West Virginia Department of Environmental Protection

Earl Ray Tomblin
Governor

Division of Air Quality

Randy C. Huffman
Cabinet Secretary

Permit to Modify

R13-2170A

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:

Department of Justice – Federal Bureau of Prisons
Federal Correctional Institution Beckley
081-00148

William F. Durham
Director

Issued: DRAFT

This permit will supercede and replace Permit R13-2170.

Facility Location:	1600 Industrial Park Drive Beaver, Raleigh County West Virginia
Mailing Address:	P.O. Box 1280 Beaver, WV 25813
Facility Description:	Federal Correctional Institution
NAICS Codes:	922140
UTM Coordinates:	488.65 km Easting • 4,185.47 km Northing • Zone 17
Permit Type:	Modification
Description of Change:	This action is for the replacement of 3 – 12.6 MMBtu/hr and 3 – 2.1 MMBtu/hr boilers with 3 – 12.0 MMBtu/hr and 3 – 2.0 MMBtu/hr boilers. The 5 hot water heaters were removed and not replaced.

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 source subject to 45CSR30.

Table of Contents

1.0. Emission Units 4

2.0. General Conditions 5
2.1. Definitions 5
2.2. Acronyms 5
2.3. Authority 6
2.4. Term and Renewal 6
2.5. Duty to Comply 6
2.6. Duty to Provide Information 6
2.7. Duty to Supplement and Correct Information 7
2.8. Administrative Update 7
2.9. Permit Modification 7
2.10 Major Permit Modification 7
2.11. Inspection and Entry 7
2.12. Emergency 7
2.13. Need to Halt or Reduce Activity Not a Defense 8
2.14. Suspension of Activities 8
2.15. Property Rights 8
2.16. Severability 9
2.17. Transferability 9
2.18. Notification Requirements 9
2.19. Credible Evidence 9

3.0. Facility-Wide Requirements 10
3.1. Limitations and Standards 10
3.2. Monitoring Requirements 10
3.3. Testing Requirements 10
3.4. Recordkeeping Requirements 11
3.5. Reporting Requirements 12

4.0. Source-Specific Requirements 14
4.1. Limitations and Standards 14
4.2. Monitoring Requirements 15
4.3. Testing Requirements 16
4.4. Recordkeeping Requirements 16
4.5. Reporting Requirements 18

APPENDIX A 19

CERTIFICATION OF DATA ACCURACY 20

1.0. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
BLR1	1E	Duel Fuel Boiler Cleaver-Brooks FLX-12000	2013	12.0 MMBtu/hr	None
BLR2	2E	Duel Fuel Boiler Cleaver-Brooks FLX-12000	2013	12.0 MMBtu/hr	None
BLR3	3E	Duel Fuel Boiler Cleaver-Brooks FLX-12000	2013	12.0 MMBtu/hr	None
BLR4	4E	Duel Fuel Boiler Cleaver-Brooks FLX-200	2013	2.0 MMBtu/hr	None
BLR5	5E	Duel Fuel Boiler Cleaver-Brooks FLX-200	2013	2.0 MMBtu/hr	None
BLR6	6E	Duel Fuel Boiler Cleaver-Brooks FLX-200	2013	2.0 MMBtu/hr	None
G-001	EG-001	Emergency Generator Set Engine Mfg. Detroit Diesel Engine Model: 8V92 Engine Output 1230 hp	1999	750 kW	None
G-002	EG-002	Emergency Generator Set Engine Mfg. Detroit Diesel Engine Model: 8V92 Engine Output 1230 hp	1999	750 kW	None

