

*West Virginia Department of Environmental Protection*

*Division of Air Quality*

*Earl Ray Tomblin  
Governor*

*Randy C. Huffman  
Cabinet Secretary*

# Permit to Modify



**R13-2183L**

*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:

**Pinnacle Mining Company, LLC  
Pinnacle Preparation Plant  
109-00006**

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*William F. Durham  
Director*

*Issued: D - R - A - F - T 3/18/15*

This permit will supersede and replace Permit R13-2183K approved on April 28, 2008.

Facility Location: Pineville, Wyoming County, West Virginia  
Mailing Address: P.O. Box 338, Pineville, WV 24874  
Facility Description: Wet Wash Coal Preparation Plant with a Thermal Dryer  
SIC Codes: 1221 (Bituminous Coal & Lignite - Surface)  
                  1222 (Bituminous Coal & Lignite - Underground)  
NAICS Codes: 212111 (Bituminous Coal and Lignite Surface Mining)  
                  212112 (Bituminous Coal Underground Mining)  
UTM Coordinates: 456.10 km Easting • 4155.40 km Northing • Zone 17  
Lat/Lon Coordinates: Latitude 37.544550 • Longitude -81.496956 • NAD83  
Permit Type: Modification  
Description of Change: Modification permit to include three existing rock dust bins and an existing gasoline dispensing facility. Convert from old R13 individual permit format to revised R13 individual permit boilerplate. Research the historical application files develop a comprehensive and accurate equipment table with maximum hourly and annual throughputs. Correct typographical errors/mistakes that were discovered.

Subject to 40CFR60 Subpart Y? Yes  
Subject to 40CFR60 Subpart III? No  
Subject to 40CFR60 Subpart JJJ? No

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

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

## Table of Contents

<b>1.0. Emission Units .....</b>	<b>3</b>
<b>2.0. General Conditions .....</b>	<b>7</b>
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 .....	8
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 .....	10
2.17. Transferability .....	10
2.18. Notification Requirements .....	10
2.19. Credible Evidence .....	11
<b>3.0. Facility-Wide Requirements .....</b>	<b>12</b>
3.1. Limitations and Standards .....	12
3.2. Monitoring Requirements .....	12
3.3. Testing Requirements .....	12
3.4. Recordkeeping Requirements .....	13
3.5. Reporting Requirements .....	14
<b>4.0. Source-Specific Requirements .....</b>	<b>15</b>
4.1. Limitations and Standards .....	15
4.2. Monitoring Requirements .....	20
4.3. Testing Requirements .....	21
4.4. Recordkeeping Requirements .....	24
4.5. Reporting Requirements .....	25
<b>APPENDIX A .....</b>	<b>27</b>
<b>APPENDIX B .....</b>	<b>28</b>
<b>APPENDIX C .....</b>	<b>29</b>
<b>APPENDIX D .....</b>	<b>30</b>
<b>APPENDIX E .....</b>	<b>31</b>
<b>CERTIFICATION OF DATA ACCURACY .....</b>	<b>32</b>

## 1.0 Emission Units

Equipment ID No.	Date of Construction, Reconstruction or Modification <sup>1</sup>	Description	Maximum Capacity		Control Device <sup>2</sup>	Associated Transfer Points		
			TPH	TPY		Location: B - Before A - After	ID No.	Control Device <sup>2</sup>
<b>Saw Mill Storage Area Addition</b>								
OS-1 (OS-1E)	M 2002 M 2001 M 2000 M 1999 C 1998	Open Stockpile OS-1 - maximum 631,000 tons capacity, 220,000 ft <sup>2</sup> base area and 265' height - Receives coal via dump truck. A front-endloader is used to move coal from the Open Stockpile OS-1 to trucks for hauling to Stockpiles ST-2, ST-11, ST-13, ST-14, or Storage Pit ST-10.	-----	250,000	N	B A	T65 T92	MD N
<b>Rotary Breakers (C11-1 &amp; C11-2) Circuit</b>								
ST-14 (ST-14E)	M 2002 C 2001	Raw Coal Open Stockpile ST-14 - maximum 45,000 - tons capacity, 38,000 ft <sup>2</sup> base area and 110' height - Receives coal by truck from Stockpile OS-1 and off site suppliers and transfers it via front-endloader to Dump Hopper DH-3 and/or front-endloader to truck.	-----	750,000 to 1,000,000 <sup>3</sup>	N	B A A	T93 T94 T104	N PE N
DH-3 (DH-3E)	C 2001	Dump Hopper DH-3 - maximum 45 tons capacity - Receives coal via truck and/or front-endloader from Raw Coal Open Stockpile ST-14 and transfers it to Conveyor C10-3.	-----	750,000	PE	B A	T94 T95	PE PE
C10-3 (C10-3E)	C 2001	Conveyor C10-3 - Receives coal from Dump Hopper DH-3 and transfers it to Mine Car Dump MCD-1.	1,000	750,000	PE	B A	T95 T96	PE FE
MCD-1 (MCD-1E)	C 1970	Mine Car Dump MCD-1 - maximum 40 tons capacity - Receives coal from Conveyor C10-3 and transfers it to Conveyors C11 - 1 and/or C11-2 via feeders in the bottom of MCD-1.	-----	750,000	PE	B A A	T96 T72A T72B	PE FE FE
ST-10 (ST-10E)	M 2003 M 2001	Raw Coal Storage Pit ST-10 - maximum 50 tons capacity - Receives coal from dump trucks and front-endloader and transfers it to Conveyor C11-4.	-----	550,000 to 800,000 <sup>4</sup>	PE	B B A	T4-8 T105 T4-9	N N PE
C11-4 (C11-4E)	C 1979	Conveyor C11-4 - Receives coal from the Storage Pit ST-10 and transfers it to Belt Conveyor C11-1 and/or Belt Conveyor C11-2.	800	400,000	PE	B A A	T4-9 T73 T74	PE PE PE
C11-1 (C11-1E)	C 1970	Conveyor C11-1 - Receives coal from Mine Car Dump MCD-1, Conveyor S3A and Conveyor C11-4 and transfers it to Rotary Breaker 13-1.	1,000	400,000	PE	B B B A	T72A T73 T111 T75	FE PE PE PE
C11-2 (C11-2E)	C 1970	Conveyor C11-2 - Receives coal from Mine Car Dump MCD-1, Conveyor S3A and Conveyor C11-4 and transfers it to Rotary Breaker 13-2.	1,000	400,000	PE	B B B A	T72B T74 T112 T76	FE PE PE PE
Rotary Breaker 13-1 (13-1E)	C 1970	Rotary Breaker 13-1 - Receives coal from Conveyor C11-1. Transfers refuse to Belt Conveyor 8A. Transfers coal through a feeder to the 60" Raw Coal Belt Conveyor C24.	1,000	1,960,000	FE	B A A	T75 T8-1 T9-1A	PE PE PE
Rotary Breaker 13-2 (13-2E)	C 1970	Rotary Breaker 13-2 - Receives coal from Conveyor C11-2. Transfers refuse to Belt Conveyor 8A. Transfers coal through a feeder to the 60" Raw Coal Belt Conveyor C24.	1,000	1,960,000	FE	B A A	T76 T8-2 T9-1B	PE PE PE
8A	Continued Under Refuse Circuit							
C24	Continued Under Raw Coal Handling System							
<b>Raw Coal Handling System</b>								
S10 (S10E)	M 2006 M 1998 C 1986	Conveyor S10 - Receives coal from No. 50 Mine and transfers it to Scalping Screen SS-1. (1998 -Lengthened only... No design capacity increase) (2006 - added SS-1 bypass chute to divert coal directly to ST-11 for maintenance and/or repair)	4,000	6,900,000	PE	B A A	----- T50 T120	----- FE N
SS-1 (SS-1E)	C 1998	Scalping Screen SS-1 - Receives coal from Conveyor S10. Oversized coal is routed to the Shawnee Rotary Breaker S6. Undersized coal goes to a two-way flop gate which can transfer coal to Conveyor RCT-1 or Conveyor S3B.	4,000	6,900,000	FE	B A A A	T50 T54 T51 T53 T110	FE FE FE FE FE
S6 (S6E)	C 1986	Shawnee Rotary Breaker S6 - Receives coal from Scalping Screen SS-1. Refuse is transferred to Conveyor S7. Coal exiting the Rotary Breaker is transferred to Conveyor S5.	1,500	1,750,000	FE	B A A	T54 T28-3 T27-5	FE PE PE
S3A (S3AE)	M 2002 C 1986	Conveyor S3A - Receives coal from Scalping screen SS-1 and transfers it to Belt Conveyor C11-1 and/or C11-2.	2,500	1,750,000	PE	B A A	T110 T111 T112	FE PE PE
S7	Continued Under Refuse Circuit							
RCT-1 (RCT-1E)	C 1998	Conveyor RCT-1 - Receives coal from Scalping Screen SS-1 and transfers it to Conveyor S5.	4,000	2,625,000	FE	B A	T51 T52	FE FE
S5 (S5E)	M 1998 C 1986	Conveyor S5 - Receives coal from Conveyor RCT-1 and Rotary Breaker S6, and transfers it to a Stacking Tube/Stockpile ST-11. Note that Conveyor S5 was lengthened and its design capacity increased to 4,000 TPH.	4,000	4,290,000	PE	B B A	T52 T27-5 T49	FE PE MD

