,000
Misc. Bulk Materials	Wood Chips	Outside	20,000	10,000
	Cullet	Outside		

4.1.2. The maximum amount of on-site storage for each material family identified in Table 4.1.1 shall not exceed the quantities specified in Table 4.1.1.

4.1.3. No combustion related incinerator ash or Petroleum Coke shall be handled by the subject facility.

4.1.4. Crushing and Screening Operations of Coal, Gravel, Stone, and Anode shall not exceed 100 tons/hour and 25,000 tons/year combined calculated on a 12-month rolling basis.

4.1.5. Crushing and Screening Operations of Trona shall not exceed 25 tons/hour and 200,000 tons/year calculated on a 12-month rolling basis.

4.1.6. Emissions from Marietta Industrial Enterprises shall not exceed the limits set forth in Table 4.1.6.

Table 4.1.6.

Emission Point ID	Emission Source Description	Control Device	Pollutant	Maximum Potential Controlled Emissions	
				lb/hr	ton/yr
E1	Trona Crushing Mill	BH1 Integral Baghouse	PM	0.50	2.00
E2A	Trona Storage Silo S1	BV1 Bin Vent	PM	0.50	2.00
E2B	Trona Storage Silo S2	BV2 Bin Vent	PM	0.50	
E2C	Trona Storage Silo S3	BV3 Bin Vent	PM	0.50	
E2D	Trona Storage Silo S4	BV4 Bin Vent	PM	0.50	
E3	Trona Product Load-Outs	BH2 Baghouse	PM	2.40	2.00
E4	Pneumatic Conveying Unit	PF1 Product Filter	PM	1.50	0.50
E4A	Trona Crushing Mill	BH3 Integral Baghouse	PM	0.50	2.00
E5A	Trona Storage Silo S5	BV5 Bin Vent Filter	PM	0.5	2.00
	Trona Storage Silo S6				
E5B	Sand Storage Silo S7	BV6 Bin Vent Filter	PM	0.5	2.00
	Sand Storage Silo S8				
E6	Sand Product Load-Outs	BH4 Baghouse	PM	2.40	2.00
E7	Pneumatic Conveying Unit	PF3 Product Filter	PM	1.50	0.50
U1	Universal Portable Crusher	Water Spray Bar	PM	0.10	0.01
U2	Simplicity 3-Deck Screener	Partial Enclosure	PM	2.50	0.32

4.1.7. The Trona Mill Baghouses identified as BH1 and BH3 and the Trona and Sand Product Load-Out Baghouses identified as BH2 and BH4 respectively shall be installed and maintained so as to achieve the 99.9% control efficiency described in the permit application. The Baghouses shall be inspected at least once every 60 days as required by the manufacturer's warranty.

- 4.1.8. The Bin Vents on each Trona and Sand storage silo identified as BV1, BV2, BV3, BV4, BV5 and BV6 shall be installed and maintained so as to achieve the 99.9% control efficiency described in the permit application. Each Bin Vent shall be inspected at least annually.
- 4.1.9. The Integral Product Filters on BP1400 and DC1400 identified as PF1 and PF3 respectively shall be installed and maintained so as to achieve the 99.9% control efficiency described in the permit application.
- 4.1.10. The permitted facility shall comply with all applicable requirements of 45CSR5 for the coal handing operations, with the exception of any more stringent limitations set forth in Section 4.1. of this permit. The principle provisions of 45CSR5 applicable to the permitted facility are:

45-5-3.1

No person shall cause, suffer, allow or permit emission of particulate matter into the open air from any stack with is twenty percent (20%) opacity or greater.

45-5-3.4.

No person shall cause, suffer, allow or permit emission of particulate matter into the open air from any fugitive dust control system which is twenty percent (20%) opacity or greater.

45-5-6.1.

No person shall cause, suffer, allow or permit a coal preparation plant or handling operation to operate that is not equipped with a fugitive dust control system. This system shall be operated and maintained in such a manner as to minimize the emission of particulate matter into the open air.

45-5-6.2.

The permittee shall maintain dust control of the premises and owned, leased or controlled access roads by paving, or other suitable measures. Good operating practices shall be observed in relation to stockpiling, car loading, breaking, screening and general maintenance to minimize dust generation and atmospheric entrainment.

- 4.1.11. For all non-coal handling operations, the permitted facility shall comply with all applicable requirements of 45CSR7, with the exception of any more stringent limitations set forth in Section 4.1. of this permit. The principle provisions of 45CSR7, applicable to the permitted facility, are:

45-7-3.1

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;

45-7-3.2

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;

45-7-3.7

No person shall cause, suffer, allow, or permit emissions of particulate matter into the open air from any storage structure associated with any manufacturing process.

45-7-4.1

The permittee shall not cause, suffer, allow, or permit particulate matter to be vented into the open air 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 50 pounds per hour.

