

West Virginia Department of Environmental Protection

Joe Manchin, III
Governor

Division of Air Quality

Stephanie R. Timmermeyer
Cabinet Secretary

Permit to Operate



Pursuant to
Title V
of the Clean Air Act

Issued to:
Bayer CropScience
Institute Site
(Group 1/8)
(Powerhouses/Maintenance/WWTU/Laboratory)
R30-03900007-2005

John A. Benedict
Director

Issued: May 26, 2005 • Effective: June 9, 2005

Expiration: May 26, 2010 • Renewal: November 26, 2009

Permit Number: **R30-03900007-2005**
Permittee: **Bayer CropScience**
Facility Name: **Institute Site**
Mailing Address: **P.O. Box 1005**
Charleston, WV 25112

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Facility Location:	Institute, Kanawha County, West Virginia
Mailing Address:	P.O. Box 1005 Charleston, WV 25112
Telephone Number:	304-767-6148
Type of Business Entity:	Corporation
Facility Description:	Powerhouses, Maintenance, Wastewater Treatment Unit, Laboratories
SIC Codes:	2879; 2869
UTM Coordinates:	432.0 km Easting • 4248.310 km Northing • Zone 17

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.

Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.

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1.0. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
Powerhouse No. 1					
B-48003	480E	Boiler 3	1943	180 MMBTU/hr	Electrostatic Precipitator
B-48004	480F	Boiler 4	1943	180 MMBTU/hr	Electrostatic Precipitator
B-48005	480G	Boiler 5	1942	180 MMBTU/hr	None
1021	480E or 480F	Tank	1943	240,000 gallons	Boiler 3 or Boiler 4
1022	480E or 480F or 480G	Sump Tank	1966	30,000 gallons	Boiler 3 or Boiler 4 or Boiler 5
1043	480E or 480F	Tank	1966	30,000 gallons	Boiler 3 or Boiler 4
1044	480E or 480F	Tank	1966	30,000 gallons	Boiler 3 or Boiler 4
East Tank Truck Pad	480E or 480F	East Tank Truck Pad	1988	5,000 gallons	Boiler 3 or Boiler 4
Rail Car Rack	Sump	Rail Car Rack	1995	25,000 gallons	N/A
H-480	480H	Flyash Pneumatic Conveying/Drumming System	1991	Permit Feed Rate	HEPA Filter
South TT Pad	N/A	South TT Pad	1995	25,000 gallons	N/A
Control Device					
3ESP	480E	Electrostatic Precipitator	1968	120,000 cfm	N/A
4ESP	480F	Electrostatic Precipitator	1968	120,000 cfm	N/A
5ESP	480G	Electrostatic Precipitator	1968	120,000 cfm	N/A
HEPA	480H	HEPA Filter	1991	5,600 cfm	N/A
Powerhouse No.2					
D-940	485R	Lime Storage Silo	2000	40 tons	Bin Vent Filter (D-941)
Conveyor A	485Q	Pneumatic Conveyor A	1996	7 TPH	Baghouse (D-901)
Conveyor B	485P	Pneumatic Conveyor B	1996	7 TPH	Baghouse (D-900)

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
D-910	485O	Flyash Storage Silo	1988	350 tons	Silo Bin Filter (D-905)
Boiler No. 10	480A	Boiler No. 10	1956	360 MMBTU/hr	Electrostatic Precipitator (1C)
Boiler No. 11	480A	Boiler No. 11	1960	360 MMBTU/hr	Electrostatic Precipitator (2C)
Boiler No. 12	480A	Boiler No. 12	1963	360 MMBTU/hr	Electrostatic Precipitator (3C)
Coal Bunkers	485L 485N	Coal Storage Bunker Room	1956	20 tons	Baghouse (L-485) Baghouse (N-485)
Truck Fill Line	480I	Truck Fill Line	1998	1,500 acfm	Filter (D-916)
547	485M	Water Softener Lime Silo	1960	40 tons	Baghouse (M-485)
Control Device					
D-941	485R	Bin Vent Filter	1998	235 ft ² cloth	N/A
D-901	485Q	Baghouse	1996	355 ft ² cloth	N/A
D-900	485P	Baghouse	1996	355 ft ² cloth	N/A
D-905	485O	Silo Bin Filter	1996	132 ft ² cloth	N/A
D-916	480I	Filter	1998	640 ft ² cloth	N/A
1C	480A	Electrostatic Precipitator	1978	194,000 cfm	N/A
2C	480A	Electrostatic Precipitator	1978	194,000 cfm	N/A
3C	480A	Electrostatic Precipitator	1978	194,000 cfm	N/A
L-485	485L	Baghouse	1978	1,232 ft ² cloth	N/A
N-485	485N	Baghouse	1978	1,232 ft ² cloth	N/A
M-485	485M	Baghouse	1991	150 ft ² cloth	N/A
Maintenance					
100	460A	Gasoline Tank	1985	4,000 gallons	Vapor Balance
460	460A	VAT Tank	1979	2500 gallons	Closed Top
460	Fugitives	General Maintenance Supplies	N/A	N/A	N/A

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
WWTU					
T-4	010D	Conditioning Tank	1988	15,000 gallons	Carbon Adsorption
T-6	010D	Collection Sump	1988	5,000 gallons	Carbon Adsorption
F-1	010C	Filter Press	1988	N/A	N/A
T-1	015A	Lime Silo	1988	60 tons	Baghouse
T-2	010C	Lime Mix Tank	1988	7,000 gallons	N/A
T-3	010C	Tank	1988	5,000 gallons	N/A
T-5	010C	Slurry Tank	1988	2,000 gallons	N/A
609	010F	HCl Acid Storage Tank	1990	12,000 gallons	Scrubber (F-010)
608	Open Top	Leachate Tank	1988	300,000 gallons	N/A
Control Device					
S-2	010D	Carbon Adsorption	1988	1,800 lbs carbon	N/A
S-1	015A	Baghouse	1988	151 ft ² cloth	N/A
F-010	010F	Scrubber	1990	4 gpm	N/A
Laboratory					
450	Fugitives	Miscellaneous Laboratory Analyses	N/A	N/A	N/A

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

2.3. Permit Expiration and Renewal

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.
[45CSR§30-5.1.b.]
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.
[45CSR§30-4.1.a.3.]
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.
[45CSR§30-6.3.b.]
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.
[45CSR§30-6.3.c.]