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			TPH	TPY		Location: B - Before A - After	ID No.	Control Device <sup>2</sup>
ST-11 (ST-11E)	M 2006 M 2001 M 1998 C 1986	Stack Tube/Stockpile ST-11 - maximum 1,106,000 tons capacity, 320,000 ft <sup>2</sup> base area and 319' height - Receives coal from trucks, Conveyor S5 and SS-1 bypass chute and transfers via underground feeder to Conveyor S3 and/or via front endloader to truck.	----	4,390,000	N	B B B A A	T49 T120 T103 T32 T102	MD N N FE N
S3 (S3E)	C 1986	Conveyor S3 - Receives coal from underground feeder located beneath Stack Tube/Stockpile ST-11 and transfers it to Conveyor S3B.	2,500	4,290,000	PE	B A	T32 T33	FE PE
S3B (S3BE)	M 1998 C 1986	Conveyor S3B - Receives coal from Conveyor S3 and Scalping Screen SS-1 two-way flop gate, and routes it to 60" Raw Coal Belt Conveyor C24. Design capacity increased to 4,000 TPH.	4,000	6,913,000	PE	B B A	T33 T53 T34	PE FE PE
C24 (C24E)	M 1994 C 1970	Conveyor C24 - Receives coal from Conveyor S3B and Rotary Breakers 13-1 and 13-2 and transfers it to Raw Coal Storage Silo A ST-3, Conveyor C31, or Conveyor C31-A.	4,000	10,630,000	FE	B B B A A A	T34 T8-1 T8-2 T10-3 T10-2 T10-1	PE PE PE FE FE PE
<b>Raw Coal to Storage and to Preparation Plant</b>								
ST-3 (ST-3E)	C 1970	Raw Coal Storage Silo A ST-3 - maximum 6,000 tons capacity - Receives coal from Conveyor C24 and transfers it via one mass flow feeder and six 48" reciprocating feeders to a 48" Raw Coal Belt C37.	----	4,782,000	N	B A	T10-3 T12-1	FE FE
C31 (C31E)	M 1994 C 1970	Conveyor C31 - Receives coal from Conveyor C24 and transfers it to Raw Coal Storage Silo ST-4.	4,000	4,781,000	FE	B A	T10-2 T10-4	FE FE
ST-4 (ST-4E)	C 1970	Raw Coal Storage Silo B ST-4 - maximum 6,000 tons capacity - Receives coal from Conveyor C31 and transfers it via one mass flow feeder and six 48" reciprocating feeders to a 48" Raw Coal Belt C37.	----	4,782,000	N	B A	T10-4 T12-2	FE FE
C31-A (C31-AE)	C 1981	Conveyor C31-A - Receives coal from Conveyor C24 and transfers coal to Stack Tube/Raw Coal Storage Stockpile ST-2.	4,000	10,063,000	PE	B A	T10-1 T11	PE N
ST-2 (ST-2E)	M 2001 C 1981	Raw Coal Storage Stockpile ST-2 - maximum 77,000 tons capacity, 54,000 ft <sup>2</sup> and 131' height - Receives coal from Conveyor C31-A and truck dump and transfers it via front-endloader to Feeder C36, Storage Pit ST-10, trucks and/or railcars.	----	1,243,000	N	B B A A A	T11 T101 T100 T77 T113	N MD MD MD, PE MD
C36 (C36E)	C 1981	Feeder C36 - Receives coal from Raw Coal Storage Stockpile ST-2 and transfers it to the 48" Raw Coal Belt Conveyor C37.	500	1,063,000	PE	B A	T77 T12-3	PE FE
C37 (C37E)	C 1970	48" Raw Coal Belt Conveyor C37 - Receives coal from the 48" Reciprocating Feeders from Raw Coal Storage Silos A and B (ST-3 and ST-4) and Feeder C36, and transfers it to Conveyor C45.	1,500	10,063,000	FE	B B B A	T12-1 T12-2 T12-3 T13	FE FE FE FE
C45 (C45E)	C 1970	Conveyor C45 - Receives coal from Conveyor C37 and transfers it into the preparation plant.	1,500	10,630,000	PE	B A	T13 ----	FE ----
<b>Clean Coal Circuit</b>								
TD1	M 1996 C 1970	McNally Fluidized Bed Thermal Dryer with two cyclones and two venturi scrubbers - maximum operating limit of 7,083 hours per year	800	5,670,000	CY, SC, ME	B A	----	----
C100 (C100E)	C 1970	42" Dryer Feed Belt Conveyor C100 - Transfers wet coal from Preparation Plant to Thermal Dryer, which dries it and transfers to Horizontal Axis Mixer No. 120.	800	5,670,000	PE	B A	----	----
C118 (C118E)	M 1995 C 1970	54" Coarse Clean Coal Belt Conveyor - Receives coarse clean coal from inside Preparation Plant and transfers it to Horizontal Axis Mixer No. 120.	800	2,302,000	PE	B A	T48 T16	PE FE
Horizontal Axis Mixer No. 120	C 1970	Horizontal Axis Mixer No. 120. Receives coarse clean coal from Conveyor C118 and clean coal from Thermal Dryer, and transfers coal to 72" Clean Coal Transfer Belt Conveyor C119.	320	8,000,000	FE	B A	T16 T17	FE FE
C119 (C119E)	C 1970	72" Clean Coal Transfer Belt Conveyor C119 - Receives coal from the Horizontal Axis Mixer No. 120 and transfers coal to 48" Clean Coal Belt Conveyor C132.	1,000	8,000,000	FE	B A	T17 T18	FE FE
C132 (C132E)	C 1970	48" Clean Coal Belt Conveyor C132 - Receives coal from the 72" Clean Coal Transfer Belt Conveyor C119 and transfers it to the 10,000 Ton Clean Storage Silo ST-5 and/or Conveyor SC-1.	1,000	8,000,000	FE	B A A	T18 T19 T19A	FE FE FE
ST-5 (ST-5E)	C 1970	Storage 4 - Clean Coal Storage Silo ST-5 - maximum 10,000 tons capacity - Receives coal from the 48" Clean Coal Belt Conveyor C132 and transfers it through one mass flow feeder and six 48" reciprocating feeders to a 72" Collecting Belt Conveyor C139.	----	2,391,000	FE	B A	T19 T20	FE FE
C139 (C139E)	M 1998 C 1970	72" Collecting Belt Conveyor C139 - Receives coal from Storage 4 (ST-5) through one mass flow feeder and six 48" reciprocating feeders. Transfers coal to the 72" Belt Conveyor to Sampling Tower C141. Design capacity increased to 5,000 TPH.	5,000	2,391,000	FE	B A	T20 T21	FE FE
C141 (C141E)	M 1998 C 1970	72" Belt Conveyor C141 - Receives coal from 72" Collecting Belt Conveyor C139 and Conveyor RC-1, and transfers it to the 72" Belt Conveyor C152. Design capacity increased to 5,000 TPH. A small portion of coal from Conveyor C141 is transferred to and from the Clean Coal Sampler System.	5,000	8,100,000	FE	B B A	T21 T23 T24	FE FE FE