- 4.1.12. The fugitive dust control measures identified in the Emission Units Table 1.0 shall be installed, maintained, and operated at all times when the stone processing facility is in operation in order to minimize fugitive particulate matter emissions. [45-7-5.1]
- 4.1.13. The permittee shall maintain particulate matter control of the plant premises and access roads. 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.[45-7-5.2]
- 4.1.14. For the coal processing and conveying equipment (including breakers and crushers), coal storage systems (except for open storage piles), and coal transfer and loading systems used to transfer and load coal for shipment, the permittee shall comply with all applicable provisions of Subpart Y of 40 CFR 60 including but not limited to:

On and after the date on which the performance test required to be conducted by §60.8 is completed, the permittee shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater [Subpart Y; §60.254 (b)].

- 4.1.15. For Trona processing, the permittee shall comply with all applicable provisions of Subpart OOO of 40 CFR 60 including but not limited to:
 - a. No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions equipped with a control device which:
 - (1) Contain particulate matter in excess of 0.014 g/dscm [40 CFR 60.672(a); and
 - (2) Exhibit greater than 7 percent opacity (silos only) [40 CFR60.672(a)]
 - b. No owner or operator subject to the provisions of this subpart OOO shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 7 percent opacity except, [40 CFR60.672(b)].
 - (1) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section. [40 CFR60.672(d)]
 - (2) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a), (b) and(c) of Section §60.672, or the building enclosing the affected facility or facilities must comply with the following emission limits:
 - i. Fugitive emissions from the building openings (except for vents as defined in §60.671) must not exceed 7 percent opacity; and

- ii. Vents (as defined in §60.671) in the building must meet the applicable stack emission limits and compliance requirements in Table 2 of 40 CFR 60 Subpart OOO.
- 4.1.16. The opacity standards set forth in section 4.1.14 and 4.1.15 of this permit shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard [Subpart A; §60.11(c)].
- 4.1.17. At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Secretary which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [Subpart A; §60.11(d)]
- 4.1.18. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR§13-5.11.]

4.2. Monitoring Requirements

- 4.2.1. For the purpose of monitoring for indications of filter deterioration in Baghouses BH1, BH2, BH3 BH4. Bin Vents BV1, BV2, BV3, BV4, BV5, BV6 and Product Filters PF1 and PF3, visual emissions checks shall be conducted on a monthly basis in accordance with 4.2.2.
- 4.2.2. For the purpose of determining compliance with the opacity limits of 45CSR5, 45CSR7, Subpart Y, and Subpart OOO, the permittee shall conduct visible emission checks and / or opacity monitoring and recordkeeping for all emission sources subject to an opacity limit.
- a. 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 References 1 and 2 from 40CFR Part 60, Appendix A, Method 22 or from the lecture portion of the 40CFR Part 60, Appendix A, Method 9 certification course.
 - b. 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 (stack, transfer point, fugitive emission source, etc.) for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Visible emission checks shall be performed during periods of normal facility operation and appropriate weather conditions.

- c. If visible emissions are present at a source(s) the permittee shall conduct an opacity reading at that source(s) using the procedures and requirements of Method 9 or 45CSR§7A as soon as practicable, but within seventy-two (72) hours of the final visual emission check.

4.3. Testing Requirements

- 4.3.1. For the purpose of demonstrating compliance with the opacity limits for the Coal Handling and Trona Processes in sections 4.1.17 and 4.1.18 of this permit, Method 9 shall be used to determine opacity. [Subpart Y; §60.254 (b)(2) and Subpart OOO; §60.675(b)(2)]
- 4.3.2. Within 60 days after achieving the maximum production rate at which the Coal Handling process will be operated, but not later than 180 days after initial startup of the facility, the permittee shall conduct performance tests(s) to determine compliance with opacity standards set forth in Section 4.1.17 and furnish a written report of the results of such test(s) to the Secretary [Subpart A; §60.8(a)].
- 4.3.3. Within 60 days after achieving the maximum production rate at which the Trona process will be operated, but not later than 180 days after initial startup of the facility, the permittee shall conduct performance tests(s) to determine compliance with particulate matter standards in Section 4.1.18 as follows and furnish a written report of the results of such test(s) to the Secretary.
 - (1) Method 5 or Method 17 shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5, if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 degrees Celsius (250 degrees Fahrenheit), to prevent water condensation on the filter. [Subpart OOOO; §60.675(b)(1) and Subpart A; §60.8(a)]
- 4.3.4. Within 60 days after achieving the maximum production rate at which the Trona process will be operated, but not later than 180 days after initial startup of the facility, the permittee shall conduct performance tests(s) to determine compliance with opacity standards set forth in Section 4.1.17 and furnish a written report of the results of such test(s) to the Secretary [40 CFR60.8(a)].
- 4.3.5. For purposes of determining initial compliance for the Trona process and the Coal Handling process, the minimum total time of observations shall be 3 hours [(30) 6-minute averages] for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard). [Part 60, Subpart A; §60.11(b)]
- 4.3.6. In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f), using Method 9 (40 CFR part 60, Appendix A–4), the duration of the Method 9 (40 CFR part 60, Appendix A–4) observations shall be 1 hour (ten 6-minute averages).

The duration of the Method 9 (40 CFR part 60, Appendix A–4) observations may be reduced to the duration the affected facility operates (but not less than 30 minutes) for baghouses that control storage bins or enclosed truck or railcar loading stations that operate for less than 1 hour at a time.