2.4. Permit Actions

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[45CSR§30-5.1.f.3.]

2.5. Reopening for Cause

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
- a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
 - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
 - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.
[45CSR§30-6.4.]

2.7. Minor Permit Modifications

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.
[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.
[45CSR§30-6.5.b.]

2.9. Emissions Trading

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.
[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
 - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
 - c. The change shall not qualify for the permit shield.
 - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.

- e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.
- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

[45CSR§30-5.8]

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

[45CSR§30-5.8.a.]

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.
- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
 - b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
 - c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

- 2.13.1. 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; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution Control equipment), practices, or operations regulated or required under the permit;
 - d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
 - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would 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.

[45CSR§30-5.1.f.2.]

2.17. Emergency

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably 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.

[45CSR§30-5.7.a.]

- 2.17.2. 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 45CSR§30-5.7.c. are met.

[45CSR§30-5.7.b.]

- 2.17.3. 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. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, 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, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

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

[45CSR§30-5.7.d.]

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

[45CSR§30-5.2.a.]

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

2.19. Duty to Provide Information

- 2.19.1. 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 modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required 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.

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

- 2.20.1. 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.

[45CSR§30-4.2.]

2.21. Permit Shield

- 2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically

identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

2.22.1. 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 defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

[45CSR§30-5.1.e.]

2.24. Property Rights

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

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

[45CSR§30-5.1.a.2.]

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 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). A copy of this notice is required to be sent to the USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health.
[40 C.F.R. 61 and 45CSR15]
- 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]
- 3.1.7. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.8. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

[40 C.F.R. 82, Subpart F]

- 3.1.9. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

[40 C.F.R. 68]

- 3.1.10. **NO_x Budget Trading Program.** The permittee shall comply with the standard requirements set forth in the attached NO_x Budget Permit Application (see Attachment [D C](#)) and the NO_x Budget Permit requirements set forth in 45CSR1 for each NO_x budget source. The complete NO_x Budget Permit Application shall be the NO_x Budget Permit portion of the Title V permit administered in accordance with 45CSR30.

[45CSR§§1-6.1.b. and 20.1.]

- a. The NO_x Budget portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§1-2 and, upon recordation by the Administrator under 45CSR§1-50 through 45CSR§1-57, 45CSR§1-60 through 45CSR§1-62 or 45CSR§1-80 through 45CSR§1-88, every allocation, transfer or deduction of a NO_x allowance to or from the compliance accounts of the NO_x Budget units covered by the permit or the overdraft account of the NO_x budget source covered by the permit.

[45CSR§1-23.2.]

- b. Except as provided in 45CSR§1-23.2, the Director will revise the NO_x Budget portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.

[45CSR§1-24.1.]

- 3.1.11. The permitted facility shall be constructed and operated in accordance with information filed in Permit Application R13-277, R13-1033, R13-1248, R13-1308, [R13-1308A](#), R13-2001, [R13-2001A](#), [R13-2001B](#), R13-2190A and any amendments thereto. The Director may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.

[45CSR13, Permit Application No. 277, Permit No. R13-1033 (Condition G.R. 2), Permit No. R13-1248 (Condition G.R. 2), Permit No. 1308A (Condition G.R. 2), Permit No. R13-2001AB (Condition C.3.), Permit No. R13-2190A (Condition C.3.)]

- 3.1.12. CAIR NO_x Ozone Season Trading Program. The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Attachment [E D](#)) and the CAIR permit requirements set forth in 45CSR40 for each CAIR NO_x Ozone Season source. The complete CAIR Permit Application shall be the CAIR Permit portion of the Title V permit administered in accordance with 45CSR30. **[45CSR§§40-6.1.b. and 20.1.]**

- a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§40-2 and, upon recordation by the Administrator under 45CSR§40-43.3.c, sections 51 through 57, or 60 through 62 of 45CSR40, every allocation, transfer, or deduction of a CAIR NO_x Ozone

Season allowance to or from the compliance account of the CAIR NO_x Ozone Season source covered by the permit. [45CSR§40-23.2.]

- e. [b.](#) Except as provided in 45CSR§40-23.2, the Secretary will revise the CAIR Permit portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.[45CSR§40-24.1.]

3.2. Monitoring Requirements

N/A

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, if applicable, 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 will be revised in accordance with 45CSR§30-6.4. or 45CSR§30-6.5 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 will be revised in accordance with 45CSR§30-6.4. or 45CSR§30-6.5 as applicable.
 - c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

[WV Code § 22-5-4(a)(15) and 45CSR13]

3.4. Recordkeeping Requirements

- 3.4.1. **Monitoring information.** 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.
[45CSR§30-5.1.c.2.A.]
- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.
[45CSR§30-5.1.c.2.B.]
- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received. Such record shall contain an assessment of the validity of the complaints as well as any corrective actions taken.
[45CSR§30-5.1.c. 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.
[45CSR§§30-4.4. and 5.1.c.3.D.]
- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
[45CSR§30-5.1.c.3.E.]
- 3.5.3. All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

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

Phone: 304/926-0475
FAX: 304/926-0478

If to the US EPA:

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

- 3.5.4. **Certified emissions statement.** 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.
[45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.
[45CSR§30-5.3.e.]
- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.
[45CSR§30-5.1.c.3.A.]
- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.
- 3.5.8. **Deviations.**
- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
 1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
 2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions

or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.

3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

[45CSR§30-5.1.c.3.B.]

- c. Every report submitted under this subsection shall be certified by a responsible official.

[45CSR§30.5.1.c.3.D.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

[45CSR§30-4.3.h.1.B.]