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			TPH	TPY		Location: B - Before A - After	ID No.	Control Device <sup>2</sup>
Clean Coal Sampler System (F01 & F02)	M 1998 C 1970	Clean Coal Sampler System - Receives coal from 72" Belt Conveyor C141 via Primary Sample Belt Conveyor and transfers it to the Primary Sample Crusher and the Nuclear Analyzer and subsequently back to Conveyor C141.	N/A	N/A	FE	B A	----- -----	----- -----
C152 (C152E)	M 1998 C 1970	72" Belt Conveyor to Loading Bin C152 - Receives coal from 72" Belt Conveyor C141 and transfers it to the 200 Ton Loading Bin ST-6. Design capacity increased to 5,000 TPH.	5,000	8,100,000	FE	B A	T24 T25	FE FE
ST-6 (ST-6E)	M 2004 M 2001 C 1970	Loading Bin ST-6 - maximum 200 tons capacity - Receives coal from the 72" Belt Conveyor C152 and transfer it to railroad cars.	-----	8,100,000	FE	B A	T25 T26	FE FE
SC-1 (SC-1E)	C 1991	Belt Conveyor SC-1 - Receives coal from the 48" Clean Coal Belt Conveyor C132 and transfer it to the Stack Tube/Clean Coal Storage Stockpile ST-13.	1,000	5,580,000	PE	B A	T19A T19B	FE N
ST-13 (ST-13E)	M 2003 M 2002 M 1998 C 1991	Stack Tube/Clean Coal Storage Stockpile ST-13 - maximum 514,000 tons capacity, 220,000 ft <sup>2</sup> base area and 265' height - Receives clean coal from Conveyor SC-1 and transfers it using six vibrating feeders to Belt Conveyor RC-1 and/or via front end loader to truck. Up to 360,000 TPY combined may be trucked to and from ST-13.	-----	5,578,000	N	B B A A	T19B T114 T22 T119	N N FE N
RC-1 (RC-1E)	M 1998 C 1991	Belt Conveyor RC-1 - Receives coal from six vibrating feeders located underneath the Clean Coal Storage Stockpile ST-13 and also from Belt Conveyor RC-5, and transfers it to the 72" Belt Conveyor C141.	4,000	5,655,000	PE	B B A	T22 T81 T23	FE PE FE
<b>Trucked Coal and Coal Fines Circuit</b>								
ST-16 <sup>2</sup> (ST-16E)	M 2008 * C 2002 *	Coal & Pond Fines Open Stockpile ST-16 - maximum 120,000 tons capacity and 108,900 ft <sup>2</sup> base area - Receives coal and pond fines by truck and transfers it via front-end loader to Dump Hopper DHRC-4; via underground feeders to Conveyor C120; and/or via front-end loader to truck. (* Originally permitted and constructed by DTE Smith Branch, LLC for a synfuel plant under R13-2210A issued 2/13/01. Pinnacle Mining added it to their permit in 2008.)	-----	860,000	N	B B A A A	T122 T134 T124 T135 T126	N N PE MD FE
DHRC-4 (DHRC-4E)	M 2008 * C 2002 *	Dump Hopper DHRC-4 - Receives coal and/or pond fines by front-end loader and transfers it to Conveyor C120 (* Originally permitted and constructed by DTE Smith Branch, LLC for a synfuel plant under R13-2210A issued 2/13/01. Pinnacle Mining added it to their permit R13-2183K approved on 4/28/08.)	300	860,000	PE	B A	T124 T125	MD MD
C120 <sup>2</sup> (C120E)	M 2008 * C 2002 *	Conveyor C120 - Receives coal and/or pond fines from Dump Hopper DHRC-4 and/or Stockpile ST-16's underground feeders and transfers it to Conveyor C121 or Conveyor RC-5 (* Originally permitted and constructed by DTE Smith Branch, LLC for a synfuel plant under R13-2210A issued 2/13/01. Pinnacle Mining added it to their permit R13-2183K approved on 4/28/08.)	1,150	860,000	PE	B B A A	T125 T126 T127A T127B	MD FE PE PE
C121 <sup>2</sup> (C121E)	M 2008 * C 2002 *	Conveyor C121 - Receives coal and/or pond fines from Conveyor C120 and transfers it to the Sample Collector (* Originally permitted and constructed by DTE Smith Branch, LLC for a synfuel plant under R13-2210A issued 2/13/01. Pinnacle Mining added it to their permit R13-2183K approved on 4/28/08.)	5	43,800	PE	B A	T127A T128	PE PE
Sample Collector	M 2008 * C 2002 *	Sample Collector - Receives coal and/or pond fines from Conveyor C120 and transfers it to Conveyor C122 (* Originally permitted and constructed by DTE Smith Branch, LLC for a synfuel plant under R13-2210A issued 2/13/01. Pinnacle Mining added it to their permit R13-2183K approved on 4/28/08.)	5	43,800	PE	B A	T128 T129	PE PE
C122 <sup>2</sup> (C122E)	M 2008 * C 2002 *	Conveyor C122 - Receives coal and/or pond fines from Conveyor C121 and transfers it to Conveyor RC5 (* Originally permitted and constructed by DTE Smith Branch, LLC for a synfuel plant under R13-2210A issued 2/13/01. Pinnacle Mining added it to their permit R13-2183K approved on 4/28/08.)	5	43,800	PE	B A	T129 T130	PE PE
RC-5 (RC-5E)	M 2001 M 1999	Belt Conveyor RC-5 - Receives coal and/or coal fines from Conveyors C120 and C122 and transfers to Conveyor RC-1 (see Clean Coal Circuit)	4,000	3,300,000	N	B B A	T127B T130 T81	PE PE PE
<b>Refuse Circuit</b>								
8A (8AE)	C 1992	Conveyor 8A - Receives refuse from Rotary Breakers 13-1 and 13-2. Refuse is transferred to Conveyor C8.	400	195,000	N	B B A	T9-1A, T9-1B T46-2	PE PE FE
C8	Continued Below Under C8							
S7 (S7E)	C 1986	Conveyor S7 - Receives refuse from the Rotary Breaker S6 and transfers it to the 80 ton Rock Bin.	800	87,500	PE	B A	T28-3 T29	PE PE
Rock Bin	C 1970	Rock Bin - maximum 80 tons capacity - Receives refuse from Conveyor S7 and transfers it to a 72" Reciprocating Feeder.	-----	87,500	FE	B A	T29 -----	PE -----
Rock Crusher #6	C 1970	Rock Crusher #6 - Receives refuse from Rock Bin and transfers it to 36" Rock Belt Conveyor C8.	280	87,500	FE	B A	T34-2a T35	FE FE
C8 (C8E)	C 1970	36" Rock Belt Conveyor C8 - Receives refuse from Rock Bin #6, Rock Crusher #6, and Conveyor 8A. Transfers refuse to the 400 ton Refuse Bin ST-7.	400	283,000	PE	B B B A	T34-2b T35 T46-2 T36	FE FE FE FE
C125 (C125E)	C 1970	36" Plant Refuse Belt Conveyor C125 - Transfers refuse from the Preparation Plant's Washing Circuit to the 400 ton Refuse Bin ST-7.	463	2,656,125	PE	B A	----- T37	----- FE

