Permit / Application Information Sheet
Division of Environmental Protection
West Virginia Office of Air Quality

Company:	GrafTech International Holdings, Inc.			**Facility:**	Anmoore
Region:	6	**Plant ID:**	033-00001	**Application #:**	13-3039A
Engineer:	Griffith, Caraline			**Category:**	Carbon
Physical Address:	101 N.Philippi Pike (Route 58) Anmoore WV 26323-0120			**SIC:** [3624] ELECTRONIC & OTHER ELECTRICAL EQUIPMENT & COMPONEN - CARBON AND GRAPHITE PRODUCTS **NAICS:** [335991] Carbon and Graphite Product Manufacturing	
County:	Harrison				
Other Parties:	SITE_MGR - Taylor, Craig 304-624-1200 Contact - Steele, Lori 304-624-9700				

Information Needed for Database and AIRS
1. Need valid physical West Virginia address with zip

Regulated Pollutants

Summary from this Permit 13-3039A

Air Programs		**Applicable Regulations**
Fee Program	**Fee**	**Application Type**
6C	$2,000.00	MODIFICATION

Notes from Database
Permit Note: Replacing a natural gas fired boiler with another natural gas fired boiler.

Activity Dates

APPLICATION RECIEVED	07/28/2015
APPLICATION FEE PAID	07/29/2015
ASSIGNED DATE	07/29/2015
APPLICANT PUBLISHED LEGAL AD	08/05/2015
APPLICATION DEEMED COMPLETE	08/14/2015

NON-CONFIDENTIAL

Please note, this information sheet is not a substitute for file research and is limited to data entered into the AIRTRAX database.

Company ID: 033-00001
Company: GrafTech International Holding
Printed: 08/14/2015
Engineer: Griffith, Caraline

Griffith, Caraline F

From: Taylor Craig <Craig.Taylor@graftech.com>
Sent: Tuesday, August 04, 2015 1:55 PM
To: Griffith, Caraline F
Cc: Williams, William
Subject: RE: GrafTech International Holdings, Inc. - Anmoore Facility - Permit Application Status

Hi Caraline,

Thank you for your mail below. We are looking forward to working with you. Our HSEP Manager, Bill Williams (in copy) will be contacting you to follow up.

Kind Regards,

Craig.

From: Griffith, Caraline F [mailto:Caraline.F.Griffith@wv.gov]
Sent: Monday, August 03, 2015 2:41 PM
To: Taylor Craig
Subject: GrafTech International Holdings, Inc. - Anmoore Facility - Permit Application Status

Hi Mr. Taylor,

It is a pleasure to be working on your permit application for a modification. I was going through everything and waiting for the affidavit and noticed something I'd like to ask about. The date of the legal ad supplied in the application says it was run on February 27, 2015. Is the ad you are currently running/planning on running have a more recent date of publication? I haven't received the affidavit yet, so I just thought I'd ask in case there was a typo. If there isn't a more recent ad, I'd like to let you know that another legal ad will need to be run with all relevant information before we can move forward with your application.

Also, I apologize for contacting you directly instead of contacting your contact, Ms. Lori Steele. I don't seem to have an email address for her. If you have any questions or concerns, I'd be happy to answer any and all of them. Thank you very much and I look forward to hearing back from you.

Best regards,

Caraline Griffith

Dept. of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Engineer Trainee
Caraline.F.Griffith@wv.gov
304-926-0499 x1258

Griffith, Caraline F

From: Taylor Craig <Craig.Taylor@graftech.com>
Sent: Friday, August 14, 2015 9:45 AM
To: Griffith, Caraline F
Cc: Williams, William
Subject: RE: GrafTech International Holdings, Inc. - Anmoore Facility - Permit Application Status

Thank you Caraline. Much appreciated.

Regards,

Craig.

From: Griffith, Caraline F [mailto:Caraline.F.Griffith@wv.gov]
Sent: Friday, August 14, 2015 9:44 AM
To: Taylor Craig
Cc: Williams, William
Subject: GrafTech International Holdings, Inc. - Anmoore Facility - Permit Application Status

Good morning!

