

West Virginia Department of Environmental Protection

*Earl Ray Tomblin
Governor*

Division of Air Quality

*Randy C. Huffman
Cabinet Secretary*

Permit to Modify



R13-1965E

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:
Lignetics of West Virginia, Inc.
Stouts Mill, WV
021-00011

*John A. Benedict
Director*

Issued: D - R - A - F - T • Effective: D - R - A - F - T 10/29/12

This permit will supercede and replace Permit R13-1965D approved on July 21, 2009.

Facility Location: Stouts Mill, Gilmer County, West Virginia
Mailing Address: P. O. Box 489, Glenville, WV 26351
Facility Description: Wood Pellet Manufacturing Plant
SIC Codes: 2499 - Wood Products, NEC
UTM Coordinates: 523.000 km Easting • 4304.305 km Northing • Zone 17
Permit Type: Modification
Description of Change: After-the-Fact modification to include a dry raw material feed system and grinder collection auger (#141) which were constructed in 2007.

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 not subject to 45CSR30.

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1.0 Emission Units

Equipment ID #	Date of Installation or Manufacture ¹	Emission Unit Description	Design Capacity		Control Device(s) ²
			TPH	TPY	
Green Raw Material Feed System					
Yard Storage	1995	Open Storage Pile - maximum capacity of 37,000 tons - received wood waste from trucks, stores it and then a front-end loader transfers it to the In-feed Bin (110)	----	241,920	N
104	1995	Covered Wood Waste Storage Building - maximum capacity of 8,000 tons - receives wood waste from a front-end loader after trucks dump it onto a concrete pad, stores it and then a front-end loader transfers it to the In-feed Bin (110)	----	241,920	N
110	1995	In-feed Bin - maximum capacity of 16 tons - receives wood waste from a front-end loader and then feeds it to the scalper screen (112)	31.50	241,920	PE
112	1995	Scalper Screen - receives wood waste from the in-feed bin (110), sizes it and material > 3" drops to the overs bunker (114) and material < 3" drops to the cross-over belt (116)	31.50	241,920	PE
114	1995	Overs Bunker - receives <1.5" wood waste from the scalper screen (112) and the shaker screen (120)	31.50	241,920	N
116	1995	Cross-over Belt - receives wood waste from the scalper screen (112) and transfers it to the in-feed belt (118)	31.50	241,920	N
118	1995	In-feed Belt - receives wood waste from the cross-over belt (116) and transfers it to the shaker screen (120)	31.50	241,920	FE ³
120	1995	Shaker Screen - receives wood waste from the in-feed belt (118), sizes it and material >1.5" drops to the overs bunker (114) and material <1.5" drops to the surge bin (122)	31.50	241,920	FE ³
122	1995	Surge Bin - maximum capacity of 8 tons - receives <1.5" wood waste from the shaker screen and then drops it to the dryer (230) - see Dryer Raw Material Feed System below	31.50	241,920	FE ³
Dry Raw Material Feed System					
503	2007	Dry Raw Material Feed System Receiving Structure - receives dry wood waste from self unloading truck trailers and it drops into the Reclaim Bin (504). The Negative Draft Fan (501) creates a negative pressure system and draws fugitive particulate matter to the Baghouse (165). In the event that this system is down or full, the truck trailers will be backed into a hanging/sliding tarp area under an overhead high pressure water spray system for unloading in the Green Raw Material storage area.	50	92,160	FE, 165