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ST-7 (ST-7E)	C 1970	Refuse Bin ST-7 - maximum 400 tons capacity - Receives coal refuse from 36" Rock Belt Conveyor C8 and 36" Plant Refuse Belt Conveyor C125 and transfers it to feeder 127 and then to Refuse Belt Conveyor C128-1 or the Emergency Refuse Stockpile.	-----	2,940,000	FE	B B A	T36 T37 -----	FE FE -----
C128-1 (C128-1E)	C 1970	Conveyor - Receives refuse from Refuse Bin ST-7 and transfers it Point "A" Storage Bin ST-8.	400	2,940,000	PE	B A	T38 T39	FE FE
ST-8 (ST-8E)	C 1970	Point "A" Storage Bin ST-8 - maximum 85 tons capacity - Receives refuse from Conveyor C128-1 and transfers it to Belt Conveyor C128-2.	-----	2,940,000	FE	B A	T39 -----	FE -----
C128-2 (C128-2E)	C 1970	Conveyor C128-2 - Receives refuse from Storage Bin ST-8 and transfers it to Conveyor C128-3.	400	2,940,000	PE	B A	T40 T41	PE PE
C128-3 (C128-3E)	C 1983	Conveyor C128-3 - Receives refuse from Conveyor C128-2 and transfers it to Conveyor C128-4.	400	2,940,000	N	B A	T41 T42	PE PE
C128-4 (C128-4E)	C 1983	Conveyor C128-4 - Receives refuse from Conveyor C128-3 and transfers it to Conveyor C128-5.	400	2,940,000	N	B A	T42 T43	PE PE
C128-5 (C128-5E)	C 2001	Conveyor C128-5 - Receives refuse from Conveyor C128-4 and transfers it to Conveyor C128-6.	400	2,940,000	N	B A	T43 T44	PE PE
C128-6 (C128-6E)	C 2006	Conveyor C128-6 - Receives refuse from Conveyor C128-5 and transfers it to the Stacking Belt Conveyor.	400	2,333,125	PE	B A	T44 T121	PE PE
Stacking Belt Conveyor	Relocated 2006 C1970	Stacking Belt Conveyor - Receives refuse from Conveyor C128-6 and transfers it to the Refuse Stockpile ST-12.	400	2,940,000	PE	B A	T121 T45	PE N
ST-12 (ST-12E)	C 1970	Refuse Stockpile ST-12 - maximum 26,000 tons capacity, 21,825 ft <sup>2</sup> base area and 83' height - Receives refuse from Stacking Belt Conveyor and dozers move into permanent storage	-----	-----	N	B A	T45 -----	N -----
<b>Rock Dust Bins</b>								
D17	C 1970s	Rock Dust Bin - maximum 100 tons capacity - located at the Pinnacle Supply Yard - pneumatically loaded from trucks - equipped with a device to prevent the loss of material during filling, which is an inherent part of the process rather than a control device according to the company	25	34,200	N/A	B A	N/A N/A	N/A N/A
D18	Unknown	Rock Dust Bin - maximum 100 tons capacity - located at the White Oak Mine Shaft - pneumatically loaded from trucks - equipped with a device to prevent the loss of material during filling, which is an inherent part of the process rather than a control device according to the company	25	34,200	N/A	B A	N/A N/A	N/A N/A
D19	C 2011	Rock Dust Bin - maximum 150 tons capacity - located at the Ghost Riders Hollow Mine Shaft - pneumatically loaded from trucks - equipped with a device to prevent the loss of material during filling, which is an inherent part of the process rather than a control device according to the company	25	34,200	N/A	B A	N/A N/A	N/A N/A
<b>Gasoline Dispensing Facility</b>								
D20	C 2013	Warehouse Unleaded Fuel Tank - fixed roof horizontal tank - maximum 3,065 gallons capacity - used to supply unleaded gasoline to the fuel tanks of equipment and vehicles used for mining operations	200 gal/min fill rate	37,000 gal/yr	N/A	B A	N/A N/A	N/A N/A

<sup>1</sup> Abbreviations: C - Construction; R - Reconstruction; and M - Modification.