I have just received your original affidavit for the legal ad and have deemed your application complete today, August 14, 2015. The statutory review period also begins today. I have mailed out official letters and you should get them in the next few days.
Thank you very much, and I look forward to working with you further.

Best regards,

Caraline Griffith

Dept. of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Engineer Trainee
Caraline.F.Griffith@wv.gov
304-926-0499 x1258

Griffith, Caraline F

From: Williams, William <William.Williams@graftech.com>
Sent: Friday, August 14, 2015 9:45 AM
To: Griffith, Caraline F; Taylor Craig
Subject: RE: GrafTech International Holdings, Inc. - Anmoore Facility - Permit Application Status

Thanks Caroline. We look forward to working with you as well.

Thanks,
Bill Williams
HSEP Manager
GrafTech International
101 North Philippi Pike
Anmoore, WV 26323-0120
(w) 304-624-1331
(c) 304-476-2392
(f) 304-624-1242
"Get smart, use safety from the start"

GRAFTech International | Redefining limits

From: Griffith, Caraline F [mailto:Caraline.F.Griffith@wv.gov]
Sent: Friday, August 14, 2015 9:44 AM
To: Taylor Craig
Cc: Williams, William
Subject: GrafTech International Holdings, Inc. - Anmoore Facility - Permit Application Status

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Thank you very much, and I look forward to working with you further.

Best regards,

Caraline Griffith

Dept. of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Engineer Trainee

Caraline.F.Griffith@wv.gov
304-926-0499 x1258

west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345
Phone: 304 926 0475 • Fax: 304 926 0479

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

ENGINEERING EVALUATION/FACT SHEET

B ACKGROUND INFORMATION

Application No.:	R13-3039A
Plant ID No.:	033-00001
Applicant:	GrafTech International Holdings Inc.
Facility Name:	Anmoore
Location:	Anmoore, Harrison County, WV
NAICS Code:	335991
Application Type:	Modification
Received Date:	July 28, 2015
Engineer Assigned:	Caraline Griffith
Fee Amount:	$2000.00
Date Received:	July 29, 2015
Complete Date:	August 14, 2015
Due Date:	November 13, 2015
Applicant Ad Date:	August 5, 2015
Newspaper:	The Exponent Telegram
UTM's:	Easting: 560.9 km Northing: 4,354.1 km Zone: 17
Description:	The application is for the removal of two (2) natural gas boilers rated at 15.5 mmBtu/hour each and replacement of one of them with a 12.902 mmBtu/hour natural gas fired boiler.

DESCRIPTION OF PROCESS

GrafTech operates four (4) natural gas fired boilers to produce steam for the Anmoore, West Virginia facility. Three of the four boilers are grandfathered with respect to NSPS and 45CSR13 permitting requirements.

In 2013, GrafTech replaced an 8.6 million Btu per hour boiler, designated as Boiler 301, with a 12.6 million Btu per hour boiler (R13-3039).

With this permit application GrafTech seeks to remove the two oldest boilers (308 and 309) and replace one of them with a CBEX Cleaver-Brooks 12.902 million Btu per hour natural

gas fired boiler. The new boiler will be designated as 308. The new boiler will not result in an increase in production for the facility.

SITE INSPECTION

The Anmoore Facility is an existing major source Title V Facility and is targeted for periodic compliance inspections. The last full on site compliance inspection was conducted on August 23, 2013 by Ms. Lou Ann Lee, an inspector assigned to the North Central Regional Office of the Compliance and Enforcement Section. Ms. Lee determined that the facility has being operating in compliance and received a rating of 30.