Equipment ID #	Date of Installation or Manufacture ¹	Emission Unit Description	Design Capacity		Control Device(s) ²
			TPH	TPY	
504	2007	Dry Raw Material Feed System Reclaim Bin - 20 ton capacity - receives dry wood waste from self unloading truck trailers and feeds it to the Bucket Feed Auger (505). The Enclosure (503) encloses this process and the Negative Draft Fan (501) creates a negative pressure system and draws fugitive particulate matter to the Baghouse (165)	50	92,160	FE, 165
505	2007	Dry Raw Material Feed System Bucket Feed Auger - receives dry wood waste from the Reclaim Bin (504) and transfers it to the Bucket Elevator (506)	60	92,160	FE
506	2007	Dry Raw Material Feed System Bucket Elevator - receives dry wood waste from the Bucket Feed Auger (505) and transfers it to the Silo (507)	75	92,160	FE
507	2007	Dry Raw Material Feed System Silo - 80 ton capacity - receives dry wood waste from the Bucket Elevator (506), stores it and then the Silo Unloader (508) reclaims the material. The Silo is vented to the Fines Cyclone (160)	75 in 12 out	92,160	FE, 160
508	2007	Dry Raw Material Feed System Silo Unloader - receives dry wood waste from the Silo (507) and feeds it to the Discharge Auger (509)	12	92,160	FE
509	2007	Dry Raw Material Feed System Discharge Auger - receives dry wood waste from the Silo Unloader and transfers it through the Discharger Airlock (510) and into the Blowpipe (511)	12	92,160	FE
511	2007	Dry Raw Material Feed System Blowpipe - powered by the Blower (502) - receives dry wood waste from the Discharge Auger (509) and transfers it to the Cyclone (512)	12	92,160	FE
512	2007	Dry Raw Material Feed System Cyclone - Mac Model No. CT30 -single stage dry cyclone - 99.88 % collection efficiency - 5.7 in. H ₂ O pressure drop - receives dry wood waste from the Blowpipe (511) and it separates the fines material out to the Baghouse (165) and the course material is transferred through the Cyclone Airlock (513) to the main material auger (134)	12	92,160	FE, 165
Dryer System					
202	2005	Fuel Scalping System - feeds dried wood waste to the fuel silo fill blower (204)	3	23,040	FE ³
204	2005	Fuel Silo Fill Blower - receives dried wood waste from the fuel scalping system (202) and transfers it to the fuel storage silo (206)	3	23,040	FE
206	2005	Fuel Storage Silo - receives dried wood waste from the fuel silo fill blower (204), stores it and then feeds it to the fuel feed screw (208)	3	23,040	FE
208	2005	Fuel Feed Screw - receives dried wood waste from the fuel storage silo (206) and transfers it to fuel grinder (212)	2.4	18,432	FE
212	2005	Fuel Grinder - receives dried wood waste from the fuel feed screw (208) and then feeds it to the fuel blower (214)	2.4	18,432	FE

Equipment ID #	Date of Installation or Manufacture ¹	Emission Unit Description	Design Capacity		Control Device(s) ²
			TPH	TPY	
214	2005	Fuel Blower - receives sized dried wood waste from the fuel grinder (212) and transfers it to the wood burner (220)	2.4	18,432	FE
220	2005	Wood Burner - maximum heat input of 45MM Btu/hr - receives sized dried wood waste from the fuel blower (214) and combusts it in the furnace (240)	----	----	FE
250	1995	Natural Gas Burner - maximum heat input of 48MM Btu/hr - uses pipeline quality natural gas and combusts it in the furnace (240)	----	----	FE
240	1995	Furnace - combustion zone for the wood burner (220) or natural gas burner (250) and the combustion gases pass through to the dryer (230)	----	----	FE
230	1995	Dryer - receives combustion air from the furnace (240) and uses it to dry the <1.5" wood waste received from the surge bin (122) - see Raw Material Feed System above - and then transfers the dried wood waste to the main cyclone (130)	22	168,960	130
Dried Material Fuel Feed System					
130	1995	Main Cyclone - M.E.C. Product Cyclone - 99.99 % collection efficiency - receives the dried wood waste from the dryer (230) and it separates the fines material out to a multi-clone (138) and the course material is transferred to the main material auger (134)	22	168,960	138
138	2006	Multi-Clone - Onix Corporation Model No. ONL-150-4-PEC - 85.0 % collection efficiency - receives fine wood waste from the main cyclone (130) and it removes the course material back to the fines cyclone (160) and then the fine material is removed by an induced draft fan where it is then vented through the main stack (EP-1E)	0.0375	288	160
134	1995	Main Material Auger - receives dried wood waste from the main cyclone (130), the cooler cyclone (350) and the fines cyclone (160) and transfers it to the grinder (140)	19	145, 920	FE
140	1995	Hammermill Grinder - receives dried wood waste from the main material auger (134), grinds it from - 1.5" to 0.25" and then it is fed to the grinder collection auger (141). Fugitive emissions ducted to the fines cyclone (160).	22	168, 960	FE, 160
141	2007	Grinder Collection Auger - receives dried wood waste from the grinder (140) and transfers it to grinder discharge auger (142) (Added in 2007 inconjunction with the Dry Raw Material Feed System)	22	168, 960	FE
142	1995	Grinder Discharge Auger - receives dried wood waste from the grinder collection auger (141) and transfers it to bucket elevator A (146)	22	168, 960	FE
146	1995	Bucket Elevator A - receives dried wood waste from the grinder discharge auger (142) and transfers it to the mill surge bin feeder auger (148). The fines are vented to the fines cyclone (160).	22	168, 960	160

