

Class I
R13-0760G
049-00019
Dan



MARION COUNTY COAL COMPANY

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September 2, 2016

ID. No. _____ Reg. _____
Company _____
Facility _____
Initials _____

Ms. Beverly D. McKeone
WV Department of Environmental Protection
Division of Air Quality
601 - 57th Street
Charleston, WV 25304

**RE: Marion County Coal Company – Marion County, West Virginia,
Marion County Preparation Plant – Class I Administrative Update Request**

Dear Ms. McKeone:

The Marion County Coal Company (MCCC) operates the Marion County Preparation Plant located in Marion County, West Virginia. Operations at the Marion County Preparation Plant are permitted under a Title 45 Legislative Rule of the Division of Air Quality (DAQ) Series 13 (45CSR13) construction/modification permit (Permit R13-0760F) and the facility's Title V operating permit (R30-04900019-2014[MM01] effective February 7, 2014).

MCCC is submitting the enclosed request for a Class I administrative update of R13-0760F to remove certain boilerplate terms that were incorporated into the permit from 40 CFR Part 60, Subpart Y (NSPS Y) but are not applicable to the facility. Specifically, MCCC requests removal of the following terms from R13-0760F:

- **4.3.4** - includes requirements for Method 9 opacity tests from 40 CFR Part 60, Subpart A (i.e., the General Provisions). However, NSPS Y includes specific Method 9 procedures with minor changes from those in the General Provisions. These rule-specific procedures are found at 40 CFR 60.257(a) and are included in term 4.3.13 of R13-0760F.
- **4.3.8** - provides exemptions from 40 CFR 60.255(b)(1)(i) and (ii) for affected facilities (other than thermal dryers) that commenced construction, reconstruction, or modification after April 28, 2008, is subject to a PM emission standard, and uses a control device with a designed controlled potential PM emissions rate of 1.0 Mg per year or less. This term is inapplicable to MCCC since MCCC operates no such affected facilities.
- **4.3.9** - provides that groups of up to five of the same type of affected facilities that commenced construction, reconstruction, or modification after April 28, 2008, that are

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subject to PM emissions standards and use identical control devices may use a single PM performance test for one of the affected facilities to demonstrate compliance for the group. This term is inapplicable to MCCC since MCCC operates no such group of affected facilities.

- **4.5.5 (1), (4)-(10)** – 4.5.5 requires MCCC to maintain a logbook recording certain information for affected facilities that commenced construction, reconstruction, or modification after April 28, 2008. The only affected facilities operated by MCCC that commenced construction, reconstruction, or modification after April 28, 2008 are Conveyor belts 8A and 9 and the Batch Weigh Loadout Bin (BWL). Accordingly, 4.5.5 (1) and (4)-(10) are not applicable given that they contain information specific to other types of affected facilities regulated by NSPS Y that commenced construction, reconstruction, or modification after April 28, 2008 and which MCCC does not operate.
- **4.5.6 (1)-(2)** – 4.5.6 requires semiannual excess emissions reports. Specifically, 4.5.6(1) requires affected facilities with a wet scrubber to submit semiannual reports of occurrences when the measurements of the scrubber pressure loss, water supply flow rate, or pH of the wet scrubber liquid vary by more than 10 percent from the average determined during the most recent performance test. Although MCCC operates a thermal dryer with a wet scrubber, 40 CFR 60.258 applies only to thermal dryers that commenced construction, reconstruction or modification after April 28, 2008. The thermal dryer at MCCC's Marion County Preparation Plant was not constructed, reconstructed, or modified after April 28, 2008, and 4.5.6(1) therefore does not apply. 4.5.6(2) requires semiannual reports for affected facilities with control equipment other than a wet scrubber. MCCC does not operate any affected facility with control equipment other than a wet scrubber, and 4.5.6(2) therefore does not apply.

A redline-strikeout version of R13-0760F with the updates requested above in addition to other suggested minor updates is included as Attachment 1 to this letter.

MCCC notes that a proposed revision to R30-04900019-2014[MM01] is currently in the public comment period which will end October 11, 2016. MCCC requests that these proposed changes be incorporated into the final R30 permit upon issuance. In order to facilitate incorporation of these requested updates into the final R30 permit and to eliminate further potential confusion regarding applicability of these permit terms, MCCC requests that DAQ process this Class I Administrative Update as expeditiously as practicable but in any event no later than September 30, 2016.