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

CAAA	Clean Air Act Amendments
CBI	Confidential Business Information
CEM	Continuous Emission Monitor
CES	Certified Emission Statement
C.F.R. *or* CFR	Code of Federal Regulations
CO	Carbon Monoxide
C.S.R. *or* CSR	Codes of State Rules
DAQ	Division of Air Quality
DEP	Department of Environmental Protection
dscm	Dry Standard Cubic Meter
FOIA	Freedom of Information Act
HAP	Hazardous Air Pollutant
HON	Hazardous Organic NESHAP
HP	Horsepower
lbs/hr	Pounds per Hour
LDAR	Leak Detection and Repair
M	Thousand
MACT	Maximum Achievable Control Technology
MDHI	Maximum Design Heat Input
MM	Million
MMBtu/hr *or* mmbtu/hr	Million British Thermal Units per Hour
MMCF/hr *or* mmcf/hr	Million Cubic Feet per Hour
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NESHAPS	National Emissions Standards for Hazardous Air Pollutants
NO_X	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
$PM_{2.5}$	Particulate Matter less than 2.5 µm in diameter
PM_{10}	Particulate Matter less than 10µm in diameter
Ppb	Pounds per Batch
Pph	Pounds per Hour
Ppm	Parts per Million
Ppm_V or ppmv	Parts per Million by Volume
PSD	Prevention of Significant Deterioration
Psi	Pounds per Square Inch
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
TAP	Toxic Air Pollutant
TPY	Tons per Year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulate
USEPA	United States Environmental Protection Agency
UTM	Universal Transverse Mercator
VEE	Visual Emissions Evaluation
VOC	Volatile Organic Compounds
VOL	Volatile Organic Liquids

2.3. Authority

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

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

2.4. Term and Renewal

2.4.1. This permit supersedes and replaces previously issued Permit R13-2170. 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 R13-2170, R13-2170A, and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to; **[45CSR§§13-5.11 and 10.3.]**

2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;

2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;

2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses, and/or approvals from other agencies; i.e., local, state, and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

2.7. Duty to Supplement and Correct Information

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

2.8. Administrative Update

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

2.9. Permit Modification

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

2.10 Major Permit Modification

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

2.11. Inspection and Entry

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

2.12. Emergency

2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by

improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are met.

2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. The permitted facility was at the time being properly operated;

c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

2.12.5 The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

2.14. Suspension of Activities

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

2.15. Property Rights

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

2.16. Severability

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

2.17. Transferability

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

2.18. Notification Requirements

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

2.19. Credible Evidence

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]

3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management, and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40CFR§61.145(b) and 45CSR§34]

3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1] ***[State Enforceable Only]***

3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5.]

3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2.]

3.2. Monitoring Requirements

[Reserved]

3.3. Testing Requirements

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

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

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

b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 as applicable.

c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language;
2. The result of the test for each permit or rule condition; and,
3. A statement of compliance or noncompliance with each permit or rule condition.

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

3.4. Recordkeeping Requirements

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports, and notifications) required by this permit recorded

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

3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§4. *State Enforceable Only.*]

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:
Director
WVDEP
Division of Air Quality
601 57th Street
Charleston, WV 25304-2345

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

3.5.4. Operating Fee

3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized repmodify resentative.

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 following conditions and requirements are specific to Boilers BLR1, BLR2 and BLR3:

a. The boilers shall be fired with pipeline quality natural gas at all times except when conducting periodic testing, and readiness checks of the boiler's ability to fire on liquid fuel (diesel); during periods of natural gas curtailment; or gas supply emergencies. The duration of such periodic testing and/or readiness check shall not exceed more than 48 hours per year for each boiler.

b. Each boiler shall be limited to a CO rate not to exceed 1.63 pounds per hour, a NO_x rate not to exceed of 0.93 pounds per hour, and sulfur dioxide rate of 5.80 pounds per hour while firing distillate oil #2 or ultra-low sulfur diesel. For compliance with the sulfur dioxide limit, the sulfur content of the distillate oil #2 shall not exceed 0.5 % by wt., which equates to a sulfur concentration of 5,000 ppm.
[40 CFR §§60.42c(d) and 40 CSR §10-3.3.f.]

c. At all times when the boilers are operated solely with pipeline quality natural gas, the use of natural gas in these emission units satisfies compliance with the limitations of 45CSR§2-3.1., 45CSR§2-4.1.b., and 45CSR§10-3.1.e.
[45CSR§2A-3.1.a., 45CSR§10-10.3., and 45CSR§10A-3.1.b.]