Equipment ID #	Date of Installation or Manufacture ¹	Emission Unit Description	Design Capacity		Control Device(s) ²
			TPH	TPY	
148	1995	Mill Surge Bin Feeder Auger - receives dried wood waste from bucket elevator A (146) and transfers it to the mill surge bin (150). Fugitive emissions ducted to the fines cyclone (160).	22	168,960	FE, 160
150	1995	Mill Surge Bin - maximum capacity of 8 tons - receives dried wood waste from the mill surge bin feeder auger (148), stores it temporarily and then it is transferred to one of the pellet mills. Fugitive emissions ducted to the fines cyclone (160).	22	168,960	160
Pellet Production System					
306	1995	Pellet Mill #2 - receives dried wood waste from the mill surge bin (150) and pushes it through a dye and compresses it to form the pellets which drop to pellet cooler #1 (320)	16 (combined)	122,880 (combined)	FE ³
308	1995	Pellet Mill #3 - receives dried wood waste from the mill surge bin (150) and pushes it through a dye and compresses it to form the pellets which drop to pellet cooler #1 (320)			FE ³
304	between 1995 and 1999	Pellet Mill #1 - receives dried wood waste from the mill surge bin (150) and pushes it through a dye and compresses it to form the pellets which drop to pellet cooler #2 (322)			FE ³
310	2005	Pellet Mill #4 - receives dried wood waste from the mill surge bin (150) and pushes it through a dye and compresses it to form the pellets which drop to pellet cooler #2 (322)			FE ³
320	1995	Pellet Cooler #1 - receives wood pellets from pellet mills #2 and #3 (304 and 306), cools them and then feeds them to cooler discharge auger #1 (330). The fines are vented to the cooler cyclone (350).	10	76,800	350
322	2005	Pellet Cooler #2 - receives wood pellets from pellet mills #1 and #4 (308 and 310), cools them and then feeds them to cooler discharge auger #2 (332). The fines are vented to the cooler cyclone (350).	10	76,800	350
330	1995	Cooler Discharge Auger #1 - receives cooled wood pellets from pellet cooler #1 (320) and cooler discharge auger #2 (332) and transfers them to the pellet surge bin (404)	16 (combined)	122,880 (combined)	FE
332	2005	Cooler Discharge Auger #2 - receives cooled wood pellets from pellet cooler #2 (322) and transfers them to cooler discharge auger #1 (330)			FE
350	2005	Cooler Cyclone - Groebel Consulting - 85 % collection efficiency - receives fine material from pellet coolers #1 and #2 (320 and 322) and the course material is directed back to the main material auger (134) while the fine material is vented through the cooler stack (EP-2E)	0.25	1,920	----
404	1995	Pellet Surge Bin - receives wood pellets from cooler discharge auger #1 (330), stores them temporarily and then drops them to the pellet screen (406). Fugitive emissions ducted to the fines cyclone (160).	16	122,880	160