3.6. Compliance Plan

- 3.6.1. N/A

3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

N/A

4.0. Source-Specific Requirements [Powerhouse No. 1]

4.1. Limitations and Standards

4.1.1. [Flyash Pneumatic/Drumming System.](#)

- a. Particulate emissions from the HEPA filter dust collection system shall not exceed a rate of 0.0025 lbs/hr and 0.01 tons/year. [Compliance with this lb/hr rate will demonstrate compliance with 45CSR§7-4.1.](#)
- b. [The maximum annual throughput for the Flyash Drumming System shall be 1,060 tons per year.](#)

~~[Compliance with the emission limits from 45CSR13, Permit No. R13-1308A (Conditions A.1. and A.2.) will also show compliance with 45CSR§7-4.1. (480H)]~~

- 4.1.2. Particulate Matter emissions from each boiler (Boilers 3, 4, and 5) shall not exceed 16.2 lbs/hr. The averaging time shall be as outlined in 45CSR2 Appendix §§ 4.1.b. & 4.1.c. **[45CSR§2-4.1.b., 45CSR2-Appendix §§ 4.1.b. & 4.1.c. (480E, 480F, 480G)]**

- 4.1.3. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average. **[45CSR§2-3.1. (480E, 480F, 480G)]**

- 4.1.4. Compliance with the visible emission requirements of Condition 4.1.3. shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Director. The Director may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of Condition 4.1.3. **[45CSR§2-3.2. (480E, 480F, 480G)]**

- 4.1.5. No person shall cause, suffer, allow or permit any source of fugitive particulate matter to operate that is not equipped with a fugitive particulate matter control system. This system shall be operated and maintained in such a manner as to minimize the emission of fugitive particulate matter. Sources of fugitive particulate matter associated with fuel burning units shall include, but not be limited to, the following:

Stockpiling of ash or fuel either in the open or in enclosures such as silos;

Transport of ash in vehicles or on conveying systems, to include spillage, tracking or blowing of particulate matter from or by such vehicles or equipment; and ash or fuel handling systems and ash disposal areas. **[45CSR§2-5.1. (480E, 480F)]**

- 4.1.6. The visible emission standards set forth in Condition 4.1.3. shall apply at all times except in periods of start-ups, shutdowns and malfunctions. Where the Director believes that start-ups and shutdowns are excessive in duration and/or frequency, the Director may require an owner or operator to provide a written report demonstrating that such frequent start-ups and shutdowns are necessary. **[45CSR§2-9.1. (480E, 480F, 480G)]**

- 4.1.7. At all times, including periods of start-ups, shutdowns and malfunctions, owners and operators shall, to the extent practicable, maintain and operate any fuel burning unit(s) including associated air pollution control

equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, visible emission observations, review of operating and maintenance procedures and inspection of the source.

[45CSR§2-9.2. (480E, 480F, 480G)]

~~4.1.8.a. The permittee shall comply with all applicable requirements of 40 C.F.R. 63, Subpart DDDDD, "National Emission Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters no later than September 13, 2007. As a result, the permittee is required to submit a "Notification of Compliance Status" (NOCS) Report by May 10, 2008 in accordance with 40 C.F.R. 63, Subpart DDDDD.~~

~~These dates may be subject to change if the permittee is granted an extension pursuant to the provisions of 40 C.F.R. 63, or the compliance date is amended by USEPA.~~

~~[40 C.F.R. 63, Subpart DDDDD, 45CSR34, Equipment IDs (B-48003, B-48004, and B-48005)] [Reserved]~~

~~4.1.8.b. The permittee shall submit a complete application for significant modification to the Title V permit to incorporate the specific requirements of 40 C.F.R. 63, Subpart DDDDD. The Title V modification application shall be submitted by May 10, 2008, which corresponds with the maximum time allowed for (NOCS) submittal per 40 C.F.R. 63, Subpart DDDDD.~~

~~If requested, this deadline may be changed upon written approval by the Director. The permittee shall request the change in writing at least 30 days prior to the application due date. As specified in 4.1.8.a, the NOCS date which triggers the Title V modification is based on the current compliance date and may change if granted an extension from the Director or the compliance date is amended by USEPA.~~

~~[45CSR§30-6.5.b.]~~

4.1.9. Sulfur dioxide emissions from each boiler (Boilers 3, 4, and 5) shall not exceed 288 lbs/hr.

[45CSR§10-3.2.c. (480E, 480F, 480G)]

4.1.10. Compliance with the allowable sulfur dioxide emission limitations from fuel burning units shall be based on a continuous twenty-four (24) hour averaging time. The owner and/or operator of a fuel burning unit shall not allow emissions to exceed the weight emissions standards for sulfur dioxide as set forth in 45CSR10, except during one (1) continuous twenty-four (24) hour period in each calendar month and during this one (1) continuous twenty-four hour period said owner and/or operator shall not allow emissions to exceed such weight emission standards by more than ten percent (10%) without causing a violation of 45CSR10. A continuous twenty-four (24) hour period is defined as one (1) calendar day.

[45CSR§10-3.8. (480E, 480F, 480G)]

4.1.11. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity.

[45CSR§7-3.1. (480H)]

4.1.12. The provisions of 4.1.11. shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period.

[45CSR§7-3.2. (480H)]

- 4.1.13. Any stack serving any process source operation or air pollution control equipment on any process source operation shall contain flow straightening devices or a vertical run of sufficient length to establish flow patterns consistent with acceptable stack sampling procedures.

[45CSR§7-4.12. (480H)]

- 4.1.14.a. The permittee shall comply with all applicable requirements of 40 C.F.R. 63, Subpart EEE, "National Emission Standards for Hazardous Air Pollutants for Hazardous Waste Combustors no later than October 14, 2008. As a result, the permittee is required to submit a "Notification of Compliance Status" (NOCS) Report by December 29, 2009 in accordance with 40 C.F.R. 63, Subpart EEE.

These dates may be subject to change if the permittee is granted an extension pursuant to the provisions of 40 C.F.R. 63, or the compliance date is amended by USEPA.