<sup>2</sup> Method of Control abbreviations: FE - Full Enclosure, PE - Partial Enclosure, BH - Baghouse, WS - Water Sprays, MD - Minimization of Material Drop Height, N - None.

<sup>3</sup> Stockpile ST-16 and Conveyors C120, C121 and C122 were previously permitted and constructed by DTE Smith Branch, LLC under R13-2210-X approved February 13, 2001 for a synfuel plant which tied directly to Pinnacle Mining's Conveyor RC-5. DTE Smith Branch, LLC ceased operation around December 2007. Pinnacle Mining added these conveyors and stockpile to their facility in permit R13-2183K approved on April 28, 2008.

<sup>4</sup> Up to 250,000 TPY of coal may be delivered by trucks through the truck scales to either storage pit ST-10 or stockpile ST-14. Thus, the maximum annual throughput range of storage pit ST-10 is 550,000 TPY to 800,000 TPY and stockpile ST-14 is 750,000 TPY to 1,000,000 TPY.

Tank ID	Year Installed	Product Service	Tank Type <sup>1</sup>	Capacity (gallons)	Maximum Fill Rate (gal/min)	Annual Throughput	
						Turnovers per Year	Gallons per Year
D-20	2013	Unleaded Gasoline	Horizontal Fixed Roof	3,065	200	12	37,000

<sup>1</sup> HFR denotes a horizontal fixed roof tank.

## 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

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

### **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 R13-2183K approved on April 28, 2008. 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 Applications R13-2183L, R13-2183K, R13-2183J, R13-2183I, R13-2183G, R13-2183F, R13-2183E, R13-2183D, R13-2183C, R13-2183B (PD99-169), R13-2183A (PD99-062), R13-2183 and R13-1831 and any amendments thereto 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 to this permit as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.

[45CSR§14-7 or 45CSR§19-14]

## **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.  
**[WV Code § 22-5-4(a)(15)]**
- 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 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 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 (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.
- 3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

## 4.0. Source-Specific Requirements

### 4.1. Limitations and Standards

- 4.1.1. The permittee shall not exceed the maximum hourly and annual throughput rates and other criteria outlined in the table in Section 1.0 Emission Units.
- 4.1.2. Compliance with all annual throughput limits shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the amount of material received, processed, and/or shipped at any given time during the previous twelve (12) consecutive calendar months.
- 4.1.3. The thermal dryer shall not be operated more than 7083 hours per year. Pinnacle Mining Company, LLC (Pinnacle Mining) shall maintain records showing the number of hours each calendar day the thermal dryer was in operation.
- 4.1.4. Pinnacle Mining shall sample in accordance with approved ASTM methods on at least a daily basis the fuel coal burned in the furnaces and have the samples analyzed for sulfur and BTU content. Result of these analyses shall be certified by a “responsible official” and maintained on site for a period of not less than five (5) years and shall be made available to the Director or his or her duly authorized representative upon request. If the sulfur content exceeds 1.22 percent on a dry basis, Pinnacle Mining shall add 0.51 gallons per minute of 20% sodium hydroxide solution to the scrubber water and/or to the coal being dried to reduce sulfur dioxide emissions.
- 4.1.5. Emissions from the thermal dryer shall not exceed the following hourly and annual limits:

Pollutant	Emissions Limitations	
	One-Hour Average (lb/hour)	Annual (ton/year)
Volatile Organic Compounds (VOCs)	41.3	146
Sulfur Dioxide (SO <sub>2</sub> )	50.3	178
Nitrogen Oxides (NO <sub>x</sub> )	93.9	332
Carbon Monoxide (CO)	50.3	178
Particulate Matter (PM)	77.0	272

- 4.1.6. Scrubber water flow shall be maintained at a minimum of 2,240 gpm. The scrubber water system shall receive clean water from the clarifier water sump, and shall discharge dirty water to the clarifier centerwell for solids removal. Pressure drop across the scrubber shall be adjusted as required to control particulate matter emissions. Alkaline agents may be added to the scrubber water to control sulfur dioxide emissions.
- 4.1.7. In accordance with the information filed, the following processing limits shall not be exceeded:

Type of Material and Location Where Processed	Maximum Amount to be Processed (TPY)
Raw coal feed from No. 50 Mine to Scalping Screen (SS-1)	6,900,000
Raw coal feed to Wet Wash Circuit/Preparation Plant (1,500 ton/hr * 7,083 hr/yr)	10,630,000
Feed coal from Wash Circuit to Thermal Dryer (800 ton/hr * 7,083 hr/yr)	5,670,000
Trucked Coal and/or Coal Fines from Conveyor RC-5 to Conveyor RC-1	860,000
Clean Coal/ Coal Fines from Loading Bin ST-6 to railroad cars	8,100,000

4.1.8. In accordance with the information filed, the following storage and truck delivery limits shall not be exceeded:

Stockpile/Bin ID No.	Material Stored	Maximum in Storage (tons)	Maximum to be Delivered (TPY) <sup>1</sup>
Stockpile OS-1	raw coal	631,000	250,000
Stockpile ST-2	raw coal	77,000	180,000
Storage Pit ST-10	raw coal	≈ 50	550,000 <sup>2,3,6</sup>
Stockpile ST-11	raw coal	1,106,000	100,000 <sup>4</sup>
Stockpile ST-12	refuse	26,000	-----
Stockpile ST-13	clean coal	514,000	360,000 <sup>5</sup>
Stockpile ST-14	raw coal	54,000	750,000 to 1,000,000 <sup>6</sup>
Stockpile ST-16	coal	120,000 combined	360,000 <sup>7</sup>
	coal fines		500,000 <sup>8</sup>

- <sup>1</sup> Maximum quantity of coal to be delivered via trucks by other suppliers from outside sources.
- <sup>2</sup> Less the amount delivered directly to Stockpile ST-2.
- <sup>3</sup> 0 TPY up to 250,000 TPY of the 550,000 TPY will pass over the truck scale near the refuse road.
- <sup>4</sup> Less the amount transferred from other stockpiles.
- <sup>5</sup> Up to 360,000 TPY combined may be received at or shipped from ST-13 by truck.
- <sup>6</sup> The sum of coal trucked to Storage Pit ST-10 via the truck scale and the coal trucked to Stockpile ST-14 shall not exceed 1.0 million TPY.
- <sup>7</sup> Up to 360,000 TPY of coal may be received at or shipped from ST-16 by truck.
- <sup>8</sup> Up to 500,000 TPY of coal fines may be received at ST-16 by truck.

