

Permit Writer	Edward S. Andrews, P.E.
Email Address	edward.s.andrews@wv.gov
Company Name	Virginia Electric and Power Company
Company ID	023-00003
Facility Name	Mount Storm Power Station
Permit Number	R13-0656A
County	Grant
Newspaper	<i>Grant County Press</i> 257-1844
Company Contact & Email	Elizabeth A Willoughby (Services - 6) <elizabeth.a.willoughby@dom.com>
Consultant Email Address	N/A
Regional Office (if applicable)	EPRO Joe Kregger

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Karl

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# INTERNAL PERMITTING DOCUMENT TRACKING MANIFEST

Company Name VE&PCO

Permitting Action Number R13-0656A Total Days 38 DAQ Days 8

**Permitting Action:**

- Permit Determination
- General Permit
- Administrative Update
- Temporary
- Relocation
- Construction
- Modification
- PSD (Rule 14)
- NNSR (Rule 19)

**Documents Attached:**

- Engineering Evaluation/Memo
- Draft Permit
- Notice
- Denial
- Final Permit/General Permit Registration
- Completed Database Sheet
- Withdrawal
- Letter
- Other (specify) \_\_\_\_\_

Date	From	To	Action Requested
9/8	Ed	Bev	Please Review for release for Public Comment.
10/28	Bev	Ed	See comments - Address - Go to Notice

NOTE: Retain a copy of this manifest for your records when transmitting your document(s).



This permit will supersede and replace Permit R13-0656A.

Facility Location: 436 Dominion Blvd.  
Mt. Storm, Grant County, West Virginia

Mailing Address: 5000 Dominion Blvd.  
Glen Allen, VA 23060

Facility Description: Electric Generating Plant

NAICS Codes: 221112

UTM Coordinates: 649 km Easting • 4,340 km Northing • Zone 17

Permit Type: Modification

Description of Change: This action is to further limit the annual heat input to the permitted boiler to 10% to qualify as a limited use unit under the Boiler MACT (Subpart DDDDD to Part 63).

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

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

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**1.0. Emission Units**

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
MTST-00-AB-STG-1	MS4	Auxiliary Boiler (Babcock & Wilcox Serial No. FM2943)	1984	150 MMBtu/hr	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

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

### **2.3. Authority**

This permit is issued in accordance with West Virginia Air Pollution Control 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 R13-0656. 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 R13-0656, R13-0656A, 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 57<sup>th</sup> 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 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 following conditions and requirements are specific to the Auxiliary Boiler:

- a. The permittee shall limit the annual capacity of the boiler to no more than 10 percent by limiting the annual average heat input of the boiler to 131,400 MMBtu per year. Compliance with this limit shall be satisfied through compliance with the annual fuel usage limit in item d of this condition. By limiting the use of the emission unit to satisfy this condition does not satisfy the definition of a permanently shut down unit in Condition 3.15 or 45 CSR 13-10.5. [40 CFR §63.7575]
- b. Particulate Matter (PM) emissions from Emission Point M54 shall not exceed 13.5 pounds per hour based on a six hour average. [45 CSR §2-4.1.b.]
- c. Visible emissions from Emission Point M54 shall not exceed 10 percent opacity based on a six minute block average. [45 CSR §2-3.1, and §2-9.1.]
- d. For the purpose of complying with the SO<sub>2</sub> allowable in 45 CSR §10-3.1.d., the Auxiliary boiler shall not consume more than 1,111 gallons of distillate oil #2 with a sulfur content of no greater than .3 % by weight per hour nor more than 974,112 gallons per year. [45 CSR §10-10.2.]
- e. The permittee shall conduct an initial tune-up of the unit before January 31, 2016 (40 CFR §63.7510(e)) and subsequent tune-ups once every 5 years thereafter in accordance with the applicable requirements of 40 CFR 63, Subpart DDDDD. Subsequent tune-ups shall be conducted no later than 61 months from previous tune-up. If the unit is not operating on the required date for a tune-up, then the tune-up must be conducted within 30 calendar days of re-startup. These tune-ups shall consist of the following:
  - i. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (permittee may delay the burner inspection until the next scheduled unit shutdown). At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment, but each burner must be inspect at least once every 72 months;
  - ii. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;
  - iii. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown);
  - iv. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, which includes the verifying or ensure the manufacturer's NO<sub>x</sub> concentration specification are maintain;
  - v. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements

may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made).

[40 CFR §§63.7500(a)(1) & (c); §63.7505(a); §63.7510(e); §63.7515(d); §§63.7540(a)(10), (11) & (12); and Table 3 to Subpart DDDDD of Part 63—Work Practice Standards]

- 4.1.2. **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. In order to determine compliance with Condition 4.1.1.d., the permittee shall monitor and record the amount of distillate oil combusted by Auxiliary Boiler on a monthly basis. Compliance with fuel usage limitations in item d will constitute compliance with the heat input limitations of item a. of Condition 4.1.1. Such records shall be maintained in accordance with Condition 3.4.1.  
[45 CSR §§10-8.2.c.3., & 8.3.c. and 40 CFR §63.7555(d)(3)]
- 4.2.2. The permittee shall obtain records indicating the fuel oil received at the facility for Auxiliary Boiler meets the sulfur specification of in item d. of Condition 4.1.1. from the fuel supplier. Such records shall be maintained in accordance with Condition 3.4.1.  
[45 CSR §10-8.2.c.3.]
- 4.2.3. The permittee shall conduct visible emission observations of Emission Point MS4 (Auxiliary Boiler Stack) once per month provided that the unit has operated at normal, stable load conditions for 24 consecutive hours. The permittee may delay conducting observations if weather/lighting conditions are not conducive to taking proper Method 9 readings. Such observations shall be conducted using Method 9 of Appendix A-4 of Part 60. The certified observer shall conduct four (4) successive six-minute observations using Method 9. Records of Method 9 observations shall contain the following:
- a. Dates and time intervals of all opacity observation periods;
  - b. Name, affiliation, and copy of current visible emission reading certification expiration date for each visible emission observer participating in the performance test; and
  - c. Copies of all visible emission observer opacity field data sheets; and
  - d. Records of observations shall be maintained in accordance with Condition 3.4.1.  
[45 CSR §2-8.1(a)]

#### 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 keep the following records in accordance with 40CFR§63.7555. This includes but is not limited to the following information during the tune up as required in Condition 4.1.1.g. and 40 CFR §63.7540:

- a. The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater. If concentrations of NO<sub>x</sub> were taken during the tune-up of the unit, record of such measurements shall be included;
- b. A description of any corrective actions taken as a part of the tune-up; and  
[40 CFR §§63.7540(a)(10)(vi) and 63.7555]

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

4.5.1. The permittee shall submit a "Notification of Compliance Status" for the Auxiliary Boiler to the Director before the close of business on the sixtieth (60<sup>th</sup>) day after completion of the initial compliance demonstration as required in 40 CFR §63.7530(f). Such "Notification of Compliance Status" shall be in accordance with 40 CFR §63.9(h)(2)(ii) and contain the information specified in 40 CFR §§63.7545(e)(1), and (8), which included a statement the initial tune-up for boiler was completed.