d. At all times when any boiler is operated on diesel or any combination of diesel and natural gas, the boiler shall not exhibit visible emissions greater than 10% opacity on a six minute block average. Compliance shall be verified in accordance with Condition 4.2.2. of this permit.
[45CSR§2-3.1.]

e. Each boiler shall not be designed or constructed with a maximum design heat input in excess of 12.0 MMBtu/hr. Compliance with this limit shall be satisfied by limiting the annual consumption of natural gas to 105.2 MM cubic feet per boiler or a collective total for all three boilers of 315.6 MM cubic feet, measured as a rolling 12 month total.

4.1.2. The following conditions and requirements are specific to Boilers BLR4, BLR5 and BLR6:

a. The boilers shall be fired with pipeline quality natural gas at all times except when conducting periodic testing, and readiness checks of the boiler's ability to fire on liquid fuel (diesel); during periods of natural gas curtailment; or gas supply emergencies. The duration of such periodic testing and/or readiness check shall not exceed more than 48 hours per year for each boiler.

b. Each boiler shall be limited to a CO rate not to exceed 0.16 pounds per hour, a NO_x rate not to exceed of 0.27 pounds per hour, and sulfur dioxide rate of 0.96 pounds per hour while firing distillate oil #2 or ultra-low sulfur diesel. For compliance with the sulfur dioxide limit, the sulfur content of the distillate oil #2 shall not exceed 0.5 % by wt., which equates to a sulfur concentration of 5,000 ppm.
[40 CSR §10-3.3.f.]

c. At all times when the boilers are operated solely with pipeline quality natural gas, the use of natural gas in these emission units satisfies compliance with the limitations of 45CSR§2-3.1., 45CSR§2-4.1.b., and 45CSR§10-3.1.e.
[45CSR§2A-3.1.a., 45CSR§10-10.3., and 45CSR§10A-3.1.b.]

d. At all times when any boiler is operated on diesel or any combination of diesel and natural gas, the boiler shall not exhibit visible emissions greater than 10% opacity on a six minute block average. Compliance shall be verified in accordance with Condition 4.2.2. of this permit.
[45CSR§2-3.1.]

e. Each boiler shall not be designed or constructed with a maximum design heat input in excess of 2.0 MMBtu/hr. Compliance with this limit shall be satisfied by limiting the annual consumption of natural gas to 16.8 MM cubic feet per boiler or a collective total for all three boilers of 50.4 MM cubic feet, measured as a rolling 12 month total.

4.1.3. The following conditions and requirements are specific to Emission Units EG-001 and EG-002 (the engines for the generator sets):

a. Emissions from each engine shall not exceed the maximum hourly and annual emission rates specified in the following table:

Table 4.1.3. a. Emission Limits for EG-001 and EG-002

Pollutant	Maximum Emission Rates	
	(lb/hr)	(tons/yr)
NO_x	24.12	6.04
CO	5.32	1.33

b. The operation of each generator set shall be limited to no more than 500 hours per year. Compliance with this requirement satisfies the annual emission limits of Table 4.1.3.a.

c. Each generator set shall be installed and maintained with a non-resettable hour meter.

4.1.4. Diesel fuel used by the boilers and engines for the emergency generator sets shall not have maximum sulfur content greater than 0.5 % by weight, which equates to a sulfur concentration of 5,000 ppm. The use of diesel meeting the specification of ultra-low sulfur diesel is a compliant fuel to this requirement. Diesel meeting the specifications of Nonroad diesel under 40 CFR §80.510(b) is equivalent.
[40 CFR §§60.42c(d), 40 CSR §10-3.3.f.]

4.1.5. **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 each month, the permittee shall record the amount of fuel by type (natural gas and diesel) consumed by the boilers and shall calculate the rolling 12 month total of combined heat input from

all boilers for each month. Such records shall be maintained in accordance with Condition 3.4.1. of this permit.
[40CFR§60.48c(g)(2), 45 CSR §2-8.3.c., and 45CSR§2A-7.1.a.1.]