[40 C.F.R. 63, Subpart EEE, 45CSR34, Equipment ID (B-48003, B-48004)]

- 4.1.14.b. The permittee shall submit a complete application for significant modification to the Title V permit to incorporate the specific requirements of 40 C.F.R. 63, Subpart EEE. The Title V modification application shall be submitted by December 29, 2009, which corresponds with the maximum time allowed for (NOCS) submittal per 40 C.F.R. 63, Subpart EEE.

If requested, this deadline may be changed upon written approval by the Director. The permittee shall request the change in writing at least 30 days prior to the application due date. As specified in 4.1.13, the NOCS date which triggers the Title V modification is based on the current compliance date and may change if granted an extension from the Director or the compliance date is amended by USEPA.

[45CSR§30-6.5.b.]

4.2. Monitoring Requirements

- 4.2.1. Compliance with the particulate matter limits of 4.1.1. shall be determined by

- a. material balances around the HEPA filter.
- b. the HEPA filter shall be inspected monthly.

[45CSR§30.5.1.c (480H)]

- 4.2.2. Compliance with the opacity limit of 4.1.3. shall be shown by following the Rule 2 Monitoring Plan, submitted by the Permittee on February 28, 2001. This Plan is attached as Attachment [E B](#) to this Permit.

[45CSR§2-8.2.a. (480E, 480F, 480G)]

- 4.2.3. Compliance with the SO₂ limit of 4.1.9. shall be shown by following the Rule 10 Monitoring Plan, submitted by the Permittee on February 28, 2001. This Plan is attached as Attachment [E B](#) to this Permit.

[45CSR§10-8.2.c, 45CSR§10A-6.2. (480E, 480F, 480G)]

- 4.2.4. At least monthly, visual emission checks of each emission point subject to an opacity limit shall be conducted. For units emitting directly into the open air from points other than a stack outlet, visible emissions are to include visible fugitive dust emissions that leave the plant site boundaries. These checks shall be conducted during periods of normal facility operation for a sufficient time interval to determine if the unit has visible emissions using procedures outlined in 40 CFR 60, Appendix A, Method 22. If sources of visible emissions are identified during the survey, or at any other time, the permittee shall conduct an evaluation as outlined in 45CSR§7A-2.1.a,b within twenty-four (24) hours. However, a 45CSR§7A-2.1.a,b evaluation shall not be required more than once per month per emission unit. A 45CSR§7A-2.1.a,b evaluation shall not be required if the visible

emission condition is corrected in a timely manner and the units are operated at normal operating conditions. A record of each visible emission check required above shall be maintained on site for a period of no less than five (5) years. Said record shall include, but not be limited to, the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer.

[45CSR§30-5.1.c (480H)]

4.3. Testing Requirements

- 4.3.1. The owner or operator shall conduct tests to determine the compliance of Boilers 3, 4, and 5 with the particulate matter mass emission limitations. Such tests shall be conducted in accordance with the appropriate method set forth in 45CSR2 Appendix - Compliance Test Procedures for 45CSR2 or other equivalent EPA approved method approved by the Secretary. Such tests shall be conducted in accordance with the schedule set forth in the following table. The next test shall be performed before May 31, 2007.

Test	Test Results	Retesting Frequency
Initial Baseline	≤ 50% of weight emission standard	Once/3 years
Initial Baseline	between 50% and 80 % of weight emission standard	Once/2 years
Initial Baseline	≥ 80% of weight emission standard	Annual
Annual	after three successive tests indicate mass emission rates ≤50% of weight emission standard	Once/3 years
Annual	after two successive tests indicate mass emission rates < 80 % of weight emission standard	Once/2 years
Annual	any tests indicates a mass emission rate ≥ 80% of weight emission standard	Annual
Once/2 years	after two successive tests indicate mass emission rates ≤ 50% of weight emission standard	Once/3 years
Once/2 years	any tests indicates a mass emission rate < 80 % of weight emission standard	Once/2 years
Once/2 years	any tests indicates a mass emission rate ≥ 80% of weight emission standard	Annual
Once/3 years	any tests indicates a mass emission rate ≤ 50% of weight emission standard	Once/3 years
Once/3 years	any test indicates mass emission rates between 50% and 80 % of weight emission standard	Once/2 years
Once/3 years	any test indicates a mass emission rate ≥ 80% of weight emission standard	Annual

[45CSR§2-8.1., 45CSR§2A-5.2. (480E, 480F, 480G)]

4.4. Recordkeeping Requirements

- 4.4.1. Records of monitored data established in the monitoring plan (see Attachment [C B](#)) shall be maintained on site and shall be made available to the Secretary or his duly authorized representative upon request.
[45CSR§2-8.3.a. (480E, 480F, 480G)]
- 4.4.2. Records of the operating schedule and the quantity and quality of fuel consumed in each fuel burning unit, shall be maintained on-site in a manner to be established by the Secretary and made available to the Secretary or his duly authorized representative upon request.
[45CSR§2-8.3.c. (480E, 480F, 480G)]

4.5. Reporting Requirements

- 4.5.1. A periodic exception report shall be submitted to the Secretary, in a manner and at a frequency to be established by the Secretary. Compliance with this periodic exception reporting requirement shall be demonstrated as outlined the DAQ “45CSR2 Monitoring Plan” attached in Attachment [C B](#) of this permit.
[45CSR§2-8.3.b. (480E, 480F, 480G)]
- 4.5.2. Excess opacity periods resulting from any malfunction of Boilers 3, 4, or 5 or their air pollution control equipment, meeting the following conditions, may be reported on a quarterly basis unless otherwise required by the Secretary:
- a. The excess opacity period does not exceed thirty (30) minutes within any twenty-four (24) hour period; and
 - b. Excess opacity does not exceed forty percent (40%).
- [45CSR§2-9.3.a. (480E, 480F, 480G)]**
- 4.5.3. Except as provided in permit condition 4.5.2. above, the owner or operator shall report to the Secretary by telephone, telefax, or e-mail any malfunction of Boilers 3, 4, or 5, or their associated air pollution control equipment, which results in any excess particulate matter or excess opacity, by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Secretary within thirty (30) days providing the following information:
- a. A detailed explanation of the factors involved or causes of the malfunction;
 - b. The date, and time of duration (with starting and ending times) of the period of excess emissions;
 - c. An estimate of the mass of excess emissions discharged during the malfunction period;
 - d. The maximum opacity measured or observed during the malfunction;
 - e. Immediate remedial actions taken at the time of the malfunction to correct or mitigate the effects of the malfunction; and

- f. A detailed explanation of the corrective measures or program that will be implemented to prevent a recurrence of the malfunction and a schedule for such implementation.