When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) or §60.672(e)(1), the duration of the Method 9 (40 CFR part 60, Appendix A–4)

observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of Subpart OOO must be based on the average of the five 6-minute averages.

[§60.675(c)]

4.3.7. The performance tests requirements of Part 60 Subpart A and listed below applies to both the Coal Handling Process and the Trona process:

(1) Performance tests shall be conducted under such conditions as the Secretary shall specify to the plant operator based on representative performance of the affected facility. The permittee shall make available to the Secretary such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard. [Subpart A; §60.8(c)]

(2) The permittee shall provide the Secretary at least 30 days prior notice of any performance test to afford the Secretary the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the permittee shall notify the Secretary as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Secretary by mutual agreement. [Subpart A; §60.8(d)]

(3) The permittee shall provide, or cause to be provided, performance testing facilities as follows:

(a) Sampling ports adequate for test methods applicable to such facility. This includes (I) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(b) Safe sampling platform(s).

(c) Safe access to sampling platform(s).

(d) Utilities for sampling and testing equipment. [Subpart A; §60.8(e)]

(4) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the permittee's control, compliance may, upon the Secretary's approval, be determined using the arithmetic mean of the results of the two other runs. [Subpart A; §60.8(f)]

4.4. Recordkeeping Requirements

4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

- a. The date, place as defined in this permit and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of the analyses; and
- f. The operating conditions existing at the time of sampling or measurement.

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

4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the event.
- c. The duration of the event.
- d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

4.4.4. To demonstrate compliance with the maximum throughput limits in 4.1.1, the permittee shall maintain records on a monthly and annual basis for each material listed in Table 4.1.1. that indicate the date and quantity for each material received and shipped. The permittee shall maintain the rolling 12 month total per material family. An example of the information required was provided in Appendix A of permit R13-1073A.

- 4.4.5. To demonstrate compliance with the maximum storage limits in 4.1.2, the permittee shall maintain records of the daily inventory of each material and material family listed in Table 4.1.1 for each day the facility is operational. Appendix A of permit R13-1073A may be used for this purpose.
- 4.4.6. To demonstrate compliance with the processing limits of 4.1.4, the permittee shall maintain a monthly and yearly records of the crushing and screening operations that include as a minimum: the date the Crusher/Screeners was in operation, identification of the material, the hours of operation, and the throughput. The permittee shall also maintain the 12-month rolling total. An example of the information required was provided in Appendix B of permit R13-1073A.
- 4.4.7. To demonstrate compliance with the maintenance and inspection requirements of Sections 4.1.7. and 4.1.8. and the maintenance requirements of Section 4.1.9., the permittee shall maintain maintenance records that include as a minimum: identification of the control device, the date that the monthly visible emissions check is conducted per 4.2.1., the date of the baghouse inspections, the date of the bin vent inspections, the results of the inspection and a record of any maintenance that is required or performed.
- 4.4.8. For the purpose of determining compliance with the particulate controls requirements set forth in section 4.1.12 and 4.1.13. of this permit, the permittee shall maintain water spray usage and maintenance records.
- 4.4.9. The permittee shall maintain records of all monitoring data required by Section 4.2.2 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 was supplied as Appendix C of permit R13-1073A. Should a visible emission observation be required to be performed per the requirements specified in Method 9 or 45CSR§7A, the data records of each observation shall be maintained per the requirements of Method 9 or 45CSR§7A. 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.

4.5. Reporting Requirements

- 4.5.1. Any deviation(s) of the allowable visible emission requirement for any emission source discovered during observation using 40CFR Part 60, Appendix A, Method 9 or 45CSR§7A must be reported in writing to the Secretary 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.
- 4.5.2. For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in §60.7(a)(6) and 60.8(d) to a 7-day advance notification.
[Subpart 000; §60.675(g)]

- 4.5.3. For the Trona process, the permittee shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672, including reports of opacity observations made using Method 9 (40 CFR part 60, Appendix A-4) to demonstrate compliance with §60.672(b), (e) and (f).
[Subpart OOO; §60.676(f)]
- 4.5.4. The permittee shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.252 of Subpart Y required by Section 4.3.3.
- 4.5.5. The permittee shall provide written notification for the Coal Handling Process and the Trona Process to the Administrator as follows:
- (1) A notification of the date construction is commenced postmarked no later than 30 days after such date.
 - (2) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
 - (3) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies. This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
 - (4) A notification of the anticipated date for conducting the opacity observations required by §60.11(e)(1) of Subpart A. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.
[Subpart A; §60.7(a)]
- 4.5.6. The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the Coal Handling Process or the Trona Process, or any malfunction of the air pollution control equipment. [Subpart A; §60.7(b)]

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.

Signature¹ _____ Date _____
(please use blue ink) Responsible Official or Authorized Representative

Name and Title _____ Title _____
(please print or type) Name

Telephone No. _____ Fax No. _____

¹ 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 USEPA); or
- d. The designated representative delegated with such authority and approved in advance by the Director.