MCCC appreciates your consideration in this matter. Should you have any questions on the specifics of this request, please do not hesitate to contact either Mike Burr of Trinity Consultants at (614) 433-0733 or Crellin Scott of Murray Energy Corporation at 740-338-3100.

Sincerely,

MARION COUNTY COAL COMPANY



Jason D. Witt

cc: Dan Roberts (DAQ)
Brian Tephabock (DAQ)
Karl Dettinger (DAQ)
Joe Kessler (DAQ)
Jesse Adkins (DAQ)
Robert Keatley (DAQ)

Attachment

4.0. Source-Specific Requirements

4.1. Limitations and Standards

- 4.1.1. The permittee shall not exceed the maximum hourly and annual throughput rates and other criteria outlined in the table in Section 1.0 Emission Units.
- 4.1.2. Compliance with all annual throughput limits shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the amount of material received, processed, and/or shipped at any given time during the previous twelve (12) consecutive calendar months.
- 4.1.3. Any and all records, such as throughput, hours of operation of the thermal dryer, SO₂ data, etc., shall be completed, certified and kept on site for a period of no less than five (5) years. Such records shall be made available to the Director or his or her duly authorized representative upon request.
- 4.1.4. Emissions from the permitted fluidized bed coal dryer stack shall not exceed the following rates:

| Pollutant | pounds/hour | tons/year |
|--|-------------|-----------|
| Particulate Matter (PM) ⁽¹⁾ | 40.0 | 120.0 |
| Sulfur Dioxide (SO ₂) | 235.0 | 586.0 |
| Nitrogen Oxides (NO _x) | 63.6 | 190.8 |
| Volatile Organic Compounds (VOC) | 135.6 | 406.8 |
| Carbon Monoxide (CO) | 57.6 | 172.8 |

(1) All PM emissions are assumed to be PM_{2.5} or smaller.

- 4.1.5. Operation of the thermal dryer shall be in accordance with the following requirements:
- The furnace shall be limited to a maximum combustion rate of 4.35 tons-coal/hour and 26,100 tons-coal/year (rolling twelve month basis);
 - The furnace shall be limited to a maximum combustion rate of 130,000 cubic feet-coal bed methane or natural gas/hour and 1,139 x 10⁶ cubic feet-coal bed methane or natural gas/year (rolling twelve month basis);
 - The sulfur content of the coal fired in the furnace shall not exceed 3.90% by weight as based on a composite daily sample or a rolling 365 daily weighted average of 3.40% by weight as determined under 4.2.2.;
 - Coal combustion shall be limited to providing 120 MMBtu/hr heat input into the furnace;
 - At all times coal combustion is providing over 90 MMBtu/hr heat input into the furnace a 20% solution of sodium hydroxide (NaOH) shall be sprayed downstream of the venturi scrubber to provide for additional SO₂ control;
 - Additional heat input to the furnace above 120 MMBtu/hr shall be provided by the combustion of coal bed methane or natural gas;
 - Heat input to the furnace shall not exceed 130 MMBtu/hr; and
 - The scrubber shall be operated at all times coal is combusted in the furnace.

4.1.6. The permittee shall not emit particulate matter into the open air from any stack which is twenty percent (20%) opacity or greater, except as noted in (a) or (b) below.

a. The provisions of subsection 3.1 shall not apply to particulate matter emitted, which is less than sixty percent (60%) opacity for a period or periods aggregating no more than five (5) minutes in any sixty (60) minute period during operation.

b. The provisions of subsections 3.1 and 3.2 shall not apply to particulate matter emitted, which is less than sixty percent (60%) opacity for a period of up to eight (8) minutes in any operating day for the purposes of building a fire of operating quality in the fuel burning equipment of a thermal dryer.

[45CSR§5-3.1, 3.2, 3.3]

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

The spraybar shall be equipped with commercially available spray nozzles, of sufficient size and number, so as to provide adequate coverage to the area 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, so as to assure that the treatment process will minimize the atmospheric entrainment of fugitive particulate emissions generated from the haulroads and work areas where mobile equipment is used.

The permittee shall properly install, operate and maintain designed winterization systems for all water trucks and/or water sprays in a manner that all such fugitive dust control systems remain functional during winter months and cold weather.

4.1.8. **Opacity Limit.** No person shall cause, suffer, allow or permit emission of particulate matter into the open air from any fugitive dust control system which is twenty percent (20%) opacity or greater.

[45CSR§5-3.4]

4.1.9. **Fugitive Dust Control System.** No person shall cause, suffer, allow or permit a coal preparation plant or handling operation to operate that is not equipped with a fugitive dust control system. This system shall be operated and maintained in such a manner as to minimize the emission of particulate matter into the open air.