[45CSR§2-9.3.b. (480E, 480F, 480G)]

4.6. Compliance Plan

N/A

5.0. Source-Specific Requirements [Powerhouse No. 2]

5.1. Limitations and Standards

5.1.1. Emissions from all three boilers (Boilers 10, 11, and 12) shall not exceed the following:

SO ₂	1,680 lbs/hr
NO _x	789 lbs/hr
HC	13 lbs/hr
PM	50 lbs/hr
CO	44 lbs/hr

[Compliance with the emission limits from 45CSR13, Permit No. R13-277 will also show compliance with 45CSR§2-4.1.b., 45CSR§7-4.1., and 45CSR§10-3.2.c. (480A)]

5.1.2. The amount of coal usage for the three boilers (Boilers 10, 11, and 12) shall not exceed 317,000 tons per calendar year.

[45CSR13, Permit No. R13-277 (480A)]

5.1.3. Particulate Matter emissions from each baghouse (L-485, N-485) of the coal bunker storage room shall not exceed 1.9 lbs/hr.

[Compliance with the emission limits from 45CSR13, Permit No. R13-277 will also show compliance with 45CSR§7-4.1. (485L, 485N)]

5.1.4. The coal used for the boilers 10, 11, and 12 shall not have a sulfur content greater than 1.2%.

[45CSR13, Permit No. R13-277 (480A)]

5.1.5. The permittee shall control particulate emissions at all times that flyash storage silo D-910 is in operation with baghouses D-900 and D-901 and bin filter D-905.

[45CSR13, Permit No. R13-2001AB (Condition A.1.) (485P, 485Q, 485O)]

5.1.6. Emissions to the atmosphere from flyash storage silo D-910 shall not exceed:

Emission Point ID No.	Control Device ID No. & Description	Pollutant	Emission Limit	
			pph	Tpy
485O	D-905 (bin filter)	PM ₁₀	1.6	6.75
485P	D-900 (baghouse)	PM ₁₀	4.6	14.23*
485Q	D-901 (baghouse)	PM ₁₀	4.6	

* Total annual emission limit for the two emission points.

[45CSR§7-4.1, 45CSR13, Permit No. R13-2001AB (Condition A.2.) (485P, 485Q, 485O)]

5.1.7. The annual throughput through the flyash storage silo D-910 shall not exceed 33,150 tons of flyash per year on the basis of a rolling twelve month total.

[45CSR13, Permit No. R13-2001AB (Condition A.3.) (485O)]

~~5.1.8. The total hours of operation for baghouses D-900 and D-901 shall not exceed 6,186 hours per year on the basis of a rolling twelve month total.~~

~~[45CSR13, Permit No. R13-2001A (Condition A.4.) (485P, 485Q)] [Reserved](#)~~

~~5.1.9.a. The permittee shall comply with all applicable requirements of 40 C.F.R. 63, Subpart DDDDD, "National Emission Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters no later than September 13, 2007. As a result, the permittee is required to submit a "Notification of Compliance Status" (NOCS) Report by May 10, 2008 in accordance with 40 C.F.R. 63, Subpart DDDDD.~~

~~These dates may be subject to change if the permittee is granted an extension pursuant to the provisions of 40 C.F.R. 63, or the compliance date is amended by USEPA.~~

~~[40 C.F.R. 63, Subpart DDDDD, 45CSR34, Equipment IDs (Boiler No. 10, 11, and 12)]~~

~~5.1.9.b. The permittee shall submit a complete application for significant modification to the Title V permit to incorporate the specific requirements of 40 C.F.R. 63, Subpart DDDDD. The Title V modification application shall be submitted by May 10, 2008, which corresponds with the maximum time allowed for (NOCS) submittal per 40 C.F.R. 63, Subpart DDDDD.~~

~~If requested, this deadline may be changed upon written approval by the Director. The permittee shall request the change in writing at least 30 days prior to the application due date. As specified in 5.1.9.a, the NOCS date which triggers the Title V modification is based on the current compliance date and may change if granted an extension from the Director or the compliance date is amended by USEPA.~~

~~[45CSR§30-6.5.b.]~~

5.1.9. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity.
[45CSR§7-3.1., 45CSR13, Permit No. R13-2001AB (Condition B.4.) (485L, 485N, 485M, 485R, 485O, 485P, 485Q, 480I)]

5.1.10. The provisions of 5.1.10. shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period.
[45CSR§7-3.2., 45CSR13, Permit No. R13-2001AB (Condition B.4.) (485L, 485N, 485M, 485R, 485O, 485P, 485Q, 480I)]

5.1.11. No person shall cause, suffer, allow, or permit emissions of smoke and/or particulate matter into the open air from any storage structure associated with any manufacturing process.
[45CSR§7-3.7., 45CSR13, Permit No. R13-2001AB (Condition B.4.) (485R, 485O, 485L, 485N, 485M)]

5.1.12. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable.
[45CSR§7-5.1., 45CSR13, Permit No. R13-2001AB (Condition B.4.) (485R, 485O, 485L, 485N, 485M)]

5.1.13. The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other

suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment.

[45CSR§7-5.2., 45CSR13, Permit No. R13-2001AB (Condition B.4.)]

5.1.14. Due to unavoidable malfunction of equipment, emissions exceeding those set forth in 45CSR7 may be permitted by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director.