ESTIMATE OF EMISSION BY REVIEWING ENGINEER

The applicant supplied emissions estimates from the manufacturer and used emissions factors from Chapters 1.4 (natural gas fired) of AP-42 to estimate emissions from the new boiler. The emissions listed in the following table are the manufacturer's estimates:

Table #1 – Potential Emissions from the New Boiler (Boiler 308)

Pollutant	Hourly Rate (lb/hr)	Annual Rate (TPY)
Particulate Matter (PM) /Particulate Matter Less Than 10 microns (PM_{10})/Particulate Matter less than 2.5 microns ($PM_{2.5}$)	0.10	0.44
Sulfur Dioxide (SO_2)	0.01	0.03
Oxides of Nitrogen (NO_x)	1.28	5.65
Carbon Monoxide (CO)	1.08	4.75
Volatile Organic Compounds (VOCs)	0.07	0.31
Total Hazardous Air Pollutants (HAPs)	0.061	0.26
Carbon Dioxide Equivalent (CO_2e)	1,548	6,780

REGULATORY APPLICABLILITY

45CSR2 TO PREVENT AND CONTROL PARTICULATE AIR POLLUTION FROM COMBUSTION OF FUEL IN INDIRECT HEAT EXCHANGERS

The applicant is subject to the visible emission standard and weight emission standard for particulate matter set forth in 45 CSR2 Sections 3 and 4, respectively, because the CBEX Cleaver-Brooks boiler (Boiler 308) is more than 10 MMBtu/hr and must show compliance by using visible emission measurements in Method 9 of 40CFR60 or by using measurements from continuous monitoring systems approved by the director and by following all rules and standards for Type 'b' fuel burning units. The applicant must also meet all testing, monitoring, recordkeeping, and reporting requirements as requested in Section 8. This boiler is subject to the 10% opacity based on a six minute block average. Compliance will be demonstrated by complying with permit requirements. The applicant is using natural gas as fuel; therefore, meeting the 10% opacity requirements should not be a problem.

45CSR4 TO PREVENT AND CONTROL THE DISCHARGE OF AIR POLLUTANTS INTO THE OPEN AIR WHICH CAUSES OR CONTRIBUTES TO AN OBJECTIONABLE ODOR

The applicant is subject to this rule. It states that an odor that is deemed objectionable when in the opinion of a duly authorized representative of the Air Pollution Control Commission (Division of Air Quality), based upon their investigations and complaints, such odor is objectionable. The applicant does not foresee any objectionable odors being present at this site now or in the future.

45CSR10 TO PREVENT AND CONTROL AIR POLLUTION FROM THE EMISSION OF SULFUR OXIDES

The CBEX Cleaver-Brooks boiler (Boiler 308) has a maximum design heat input of more than 10 MMBtu/hr and is therefore subject to all applicable sulfur dioxide weight emission limitations, registration and permitting. However, because this boiler is natural gas-fired, it is exempt from section 8 (Testing) of this rule.

45CSR13 PERMITS FOR CONSTRUCTION, MODIFICATION, RELOCATION AND OPERATION OF STATIONARY SOURCES OF AIR POLLUTANTS, NOTIFICATION REQUIREMENTS, ADMINISTRATIVE UPDATES, TEMPORARY PERMITS, GENERAL PERMITS, PERMISSION TO COMMENCE CONSTRUCTION, AND PROCEDURES FOR EVALUATION

Graftech has demonstrated compliance with 45CSR13 by submitting a complete modification permit application, placing a legal advertisement in *The Exponent* Telegram on August 5, 2015, and paying the applicable fees.

45CSR14 PERMITS FOR CONSTRUCTION AND MAJOR MODIFICATION OF MAJOR STATIONARY SOURCES OF AIR POLLUTION FOR THE PREVENTION OF SIGNIFICANT DETERIORATION

The Anmoore Facility is a major source because it emits or has the potential to emit 250 TPY or more of any regulated NSR pollutant. The facility does not meet the definition of a major modification as defined in § 2.40 because this change does not result in a significant increase in emissions of any one regulated pollutant, and nor does it result in a significant net increase in emissions for the major source.

45CSR22 AIR QUALITY MANAGEMENT FEE PROGRAM

The applicant has paid the $1,000 application fee and the $1,000 NSPS fee as required by section 3.4.b of this rule because they are subject to NSPS requirements as described in this regulatory review section.