[45CSR§5-6.1]

4.1.10. **Dust Control.** The owner or operator of a coal preparation plant or handling operation shall maintain dust control of the premises and owned, leased, or controlled access roads by paving, or other suitable measures. Good operating practices shall be observed in relation to stockpiling, car loading, breaking, screening, and general maintenance to minimize dust generation and atmospheric entrainment.

[45CSR§5-6.2]

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

[45CSR§5-10.1.]

4.1.12. **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.]

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

[45CSR§13-6.1.]

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

[45CSR§13-10.2.]

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

[45CSR§13-10.3.]

- 4.1.16. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR§60.11(d)]

- 4.1.17. **Standard for Thermal Dryers – NSPS Y.** On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator of a thermal dryer constructed, reconstructed, or modified on or before April 28, 2008, subject to the provisions of this subpart must meet the requirements in paragraphs (a)(1) and (a)(2) of this section.

[40CFR§60.252(a)]

- (1) The owner or operator shall not cause to be discharged into the atmosphere from the thermal dryer any gases which contain PM in excess of 0.070 g/dscm (0.031 grains per dry standard cubic feet (gr/dscf)); and

[40CFR§60.252(a)(1)]

- (2) The owner or operator shall not cause to be discharged into the atmosphere from the thermal dryer any gases which exhibit 20 percent opacity or greater.

[40CFR§60.252(a)(2)]

- 4.1.18. **Standards for Particulate Matter – NSPS Y.** On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.

[40CFR§60.254(a)]

4.1.19. **Standards for Particulate Matter – NSPS Y.** On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified after April 28, 2008, must meet the requirements in paragraphs (b)(1) through (3) of this section. [*Conveyor CB8A, Conveyor C9 and Batch Weigh Loadout Bin BWL*]
[40CFR§60.254(b)]

(1) Except as provided in paragraph (b)(3) of this section, the owner or operator must not cause to be discharged into the atmosphere from the affected facility any gases which exhibit 10 percent opacity or greater.

[40CFR§60.254(b)(1)]

(2) The owner or operator must not cause to be discharged into the atmosphere from any mechanical vent on an affected facility gases which contain particulate matter in excess of 0.023 g/dscm (0.010 gr/dscf).

[40CFR§60.254(b)(2)]

(3) Equipment used in the loading, unloading, and conveying operations of open storage piles are not subject to the opacity limitations of paragraph (b)(1) of this section.

[40CFR§60.254(b)(3)]

4.2. Monitoring Requirements

4.2.1. For the purposes of demonstrating compliance with maximum coal and coal bed methane or natural gas usage limits set forth in 4.1.5(a) and 4.1.5(b), respectively, the permittee shall maintain monthly and rolling twelve month records of the amount of coal and coal bed methane or natural gas usage that is consumed by the furnace.

4.2.2. For the purposes of demonstrating continuing compliance with the coal sulfur content limits given under 4.1.3(c), the permittee shall daily obtain a composite sample of coal to be combusted in the thermal dryer furnace. This sample shall be tested according to the appropriate test methods as approved in a protocol submitted pursuant to 3.3.1.c to determine the sulfur content of the coal. The annual sulfur content shall be calculated by using a weighted average of the daily sulfur content readings of the preceding 365 days.

4.2.3. The permittee shall install, evaluate, operate, and maintain instrumentation to measure the heat input into the furnace.

4.2.4. Instruments will be installed for measuring the pH of the scrubber inlet water and effluent water and pH monitors will be installed in the operating room so that the dryer operator can maintain the necessary influent pH to attain the required minimum SO₂ removal efficiency.

4.2.5. [*Reserved*]

4.2.6. For the purpose of determining compliance with the opacity limits of 45CSR5 and 40 CFR 60 Subpart Y, the permittee shall conduct visible emissions checks and/or opacity monitoring for all emissions units subject to an opacity standard [*Except for the following: Conveyor CB8A (018A), Conveyor C9 (032) and Batch Weigh Loadout Bin BWL (038B), which are subject to the certification of compliance requirements in 40 CFR§60.255(b) found in Section 4.3.5. of this permit*]:

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

consecutive 60 minute period. The initial evaluation shall be conducted at each emissions unit during the period of maximum expected visible emissions under normal unit and facility operations.