[45CSR§7-9.1., 45CSR13, Permit No. R13-2001AB (Condition B.4.)]

5.1.15. Emissions to the atmosphere from the lime storage silo system shall be limited to the following:

Emission Point ID	Pollutant	Vent Time (hr/yr)	Potential Emission (lb/hr)	Potential Emission (lb/yr)	Control Device	Allowable Emission (lb/hr)	Allowable Emission (lb/yr)
485R	PM	64.0	1,144.0	73,216.0	Bin Vent Filter	11.4	732.2
	PM ₁₀		114.4	2,059.2		1.1	73.2
480I	PM	1,840.0	514.0	935,480.0	Truck Fill Line Filter	0.5	945.8
	PM ₁₀		51.4	93,548.0		0.05	94.6

[Compliance with the emission limits from 45CSR13, Permit No. R13-2190A (Condition A.1.) will also show compliance with 45CSR§7-4.1. (485R, 480I)]

5.1.16. The bin filter, designated as D-941, shall be in good operating condition and shall be operated during any and all times when the lime storage silo, designated as D-940, is being loaded.

[45CSR13, Permit No. R13-2190A (Condition A.2.) (485R)]

5.1.17. The truck fill line filter, designated as D-916, shall be in good operating condition and shall be operated during any and all times of pneumatic truck loading.

[45CSR13, Permit No. R13-2190A (Condition A.3.) (D-916)]

5.1.18. The permittee shall maintain and operate water sprays on the truck fill line during any and all times when wet flyash and lime are being loaded into trucks.

[45CSR13, Permit No. R13-2190A (Condition B.3.) (D-916)]

5.1.19. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average.

[45CSR§2-3.1. (480A)]

- 5.1.20. Compliance with the visible emission requirements of Condition 5.1.20. shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Director. The Director may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of 45CSR§2-3.1. **[45CSR§2-3.2. (480A)]**
- 5.1.21. No person shall cause, suffer, allow or permit any source of fugitive particulate matter to operate that is not equipped with a fugitive particulate matter control system. This system shall be operated and maintained in such a manner as to minimize the emission of fugitive particulate matter. Sources of fugitive particulate matter associated with fuel burning units shall include, but not be limited to, the following:
- Stockpiling of ash or fuel either in the open or in enclosures such as silos;
- Transport of ash in vehicles or on conveying systems, to include spillage, tracking or blowing of particulate matter from or by such vehicles or equipment; and
- Ash or fuel handling systems and ash disposal areas.
[45CSR§2-5.1. (485P, 485Q, 485O, 485L, 485N)]
- 5.1.22. The visible emission standards set forth in Condition 5.1.20. shall apply at all times except in periods of start-ups, shutdowns and malfunctions. Where the Director believes that start-ups and shutdowns are excessive in duration and/or frequency, the Director may require an owner or operator to provide a written report demonstrating that such frequent start-ups and shutdowns are necessary.
[45CSR§2-9.1. (480A)]
- 5.1.23. At all times, including periods of start-ups, shutdowns and malfunctions, owners and operators shall, to the extent practicable, maintain and operate any fuel burning unit(s) including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, visible emission observations, review of operating and maintenance procedures and inspection of the source.
[45CSR§2-9.2. (480A)]
- 5.1.24. Compliance with the allowable sulfur dioxide emission limitations from Condition 5.1.1. for fuel burning units shall be based on a continuous twenty-four (24) hour averaging time. The owner and/or operator of a fuel burning unit shall not allow emissions to exceed the weight emissions standards for sulfur dioxide as set forth in 45CSR10, except during one (1) continuous twenty-four (24) hour period in each calendar month and during this one (1) continuous twenty-four hour period said owner and/or operator shall not allow emissions to exceed such weight emission standards by more than ten percent (10%) without causing a violation of 45CSR10. A continuous twenty-four (24) hour period is defined as one (1) calendar day.
[45CSR§10-3.8. (480A)]
- 5.1.25. Particulate matter emissions from the water softener lime silo shall not exceed 14.0 lbs/hr.
[45CSR§7-4.1. (480M)]
- 5.1.26. The permittee shall maintain and operate water sprays on the truck fill line during any and all times when wet flyash and lime are being loaded into trucks.
[45CSR13, Permit No. R13-2190A (Condition B.3.) (480I)]

5.2. Monitoring Requirements

- 5.2.1. Compliance with the particulate matter limits of 5.1.3., 5.1.6., and 5.1.16., and 5.1.26 shall be determined by
- material balances around the baghouse/filter systems.
 - the baghouse/filter systems shall be inspected monthly.
- [45CSR§30.5.1.c (485L, 485N, 485R, 485O, 485P, 485Q, 480I)]**
- 5.2.2. Compliance with the opacity limit of 5.1.20. shall be shown by following the Rule 2 Monitoring Plan, submitted by the Permittee on February 28, 2001. This Plan is attached as Attachment [C B](#) to this Permit.
- [45CSR§2-8.2.a. (480A)]**
- 5.2.3. At least monthly, visual emission checks of each emission point subject to an opacity limit shall be conducted. For units emitting directly into the open air from points other than a stack outlet, visible emissions are to include visible fugitive dust emissions that leave the plant site boundaries. These checks shall be conducted during periods of normal facility operation for a sufficient time interval to determine if the unit has visible emissions using procedures outlined in 40 CFR 60, Appendix A, Method 22. If sources of visible emissions are identified during the survey, or at any other time, the permittee shall conduct an evaluation as outlined in 45CSR§7A-2.1.a,b within twenty-four (24) hours. However, a 45CSR§7A-2.1.a,b evaluation shall not be required more than once per month per emission unit. A 45CSR§7A-2.1.a,b evaluation shall not be required if the visible emission condition is corrected in a timely manner and the units are operated at normal operating conditions. A record of each visible emission check required above shall be maintained on site for a period of no less than five (5) years. Said record shall include, but not be limited to, the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer.
- [45CSR§30-5.1.c (485L, 485M, 485N, 485R, 485O, 485P, 485Q, 480I)]**

5.3. Testing Requirements

- 5.3.1. The owner or operator shall conduct tests to determine the compliance of Boilers 10, 11, and 12 with the particulate matter mass emission limitations. Such tests shall be conducted in accordance with the appropriate method set forth in 45CSR2 Appendix - Compliance Test Procedures for 45CSR2 or other equivalent EPA approved method approved by the Secretary. Such tests shall be conducted in accordance with the schedule set forth in the following table. The next stack test shall be completed by February 28, 2008.