**[40CFR§63. 7530(d), and §63. 7545(e)]**

4.5.2. The permittee shall submit "5- year Compliance Reports" to the Director for the Auxiliary Boiler with the first report being submitted no later than January 31, 2021, and subsequent reports are due every 5 years thereafter. Such reports shall contain the information specified in 40 CFR §§63.7550(c)(5) (i)through (iv) and (xiv) which are:

- a. Permittee and facility name, and address;
- b. Process unit information, emission limitations, and operating limitations;
- c. Date of report and beginning and ending dates of the reporting period;
- d. The total operating time during the reporting period of each affected unit;
- e. Include the date of the most recent tune-up for the boiler; and
- f. Include the date of the most recent burner inspection if it was not done within the specified time schedule and was delayed until the next scheduled or unscheduled unit shutdown.

**[40CFR §§63.7550(b), (b)(1), (c)(1), & (c)(5)(i) though (iv) and (xiv)]**

4.5.3. The permittee shall submit quarterly visible emission reports to the Director. Such reports shall be post marked 30 days of the end of the quarter. This report shall identify any instance that a visible emission observation indicated an exceedance of the standard in Condition 4.1.1.c. A description of the excursion or cause of the exceedance, any corrective action taken, and the beginning and ending times for the exceedance shall be included in the report.

To the extent that an exceedance is due to a malfunction, the reporting requirement of 45 CSR §2-9.3. shall be followed.

In the event that no exceedance of the standard occurred or no observations were taken, the permittee shall state that in the report. Such reports shall be submitted in accordance with Condition 3.5.1.

**[45 CSR §2A-7.2]**

4.5.4. The initial notification for the auxiliary boiler has been satisfied and re-submitting the initial notification requirement for the auxiliary boiler of Condition 2.1.8 is not requirement for this permit.

### 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> \_\_\_\_\_ Date \_\_\_\_\_  
(please use blue ink) Responsible Official or Authorized Representative

Name & Title \_\_\_\_\_ Title \_\_\_\_\_  
(please print or type) Name

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

<sup>1</sup> This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

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

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

October 1, 2015

Mr. William F. Durham  
Director  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57<sup>th</sup> Street  
Charleston, West Virginia 25304

**Re: Mt. Storm Power Station : Comments to the draft R-13 permit (R13-656)**

Dear Mr. Durham:

Dominion reviewed the draft Title V permit for Mt. Storm Power Station, sent to us via e-mail on September 8, 2015 by Mr. Edward Andrews of your staff. We have provided our comments to the draft in the enclosed summary and redline strike-out draft.

If you have any questions regarding these applications, please feel free to contact Liz Willoughby at (804) 273-3740 or Elizabeth.A.Willoughby@dom.com.

Sincerely,



Scott Lawton  
Director, Electric Environmental Business Support



## **Summary of Requested Changes to the Mt. Storm pre-draft R-13 permit**

(Suggested permit language can be found in the redline strike-out draft.)

1. **9 of 18, Condition 2.18:** The auxiliary boiler is an existing source. Therefore, the initial start-up took place several years ago. This condition requires notifying the Secretary in writing, no later than thirty calendar days after the actual startup of the operations authorized under this permit. What actions are needed to satisfy compliance with this condition? If notifying the Secretary in writing is not necessary, we request that this requirement be deleted, or a foot note be added stating no action is required for existing sources.
2. **Page 10 of 18 – Condition 3.1.5:** The requirements in this condition state that if a source has not operated at least 500 hours in one 12-month period within the previous five years than it may be considered permanently shutdown. The existing auxiliary boiler operates infrequently and it is possible that it may not operate within this time frame. Therefore the requirements of this condition do not apply to the auxiliary boiler. We request that this requirement be deleted, or a footnote be added to make this clarification.
3. **Page 14 of 18 – Condition 4.1.1.d:** The Industrial Boiler MACT rule does not impose new limits; therefore, we request that the last sentence of this condition be removed.
4. **Page 15 of 18 – Condition 4.2.2 and 4.2.3:** These conditions contain numbering errors and spelling errors that have been corrected in the enclosed redline strikeout draft. We request that Condition 4.2.3.b be re-worded to include the visible emission reading expiration dates as part of the recordkeeping requirement. Copies of the current visible emission reading certifications will be kept on site.
5. **Page 17 of 18 –Condition 4.5.2:** The date for submitting the 5-year Compliance Report is incorrect. The correct date for the first report is no later than January 31, 2021.

**West Virginia Department of Environmental Protection**  
*Earl Ray Tomblin* Governor      **Division of Air Quality**      *Randy C. Huffman* Cabinet Secretary

# Permit to Modify



**R13-0656A**

*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:*  
**Virginia Electric and Power Company**  
**Mt. Storm Power Station**  
**023-00003**

---

*William F. Durham*  
*Director*

*Issued: DRAFT*

This permit will supercede and replace Permit R13-0656A.

Facility Location: 436 Dominion Blvd.  
Mt. Storm, Grant County, West Virginia  
Mailing Address: 5000 Dominion Blvd.  
Glen Allen, VA 23060  
Facility Description: Electric Generating Plant  
NAICS Codes: [NAICS Codes]  
UTM Coordinates: 649 km Easting • 4,340 km Northing • Zone 17  
Permit Type: Modification  
Description of Change: This action is to further limit the annual heat input to the permitted boiler to 10%, which would qualified as a limited use unit under the Boiler MACT (Subpart DDDDD to Part 63).

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

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

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**1.0. Emission Units**

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
MTST-00-AB-STG-1	MS4	Auxiliary Boiler (Babcock & Wilcox Serial No. FM2943)	1984	150 MMBtu/hr	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**

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

### **2.3. Authority**

This permit is issued in accordance with West Virginia Air Pollution Control 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 R13-0656. 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 R13-0656, R13-0656A, 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.<sup>2</sup>** 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.]