- b. Each emissions unit with a visible emissions limit contained in this permit shall be observed visually at least once each calendar week during periods of normal facility operation for a sufficient time interval to determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 CFR Part 60, Appendix A-7, Method 22 or from the lecture portion of the 40 CFR Part 60, Appendix A-4, Method 9 certification course.

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

- c. If the initial, or any subsequent, visible emissions evaluation indicates visible emissions in excess of 50 percent of the allowable visible emissions requirement for a given emission unit, a visible emissions evaluation in accordance with 40 CFR 60 Appendix A-4, Method 9 shall be performed for that unit at least once every consecutive 14-day period. If subsequent visible emissions evaluations indicate visible emissions less than or equal to 50 percent of the allowable visible emissions requirement for the emission unit for 3 consecutive evaluation periods, the emission unit may comply with the visible emissions testing requirements in Section 4.2.4.b. of this permit in lieu of those established in this condition.
- d. A visual emissions evaluation shall be conducted on all process and control equipment at least once each calendar month. If any deficiencies are observed, the necessary maintenance must be performed as expeditiously as possible.
- e. A visible emissions evaluation shall be conducted for each emission unit at least once every consecutive 12-month period in accordance with 40 CFR 60 Appendix A-4, Method 9. This annual evaluation shall consist of a minimum of 24 consecutive observations for each emission unit.
- f. A record of each visible emissions observation shall be maintained, including any data required by 40 CFR 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable visible emissions requirement, the results of the observation, and the name of the observer.

4.2.7. **Continuous Monitoring Requirements for Thermal Dryer – NSPS Y.** The owner or operator of each affected facility constructed, reconstructed, or modified on or before April 28, 2008, must meet the monitoring requirements specified in paragraphs (a)(1) and (2) of this section, as applicable to the affected facility.

[40CFR§60.256(a)]

- (1) The owner or operator of any thermal dryer shall install, calibrate, maintain, and continuously operate monitoring devices as follows:

[40CFR§60.256(a)(1)]

(i) A monitoring device for the measurement of the temperature of the gas stream at the exit of the thermal dryer on a continuous basis. The monitoring device is to be certified by the manufacturer to be accurate within ± 1.7 °C (± 3 °F).

[40CFR§60.256(a)(1)(i)]

(ii) For affected facilities that use wet scrubber emission control equipment:

[40CFR§60.256(a)(1)(ii)]

(A) A monitoring device for the continuous measurement of the pressure loss through the venturi constriction of the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ± 1 inch water gauge.

[40CFR§60.256(a)(1)(i)(A)]

(B) A monitoring device for the continuous measurement of the water supply pressure to the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ± 5 percent of design water supply pressure. The pressure sensor or tap must be located close to the water discharge point. The Administrator shall have discretion to grant requests for approval of alternative monitoring locations.

[40CFR§60.256(a)(1)(i)(B)]

(2) All monitoring devices under paragraph (a) of this section are to be recalibrated annually in accordance with procedures under §60.13(b).

[40CFR§60.256(a)(2)]

4.3. Testing Requirements

4.3.1. Within 60 days of permit issuance, the permittee shall conduct, or have conducted, in accordance with a protocol submitted pursuant to 3.3.1(c), a performance test on the thermal dryer to determine compliance with the emission limits as given under Table 4.1.4. The performance tests will be performed in accordance with the following:

a. The performance test shall be in accordance with a methodology proposed by the permittee in the protocol so that the test shall take place during firing conditions as close as possible to the maximum permitted furnace parameters as given under 4.1.5;

b. The permittee shall propose in the protocol a methodology for, if needed, scaling the performance test results to be valid for determining compliance with the emission limits given under Table 4.1.4. so as to account for firing conditions not reasonably close the maximum permitted furnace parameters as given under 4.1.5.; and

c. During any required compliance testing, the permittee shall install flow straightening devices in the stack of the fluidized bed thermal dryer to insure that cyclonic flow does not occur.

4.3.2. [Reserved]

4.3.3. **Performance Tests and Other Compliance Requirements for Subpart Y - Performance Test.** Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, the owner or operator of such facility shall conduct performance test(s) and furnish a written report of the results of such performance test(s).