Test	Test Results	Retesting Frequency
Initial Baseline	≤ 50% of weight emission standard	Once/3 years
Initial Baseline	between 50% and 80 % of weight emission standard	Once/2 years
Initial Baseline	≥ 80% of weight emission standard	Annual
Annual	after three successive tests indicate mass emission rates ≤ 50% of weight emission standard	Once/3 years
Annual	after two successive tests indicate mass emission rates < 80 % of weight emission standard	Once/2 years

Test	Test Results	Retesting Frequency
Annual	any tests indicates a mass emission rate \geq 80% of weight emission standard	Annual
Once/2 years	after two successive tests indicate mass emission rates \leq 50% of weight emission standard	Once/3 years
Once/2 years	any tests indicates a mass emission rate $<$ 80 % of weight emission standard	Once/2 years
Once/2 years	any tests indicates a mass emission rate \geq 80% of weight emission standard	Annual
Once/3 years	any tests indicates a mass emission rate \leq 50% of weight emission standard	Once/3 years
Once/3 years	any test indicates mass emission rates between 50% and 80 % of weight emission standard	Once/2 years
Once/3 years	any test indicates a mass emission rate \geq 80% of weight emission standard	Annual

[45CSR§2-8.1., 45CSR§2A-5.2. (480A)]

- 5.3.2. The owner or operator shall conduct tests to determine the compliance of each fuel burning unit with the weight emission standards set forth in 45CSR§10-3.2.c at a frequency established in the following table. Weight emission tests shall be conducted in accordance with 40 CFR Part 60, Appendix A, Method 6 or other equivalent EPA testing method approved by the Secretary. The next stack test shall be complete by October 31, 2006.

Percent of Factor	Testing Frequency
\leq 50% of Factor	No stack testing required
Between 50% and 90% of Factor	Once every 5 years
\geq 90% of Factor	Once every year

[45CSR§10-8.1., 45CSR§10-A-5.1. (480A)]

5.4. Recordkeeping Requirements

- 5.4.1. Records of monitored data established in the monitoring plan (see Attachment [C B](#)) shall be maintained on site and shall be made available to the Secretary or his duly authorized representative upon request.

[45CSR§2-8.3.a. (480A)]

- 5.4.2. Records of the operating schedule and the quantity and quality of fuel consumed in each fuel burning unit, shall be maintained on-site in a manner to be established by the Secretary and made available to the Secretary or his duly authorized representative upon request.

[45CSR§2-8.3.c. (480A)]

- 5.4.3. The permittee shall maintain a record of the total throughput of flyash on the basis of a rolling twelve month total, per the example form Attachment A. Records shall be certified by a “Responsible Official” and maintained on-site for a period of not less than five (5) years. Such records shall be made available to the Director or his duly authorized representative upon request.

[45CSR13, Permit No. R13-2001A (Condition B.1.)]

- ~~5.4.4. [\[Reserved\]](#) The permittee shall maintain a record of the hours of operation for the baghouses D-900 and D-901 on the basis of a rolling twelve month total, per the example form Attachment B. Records shall be certified by a “Responsible Official” and maintained on-site for a period of not less than five (5) years. Such records shall be made available to the Director or his duly authorized representative upon request.~~

~~**[45CSR13, Permit No. R13-2001A (Condition B.2.)]**~~

- 5.4.5. The permittee shall maintain accurate records of the total time of lime truck unloading into lime storage silo, D-940. Said records shall also indicate the date and time of delivery (start and finish), the amount of lime delivered and if any visible emissions were detected.

[45CSR13, Permit No. R13-2190A (Condition B.1.) (485R)]

- 5.4.6. The permittee shall maintain accurate records of the hours of operation of the truck fill line during pneumatic truck loading, D-916.

[45CSR13, Permit No. R13-2190A (Condition B.2.) (480I)]

5.5. Reporting Requirements

- 5.5.1. A periodic exception report shall be submitted to the Secretary, in a manner and at a frequency to be established by the Secretary. Compliance with this periodic exception reporting requirement shall be demonstrated as outlined the DAQ “45CSR2 Monitoring Plan” attached in Attachment [C B](#) of this permit.

[45CSR§2-8.3.b. (480A)]

- 5.5.2. Excess opacity periods resulting from any malfunction of Boilers 10, 11, or 12 or their air pollution control equipment, meeting the following conditions, may be reported on a quarterly basis unless otherwise required by the Secretary:

- a. The excess opacity period does not exceed thirty (30) minutes within any twenty-four (24) hour period; and
- b. Excess opacity does not exceed forty percent (40%).

[45CSR§2-9.3.a. (480A)]

- 5.5.3. Except as provided in permit condition 5.5.2. above, the owner or operator shall report to the Secretary by telephone, telefax, or e-mail any malfunction of Boilers 10, 11, or 12 or their associated air pollution control equipment, which results in any excess particulate matter or excess opacity, by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Secretary within thirty (30) days providing the following information:

- a. A detailed explanation of the factors involved or causes of the malfunction;
- b. The date, and time of duration (with starting and ending times) of the period of excess emissions;

- c. An estimate of the mass of excess emissions discharged during the malfunction period;
- d. The maximum opacity measured or observed during the malfunction;
- e. Immediate remedial actions taken at the time of the malfunction to correct or mitigate the effects of the malfunction; and
- f. A detailed explanation of the corrective measures or program that will be implemented to prevent a recurrence of the malfunction and a schedule for such implementation.