45CSR30 REQUIREMENTS FOR OPERATING PERMITS

As a result of the additional equipment to be installed at Graftech's Anmoore Facility as described within the 45CSR13 sections above the process changes will be classified as a significant modification to the Title V Permit.

40CFR60, SUBPART Dc STANDARDS OF PERFORMANCE FOR SMALL INDUSTRAIL-COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS

The facility is subject to this rule. However, the only portion of this rule that deals directly with a natural gas fired boiler is the reporting and recordkeeping section, which states that monthly records be kept of natural gas usage for each boiler.

TOXICITY OF NON-CRITERIA REGULATED POLLUTANTS

This replacement of Boiler 301 will not emit any pollutants that aren't already being emitted by another emission source at the facility. Therefore, no information about the toxicity of the hazardous air pollutants (HAPs) is presented in this evaluation.

AIR QUALITY IMPACT ANALYSIS

The writer deemed that an air dispersion modeling study or analysis was not necessary, because the proposed modification does not meet the definition of a major modification of a major source as defined in 45CSR14.

MONITORING OF OPERATIONS

The writer recommends the following monitoring requirements:

- Facility total natural usage for each month. This is required by Rule 2, 10, and Subpart Dc.

RECOMMENDATION TO DIRECTOR

The information provided in the permit application indicates the proposed modification of the facility will meet all the requirements of the applicable rules and regulations when operated in accordance with the permit application. Therefore, the writer recommends granting GrafTech a Rule 13 modification permit for their graphite products manufacturing facility located in Anmoore, WV.

Caraline Griffith
Permit Engineer

9/2/15
Date

West Virginia Department of Environmental Protection

Earl Ray Tomblin
Governor

Division of Air Quality

Randy C. Huffman
Cabinet Secretary

Permit to Modify

R13-3039A

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:

GrafTech International Holdings Inc.
Anmoore
033-00001

William F. Durham
Director

Issued: DRAFT

DRAFT

This permit supersedes and replaces R13-3039.

Facility Location:	101 North Pike Anmoore, Harrison County, West Virginia
Mailing Address:	P.O. Box 120 Anmoore, WV 26323-0129
Facility Description:	Graphite Products
NAICS Codes:	335991
UTM Coordinates:	560.9 km Easting • 4,354.1 km Northing • Zone 17
Permit Type:	Modification
Description of Change:	Replacement of Boiler 308 with a new natural gas fired boiler with a maximum design heat input of 12.9 MMBtu/hr and removal of Boiler 309.

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

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
301	EP-301	Boiler 301	2013	12.6 MMBtu/hr	None
308	EP-308	CBEX Cleaver-Brooks Boiler 308	2015	12.9 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
CBI	Confidential Business Information
CEM	Continuous Emission Monitor
CES	Certified Emission Statement
C.F.R. *or* CFR	Code of Federal Regulations
CO	Carbon Monoxide
C.S.R. *or* CSR	Codes of State Rules
DAQ	Division of Air Quality
DEP	Department of Environmental Protection
dscm	Dry Standard Cubic Meter
FOIA	Freedom of Information Act
HAP	Hazardous Air Pollutant
HON	Hazardous Organic NESHAP
HP	Horsepower
lbs/hr	Pounds per Hour
LDAR	Leak Detection and Repair
M	Thousand
MACT	Maximum Achievable Control Technology
MDHI	Maximum Design Heat Input
MM	Million
MMBtu/hr *or* mmbtu/hr	Million British Thermal Units per Hour
MMCF/hr *or* mmcf/hr	Million Cubic Feet per Hour
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NESHAPS	National Emissions Standards for Hazardous Air Pollutants
NO_X	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
$PM_{2.5}$	Particulate Matter less than 2.5 µm in diameter
PM_{10}	Particulate Matter less than 10µm in diameter
Ppb	Pounds per Batch
Pph	Pounds per Hour
Ppm	Parts per Million
Ppm_V or ppmv	Parts per Million by Volume
PSD	Prevention of Significant Deterioration
Psi	Pounds per Square Inch
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
TAP	Toxic Air Pollutant
TPY	Tons per Year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulate
USEPA	United States Environmental Protection Agency
UTM	Universal Transverse Mercator
VEE	Visual Emissions Evaluation
VOC	Volatile Organic Compounds
VOL	Volatile Organic Liquids