[40CFR§60.8(a)]

~~4.3.4. Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6 minute averages) for the performance test or other set of observations (meaning those fugitive type emission sources subject only to an opacity standard). [40CFR§60.11(b)]~~

~~4.3.5.4.3.4.~~ **Performance Tests and Other Compliance Requirements for Subpart Y - Performance Tests.**
An owner or operator of each affected facility that commenced construction, reconstruction, or modification on or before April 28, 2008, must conduct performance tests required by §60.8 to demonstrate compliance with the applicable emission standards using the methods identified in §60.257.
[40CFR§60.255(a)]

~~4.3.6.4.3.5.~~ **Performance Tests and Other Compliance Requirements for Subpart Y - Performance Tests.**
An owner or operator of each affected facility that commenced construction, reconstruction, or modification after April 28, 2008 [Belt Conveyor CB18, Belt Conveyor CB18A, Truck Loadout Bin TLB, Belt Conveyor CB10, Refuse Loadout Bin 1 (024), Belt Conveyor CB19A and Batch Weigh Loadout Bin BW L], must conduct performance tests according to the requirements of §60.8 and the methods identified in §60.257 to demonstrate compliance with the applicable emission standards in Subpart Y as specified in paragraphs (b)(1) and (b)(2) of this section. [40CFR§60.255(b)]

(1) For each affected facility subject to a PM, SO₂, or combined NO_x and CO emissions standard, an initial performance test must be performed. Thereafter, a new performance test must be conducted according to the requirements in paragraphs (b)(1)(i) through (iii) of this section, as applicable.
[40CFR§60.255(b)(1)]

(i) If the results of the most recent performance test demonstrate that emissions from the affected facility are greater than 50 percent of the applicable emissions standard, a new performance test must be conducted within 12 calendar months of the date that the previous performance test was required to be completed.
[40CFR§60.255(b)(1)(i)]

(ii) If the results of the most recent performance test demonstrate that emissions from the affected facility are 50 percent or less of the applicable emissions standard, a new performance test must be conducted within 24 calendar months of the date that the previous performance test was required to be completed.
[40CFR§60.255(b)(1)(ii)]

(iii) An owner or operator of an affected facility that has not operated for the 60 calendar days prior to the due date of a performance test is not required to perform the subsequent performance test until 30 calendar days after the next operating day.
[40CFR§60.255(b)(1)(iii)]

(2) For each affected facility subject to an opacity standard, an initial performance test must be performed. Thereafter, a new performance test must be conducted according to the requirements in paragraphs (b)(2)(i) through (iii) of this section, as applicable, except as provided for in paragraphs (e) and (f) of this section. Performance test and other compliance requirements for coal truck dump operations are specified in paragraph (h) of this section.
[40CFR§60.255(b)(2)]

(i) If any 6-minute average opacity reading in the most recent performance test exceeds half the applicable opacity limit, a new performance test must be conducted within 90 operating days of the date that the previous performance test was required to be completed.
[40CFR§60.255(b)(2)(i)]

- (ii) If all 6-minute average opacity readings in the most recent performance are equal to or less than half the applicable opacity limit, a new performance test must be conducted within 12 calendar months of the date that the previous performance test was required to be completed.

[40CFR§60.255(b)(2)(ii)]

~~4.3.7.4.3.6.~~ **Performance Tests and Other Compliance Requirements for Subpart Y.** If any affected coal processing and conveying equipment (e.g., breakers, crushers, screens, conveying systems), coal storage systems, or other coal transfer and loading systems that commenced construction, reconstruction, or modification after April 28, 2008, are enclosed in a building do not exceed any of the standards in §60.254 that apply to the affected facility, then the facility shall be deemed to be in compliance with such standards.

[40CFR§60.255(c)]

~~4.3.8.~~ ~~An owner or operator of an affected facility (other than a thermal dryer) that commenced construction, reconstruction, or modification after April 28, 2008, is subject to a PM emission standard and uses a control device with a design controlled potential PM emissions rate of 1.0 Mg (1.1 tons) per year or less is exempted from the requirements of paragraphs (b)(1)(i) and (ii) of this section provided that the owner or operator meets all of the conditions specified in paragraphs (d)(1) through (3) of this section. This exemption does not apply to thermal dryers.~~

[40CFR§60.255(d)]

- ~~(1) PM emissions, as determined by the most recent performance test, are less than or equal to the applicable limit;~~

[40CFR§60.255(d)(1)]

- ~~(2) The control device manufacturer's recommended maintenance procedures are followed, and~~

[40CFR§60.255(d)(2)]

- ~~(3) All 6-minute average opacity readings from the most recent performance test are equal to or less than half the applicable opacity limit or the monitoring requirements in paragraphs (e) or (f) of this section are followed.~~

[40CFR§60.255(d)(3)]