Equipment ID #	Date of Installation or Manufacture ¹	Emission Unit Description	Design Capacity		Control Device(s) ²
			TPH	TPY	
406	1995	Pellet Screen - receives wood pellets from the pellet surge bin (404), sizes them and removes the less than 0.188" pellets and feeds the rest to the weight belt (408). Fugitive emissions ducted to the fines cyclone (160).	16	122,880	160
408	1995	Weight Belt - receives sized wood pellets from the pellet screen (406) and transfers them to bucket elevator B (410). The operators monitor the production rate through this weight belt.	16	122,880	FE ³
410	1995	Bucket Elevator B - receives sized wood pellets from the weight belt (408) and transfers it to pellet bins #1 or #2. Fugitive emissions ducted to the fines cyclone (160).	16	122,880	160
420	1995	Pellet Bin #1 - maximum capacity of 180 tons - receives sized wood pellets from bucket elevator B (410), stores them temporarily and then feeds them to the pellet bin discharge auger (432). Fugitive emissions ducted to the fines cyclone (160).	16 combined	122,880 combined	FE ³ , 160
430	1995	Pellet Bin #2 - maximum capacity of 180 tons - receives sized wood pellets from bucket elevator B (410), stores them temporarily and then feeds them to the pellet bin discharge auger (432). Fugitive emissions ducted to the fines cyclone (160).			FE ³ , 160
432	1995	Pellet Bin Discharge Auger - receives sized wood pellets from pellet bins #1 and #2 (420 and 430) and transfers them to bucket elevator C (440). Fugitive emissions ducted to the fines cyclone (160).	16	122,880	FE, 160
440	1995	Bucket Elevator C - receives sized wood pellets from the pellet bin discharge auger (432) and transfers them to the bagging screen (444). Fugitive emissions ducted to the fines cyclone (160).	16	122,880	FE ³ , 160
444	1995	Bagging Screen - receives sized wood pellets from bucket elevator C (440), sizes them and removes the less than 0.188" pellets and feeds the rest to the pellet bagger machine (448). Fugitive emissions ducted to the fines cyclone (160).	16	122,880	160
448	1995	Pellet Bagger Machine - receives sized wood pellets from the bagging screen (444) and bags them. Fugitive emissions ducted to the fines cyclone (160).	16	122,880	FE ³ , 160
452	1995	Automatic Stacker - stacks the bags of wood pellets	16	122,880	FE ³
456	1995	Automatic Wrapper - wraps the bags of wood pellets	16	122,880	FE ³
460	1995	Staging Rolls for Forklift Pickup - prepares the bags of wood pellets for storage and them shipment	16	122,880	FE ³
Fines Collection					

Equipment ID #	Date of Installation or Manufacture ¹	Emission Unit Description	Design Capacity		Control Device(s) ²
			TPH	TPY	
160	2001	Fines Cyclone - Groebel Consulting - 99.83 % collection efficiency - receives fines from the multi-clone (138), bucket elevator A (146), mill surge bin (150), pellet surge bin (404), pellet screen (406), bucket elevator B (410) and the bagging screen (144) and it removes the course material back to the main material auger (134) and then the fine material is removed by an induced draft fan to the baghouse (165)	2.5	19,200	165
165	2001	Baghouse - Wiedenmann Model No. 144MCF255-255 - 99.99 % collection efficiency - receives fines from the fines cyclone (160) and filter fabric bags remove the larger particles and the fine material is then vented through the baghouse stack (EP-3E)	0.01007	77.34	----

- ¹ These dates were obtained from the forms contained within application R13-1965E. However, the original application R13-1965 to construct was received on October 20, 1995 and approved on June 3, 1996.
- ² Control Device Abbreviations: FE - Full Enclosure; PE - Partial Enclosure; WS - Water Sprays; N - None; numbers indicate the control equipment ID#.
- ³ These pieces of equipment are fully enclosed (FE) within a building.