4.2.2. When any boiler covered by this permit is operated on any amount of fuel oil (diesel) for more than 30 consecutive operating days, the permittee shall conduct visible emission checks and/or opacity monitoring and recordkeeping of the corresponding emission point of the associated boiler that is subject to the visible emission standard of Conditions 4.1.1.d. or 4.1.2.d. after the 30th consecutive operating day and no later than the 45 consecutive day. Once the boiler is switched back to 100% natural gas, the counting of 30 consecutive operating days shall be reset to zero and not begin counting again until the unit begins to consume fuel oil (diesel) again.

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 40 CFR Part 60, Appendix A, Method 22 or from the lecture portion of the 40 CFR Part 60, Appendix A, Method 9 certification course.

Visible emission checks shall be conducted at least once every forty-five (45) days when the boiler is being fired with fuel oil. 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.

If visible emissions are present at a source(s) for three (3) consecutive checks, the permittee shall conduct an opacity reading at that source(s) using the procedures and requirements of METHOD 9 as soon a 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.

4.2.3. For the purpose of demonstrating compliance with periodic testing, and readiness checks limit of Conditions 4.1.1.a. and 4.1.2.a. The permittee shall record the length time and date that periodic testing, and readiness checks of the diesel fuel delivery system is conducted for each boiler (i.e. when the boiler is operating on diesel for readiness checks) as allowed in Condition 4.1.1.a. of this permit. Such records shall be maintained in accordance with Condition 3.4.1.

4.2.4. For the purpose of demonstrating compliance with the hours of operation limit in Condition 4.1.3., the permittee shall record the number of hours each generator set is operated during the calendar month. Such records shall be maintained in accordance with Condition 3.4.1.

4.3. Testing Requirements

[Reserved]

4.4. Recordkeeping Requirements

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

a. The date, place as defined in this permit, and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

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

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

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

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

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

4.4.4. The permittee shall maintain the following records in accordance with Condition 3.4.1. of this permit:

a. The name of the diesel supplier;

b. A statement from the diesel supplier that the fuel complies with the specification under the definition of distillate oil in 40CFR§60.41c; and

c. Sulfur content or maximum sulfur content of the diesel supplied.
[40CFR§60.4848c(f)(1) and 45CSR§10-8.3.a.]

4.4.5. The permittee shall maintain records of all monitoring data required by Condition 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 is supplied as Appendix A. 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. Such records shall be maintained in accordance with Condition 3.4.1. of this permit.

4.5. Reporting Requirements

4.5.1. The permittee shall submit reports to the Director no later than the 30th day following the end of the reporting period. Such reports shall cover the six month period of January to June and July to December for the diesel fuel consumed by the Boilers BLR1, BLR2, and BLR3; or delivered to the facility during the reporting period meet the sulfur content limit of Condition 4.1.1b.. These reports shall include the records required in Condition 4.4.4. and a certified statement signed by the permittee that the records of fuel supplier certifications submitted represent all of the diesel combusted during the reporting period.
[40CFR§§60.48c(d), (e)(11), (f)(1) and (j)]

4.5.2. Any exceedance(s) of the allowable visible emission requirement for any emission source discovered during observations using 40CFR Part 60, Appendix A, Method 9 must be reported in writing to the Director 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 exceedance(s), and any corrective measures taken or planned.

APPENDIX A

Date of Observation: _____

Data Entered by: _____

Reviewed by: _____

Date Reviewed: _____

Describe the General Weather Conditions:

Emission Point ID	Emission Point Description	Time of Observation	Visible Emissions? Yes/No	Consecutive Months of Visual Emissions	Comments

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[1] _____ _____
(please use blue ink) Responsible Official or Authorized Representative Date

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

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 U.S. EPA); or

d. The designated representative delegated with such authority and approved in advance by the Director.