<sup>2</sup>[This provision does not apply to the auxiliary boiler](#)

#### 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 57<sup>th</sup> 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 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 following conditions and requirements are specific to the Auxiliary Boiler:

- a. ~~The permittee shall limit the annual capacity of the boiler to no more than 10 percent by limiting the annual average heat input of the boiler to 131,400 MMBtu per year. Compliance with this limit shall be satisfied through compliance with the annual fuel usage limit in item d of this condition.~~  
[40 CFR §63.7575]
- b. Particulate Matter (PM) emissions from Emission Point M54 shall not exceed 13.5 pounds per hour based on a six hour average, except during periods of startup, shutdown, or malfunction.  
[45 CSR §2-4.1.d., and §2-9.1.]
- c. Visible emissions from Emission Point M54 shall not exceed 10 percent opacity based on a six minute block average, except during periods of startup, shutdown, or malfunction.  
[45 CSR §2-3.1, and §2-9.1.]
- d. ~~For the purpose of complying with the SO<sub>2</sub> allowable in 45 CSR §10-3.1.d., the Auxiliary boiler shall not consume more than 1,111 gallons of distillate oil #2 per hour nor more than 974,112 gallons per year. The permittee is limited to only burning distillate oil #2 (#2 Diesel Fuel) with a sulfur content of not greater than 3000 ppm or 0.3 % by wt., which makes the sulfur dioxide potential for this unit no greater than 47.33 lb per hour and 20.75 tpy.~~  
[45 CSR §10-10.2.]
- e. The permittee shall conduct an initial tune-up of the unit before January 31, 2016 (40 CFR §63.7510(e)) and subsequent tune-ups once every 5 years thereafter in accordance with the applicable requirements of 40 CFR 63, Subpart DDDDD. Subsequent tune-ups shall be conducted no later than 61 months from previous tune-up. If the unit is not operating on the required date for a tune-up, then the tune-up must be conducted within 30 calendar days of re-startup. These tune-ups shall consist of the following:
  - i. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (permittee may delay the burner inspection until the next scheduled unit shutdown). At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment, but each burner must be inspect at least once every 72 months;
  - ii. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;
  - iii. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown);
  - iv. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, which includes the verifying or ensure the manufacturer's NO<sub>x</sub> concentration specification are maintain;

Field Code Changed

Field Code Changed

**Comment [D1]:** The Industrial Boiler MACT rule does not impose new limits, therefore we request that the last sentence of this condition be removed.

- v. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made).  
[40 CFR §§63.7500(a)(1) & (c); §63.7505(a); §63.7510(e); §63.7515(d); §§63.7540(a)(10), (11) & (12); and Table 3 to Subpart DDDDD of Part 63—Work Practice Standards]

4.1.2. **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. In order to determine compliance with Condition 4.1.1.d., the permittee shall monitor and record the amount of distillate oil combusted by Auxiliary Boiler on a monthly basis. Compliance with fuel usage limitations in item d will constitute compliance with the heat input limitations of item a. of Condition 4.1.1. Such records shall be maintained in accordance with Condition 3.4.1.  
[45 CSR §§10-8.2.c.3., & 8.3.c. and 40 CFR §63.7555(d)(3)]

~~§.2.2.4.2.2~~ The permittee shall obtain records indicating the fuel oil received at the facility for Auxiliary Boiler meets the sulfur specification of in item d. of Condition 4.1.1. from the fuel supplier. Such records shall be maintained in accordance with Condition 3.4.1.  
[45 CSR §10-8.2.c.3.]

Field Code Changed

~~§.2.3.4.2.3~~ The permittee shall conduct subsequent visible emission observations of the Emission Point MS4 (Auxiliary Boiler Stack) one time per month provide that unit has operated at normal, ~~state~~ ~~stable~~ load conditions for 24 consecutive hours. The permittee may delay conducting observations if weather/lighting conditions are not ~~eonductive-conductive~~ to taking proper Method 9 readings. Such observations be conducted using Method 9 of Appendix A-4 of Part 60. The ~~certified~~ observer shall conduct four (4) successive six-~~mute-minute~~ observations using Method 9. Record of Method 9 observation shall contain the following:

Field Code Changed

Field Code Changed

Field Code Changed

- a. Dates and time intervals of all opacity observation periods;
- b. Name, affiliation, and ~~copy of~~ current visible emission reading certification expiration date for each visible emission observer participating in the performance test; and
- c. Copies of all visible emission observer opacity field data sheets; and
- d. Records of observations shall be maintained in accordance with Condition 3.4.1.  
[45 CSR §2-8.1(a)]

#### 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:
- The date, place as defined in this permit, and time of sampling or measurements;
  - The date(s) analyses were performed;
  - The company or entity that performed the analyses;
  - The analytical techniques or methods used;
  - The results of the analyses; and
  - The operating conditions existing at the time of sampling or measurement.
- 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:
- The equipment involved.
  - Steps taken to minimize emissions during the event.
  - The duration of the event.
  - The estimated increase in emissions during the event.
- For each such case associated with an equipment malfunction, the additional information shall also be recorded:
- The cause of the malfunction.
  - Steps taken to correct the malfunction.
  - Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.
- 4.4.4. The permittee shall keep the following records in accordance with 40CFR§63.7555. This includes but not limited to the following information during the tune up as required in Condition 4.1.1.g. and 40 CFR §63.7540:
- The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater. If concentrations of NO<sub>x</sub> were taken during the tune-up of the unit, record of such measurements shall be included;

- b. A description of any corrective actions taken as a part of the tune-up; and.  
[40 CFR §§63.7540(a)(10)(vi) and 63.7555]

#### 4.5. Reporting Requirements

- 4.5.1. The permittee shall submit a "Notification of Compliance Status" for Auxiliary Boiler to the Director before the close of business on the sixtieth (60<sup>th</sup>) day after completion of the initial compliance demonstration as required in 40 CFR §63.7530(f). Such "Notification of Compliance Status" shall be in accordance with 40 CFR §63.9(h)(2)(ii) and contain the information specified in 40 CFR §§63.7545(e)(1), and (8), which included a statement the initial tune-up for boiler was completed.  
[40CFR§63. 7530(d), and §63. 7545(e)]
- 4.5.2. The permittee shall submit "5- year Compliance Reports" to the Director for Auxiliary Boiler with the first report being submitted by no later than January 31, ~~2021~~2021, and subsequent reports are due every 5 years from thereafter. Such reports shall contain the information specified in 40 CFR §§63.7550(c)(5) (i)through (iv) and (xiv) which are:
  - a. Permittee and facility name, and address;
  - b. Process unit information, emission limitations, and operating limitations;
  - c. Date of report and beginning and ending dates of the reporting period;
  - d. The total operating time during the reporting period of each affected unit;
  - e. Include the date of the most recent tune-up for the boiler; and
  - f. Include the date of the most recent burner inspection if it was not done within the specified time schedule and was delayed until the next scheduled or unscheduled unit shutdown.  
[40CFR §§63.7550(b), (b)(1), (c)(1), & (c)(5)(i) though (iv) and (xiv)]
- 4.5.3. The permittee shall submit quarterly visible emission report to the Director. Such reports shall be post marked 30 days of the end of the quarter. This report shall identify any instance that a visible emission observation indicated an exceedance of the standard in Condition 4.1.1.c. A description of the excursion or cause of the exceedance, any corrective action taken, and the beginning and ending times for the exceedance shall be included in the report.  
  
To the extent that an exceedance is due to a malfunction, the reporting requirement of 45 CSR §2-9.3. shall be followed.  
  