4.1.9. In accordance with the information filed, the following transfer limits between coal storage areas shall not be exceeded:

Originating Stockpile ID No.	Maximum Amount to be Transferred to Stockpiles Listed Below (TPY) <sup>1</sup>						
	OS-1	ST-2	ST-10	ST-11	ST-13	ST-14	ST-15
OS-1	-----	100,000	350,000	100,000	100,000	100,000	100,000
ST-2	100,000	-----	280,000 <sup>3</sup>	100,000	100,000	100,000	100,000
ST-10	0	0	-----	0	0	0	0
ST-11	100,000	100,000	100,000	-----	100,000	100,000	100,000
ST-13	100,000	100,000	100,000	100,000	-----	100,000	100,000
ST-14	100,000	100,000	100,000	100,000	100,000	-----	100,000
ST-16	100,000	100,000	100,000	100,000	100,000	100,000	-----
All Areas <sup>2</sup>	100,000	100,000	530,000	100,000	100,000	100,000	100,000

- <sup>1</sup> The quantities to be received for any single storage area are not additive.
- <sup>2</sup> The last row summarizes the maximum amount that could be transferred to each storage area from all other storage areas.
- <sup>3</sup> Pinnacle Mining has the option to alternatively load up to 180,000 TPY into a railcar at ST-2 in lieu of transferring it to ST-10.

4.1.10. The permittee shall maintain a water truck on site and in good operating condition, and shall utilize same to apply water, or a mixture of water and an environmentally acceptable dust control additive, hereinafter referred to as solution, as often as is necessary in order to minimize the atmospheric entrainment of fugitive particulate emissions that may be generated from haulroads and other work areas where mobile equipment is used.

The spraybar shall be equipped with commercially available spray nozzles, of sufficient size and number, so as to provide adequate coverage to the surface being treated.

The pump delivering the water, or solution shall be of sufficient size and capacity so as to be capable of delivering to the spray nozzle(s) an adequate quantity of water, or solution, and at a sufficient pressure.

- 4.1.11 The permittee shall maintain and operate a vacuum truck along the paved entrance(s) to Stockpile OS-1 at all times during which truck traffic is present, either receiving or shipping coal.
- 4.1.12. The permitted facility shall comply with all applicable requirements of 45CSR5 - "To Prevent and Control Air Pollution from the Operation of Coal Preparation Plants and Coal Handling Operations," provided that the facility shall comply with any more stringent requirements as may be set forth within this permit. Pertinent sections of 45CSR5 which apply to this facility include, but are not limited to the following:

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.

**[45CSR§5-3.4.]**

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.

**[45CSR§5-6.1.]**

The owner or operator of a coal preparation plant or handling operation 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.

**[45CSR§5-6.2.]**

No person shall construct, modify or relocate any coal preparation plant or coal handling operation without first obtaining a permit in accordance with the provisions of W. Va. Code §22-5-1 et seq. and the Director's rules for review and permitting of new or modified sources.

**[45CSR§5-10.1.]**

- 4.1.13. The permitted facility shall comply with all applicable requirements of 45CSR10 - "To prevent and Control Air Pollution from the Emission of Sulfur Oxides" provided that the facility shall comply with any more stringent requirements as may be set forth within this permit. The pertinent sections of 45CSR10 applicable to this facility include, but are not limited to, the following:

No person shall cause, suffer, allow or permit, the emission into the open air from any source operation an in-stack sulfur dioxide concentration exceeding 2,000 parts per million by volume from existing source operations, except as provided in subdivisions 4.1.a through 4.1.e.

**[45CSR§10-4.1.]**

- 4.1.14. The permitted facility shall comply with all applicable requirements of 45CSR13 - "Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, Permission to Commence Construction, and Procedures for Evaluation" provided that the facility shall comply with any more stringent requirements as may be set forth within this permit. The pertinent sections of 45CSR13 applicable to this facility include, but are not limited to, the following:

At the time a stationary source is alleged to be in compliance with an applicable emission standard and at reasonable times to be determined by the Secretary thereafter, appropriate tests consisting of visual determinations or conventional in-stack measurements or such other tests the Secretary may specify shall be conducted to determine compliance.

**[45CSR§13-6.1.]**

The Secretary may suspend or revoke a permit or general permit registration if, after six (6) months from the date of issuance, the holder of the permit cannot provide the Secretary, at the Secretary's request, with written proof of a good faith effort that construction, modification, or relocation, if applicable, has commenced. Such proof shall be provided not later than thirty (30) days after the Secretary's request. If construction or modification of a stationary source is discontinued for a period of eighteen (18) months or longer, the Secretary may suspend or revoke the permit or general permit registration.

**[45CSR§13-10.2.]**

The Secretary may suspend or revoke a permit or general permit registration if the plans and specifications upon which the approval was based or the conditions established in the permit are not adhered to. Upon notice of the Secretary's intent to suspend, modify or revoke a permit, the permit holder may request a conference with the Secretary in accordance with the provisions of W.Va Code § 22-5-5 to show cause why the permit or general permit registration should not be suspended, modified or revoked.

**[45CSR§13-10.3.]**

- 4.1.15. **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.]**

- 4.1.16. At all times, including periods of startup, shutdown, and malfunction, owners and operators 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.

**[40 CFR§60.11(d)]**

- 4.1.17. **Standards for Particulate Matter.** On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator 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 constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.

**[40CFR§60.254(a)]**

- 4.1.18. **General Duties for Gasoline Dispensing Facilities (GDF).** Each owner or operator of an affected source under this subpart must comply with the requirements of paragraphs (a) and (b) of this section.

**[40CFR§63.11115]**

- (a) You must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

**[40CFR§63.11115(a)]**

4.1.19. **Requirements for Gasoline Dispensing Facilities (GDF).** Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline:

**[40CFR§63.11116]**

(a) You must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

**[40CFR§63.11116(a)]**

(1) Minimize gasoline spills;  
**[40CFR§63.11116(a)(1)]**

(2) Clean up spills as expeditiously as practicable;  
**[40CFR§63.11116(a)(2)]**

(3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;  
**[40CFR§63.11116(a)(3)]**

(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.  
**[40CFR§63.11116(a)(4)]**

(b) You are not required to submit notifications or reports as specified in §63.11125, §63.11126, or subpart A of this part, but you must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.

**[40CFR§63.11116(b)]**

(c) You must comply with the requirements of this subpart by the applicable dates specified in §63.11113.