~~4.3.9.~~ ~~For an owner or operator of a group of up to five of the same type of affected facilities that commenced construction, reconstruction, or modification after April 28, 2008, that are subject to PM emissions standards and use identical control devices, the Administrator or delegated authority may allow the owner or operator to use a single PM performance test for one of the affected control devices to demonstrate that the group of affected facilities is in compliance with the applicable emissions standards provided that the owner or operator meets all of the conditions specified in paragraphs (e)(1) through (3) of this section.~~

[40CFR§60.255(e)(1)]

- ~~(1) PM emissions from the most recent performance test for each individual affected facility are 90 percent or less of the applicable PM standard;~~

[40CFR§60.255(e)(1)]

- ~~(2) The manufacturer's recommended maintenance procedures are followed for each control device; and~~

[40CFR§60.255(e)(2)]

- ~~(3) A performance test is conducted on each affected facility at least once every 5 calendar years.~~

[40CFR§60.255(e)(3)]

~~4.3.10.4.3.7.~~ **Performance Tests and Other Compliance Requirements for Subpart Y - Monitoring Visible Emissions or Digital Opacity Compliance System.** As an alternative to meeting the requirements in paragraph (b)(2)

of this section [see permit condition 4.3.5. above], an owner or operator of an affected facility that commenced construction, reconstruction, or modification after April 28, 2008, may elect to comply with the requirements in paragraph (f)(1) or (f)(2) of this section.

[40CFR§60.255(f)]

- (1) Monitor visible emissions from each affected facility according to the requirements in paragraphs (f)(1)(i) through (iii) of this section.

[40CFR§60.255(f)(1)]

(i) Conduct one daily 15-second observation each operating day for each affected facility (during normal operation) when the coal preparation and processing plant is in operation. Each observation must be recorded as either visible emissions observed or no visible emissions observed. Each observer determining the presence of visible emissions must meet the training requirements specified in §2.3 of Method 22 of appendix A-7 of this part. If visible emissions are observed during any 15-second observation, the owner or operator must adjust the operation of the affected facility and demonstrate within 24 hours that no visible emissions are observed from the affected facility. If visible emissions are observed, a Method 9, of appendix A-4 of this part, performance test must be conducted within 45 operating days.

[40CFR§60.255(f)(1)(i)]

(ii) Conduct monthly visual observations of all processes and control equipment. If any deficiencies are observed, the necessary maintenance must be performed as expeditiously as possible.

[40CFR§60.255(f)(1)(ii)]

(iii) Conduct a performance test using Method 9 of Appendix A-4 of this part at least once every 5 calendar years for each affected facility.

[40CFR§60.255(f)(1)(iii)]

- (2) Prepare a written site-specific monitoring plan for a digital opacity compliance system for approval by the Administration or delegated authority. The plan shall require observations of at least one digital image every 15 seconds for 10-minute periods (during normal operation) every operating day. An approvable monitoring plan must include a demonstration that the occurrences of visible emissions are not in excess of 5 percent of the observation period. For reference purposes in preparing the monitoring plan, see OAQPS "Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems." This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Group (D243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods. The monitoring plan approved by the Administrator delegated authority shall be implemented by the owner or operator.

[40CFR§60.255(f)(2)]

~~4.3.11.4.3.8.~~ **Performance Tests and Other Compliance Requirements for Subpart Y - COMS.** As an alternative to meeting the requirements in paragraph (b)(2) of this section [see permit condition 4.3.5. above], an owner or operator of an affected facility that commenced construction, reconstruction, or modification after April 28, 2008, subject to a visible emissions standard under this subpart may install, operate, and maintain a continuous opacity monitoring system (COMS). Each COMS used to comply with provisions of this subpart must be installed, calibrated, maintained, and continuously operated according to the requirements in paragraphs (g)(1) and (2) of this section.

[40CFR§60.255(g)]

~~4.3.12.4.3.9.~~ **Coal Truck Dump Operations.** The owner or operator of each affected coal truck dump operation that commenced construction, reconstruction, or modification after April 28, 2008, must meet the requirements specified in paragraphs (h)(1) through (3) of this section.