In the event that no exceedance of the standard occurred or the no observations were taken, the permittee shall state that in the report. Such reports shall be submitted in accordance with Condition 3.5.1.  
[45 CSR §2A-7.2]

**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> \_\_\_\_\_ Date \_\_\_\_\_  
(please use blue ink)      Responsible Official or Authorized Representative:      Date

Name & Title \_\_\_\_\_  
(please print or type)      Name      Title

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

<sup>1</sup> This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

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



**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

October 1, 2015

Mr. William F. Durham  
Director  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57<sup>th</sup> Street  
Charleston, West Virginia 25304

**Re: Mt. Storm Power Station : Comments to the draft R-13 permit (R13-656)**

Dear Mr. Durham:

Dominion reviewed the draft Title V permit for Mt. Storm Power Station, sent to us via e-mail on September 8, 2015 by Mr. Edward Andrews of your staff. We have provided our comments to the draft in the enclosed summary and redline strike-out draft.

If you have any questions regarding these applications, please feel free to contact Liz Willoughby at (804) 273-3740 or Elizabeth.A.Willoughby@dom.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Lawton".

Scott Lawton  
Director, Electric Environmental Business Support

Mr. William Durham  
September 30, 2015  
Page 2

Please scan signed original/attachments and rename file as:

**File Name: Mt. Storm – Comments to the draft R-13 V September 2015**

**Documentum attributes: Air-Permits –Mt. Storm**

Please send renamed document electronically to:

Pam Faggert  
David Craymer  
Scott Lawton  
Carl Ford  
Kristin Edwards  
Traci Ricottilli  
Mark Perry  
Roger Huffman  
Andy Gates  
Liz Willoughby

**Summary of Requested Changes to the Mt. Storm pre-draft R-13 permit**

(Suggested permit language can be found in the redline strike-out draft.)

1. **9 of 18, Condition 2.18:** The auxiliary boiler is an existing source. Therefore, the initial start-up took place several years ago. This condition requires notifying the Secretary in writing, no later than thirty calendar days after the actual startup of the operations authorized under this permit. What actions are needed to satisfy compliance with this condition? If notifying the Secretary in writing is not necessary, we request that this requirement be deleted, or a foot note be added stating no action is required for existing sources.
2. **Page 10 of 18 – Condition 3.1.5:** The requirements in this condition state that if a source has not operated at least 500 hours in one 12-month period within the previous five years than it may be considered permanently shutdown. The existing auxiliary boiler operates infrequently and it is possible that it may not operate within this time frame. Therefore the requirements of this condition do not apply to the auxiliary boiler. We request that this requirement be deleted, or a footnote be added to make this clarification.
3. **Page 14 of 18 – Condition 4.1.1.d:** The Industrial Boiler MACT rule does not impose new limits; therefore, we request that the last sentence of this condition be removed.
4. **Page 15 of 18 – Condition 4.2.2 and 4.2.3:** These conditions contain numbering errors and spelling errors that have been corrected in the enclosed redline strikeout draft. We request that Condition 4.2.3.b be re-worded to include the visible emission reading expiration dates as part of the recordkeeping requirement. Copies of the current visible emission reading certifications will be kept on site.
5. **Page 17 of 18 –Condition 4.5.2:** The date for submitting the 5-year Compliance Report is incorrect. The correct date for the first report is no later than January 31, 2021.



This permit will supercede and replace Permit R13-0656A.

Facility Location: 436 Dominion Blvd.  
Mt. Storm, Grant County, West Virginia  
Mailing Address: 5000 Dominion Blvd.  
Glen Allen, VA 23060  
Facility Description: Electric Generating Plant  
NAICS Codes: [NAICS Codes]  
UTM Coordinates: 649 km Easting • 4,340 km Northing • Zone 17  
Permit Type: Modification  
Description of Change: This action is to further limit the annual heat input to the permitted boiler to 10%, which would qualified as a limited use unit under the Boiler MACT (Subpart DDDDD to Part 63).

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

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

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**1.0. Emission Units**

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
MTST-00-AB-STG-1	MS4	Auxiliary Boiler (Babcock & Wilcox Serial No. FM2943)	1984	150 MMBtu/hr	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	NO <sub>x</sub>	Nitrogen Oxides
CBI	Confidential Business Information	NSPS	New Source Performance Standards
CEM	Continuous Emission Monitor	PM	Particulate Matter
CES	Certified Emission Statement	PM <sub>2.5</sub>	Particulate Matter less than 2.5 µm in diameter
C.F.R. or CFR	Code of Federal Regulations	PM <sub>10</sub>	Particulate Matter less than 10µm in diameter
CO	Carbon Monoxide		
C.S.R. or CSR	Codes of State Rules		
DAQ	Division of Air Quality	Ppb	Pounds per Batch
DEP	Department of Environmental Protection	Pph	Pounds per Hour
		Ppm	Parts per Million
dscm	Dry Standard Cubic Meter	Ppmv or ppmv	Parts per Million by Volume
FOIA	Freedom of Information Act	PSD	Prevention of Significant Deterioration
HAP	Hazardous Air Pollutant		
HON	Hazardous Organic NESHAP	Psi	Pounds per Square Inch
HP	Horsepower	SIC	Standard Industrial Classification
lbs/hr	Pounds per Hour		
LDAR	Leak Detection and Repair	SIP	State Implementation Plan
M	Thousand	SO <sub>2</sub>	Sulfur Dioxide
MACT	Maximum Achievable Control Technology	TAP	Toxic Air Pollutant
MDHI	Maximum Design Heat Input	TPY	Tons per Year
MM	Million	TRS	Total Reduced Sulfur
MMBtu/hr or mmbtu/hr	Million British Thermal Units per Hour	TSP	Total Suspended Particulate
MMCF/hr or mncf/hr	Million Cubic Feet per Hour	USEPA	United States Environmental Protection Agency
NA	Not Applicable	UTM	Universal Transverse Mercator
NAAQS	National Ambient Air Quality Standards	VEE	Visual Emissions Evaluation
NESHAPS	National Emissions Standards for Hazardous Air Pollutants	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 R13-0656. 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 R13-0656, R13-0656A, 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.]