**[40CFR§63.11116(c)]**

(d) Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with paragraph (a)(3) of this section.

**[40CFR§63.11116(d)]**

## **4.2. Monitoring Requirements**

4.2.1. For the purpose of determining compliance with the opacity limits of 45CSR5 and 40 CFR 60 Subpart Y, the permittee shall conduct visible emissions checks and/or opacity monitoring for all affected sources constructed, reconstructed, or modified after October 27, 1974 but on or before April 28, 2008 which are subject to an opacity standard.

a. An initial visible emissions evaluation in accordance with 40 CFR 60 Appendix A-4, Method 9 shall be performed within ninety (90) days of permit issuance for each emission unit with a visible emissions requirement in this permit unless such evaluation was performed within the consecutive 12-month period preceding permit issuance. This initial evaluation shall consist of three 6-minute averages during one consecutive 60 minute period. The initial evaluation shall be conducted at each emissions unit during the period of maximum expected visible emissions under normal unit and facility operations.

b. Each emissions unit with a visible emissions limit contained in this permit shall be observed visually at least

once each calendar week during periods of normal facility operation for a sufficient time interval to determine the presence of 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-7, Method 22 or from the lecture portion of the 40 CFR Part 60, Appendix A-4, Method 9 certification course.

If visible emissions from any of the emissions units are observed during these weekly observations, or at any other time, that appear to exceed 50 percent of the allowable visible emission requirement for the emission unit, visible emissions evaluations in accordance with 40 CFR 60 Appendix A-4, Method 9 shall be conducted as soon as practicable, but no later than seventy-two (72) hours from the time of the observation. A Method 9 evaluation shall not be required if the visible emissions condition is corrected as expeditiously as possible, but no later than twenty-four (24) hours from the time of the observation; the emissions unit is operating at normal operating conditions; and, the dates and times, causes and corrective measures taken are recorded.

- c. If the initial, or any subsequent, visible emissions evaluation indicates visible emissions in excess of 50 percent of the allowable visible emissions requirement for a given emission unit, a visible emissions evaluation in accordance with 40 CFR 60 Appendix A-4, Method 9 shall be performed for that unit at least once every consecutive 14-day period. If subsequent visible emissions evaluations indicate visible emissions less than or equal to 50 percent of the allowable visible emissions requirement for the emission unit for 3 consecutive evaluation periods, the emission unit may comply with the visible emissions testing requirements in Section 4.2.4.b. of this permit in lieu of those established in this condition.
  - d. A visual emissions evaluation shall be conducted on all process and control equipment at least once each calendar month. If any deficiencies are observed, the necessary maintenance must be performed as expeditiously as possible.
  - e. A visible emissions evaluation shall be conducted for each emission unit at least once every consecutive 12-month period in accordance with 40 CFR 60 Appendix A-4, Method 9. This annual evaluation shall consist of a minimum of 24 consecutive observations for each emission unit.
  - f. A record of each visible emissions observation shall be maintained, including any data required by 40 CFR 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable visible emissions requirement, the results of the observation, and the name of the observer.
- 4.2.2. **Monitoring for Gasoline Dispensing Facilities (GDF).** An affected source shall, upon request by the Administrator, demonstrate that their monthly throughput is less than the 10,000-gallon or the 100,000-gallon threshold level, as applicable. For new or reconstructed affected sources, as specified in §63.11112(b) and (c), recordkeeping to document monthly throughput must begin upon startup of the affected source.  
**[40CFR§63.11111(e)]**

### **4.3. Testing Requirements**

- 4.3.1. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part and at such other times as may be required, the owner or operator of such facility shall conduct performance test(s) and furnish a written report of the results of such performance test(s).  
**[40CFR§60.8(a)]**
- 4.3.2. Compliance with opacity standards in this part shall be determined by conducting observations in accordance

with Method 9 in appendix A of this part. For purposes of determining initial compliance, 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).

**[40CFR§60.11(b)]**

- 4.3.3. **Performance Tests and Other Compliance Requirements for Subpart Y - Performance Tests.** An owner or operator of each affected facility that commenced construction, reconstruction, or modification on or before April 28, 2008, must conduct all performance tests required of §60.8 to demonstrate compliance with the applicable emission standards using the methods identified in § 60.257.

**[40CFR§60.255(a)]**

- 4.3.4. **Test Methods and Procedures for Subpart Y.** The owner or operator must determine compliance with the applicable opacity standards as specified in paragraphs (a)(1) through (3) of this section.

**[40CFR§60.257(a)]**

- (1) Method 9 of appendix A-4 of this part and the procedures in §60.11 must be used to determine opacity, with the exceptions specified in paragraphs (a)(1)(i) and (ii).

**[40CFR§60.257(a)(1)]**

- (i) The duration of the Method 9 of Appendix A-4 of this part performance test shall be 1 hour (ten 6-minute averages).

**[40CFR§60.257(a)(1)(i)]**

- (ii) If, during the initial 30 minutes of the observation of a Method 9 of Appendix A-4 of this part performance test, all of the 6-minute average opacity readings are less than or equal to half the applicable opacity limit, then the observation period may be reduced from 1 hour to 30 minutes.

**[40CFR§60.257(a)(1)(ii)]**

- (2) To determine opacity for fugitive coal dust emissions sources, the additional requirements specified in paragraphs (a)(2)(i) through (iii) must be used.

**[40CFR§60.257(a)(2)]**

- (i) The minimum distance between the observer and the emission source shall be 5.0 meters (16 feet), and the sun shall be oriented in the 140-degree sector of the back.

**[40CFR§60.257(a)(2)(i)]**

- (ii) The observer shall select a position that minimizes interference from other fugitive coal dust emissions sources and make observations such that the line of vision is approximately perpendicular to the plume and wind direction.

**[40CFR§60.257(a)(2)(ii)]**

- (iii) The observer shall make opacity observations at the point of greatest opacity in that portion of the plume where condensed water vapor is not present. Water vapor is not considered a visible emission.

**[40CFR§60.257(a)(2)(iii)]**

- (3) A visible emissions observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions specified in paragraphs (a)(3)(i) through (iii) of this section are met.

**[40CFR§60.257(a)(3)]**

- (i) No more than three emissions points may be read concurrently.

**[40CFR§60.257(a)(3)(i)]**

- (ii) All three emissions points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.

**[40CFR§60.257(a)(3)(ii)]**

- (iii) If an opacity reading for any one of the three emissions points is within 5 percent opacity from the applicable standard (excluding readings of zero opacity), then the observer must stop taking readings for the other two points and continue reading just that single point.

**[40CFR§60.257(a)(3)(iii)]**

- 4.3.5. **Test Methods and Procedures for Subpart Y.** The owner or operator must conduct all performance tests required by §60.8 to demonstrate compliance with the applicable emissions standards specified in §60.252 according to the requirements in §60.8 using the applicable test methods and procedures in paragraphs (b)(1) through (8) of this section.