2.3. Authority

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

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

2.3.2. 45CSR14 – *Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration;*

2.4. Term and Renewal

2.4.1. 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 R13-3039, and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
[45CSR§§13-5.11 and 10.3.]

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

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

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

2.6. Duty to Provide Information

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

2.7. Duty to Supplement and Correct Information

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

2.8. Administrative Update

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

2.9. Permit Modification

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

2.10 Major Permit Modification

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

2.11. Inspection and Entry

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

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

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

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

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

2.12. Emergency

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

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

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

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

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

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

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

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

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

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

2.13. Need to Halt or Reduce Activity Not a Defense

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

2.14. Suspension of Activities

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

2.15. Property Rights

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

2.16. Severability

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

2.17. Transferability

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

2.18. Notification Requirements

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

2.19. Credible Evidence

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

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

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

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

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

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

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

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

3.2. Monitoring Requirements

[Reserved]

3.3. Testing Requirements

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

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

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

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

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

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

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

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

3.4. Recordkeeping Requirements

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

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

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

3.5. Reporting Requirements

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

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

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

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

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

3.5.4. Operating Fee

3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized 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 Boiler 301 and Boiler 308, respectively:

a. The boilers shall be fired with pipeline quality natural gas at all times when in operation.

b. CO discharged from Boiler 301 shall not exceed 1.06 pounds per hour with an annual total not to exceed of 4.64 tons per year. CO discharged from Boiler 308 shall not exceed 1.08 pounds per hour with an annual total not to exceed of 4.75 tons per year.

c. NO_x discharged from Boiler 301 shall not exceed 1.26 pounds per hour with an annual total not to exceed of 5.52 tons per year. NO_x discharged from Boiler 308 shall not exceed 1.28 pounds per hour with an annual total not to exceed 5.65 tons per year.

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

e. The design heat inputs and natural gas consumption for each boiler are as follows:

i. Boiler 301 shall not be designed or constructed with a maximum design heat input in excess of 12.6 MMBtu/hr. Compliance with this limit shall be satisfied by limiting the annual consumption of natural gas to 110.4 MM cubic feet, measured as a rolling 12 month total. Compliance with this limit satisfies the annual limits in items b. and c. of this condition.

ii. Boiler 308 shall not be designed or constructed with a maximum design heat input in excess of 12.9 MMBtu/hr. Compliance with this limit shall be satisfied by limiting the annual consumption of natural gas to 113 MM cubic feet, measured as a rolling 12 month total. Compliance with this limit satisfies the annual limits in items b. and c. of this condition.

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. For each month, the permittee shall record the amount of natural gas consumed by the boiler and shall calculate the rolling 12 month total of natural gas consumed for each month. Such records shall be maintained in accordance with Condition 3.4.1. of this permit.
[40CFR§60.48c(g)(2) and 45CSR§2A-7.1.a.1.]

4.3. Testing Requirements

[Reserved]

4.4. Recordkeeping Requirements

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

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

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

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

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

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

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

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

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

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

4.5. Reporting Requirements

4.5.1. The permittee shall submit an "Initial Notification" to the Director of the initial start-up of the boiler within 15 days after the actual date of start-up. This Initial Notification supersedes the notification requirements of Condition 2.18.
[40CFR§§60.48c(a) and 40CFR§§60.7]

CERTIFICATION OF DATA ACCURACY

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

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

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

Telephone No. _____ Fax No. _____

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[1] This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

   (i) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars), or

   (ii) the delegation of authority to such representative is approved in advance by the Director;

b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of U.S. EPA); or

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