*This provision does not apply to the auxiliary boiler.*

#### 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  
801 57<sup>th</sup> 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

#### 4.0. Source-Specific Requirements

##### 4.1. Limitations and Standards

4.1.1. The following conditions and requirements are specific to the Auxiliary Boiler:

- a. The permittee shall limit the annual capacity of the boiler to no more than 10 percent by limiting the annual average heat input of the boiler to 131,400 MMBtu per year. Compliance with this limit shall be satisfied through compliance with the annual fuel usage limit in item d of this condition.  
[40 CFR §63.7575]
- b. Particulate Matter (PM) emissions from Emission Point M54 shall not exceed 13.5 pounds per hour based on a six hour average, except during periods of startup, shutdown, or malfunction.  
[45 CSR §2-4.1.d., and §2-9.1.]
- c. Visible emissions from Emission Point M54 shall not exceed 10 percent opacity based on a six minute block average, except during periods of startup, shutdown, or malfunction.  
[45 CSR §2-3.1, and §2-9.1.]
- d. For the purpose of complying with the SO<sub>x</sub> allowable in 45 CSR §10-3 I.d., the Auxiliary boiler shall not consume more than 1,111 gallons of distillate oil #2 per hour nor more than 974,112 gallons per year. The permittee is limited to only burning distillate oil #2 (#2 Diesel Fuel) with a sulfur content of not greater than 3000 ppm or 0.3 % by wt. *which makes the opacity calculation for this unit not protection level 2.2.4.4 (6 per hour and 2.2.7.5 (ppm)*  
[45 CSR §10-10.2.]
- e. The permittee shall conduct an initial tune-up of the unit before January 31, 2016 (40 CFR §63.7510(e)) and subsequent tune-ups once every 5 years thereafter in accordance with the applicable requirements of 40 CFR 63, Subpart DDDDD. Subsequent tune-ups shall be conducted no later than 61 months from previous tune-up. If the unit is not operating on the required date for a tune-up, then the tune-up must be conducted within 30 calendar days of re-startup. These tune-ups shall consist of the following:
  - i. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (permittee may delay the burner inspection until the next scheduled unit shutdown). At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment, but each burner must be inspect at least once every 72 months;
  - ii. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;
  - iii. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown);
  - iv. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, which includes the verifying or ensure the manufacturer's NO<sub>x</sub> concentration specification are maintain;

Field Code Changed

Field Code Changed

Comment [D1]: The Industrial Boiler MACT rule does not impose new limits, therefore we request that the last sentence of this condition be removed.

- v. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made).

[40 CFR §§63.7500(a)(1) & (c); §63.7505(a); §63.7510(e); §63.7515(d); §§63.7540(a)(10), (11) & (12); and Table 3 to Subpart DDDDD of Part 63—Work Practice Standards]

- 4.1.2. **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. In order to determine compliance with Condition 4.1.1.d., the permittee shall monitor and record the amount of distillate oil combusted by Auxiliary Boiler on a monthly basis. Compliance with fuel usage limitations in item d will constitute compliance with the heat input limitations of item a. of Condition 4.1.1. Such records shall be maintained in accordance with Condition 3.4.1  
[45 CSR §§10-8.2.c.3., & 8.3.c. and 40 CFR §63.7555(d)(3)]

4.2.2. The permittee shall obtain records indicating the fuel oil received at the facility for Auxiliary Boiler meets the sulfur specification of in item d. of Condition 4.1.1. from the fuel supplier. Such records shall be maintained in accordance with Condition 3.4.1.  
[45 CSR §10-8.2.c.3.]

Field Code Changed

4.2.3. The permittee shall conduct subsequent visible emission observations of the Emission Point MS4 (Auxiliary Boiler Stack) one time per month provide that unit has operated at normal ~~load~~ ~~load~~ load conditions for 24 consecutive hours. The permittee may delay conducting observations if weather/lighting conditions are not ~~conducive~~ ~~conducive~~ conducive to taking proper Method 9 readings. Such observations be conducted using Method 9 of Appendix A-4 of Part 60. The ~~observer~~ ~~observer~~ observer shall conduct four (4) successive six-~~minute~~ ~~minute~~ minute observations using Method 9. Record of Method 9 observation shall contain the following:

Field Code Changed  
Field Code Changed  
Field Code Changed

- a. Dates and time intervals of all opacity observation periods;
- b. Name, affiliation, and ~~copy of~~ ~~copy of~~ current visible emission reading certification, ~~expiration date~~ ~~expiration date~~ expiration date for each visible emission observer participating in the performance test; and
- c. Copies of all visible emission observer opacity field data sheets; and
- d. Records of observations shall be maintained in accordance with Condition 3.4.1.  
[45 CSR §2-8.1(a)]

#### 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:
- The date, place as defined in this permit, and time of sampling or measurements;
  - The date(s) analyses were performed;
  - The company or entity that performed the analyses;
  - The analytical techniques or methods used;
  - The results of the analyses, and
  - The operating conditions existing at the time of sampling or measurement
- 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:
- The equipment involved.
  - Steps taken to minimize emissions during the event.
  - The duration of the event.
  - The estimated increase in emissions during the event
- For each such case associated with an equipment malfunction, the additional information shall also be recorded.
- The cause of the malfunction.
  - Steps taken to correct the malfunction.
  - Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.
- 4.4.4. The permittee shall keep the following records in accordance with 40CFR§63.7555. This includes but not limited to the following information during the tune up as required in Condition 4.1.1.g. and 40 CFR §63.7540:
- The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater. If concentrations of NO<sub>x</sub> were taken during the tune-up of the unit, record of such measurements shall be included;

- b. A description of any corrective actions taken as a part of the tune-up; and  
[40 CFR §§63.7540(a)(10)(vi) and 63.7555]

#### 4.5. Reporting Requirements

- 4.5.1. The permittee shall submit a "Notification of Compliance Status" for Auxiliary Boiler to the Director before the close of business on the sixtieth (60<sup>th</sup>) day after completion of the initial compliance demonstration as required in 40 CFR §63.7530(f). Such "Notification of Compliance Status" shall be in accordance with 40 CFR §63.9(h)(2)(ii) and contain the information specified in 40 CFR §§63.7545(e)(1), and (8), which included a statement the initial tune-up for boiler was completed.  
[40CFR§63. 7530(d), and §63. 7545(e)]
- 4.5.2. The permittee shall submit "5- year Compliance Reports" to the Director for Auxiliary Boiler with the first report being submitted by no later than January 31, 2021, and subsequent reports are due every 5 years from thereafter. Such reports shall contain the information specified in 40 CFR §§63.7550(c)(5)(i) through (iv) and (xiv) which are:
- a. Permittee and facility name, and address.
  - b. Process unit information, emission limitations, and operating limitations;
  - c. Date of report and beginning and ending dates of the reporting period.
  - d. The total operating time during the reporting period of each affected unit.
  - e. Include the date of the most recent tune-up for the boiler; and
  - f. Include the date of the most recent burner inspection if it was not done within the specified time schedule and was delayed until the next scheduled or unscheduled unit shutdown.  
[40CFR §§63.7550(b), (b)(1), (c)(1), & (c)(5)(i) through (iv) and (xiv)]
- 4.5.3. The permittee shall submit quarterly visible emission report to the Director. Such reports shall be post marked 30 days of the end of the quarter. This report shall identify any instance that a visible emission observation indicated an exceedance of the standard in Condition 4.1.1 e. A description of the excursion or cause of the exceedance, any corrective action taken, and the beginning and ending times for the exceedance shall be included in the report.
- To the extent that an exceedance is due to a malfunction, the reporting requirement of 45 CSR §2-9.3 shall be followed.
- In the event that no exceedance of the standard occurred or the no observations were taken, the permittee shall state that in the report. Such reports shall be submitted in accordance with Condition 3.5.1.  
[45 CSR §2A-7.2]

### 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)

\_\_\_\_\_  
Designated Official or Authorized Representative

\_\_\_\_\_  
Date

Name & Title

(please print or type)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

Telephone No

\_\_\_\_\_

Fax No

\_\_\_\_\_

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.