**[40CFR§60.257(b)]**

#### **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 operating limits set forth within Sections 4.1.7 through 4.1.9 of this permit, the permittee shall maintain daily throughput records using the sample record keeping format appended hereto as Attachments A, B and C. The permittee shall maintain daily throughput records of the amount of water applied by the water truck using the sample record keeping format appended hereto as Attachment D. These records shall be maintained on site for a period of not less than five (5) years and certified records shall be made available to the Secretary or a duly authorized representative of the Secretary upon request.
- 4.4.5. The permittee shall maintain records of all monitoring data required by Section 4.2.1 of this permit 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 E. 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 weekly evaluation, the record of observation may note "out of service" (O/S) or equivalent.
- 4.4.6. **Record Keeping for Gasoline Dispensing Facilities (GDF).** Each owner or operator of an affected source under this subpart shall keep records as specified in paragraphs (d)(1) and (2) of this section.  
**[40CFR§63.11125(d)]**
- (1) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.  
**[40CFR§63.11125(d)]**
- (2) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.  
**[40CFR§63.11125(d)]**

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

- 4.5.1. With regard to any testing required by the Director, the permittee shall submit to the Director of Air Quality and the Associate Director - Office of Enforcement and Permit Review (3AP12) of the U.S. EPA a test protocol detailing the proposed test methods, the date, and the time the proposed testing is to take place, as well as identifying the sampling locations and other relevant information. The test protocol must be received by the Director and the Associate Director no less than thirty (30) days prior to the date the testing is to take place. Test results shall be submitted to the Director and the Associate Director no more than sixty (60) days after the date the testing takes place.
- 4.5.2. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observation using 40CFR Part 60, Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.
- 4.5.3. Any owner or operator subject to the provisions of this part shall furnish written notification as follows:  
**[40CFR§60.7(a)]**

A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date.

**[40CFR§60.7(a)(1)]**

A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

**[40CFR§60.7(a)(3)]**

- 4.5.4. **Reporting for Subpart Y - Opacity Exceedances.** For the purposes of reports required under section 60.7(c), any owner or operator subject to the provisions of Subpart Y also shall report semiannually periods of excess emissions as follow:

**[40CFR§60.258(b)]**

(3) All 6-minute average opacities that exceed the applicable standard.

**[40CFR§60.258(b)(3)]**

- 4.5.5. **Reporting for Subpart Y - Results of Initial Performance Tests.** The owner or operator of an affected facility shall submit the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of section 60.8.

**[40CFR§60.258(c)]**

- 4.5.6. **Reporting for Subpart Y - WebFIRE Data Base.** After July 11, 2011, within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with this subpart, the owner or operator of the affected facility must submit the test date to EPA by successfully entering the data electronically into EPA's WebFIRE data base available at <http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main>. For performance tests that cannot be entered into WebFIRE (i.e. Method 9 of appendix A-4 of this part opacity performance tests) the owner or operator of the affected facility must mail a summary copy to United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; mail code D243-01; RTP, NC 27711.

**[40CFR§60.258(d)]**

Attachment A - Example Data Form

**MONTHLY PROCESSING RATE REPORT <sup>(1)</sup>**

Month, Year: \_\_\_\_\_ / \_\_\_\_\_

Day of Month	Raw Coal		Clean Coal			Coal Fines
	No. 50 Mine (Tons/Day)	Wet Wash Preparation Plant (Tons/Day)	Thermal Dryer Circuit (Tons/Day)	Loaded to Railroad Car (Tons/Day)	Loaded from ST-13 to Truck (Tons/Day)	Coal and/or Coal Fines to Conveyor RC-5 (Tons/Day)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
Total -tons/month						
Twelve Month Rolling Total <sup>(2)</sup>						

Note: (1) The CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side shall be completed within fifteen (15) days of the end of the reporting period. All records shall be kept on site for a period of at least five (5) years and shall be made available to the Director or his or her duly authorized representative upon request.

(2) The Twelve Month Rolling Total shall mean the sum of the amount of coal received, processed, or shipped at any given time during the previous twelve (12) consecutive calendar months. The maximum permitted operating rates shall not exceed the values listed in Section 4.1.7.

Attachment B - Example Data Form

**MONTHLY DELIVERY RATE REPORT FROM OUTSIDE SUPPLIERS <sup>(1)</sup>**

Month, Year: \_\_\_\_\_ / \_\_\_\_\_

Day of Month	Delivered To Stockpile:	Amount Delivered (tons)	Twelve Month Rolling Total <sup>(2)</sup>
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			

- Note: (1) The CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side shall be completed within fifteen (15) days of the end of the reporting period. All records shall be kept on site for a period of at least five (5) years and shall be made available to the Director or his or her duly authorized representative upon request.
- (2) The Twelve Month Rolling Total shall mean the sum of the amount of coal received, processed, or shipped at any given time during the previous twelve (12) consecutive calendar months. The maximum permitted delivery rates shall not exceed the values listed in Section 4.1.8.

Attachment C - Example Data Form

**MONTHLY TRANSFER RATE REPORT <sup>(1)</sup>**

Month, Year: \_\_\_\_\_ / \_\_\_\_\_

Day of Month	Transferred From Stockpile:	Transferred To Stockpile:	Amount Transferred (tons)	Twelve Month Rolling Total <sup>(2)</sup>
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				

Note: (1) The CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side shall be completed within fifteen (15) days of the end of the reporting period. All records shall be kept on site for a period of at least five (5) years and shall be made available to the Director or his or her duly authorized representative upon request.

(2) The Twelve Month Rolling Total shall mean the sum of the amount of coal transferred at any given time during the previous twelve (12) consecutive calendar months. The maximum permitted transfer rates shall not exceed the values listed in Section 4.1.9.

**APPENDIX D <sup>1</sup>**

**Certified Daily and Monthly Water Usage by the Pressurized Water Truck**

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

Day of Month	Water Truck Used? (Y/N)	Quantity of water used <sup>2</sup> (gallons)	Comments <sup>3</sup>	Initials
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				

- (1) The CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side shall be completed within fifteen (15) days of the end of the reporting period. All records shall be kept on site for a period of no less than five (5) years and shall be made available to the Secretary or his or her duly authorized representative upon request.
- (2) The quantity of water used may be estimated based on the volume of the tank and number of times the water truck was refilled.
- (3) Use the comment section to explain why the water truck was not used or was used sparingly.



### CERTIFICATION OF DATA ACCURACY

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

Signature<sup>1</sup> \_\_\_\_\_

(please use blue ink)      Responsible Official or Authorized Representative

\_\_\_\_\_ Date

Name and Title \_\_\_\_\_

(please print or type)      Name

..... Title

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

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

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