[45CSR§2-9.3.b. (480A)]

5.6. Compliance Plan

N/A

6.0. Source-Specific Requirements [Wastewater Treatment Unit/Maintenance/Laboratory]

6.1. Limitations and Standards

- 6.1.1. The Permittee shall operate and maintain the storage silo in such a manner so that hydrated lime emissions from emission point 015A shall not exceed a maximum hourly emission rate of 0.12 lbs/hr and/or a maximum annual emission rate of 6.48 lbs/yr.
[Compliance with 45CSR13, Permit No. R13-1033 (Condition A.1., B.1.) will show compliance with 45CSR§7-4.1. (015A)]
- 6.1.2. HCl emissions to the atmosphere from the scrubber on the HCl tank (010F) shall not exceed 0.004 lbs/hr or 1.6 lbs/yr. HCL emissions to the atmosphere from the scrubber on the HCL tank shall not exceed 210 milligrams per dry cubic meter.
[45CSR§7-4.2., 45CSR13, Permit No. R13-1248 (Condition A.1.) (010F)]
- 6.1.3. The HCl tank and scrubber shall be operated in such a manner so as to comply with all applicable state laws and regulations.
[45CSR13, Permit No. R13-1248 (Condition B.1.) (010F)]
- 6.1.4. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable.
[45CSR§7-5.1., 45CSR13, Permit No. R13-1033 (Condition B.1.) (010D, 015A, 010C)]
- 6.1.5. The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment.
[45CSR§7-5.2., 45CSR13, Permit No. R13-1033 (Condition B.1.)]
- 6.1.6. No person shall cause, suffer, allow, or permit visible emissions from any storage structure(s) associated with any manufacturing process(es) that pursuant to 45CSR§7-5.1 is required to have a full enclosure and be equipped with a particulate matter control device.
[45CSR§7-3.7., 45CSR13, Permit No. R13-1033 (Condition B.1.) (010D, 015A, 010C, 010F)]

6.2. Monitoring Requirements

- 6.2.1. At least monthly, visual emission checks of each emission point subject to an opacity limit shall be conducted. For units emitting directly into the open air from points other than a stack outlet, visible emissions are to include visible fugitive dust emissions that leave the plant site boundaries. These checks shall be conducted during periods of normal facility operation for a sufficient time interval to determine if the unit has visible emissions using procedures outlined in 40 CFR 60, Appendix A, Method 22. If sources of visible emissions are identified during the survey, or at any other time, the permittee shall conduct an evaluation as outlined in 45CSR§7A-

2.1.a,b within twenty-four (24) hours. However, a 45CSR§7A-2.1.a,b evaluation shall not be required more than once per month per emission unit. A 45CSR§7A-2.1.a,b evaluation shall not be required if the visible emission condition is corrected in a timely manner and the units are operated at normal operating conditions. A record of each visible emission check required above shall be maintained on site for a period of no less than five (5) years. Said record shall include, but not be limited to, the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer.

[45CSR§7A-2.1a,b 45CSR13, Permit No. R13-1033 (Condition B.1.) (015A)]

- 6.2.2. Compliance with 6.1.2. for the removal of HCl by the scrubber (010F) shall be determined by proper operation and maintenance of the scrubber. The permittee shall follow the permittee's Preventative Maintenance Plan, as submitted by the Permittee on March 31, 2005.

[45CSR§30.5.1.c (010F)]

- 6.2.3. Compliance with the particulate matter limits of 6.1.1. shall be determined by
- a. material balances around the baghouse/filter system.
 - b. the baghouse/filter system shall be inspected monthly.

[45CSR§30.5.1.c (015A)]

6.3. Testing Requirements

N/A

6.4. Recordkeeping Requirements

N/A

6.5. Reporting Requirements

N/A

6.6. Compliance Plan

N/A

ATTACHMENT A

RECORD OF TOTAL THROUGHPUT OF FLYASH

Bayer CropScience
 Institute Plant
 R13-2001AB
 Year: _____

Month	Storage Silo, D-910		Initials
	Monthly Throughput (tons)	Twelve Month Total (tons)	
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

Note: After entering the required information, each entry shall be initialed by a person designated by a Responsible Official.

The Certification of Data Accuracy statement on the reverse side of this form must be completed and signed by a Responsible Official or Authorized representative within fifteen (15) days after the end of the calendar month. This record shall be maintained on-site for a period of five (5) years from the date of certification. It shall be made available to the Secretary or an authorized representative upon request.

ATTACHMENT B

RECORD OF TOTAL HOURS OF OPERATION

Bayer CropScience
 Institute Plant
 R13-2001A

Month: _____ Year: _____

Day of Month	Baghouse-D-900 (hours)	Baghouse-D-904 (hours)	Day of Month	Baghouse-D-900 (hours)	Baghouse-D-904 (hours)
1			16		
2			17		
3			18		
4			19		
5			20		
6			21		
7			22		
8			23		
9			24		
10			25		
11			26		
12			27		
13			28		
14			29		
15			30		
			31		
Total Hours for Month					
Rolling Twelve Month Total					

The Certification of Data Accuracy statement on the reverse side of this form must be completed and signed by a Responsible Official or Authorized representative within fifteen (15) days after the end of the calendar month. This record shall be maintained on-site for a period of five (5) years from the date of certification. It shall be made available to the Secretary or an authorized representative upon request.

CERTIFICATION OF DATA ACCURACY

~~This Certification of Data Accuracy shall be signed below by a Responsible Official or an Authorized Representative. A Responsible Official is a President, Vice President Secretary, Treasurer, General Partner, General Manager, a member of a Board of Directors or Owner, depending on business structure. An Authorized Representative may be certified through an official agreement submitted with the Permit Application. Any improperly signed or unsigned Certification of Data Accuracy shall constitute a violation of the terms and conditions of this Permit.~~

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

Signature _____

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

Name & Title _____

(please print or type) _____ Name _____ Title

Permittee's Name

Telephone # _____ **Fax #** _____

Attachment [E B](#)

Rule 2 and 10 Monitoring Plans

Attachment [D](#) [C](#)

NOx Budget

Attachment [E D](#)

CAIR Permit Application