[40CFR§60.255(h)]

- (1) Conduct an initial performance test using Method 9 of appendix A-4 of this part according to the requirements in paragraphs (h)(1)(i) and(ii).
[40CFR§60.255(h)(1)]
 - (i) Opacity readings shall be taken during the duration of three separate truck dump events. Each truck dump event commences when the truck bed begins to elevate and concludes when the truck bed returns to a horizontal position.
[40CFR§60.255(h)(1)(i)]
 - (ii) Compliance with the applicable opacity limit is determined by averaging all 15-second opacity readings made during the duration of three separate truck dump events.
[40CFR§60.255(h)(1)(ii)]
- (2) Conduct monthly visual observations of all process and control equipment. If any deficiencies are observed, the necessary maintenance must be performed as expeditiously as possible.
[40CFR§60.255(h)(2)]
- (3) Conduct a performance test using Method 9 of appendix A-4 of this part at least once every 5 calendar years for each affected facility.
[40CFR§60.255(h)(3)]

~~4.3.12.4.3.10.~~ **Test Methods and Procedures for Subpart Y.** The owner or operator must determine compliance with the applicable opacity standards as specified in paragraphs (a)(1) through (3) of this section.

[40CFR§60.257(a)]

- (1) Method 9 of Appendix A-4 of this part and the procedures in §60.11 must be used to determine opacity, with the exceptions specified in paragraphs (a)(1)(i) and (ii).
[40CFR§60.257(a)(1)]
 - (i) The duration of the Method 9 of Appendix A-4 of this part performance test shall be 1 hour (ten 6-minute averages).
[40CFR§60.257(a)(1)(i)]
 - (ii) If, during the initial 30 minutes of the observation of a Method 9 of Appendix A-4 of this part performance test, all of the 6-minute average opacity readings are less than or equal to half the applicable opacity limit, then the observation period may be reduced from 1 hour to 30 minutes.
[40CFR§60.257(a)(1)(ii)]
- (2) To determine opacity for fugitive coal dust emissions sources, the additional requirements specified in paragraphs (a)(2)(i) through (iii) must be used.
[40CFR§60.257(a)(2)]
 - (i) The minimum distance between the observer and the emission source shall be 5.0 meters (16 feet), and the sun shall be oriented in the 140-degree sector of the back.
[40CFR§60.257(a)(2)(i)]

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

[40CFR§60.257(a)(2)(ii)]

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

[40CFR§60.257(a)(2)(iii)]

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

[40CFR§60.257(a)(3)]

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

[40CFR§60.257(a)(3)(i)]

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

[40CFR§60.257(a)(3)(ii)]

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

[40CFR§60.257(a)(3)(iii)]

~~4.3.14~~4.3.11. **Test Methods and Procedures for Subpart Y.** The owner or operator must conduct all performance tests required by §60.8 to demonstrate compliance with the applicable emissions standards specified in §60.252 according to the requirements in §60.8 using the applicable test methods and procedures in paragraphs (b)(1) through (8) of this section.

[40CFR§60.257(b)]

4.4. Recordkeeping Requirements

- 4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:
- a. The date, place as defined in this permit and time of sampling or measurements;
 - b. The date(s) analyses were performed;
 - c. The company or entity that performed the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of the analyses; and
 - f. The operating conditions existing at the time of sampling or measurement.
- 4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0 of this permit, 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 of this permit, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:
- a. The equipment involved.
 - b. Steps taken to minimize emissions during the event.
 - c. The duration of the event.
 - d. The estimated increase in emissions during the event.

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

- e. The cause of the malfunction.
 - f. Steps taken to correct the malfunction.
 - g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.
- 4.4.4. The permittee shall maintain records of all monitoring data required by Section 4.2.6 of this permit by documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE wind) during the visual emission check(s). An example form is supplied as Appendix A. Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.

4.5. Reporting Requirements

- 4.5.1. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observation using 40CFR Part 60, Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall

include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

4.5.2. Any violation(s) of the allowable SO₂ requirements in Section 4.1.4 of this permit and recorded in Appendix A 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 testing, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

4.5.3. With regard to any testing required by the Director, the permittee shall submit to the Director of Air Quality and the Associate Director - Office of Enforcement and Permit Review (3AP12) of the U.S. EPA a test protocol detailing the proposed test methods, the date, and the time the proposed testing is to take place, as well as identifying the sampling locations and other relevant information. The test protocol must be received by the Director and the Associate Director no less than thirty (30) days prior to the date the testing is to take place. Test results shall be submitted to the Director and the Associate Director no more than sixty (60) days after the date the testing takes place.