Andrews, Edward S

From: Elizabeth A Willoughby (Services - 6) <elizabeth.a.willoughby@epam.com>  
Sent: Wednesday, September 23, 2015 9:37 AM  
To: Andrews, Edward S  
Subject: MACT compliance reporting date

ID # 009-0002  
Reg # 213-0656A  
Company VPECO  
Facility #16: Green Initials EK

For units only subject to the annual, biennial and 5-year tune-ups (and not subject to emission limits, performance tests, etc.), it is clear that the first compliance report would need to be submitted no later than January 31, 2017.

The requirement for units subject to emission limits is not absolutely clear and depends on how one interprets the meaning of "the first calendar half after the compliance date specified in §63.7495 " that is found in §63.7550(b)(2), which states: " The first compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in §63.7495. The first annual or biennial compliance report must be postmarked no later than January 31."

Since EPA uses the terminology "calendar half" as opposed to 6 months or "180 days", I would interpret "first calendar half after" to be a complete calendar half (either January-June or July - December)," and argue that the deadline for that report is therefore January 31, 2017.

Also - EPA intends to provide clarification that would support the January 31, 2017 submittal date in its forthcoming final reconsideration rule expected later this year. In the January 2015 proposed reconsideration rule, EPA proposed to change the dates in §63.7550 (b)(1) from "ending on July 31 or January 31" to "ending on June 30 or December 31," to be consistent with the subsequent reports described in §63.7550(b)(3), which provides that " Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. Annual and biennial compliance reports must cover the applicable one or two year periods from January 1 through December 31." Once EPA makes that correction, (b)(1) will provide that the first report covers the period "beginning on the compliance date . . . and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days . . . after the compliance date." If you assume a January 31, 2016 compliance date, since June 30 is not 180 days after January 31, the first report would cover the period from January 31 to December 31, 2016 and would be submitted by Jan. 31, 2017.

**CONFIDENTIALITY NOTICE:** This electronic message contains information which may be legally confidential and or privileged and does not in any case represent a firm ENERGY COMMODITY bid or offer relating thereto which binds the sender without an additional express written confirmation to that effect. The information is intended solely for the individual or entity named above and access by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this information is prohibited and may be unlawful. If you have received this electronic transmission in error, please reply immediately to the sender that you have received the message in error, and delete it. Thank you.

*Entire Document*  
**NON-CONFIDENTIAL**

THIS PERMIT IS NON-TRANSFERABLE

Possession of this permit does not relieve any person of the responsibility of complying with any and all applicable rules or regulations of the Commission or any other governmental agency. The Director may cancel or suspend a permit if the plans and specifications upon which the approval was based are not adhered to.

ISSUED BY [Signature]  
DIRECTOR

SPECIAL CONDITIONS: Fuel use must not exceed 1,543,520 gallons per year (as committed to by the applicant)

PERMIT FOR: 150 mm<sup>3</sup>btu/hr, No. 2 oil-fired boiler

DESCRIPTION OF EXACT LOCATION: Half mile south of State Route 93, three miles west of Route 93/42 intersection

COUNTY: Grant

PLANT MAILING ADDRESS: P. O. Box 26666 Richmond, Virginia 23261

PLANT NAME: Mt. Storm Power Plant

NAME OF PARENT COMPANY: Virginia Electric and Power Company

This permit is issued in accordance with Chapter 16, Article 20, Code of West Virginia, Administrative Regulation, Series XIII, and is subject to the conditions thereof.

DATE: June 4, 1982 PERMIT NO. 656

AIR POLLUTION CONTROL COMMISSION  
PERMIT TO CONSTRUCT, MODIFY, OR RELOCATE  
STATIONARY SOURCES OF AIR POLLUTANTS

Const.   
Mod.   
Relo.





WEST VIRGINIA  
AIR POLLUTION CONTROL COMMISSION

1558 Washington Street, East  
CHARLESTON, WEST VIRGINIA 25311  
TELEPHONE: 348-2275 OR 348-3286

ENGINEERING EVALUATION  
VIRGINIA ELECTRIC & POWER COMPANY  
MT. STORM, GRANT COUNTY

Application No. 656

I. Background and Description

On March 8, 1982, an application was received from Virginia Electric and Power Company for a permit to construct an oil-fired steam-generating boiler at its Mt. Storm Power Station, about two miles west of Bismarck, West Virginia on State Route 93. The proposed unit will produce 106,000 lb/hr steam at a maximum design heat input of 150 mmbtu/hr. The unit will be fired with No. 2 fuel oil, having a heating value of about 135,000 Btu/gal, at 1112 gal/hr. The applicant intends to use the unit to supply building heat when all the generating units at the power plant are shut down, about 2.5 weeks per year. The boiler will not supply steam to the generating units. Emissions from the proposed unit will be vented to an existing 215 ft stack.

The applicant has agreed to limit annual fuel use in the proposed unit to 1,543,520 gallons, and expects to use 487,000 gallons. The limit was established to avoid PSD applicability.

The proposed boiler will replace an existing boiler which is estimated to use 103,536 gallons of No. 2 fuel oil per year.

II. Evaluation

Administrative Regulations II and X limit particulate and SO<sub>2</sub> emissions from the proposed unit to 13.5 lb/hr and 405 lb/hr, respectively. AP-42 "Compilation of Air Pollutant Emission Factors" provides the following estimates:

	new boiler	old boiler	net increase
particulates	2.2	.10	1.4
SO <sub>2</sub>	48	2.2	31
CO	5.6	.26	3.6
HC	1.1	.05	.72
NO <sub>x</sub>	24	1.1	16
	lb/hr	TPY	TPY

The particulate and SO<sub>2</sub> emission estimates are about 168 and 128, respectively of the above stated limits.

The proposed site is attainment for particulates and SO<sub>2</sub>. Federal New Source Standards do not apply, as the design heat input is less than 250 mmBtu/hr. The annual emission estimates are not sufficient to trigger PSD review.

III. Conclusions and Recommendations

The proposed unit should meet the requirements of Regulations II and X. PSD and NSPS do not apply. It is recommended, based on the particulate and SO<sub>2</sub> emission estimates, that a permit be granted for the construction of a 150 mmBtu/hr, oil-fired boiler.