2.0. General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

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

2.3. Authority

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

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

2.4. Term and Renewal

- 2.4.1. This permit supercedes and replaces previously issued Permit R13-1965C approved on April 28, 2006. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

2.5. Duty to Comply

- 2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Applications R13-1965E, R13-1965D, R13-1965C, PD05-034, R13-1965B, R13-1965A and R13-1965 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
[45CSR§§13-5.11 and 13-10.3]
- 2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;
- 2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;
- 2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

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

2.7. Duty to Supplement and Correct Information

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

corrected information.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-4]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-5.4.]

2.10. Major Permit Modification

The permittee may request a major modification to this permit as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.

[45CSR§14-5.1]

2.11. Inspection and Entry

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

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

2.12. Emergency

- 2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
- 2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are not met.

- 2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and,
 - d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.
- 2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- 2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

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

2.14. Suspension of Activities

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

2.15. Property Rights

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

2.16. Severability

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

2.17. Transferability

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

2.18. Notification Requirements

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

2.19. Credible Evidence

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

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(I). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40CFR§61.145(b) and 45CSR§15]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 - *State-Enforceable only*]
- 3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5.]
- 3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2.]

3.2. Monitoring Requirements

[Reserved]

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

[WV Code § 22-5-4(a)(15)]

3.4. Recordkeeping Requirements

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may

be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

- 3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§4. - *State-Enforceable only*]

3.5. Reporting Requirements

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

If to the DAQ:

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

If to the USEPA:

Associate Director
Office of Enforcement and Permits Review
(3AP12)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

- 3.5.4. **Operating Fee.**

- 3.5.4.1. In accordance with 45CSR22 – Air Quality Management Fee Program, the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first obtaining and having in current effect a Certificate to Operate (CTO). Such Certificate to Operate (CTO) shall be renewed annually, shall be maintained on the premises for which the certificate 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. **Record Keeping.** Compliance with all annual throughput, production and fuel usage limits shall be determined using a twelve month rolling total. For example, a twelve month rolling total shall mean the sum of the amount of wood pellets produced by the facility at any given time for the previous 12 consecutive calendar months.
- 4.1.2. **Hours of Operation Limitation.** The facility shall not operate more than 7,680 hours per year. Compliance with all annual limits shall be determined using a twelve month rolling total.
- 4.1.3. **Fuel Limitation.** The maximum amount of dried wood waste/sawdust to be fired by the Wood Burner (#220) shall not exceed 5,625 pounds per hour (lb/hr) or 21,600 TPY. Compliance with all annual limits shall be determined using a twelve month rolling total.
- 4.1.4. **Fuel Limitation.** The maximum amount of natural gas to be fired by the Natural Gas Burner (#250) shall not exceed 48,200 cubic feet per hour (ft³/hr) or 370,176,000 cubic feet per year (ft³/yr). Compliance with all annual limits shall be determined using a twelve month rolling total.
- 4.1.5. **Emission Limitations.** The maximum allowable emission rates from the Rotary Drum Dryer (#230) through the Main Cyclone (#130) and the Multi-Clone (#138) at emission point EP-1E based on a maximum of 7,680 hours of operation per year are as follows:

Pollutant	Maximum Emission Rates at Emission Point 1E ¹			
	Wood Waste Burner		Natural Gas Burner	
	lb/hour	TPY	lb/hour	TPY
Particulate Matter (PM) ²	16.9	64.9	10.6	40.7
Particulate Matter < 10 microns (PM ₁₀) ²	16.9	64.9	10.6	40.7
Sulfur Dioxide (SO ₂)	1.1	4.3	0.1	0.38
Nitrogen Oxides (NO _x)	12.7	48.7	20.0	76.8
Carbon Monoxide (CO)	21.9	84.1	18.0	69.1
Volatile Organic Compounds (VOCs)	10.0	38.4	5.7	21.9
Hazardous Air Pollutants (HAPs)	0.78	3.00	0.09	0.35