4.5.4. **Notification and Record Keeping – Subpart Y.** Any owner or operator subject to the provisions of this part shall furnish written notification as follows:

[40CFR§60.7(a)]

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

[40CFR§60.7(a)(1)]

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

[40CFR§60.7(a)(3)]

4.5.5. **Reporting and Record Keeping – Subpart Y.** The owner or operator of a coal preparation and processing plant that commenced construction, reconstruction, or modification after April 28, 2008, shall maintain in a logbook (written or electronic) on-site and make it available upon request. The logbook shall record the following:

[40CFR§60.258(a)]

~~(1) The manufacturer's recommended maintenance procedures and the date and time of any maintenance and inspection activities and the results of those activities. Any variance from manufacturer recommendation, if any, shall be noted.~~

~~[40CFR§60.258(a)(1)]~~

~~(2)(1) The date and time of periodic coal preparation and processing plant visual observations, noting those sources with visible emissions along with corrective actions taken to reduce visible emissions. Results from the actions shall be noted.~~

~~[40CFR§60.258(a)(2)]~~

~~(3)(2) The amount and type of coal processed each calendar month.~~

~~[40CFR§60.258(a)(3)]~~

~~(4) The amount of chemical stabilizer or water purchased for use in the coal preparation and processing plant.~~

~~[40CFR§60.258(a)(4)]~~

~~(5) Monthly certification that the dust suppressant systems were operational when any coal was processed and that manufacturer's recommendations were followed for all control systems. Any variance from the manufacturer's recommendations, if any, shall be noted.~~

~~[40CFR§60.258(a)(5)]~~

~~(6) Monthly certification that the fugitive coal dust emissions control plan was implemented as described. Any variance from the plan, if any, shall be noted. A copy of the applicable fugitive coal dust emissions control~~

~~plan and any letters from the Administrator providing approval of any alternative control measures shall be maintained with the logbook. Any actions, e.g. objections, to the plan and any actions relative to the alternative control measures, e.g. approvals, shall be noted in the logbook as well.~~
~~{40CFR§60.258(a)(6)}~~

~~(7) For each bag leak detection system, the owner or operator must keep the records specified in paragraphs (a)(7)(i) through (iii) of this section.~~
~~{40CFR§60.258(a)(7)}~~

~~(i) Records of the bag leak detection system output;~~
~~{40CFR§60.258(a)(7)(i)}~~

~~(ii) Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection settings; and~~
~~{40CFR§60.258(a)(7)(ii)}~~

~~(iii) The date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, the cause of the alarm, an explanation of the actions taken, the date and time the cause of the alarm was alleviated, and whether the cause of the alarm was alleviated within 3 hours of the alarm.~~
~~{40CFR§60.258(a)(7)(iii)}~~

~~(8) A copy of any applicable monitoring plan for a digital opacity compliance system and monthly certification that the plan was implemented as described. Any variance from plan, if any, shall be noted.~~
~~{40CFR§60.258(a)(8)}~~

~~(9) During a performance test of a wet scrubber, and each operating day thereafter, the owner or operator shall record the measurements of the scrubber pressure loss, water supply flow rate, and pH of the wet scrubber liquid.~~
~~{40CFR§60.258(a)(9)}~~

~~(10) During a performance test of control equipment other than a wet scrubber, and each operating day thereafter, the owner or operator shall record the measurements of the reagent injection flow rate, as applicable.~~
~~{40CFR§60.258(a)(10)}~~

4.5.6. **Reporting and Record Keeping – Subpart Y.** For the purpose of reports required under section 60.7(c), any owner operator subject to the provisions of this subpart also shall report semiannually periods of excess emissions as follow:
~~{40CFR§60.258(b)}~~

~~(1) The owner or operator of an affected facility with a wet scrubber shall submit semiannual reports to the Administrator or delegated authority of occurrences when the measurements of the scrubber pressure loss, water supply flow rate, or pH of the wet scrubber liquid vary by more than 10 percent from the average determined during the most recent performance test.~~
~~{40CFR§60.258(b)(1)}~~

~~(2) The owner or operator of an affected facility with control equipment other than a wet scrubber shall submit semiannual reports to the Administrator or delegated authority of occurrences when the measurements of the reagent injection flow rate, as applicable, vary by more than 10 percent from the average determined during the most recent performance test.~~
~~{40CFR§60.258(b)(2)}~~

~~(3)(i) All 6-minute average opacities that exceed the applicable standard.~~
~~{40CFR§60.258(b)(3)}~~

4.5.7. **Reporting for Subpart Y - Results of Initial Performance Tests.** The owner or operator of an affected facility shall submit the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of section 60.8. The owner or operator who elects to comply with the reduced performance testing provisions of sections 60.255(c) or (d) shall include in the performance test report

identification of each affected facility that will be subject to the reduced testing. The owner or operator electing to comply with section 60.255(d) shall also include information which demonstrates that the control devices are identical.

[40CFR§60.258(c)]

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

[40CFR§60.258(d)]