*David J. Porter*  
\_\_\_\_\_  
David J. Porter  
Engineer I  
Date 6/3/82

DJP/kw



**west virginia department of environmental protection**

Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone (304) 926-0475 • FAX: (304) 926-0479

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
www.dep.wv.gov

September 8, 2015

Mr. Carl R. Ford  
Director, Power Generation Station III  
Virginia Electric and Power Company  
5000 Dominion, Blvd  
Glen Allen, VA 23060

RE: Application Status: Complete  
Virginia Electric and Power Company  
Mt. Storm Power Station  
Permit Application R13-0656A  
Plant ID No. 023-00003

Dear Mr. Ford:

Your application for a modification permit for a auxiliary boiler was received by this Division on July 31, 2015 and assigned to the writer for review. Upon review of said application, it has been determined that the application is complete. Therefore, the statutory review period commenced on September 3, 2015.

This determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit determination.

Should you have any questions, please contact me at (304) 926-0499 ext. 1214.

Sincerely,

Edward S. Andrews, P.E.  
Engineer

c: WVDEP-Division of Air Quality, EPRO  
Kristin Edwards, Environmental Supervisor  
Li Willoughby, Dominion Electric Environmental Services

*Entire Document*  
**NON-CONFIDENTIAL**

## Andrews, Edward S

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**From:** Andrews, Edward S  
**Sent:** Tuesday, September 08, 2015 8:55 AM  
**To:** 'carl.r.ford@dom.com'  
**Cc:** Elizabeth A. Willoughby (elizabeth.a.willoughby@dom.com); 'kristin.d.edwards@dom.com'; Kreger, Joseph A  
**Subject:** Complete letter for Permit Application R13-0656A (Mt. Storm Power Station - 023-00003)  
**Attachments:** SBizhub 45415090809020.pdf

Attached is your completeness letter for Permit Application R13-0656A of the Auxiliary Boiler at the Mt Storm Power Station.

Should you have any questions, please contact me.

Sincerely,

Edward S. Andrews, P.E.  
Engineer  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57th Street, SE  
Charleston, WV 25304  
304.926.0499 ext. 1214



**OVERNIGHT, RETURN RECEIPT REQUESTED**

August 25, 2015

Mr. William F. Durham  
Director  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57<sup>th</sup> Street  
Charleston, West Virginia 25304

**RE: Virginia Electric and Power Co., Mt. Storm Power Station:  
Copy of Public ad placed for Regulation 13 permit (Permit Number R13-656) and  
Title V permit (Permit Number R30-02300003-2011)**

Dear Mr. Durham:

Virginia Electric and Power Company d/b/a Dominion Virginia Power ("Dominion") owns and operates the Mt. Storm Power Station, located in Grant County, West Virginia. Dominion submitted an application in a letter dated July 30, 2015 for modifications that were submitted to the Title V permit (Permit Number R30-02300003-2011) and Regulation 13 permit (R13-656) requesting a federally enforceable limit of a 10% capacity factor on an annual basis for the existing auxiliary boiler to meet the definition of a limited use boiler in accordance with the Industrial Boiler MACT at 40 CFR 63 Subpart DDDDD.

We placed a legal advertisement notifying the public of this application, including the latitude and longitude coordinates of the facility, in the Grant County Press edition dated July 28, 2015. The original Affidavit of Publication from the Grant County Press is enclosed.

Please contact Liz Willoughby at (804) 273-3740 or Elizabeth.A.Willoughby@dom.com if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Lawton".

Scott Lawton  
Director, Electric Environmental Business Support

Enclosures

Please scan signed original/attachments and rename file as:  
File Name: **Mt. Storm Title V and R-13 Modifications notification of public ad July 2015**

Documentum attributes: **Permits/Title V/NSR/Mt. Storm**

Please send renamed document electronically to:

Pam Faggert  
David Craymer  
Scott Lawton  
Rich Ford  
Kristin Edwards  
Traci Ricottili  
Roger Huffinan  
Mark Perry  
Liz Willoughby  
Andy Gates

# Certificate of Publication

State of West Virginia  
County of Grant, to-wit:

The undersigned hereby certifies  
that the annexed notice was duly  
published in the

## Grant County Press

a weekly newspaper published at  
Petersburg, Grant County, West  
Virginia, for 1 consecutive  
weeks ending on the 18 day of  
August, 2015.

**GRANT COUNTY PRESS**

*William E. Touch*

Editor

Publishing Notice \$ 50.26

Hand Bills \_\_\_\_\_

Miscellaneous \_\_\_\_\_

Total \$ 50.26

Sworn before me on this the 18

day of Aug, 2015

*Peggy G. Hughes*  
Notary Public

Dec 17, 2022  
My Commission Expires

on the 163 MW air Number 2 fired auxiliary boiler to meet the definition of a limited use boiler in accordance with the requirements of the Industrial Boiler MACT (40 CFR 63 Subpart DDDDD). The auxiliary boiler currently has a fuel throughput limit of 1,543,520 gallons per year, which equates to approximately a 16% capacity factor. Dominion would like to reduce the annual throughput limit to 974,112 gallons, which equates to a 10% capacity factor, which would be effective on January 31, 2016. This proposed permit amendment would be more stringent than the current requirements for this auxiliary boiler and would result in a decreased annual potential to emit regulated pollutants.

Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston WV 25304, for at least 30 calendar days from the date of publication of this notice.

Any questions regarding this permit application should be directed to the DAQ at (304) 926-0100 ext # 1250 during normal business hours.

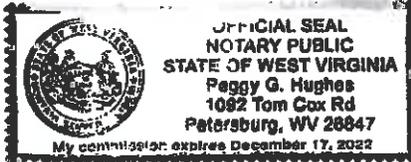
Dated this the 18th day of August

By: **VIRGINIA ELECTRIC AND POWER COMPANY**  
Carl R. Ford  
Station Director  
436 Dominion Blvd  
Mt. Storm, WV  
26759-8632

**AIR QUALITY PERMIT PUBLIC NOTICE**

Notice is given that the Virginia Electric and Power Company has applied to the West Virginia Department of Environmental Protection, Division of Air Quality for a modification to the existing R-13 permit for the auxiliary boiler located at 436 Dominion Blvd., Mt. Storm, WV 26759 in Grant County, West Virginia. The latitude and longitude coordinates are: 39.2 degrees North and 79.265 degrees West.

This application is being submitted by Dominion to request a federally enforceable annual capacity factor of 10%.