¹ The worst case potential to discharge for the listed pollutants occurs when the facility is using the wood waste/sawdust burner, except for NO_x, which occurs when the facility would be using the natural gas burner

² As a conservative approach, it is assumed that all of the PM emissions are also less than 10 microns in diameter (PM₁₀) for emission points EP-1E, EP-2E and EP-3E

- 4.1.6. **Processing Limitation.** The maximum amount of wood waste/sawdust to be dried by the Rotary Drum Dryer (#230) shall not exceed 22 TPH or 168,960 tons per year (TPY). Compliance with all annual limits shall be determined using a twelve month rolling total.
- 4.1.7. **Production Limitation.** The maximum pellet production rate of the facility shall not exceed 16.0 tons per hour (TPH) or 122,880 tons per year (TPY) as measured by the Weight Belt (#408). Compliance with all annual limits shall be determined using a twelve month rolling total.
- 4.1.8. **Emission Limitation.** The maximum allowable PM emissions at emission point EP-2E shall not exceed 3.1 pounds per hour (lb/hour) or 11.9 TPY. As a conservative approach, it is assumed that all of the PM emissions are also less than 10 microns in diameter (PM₁₀). Compliance with all annual

limits shall be determined using a twelve month rolling total.

- 4.1.9. **Emission Limitation.** The maximum allowable PM emissions at emission point EP-3E shall not exceed 2.0 pounds per hour (lb/hour) or 7.7 TPY. As a conservative approach, it is assumed that all of the PM emissions are also less than 10 microns in diameter (PM_{10}). Compliance with all annual limits shall be determined using a twelve month rolling total.
- 4.1.10. **Opacity Limitation.** No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in subsections 3.2 and 3.7.
[45CSR§7-3.1.]
- 4.1.11. **Opacity Limitation.** The provisions of subsection 3.1 shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period.
[45CSR§7-3.2.]
- 4.1.12. **Visible Emissions Limitation.** No person shall cause, suffer, allow or permit visible emissions from any storage structure(s) associated with any manufacturing process(es) that pursuant to subsection 5.1 is required to have a full enclosure and be equipped with a particulate matter control device.
[45CSR§7-3.7.]
- 4.1.13. **Particulate Matter Standard.** No person shall cause, suffer, allow or permit particulate matter to be vented into the open air from any type source operation or duplicate source operation, or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantity specified under the appropriate source operation type in Table 45-7A found at the end of this rule.
[45CSR§7-4.1.]
- 4.1.14. **Stack Requirement.** Any stack serving any process source operation or air pollution control equipment on any process source operation shall contain flow straightening devices or a vertical run of sufficient length to establish flow patterns consistent with acceptable stack sampling procedures.
[45CSR§7-4.12.]
- 4.1.15. **Control of Fugitive Particulate Matter.** No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable.
[45CSR§7-5.1.]
- 4.1.16. **Control of Fugitive Particulate Matter.** The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment.
[45CSR§7-5.2.]
- 4.1.17. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0

and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.

[45CSR§13-5.11.]

- 4.1.18. **Freeze Protection Requirement.** A freeze protection plan shall be incorporated and maintained to insure all wet suppression systems remain operational at all times.
- 4.1.19. **Water Truck Requirement.** The permittee shall maintain a water truck on site and in good operating condition, and shall utilize same to apply water, or a mixture of water and an environmentally acceptable dust control additive, hereinafter referred to as solution, as often as is necessary in order to minimize the atmospheric entrainment of fugitive particulate emissions that may be generated from haulroads and other work areas where mobile equipment is used.

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

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

- 4.1.20. **Dry Raw Material Delivery.** The Dry Raw Material Feed System shall be used to receive dry raw material from self-unloading truck trailers. If the Dry Raw Material Feed System is temporarily out of service or full, the self-unloading truck trailers shall be unloaded in the yard storage area utilizing the sliding, hanging tarp and overhead water deluge system, which will create an envelope that shall encompass the dry raw material as it is unloaded.

4.2. Monitoring Requirements

- 4.2.1. For the purpose of determining compliance with the opacity limits of 45CSR§7, the permittee shall conduct visible emission checks and/or opacity monitoring and record keeping for all emission sources subject to an opacity limit.

The visible emission check shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40CFR Part 60, Appendix A, Method 22 or from the lecture portion of the 40CFR Part 60, Appendix A, Method 9 certification course.

Visible emission checks shall be conducted at least once per calendar month with a maximum of forty-five (45) days between consecutive readings. These checks shall be performed at each source (stack, transfer point, fugitive emission source, etc.) for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Visible emission checks shall be performed during periods of facility operation and appropriate weather conditions.

If visible emissions are present at a source(s) for three (3) consecutive monthly checks, the permittee shall conduct an opacity reading at that source(s) using the procedures and requirements of 45CSR§7A as soon as practicable, but within seventy-two (72) hours of the final visual emission check. A 45CSR§7A observation at a source(s) restarts the count of the number of consecutive readings with the presence of visible emissions.

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. For the purposes of determining compliance with maximum production throughput limit set forth in 4.1.2 and 4.1.7, the applicant shall maintain certified monthly and annual records. An example form is included as Appendix A to Permit R13-1965E. The Certification Of Data Accuracy statement shall be completed within fifteen (15) days of the end of the reporting period. These records shall be maintained on-site for at least five (5) years and be made available to the Director of the Division of Air Quality or his or her duly authorized representative upon request.

4.4.5. The permittee shall maintain records of all monitoring data required by Section 4.2.1. documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE wind) during the visual emission check(s). An example form is supplied as Appendix C. Should a visible emission observation be required to be performed per the requirements specified in 45CSR§7A, the data records of each observation shall be maintained per the requirements of 45CSR§7A. For an emission unit out of service during the monthly evaluation, the record of

observation may note “out of service” (O/S) or equivalent.

4.5. Reporting Requirements

- 4.5.1. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observations using 45CSR§7A must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

APPENDIX A ¹

Certified Daily and Monthly Amount of Wood Pellets Produced and Hours of Operation

**Lignetics of West Virginia, Inc.
 Stouts Mill, WV
 Permit R13-1965E
 Facility ID No. 021-00011**

Month _____ Year _____

Day of Month	Tons of Wood Pellets Produced - Measured at Weight Belt (#408)	Hours of Operation	Production Rate (tons per hour)	Initials
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
Monthly Total			-----	
Twelve (12) Month Rolling Total ²			-----	

- (1) The CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side shall be completed within fifteen (15) days of the end of the reporting period. All records shall be kept on site for a period of no less than five (5) years and shall be made available to the Secretary or his or her duly authorized representative upon request.
- (2) The Twelve (12) Month Rolling Total shall mean, for example, the sum of wood pellets produced at any given time during the previous twelve (12) consecutive calendar months. The maximum permitted twelve (12) month rolling totals are as follows: wood pellets across the weight belt (408) - 122,880 TPY; hours of operation - 7,680 hours per year. The maximum hourly production limit for the wood pellets is 16 TPH.

APPENDIX B ¹

Certified Daily and Monthly Water Usage by the Water Truck

**Lignetics of West Virginia, Inc.
 Stouts Mill, WV
 Permit R13-1965E
 Facility ID No. 021-00011**

Month _____ Year _____

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

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

CERTIFICATION OF DATA ACCURACY

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

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

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

Telephone No. _____ Fax No. _____

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