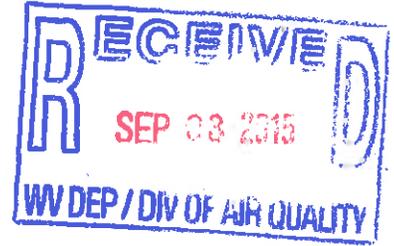




**OVERNIGHT, RETURN RECEIPT REQUESTED**

August 25, 2015

Mr. William F. Durham  
Director  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57<sup>th</sup> Street  
Charleston, West Virginia 25304



**RE: Virginia Electric and Power Co., Mt. Storm Power Station:**  
**Copy of Public ad placed for Regulation 13 permit (Permit Number R13-656) and 23-0003**  
**Title V permit (Permit Number R30-02300003-2011)**

Reg R13-0656A  
Company VEPCO  
Facility Mt. Storm Initials [Signature]

Dear Mr. Durham:

Virginia Electric and Power Company d/b/a Dominion Virginia Power ("Dominion") owns and operates the Mt. Storm Power Station, located in Grant County, West Virginia. Dominion submitted an application in a letter dated July 30, 2015 for modifications that were submitted to the Title V permit (Permit Number R30-02300003-2011) and Regulation 13 permit (R13-656) requesting a federally enforceable limit of a 10% capacity factor on an annual basis for the existing auxiliary boiler to meet the definition of a limited use boiler in accordance with the Industrial Boiler MACT at 40 CFR 63 Subpart DDDDD.

We placed a legal advertisement notifying the public of this application, including the latitude and longitude coordinates of the facility, in the Grant County Press edition dated July 28, 2015. The original Affidavit of Publication from the Grant County Press is enclosed.

Please contact Liz Willoughby at (804) 273-3740 or Elizabeth.A.Willoughby@dom.com if you have any questions or need additional information.

Sincerely,

Scott Lawton  
Director, Electric Environmental Business Support

Enclosures

*Entire Document*  
**NON-CONFIDENTIAL**

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**GRANT COUNTY PRESS**

*William E. French*

Editor

Publishing Notice \$ 50.26

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Miscellaneous \_\_\_\_\_

Total \$ 50.26

Sworn before me on this the 18

day of Aug, 2015.

*Peggy G. Hughes*  
Notary Public

Dec 17, 2022  
My Commission Expires

on the 150 MMBtu/hr Number 2 fired existing auxiliary boiler to meet the definition of a limited use boiler in accordance with the requirements of the Industrial Boiler MACT (40 CFR 63 Subpart DDDDD). The auxiliary boiler currently has a fuel throughput limit of 1,543,520 gallons per year, which equates to approximately a 16% capacity factor. Dominion would like to reduce the annual through-put limit to 974,112 gallons, which equates to a 10% capacity factor, which would be effective on January 31, 2016. This proposed permit amendment would be more stringent than the current requirements for this auxiliary boiler and would result in a decreased annual potential to emit regulated pollutants.

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Dated this the 18th day of August.

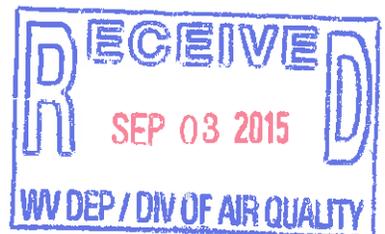
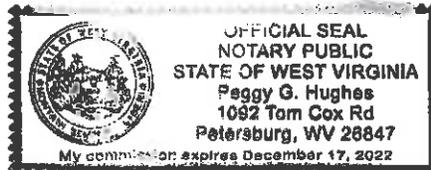
By: **VIRGINIA ELECTRIC AND POWER COMPANY**  
Carl R. Ford  
Station Director  
436 Dominion Blvd  
Mt. Storm, WV  
26739-8632

8/18 \_\_\_\_\_

### AIR QUALITY PERMIT PUBLIC NOTICE

Notice is given that the Virginia Electric and Power Company has applied to the West Virginia Department of Environmental Protection, Division of Air Quality for a modification to the existing R-13 permit for the auxiliary boiler located at 436 Dominion Blvd., Mt. Storm, WV 26739 in Grant County, West Virginia. The latitude and longitude coordinates are: 39.2 degrees North and 79.265 degrees West.

This application is being submitted by Dominion to request a federally enforceable annual capacity factor of 10%





**U.S. Mail, RETURN RECEIPT REQUESTED**

August 5, 2015

Mr. William F. Durham  
Director  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57<sup>th</sup> Street  
Charleston, West Virginia 25304



**RE: Virginia Electric and Power Co., Mt. Storm Power Station:  
Copy of Public ad placed for Regulation 13 permit (Permit Number R13-656) and  
Title V permit (Permit Number R30-02300003-2011)**

Dear Mr. Durham:

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If you have any questions about this submittal, please contact Liz Willoughby at (804) 273-3740 or Elizabeth.A.Willoughby@dom.com.

Sincerely,

Scott Lawton  
Director, Electric Environmental Business Support

Enclosures

*Entire Document*  
**NON-CONFIDENTIAL**

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State of West Virginia  
County of Grant, to-wit:

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July, 2015.

GRANT COUNTY PRESS  
By William E. Touch  
Editor

Publishing Notice \$ 50.26

Hand Bills \_\_\_\_\_

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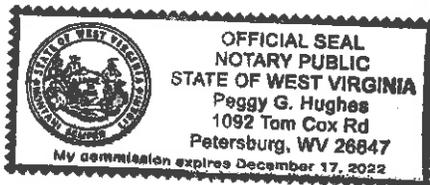
Total \$ 50.26

Sworn before me on this the 28

day of July, 2015.

Peggy G. Hughes  
Notary Public

Dec 17, 2022  
My Commission Expires



### Public Notice AIR QUALITY PERMIT PUBLIC NOTICE

Notice is given that the Virginia Electric and Power Company has applied to the West Virginia Department of Environmental Protection, Division of Air Quality for a modification to the existing R-13 permit for the auxiliary boiler located at 436 Dominion Blvd., Mt. Storm, WV 26739 in Grant County, West Virginia. The latitude and longitude coordinates are: 39.2 degrees North and 79.265 degrees West.

This application is being submitted by Dominion to request a federally enforceable annual capacity factor of 10% on the 150 MMBtu/hr Number 2 fired existing auxiliary boiler to meet the definition of a limited use boiler in accordance with the requirements of the Industrial Boiler MACT (40 CFR 63 Subpart DDDDD). The auxiliary boiler currently has a fuel throughput limit of 1,543,520 gallons per year, which equates to approximately a 16% capacity factor. Dominion would like to reduce the annual through-put limit to 974,112 gallons, which equates to a 10% capacity factor, which would be effective on January 31, 2016. This proposed permit amendment would be more stringent than the current requirements for this auxiliary boiler and would result in a decreased annual potential to emit regulated pollutants.

Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE, Charleston WV 25304, for at least 30 calendar days from the date of publication of this notice.

Any questions regarding this permit application should be directed to the DAQ at (304) 926-0499 during normal business hours.

Dated this the 28th day of July.

By: VIRGINIA ELECTRIC  
AND POWER COMPANY  
Carl R. Ford  
Station Director  
436 Dominion Blvd  
Mt. Storm, WV 26739-8632