West Virginia Department of Environmental Protection
Division of Air Quality

Joe Manchin III
Governor

Stephanie R. Timmermeyer
Cabinet Secretary

Permit to Operate

Pursuant to
Title V
of the Clean Air Act

Issued to:
Bayer CropScience
Institute Site
Group 2 of 8
(Rhodimet)
R30-03900007-2005

John A. Benedict
Director

Issued: February 14, 2006 • Effective: March 1, 2006
Expiration: February 14, 2011 • Renewal: August 14, 2010

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:	Manufacture of Rhodimet AT88.
SIC Codes:	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 and Active R13, R14, and R19 Permits

1.1. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
Rhodimet					
R/C Depress	295K	Railcar Depressurization	1993	N/A	N/A
Drum Unload	290A	Drum Unloading	1993	N/A	N/A
D-1110	295A	MTPA Storage Tank	1993	> 40,000 gal	D-1190
D-1120	295A	MTPA Storage Tank	1993	> 40,000 gal	D-1190
D-1150	295A	MTPA Unloading Surge Tank	1993	< 20,000 gal	D-1190
D-1210	295B	Sulfuric Acid Storage Tank	1993	> 20,000 gal	N/A
C-1310	295C	Ammonia Storage Tank	1993	> 20,000 gal	C-1318
C-1320	295C	Ammonia Storage Tank	1998	> 20,000 gal	C-1318
D-1410	295D	Ammonia Solution Tank	1993	< 20,000 gal	D-1419
E-1430	290F 290G	Vaporizer	1993	N/A	Y-8370 or Y-8350, C-8380
C-2110	290F 290G	Catalyst Feed Tank	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
R-2130	290F 290G	Cyanohydrine Reactor	1993	N/A	Y-8370 or Y-8350, C-8380
D-3110	290F 290G	Cyanohydrine Tank	1993	> 20,000 gal	Y-8370 or Y-8350, C-8380
R-3210 R-3220 R-3230 R-3240	290F 290G	Hydrolysis Reactors	1993	N/A	Y-8370 or Y-8350, C-8380
D-3310	290F 290G	Hydrolyzed Buffer Tank	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
D-3320	290F 290G	Neutralization Tank	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
Y-3410	290F 290G	Decanter	1993	<20,000 gal	Y-8370 or Y-8350, C-8380

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
D-3415	290F 290G	Organic Phase Receiver	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
E-4110	290F 290G	Thin Film Evaporator	1993	N/A	Y-8370 or Y-8350, C-8380
C-4114	290F 290G	Concentrated Rhodimet Pot	1993	70 gal	Y-8370 or Y-8350, C-8380
E-4120	290F 290G	Thin Film Evaporator	1993	N/A	Y-8370 or Y-8350, C-8380
C-4124	290F 290G	Concentrated Rhodimet Pot	1993	70 gal	Y-8370 or Y-8350, C-8380
Y-4210	290F 290G	Rotary Pressure Filter	1993	N/A	Y-8370 or Y-8350, C-8380
D-4230	290F 290G	Filtered Rhodimet Receiver	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
D-4240	290F 290G	Cake Redissolution Tank	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
D-4310	290F 290G	Rhodimet Day Tank	1993	>20,000 gal	Y-8370 or Y-8350, C-8380
D-4320	290F 290G	Rhodimet Day Tank	1993	>20,000 gal	Y-8370 or Y-8350, C-8380
D-4330	290F 290G	Rhodimet Storage Tank	1993	>40,000 gal	Y-8370 or Y-8350, C-8380
D-4340	290F 290G	Rhodimet Storage Tank	1997	>40,000 gal	Y-8370 or Y-8350, C-8380
D-5110	290F 290G	Sulfate Solution Buffer Tank	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
C-5210	290F 290G	Ammonium Sulfate Crystallizer	1993	N/A	Y-8370 or Y-8350, C-8380
Y-5230 Y-5240	290F 290G	Crystal Thickener/Centrifuge	1993	N/A	Y-8370 or Y-8350, C-8380
D-5245	290F 290G	Mother Liquor Receiver	1993	<20,000 gal	Y-8370 or Y-8350, C-8380

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
Y-5310	290B	Ammonium Sulfate Dryer/Separator	1993	N/A	C-5330
Y-5320	290B	Ammonium Sulfate Cooler	1993	N/A	**C-5330**
D-5510	295E	Ammonium Sulfate Silo	1993	>20,000 gal	Y-5515
D-5520	295F	Ammonium Sulfate Silo	1993	>20,000 gal	Y-5525
E-7130	290F 290G	Gas Inlet Preheater	1993	N/A	Y-8370 or Y-8350, C-8380
C-7140	290F 290G	HCN Reactor	1993	N/A	Y-8370 or Y-8350, C-8380
D-7144	N/A	Hydrogen Saturation Tank	1993	N/A	N/A
C-7150	290F 290G	Waste Heat Boiler	1993	N/A	Y-8370 or Y-8350, C-8380
C-7210	290F 290G	Ammonia Absorber Column	1993	N/A	Y-8370 or Y-8350, C-8380
C-7310	290F 290G	Gas Cooler Column	1993	N/A	Y-8370 or Y-8350, C-8380
C-7320	290F 290G	HCN Absorber Column	1993	N/A	Y-8370 or Y-8350, C-8380
C-7410	290F 290G	HCN Distillation Column	1993	N/A	Y-8370 or Y-8350, C-8380
C-7420	290F 290G	HCN Reflux Drum	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
D-8110	290F 290G	Process Area Sump	1993	N/A	Y-8370 or Y-8350, C-8380
D-8120	290F 290G	Waste Water Holding Tank	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
D-8124	290F 290G	Waste Water Tank	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
D-8130	290F 290G	Effluent Tank	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
C-8140	290F 290G	HCN Stripping Column	1993	N/A	Y-8370 or Y-8350, C-8380

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
D-8150	290F 290G	Process Area Sump (section 7000)	1993	N/A	Y-8370 or Y-8350, C-8380
D-8160	290F 290G	Stripped Water Receiver	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
D-8170	290F 290G	Ozone Contactor	1993	N/A	Y-8370 or Y-8350, C-8380
D-8190	290F 290G	Pretreated Wastewater Sump	1993	N/A	Y-8370 or Y-8350, C-8380
Y-8391	290F 290G	PV1 KO Pot	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
Y-8393	290F 290G	PV1 KO Pot	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
Y-8394	290F 290G	PV3 KO Pot	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
D-9120	295G	Chilled Water Tank	1993	<20,000 gal	N/A
D-9130	295G	Chilled Water Tank	Future	<20,000 gal	N/A
D-9140 D-9148	290F 290G	Water Ring Tank	1993	<20,000 gal	Y-8370 or Y-8350, C-8380
D-9220	290F 290G	Unit Water Tank	1993	N/A	Y-8370 or Y-8350, C-8380
D-9310 E-9316	295H	Steam Condensate Flash Tank	1993	<20,000 gal	N/A
D-9320	290H	Betz Tank	1993	<20,000 gal	N/A
D-9330	290H	Betz Tank	1993	<20,000 gal	N/A
Control Device					
Y-8350	290E	Thermal Oxidizer	1992	50,000 lbs/hr	C-8380
Y-8370	290F	Flare	1992	42,000 lbs/hr	N/A
C-8380	290G	Caustic Scrubber	2001	20,000 ACFM	N/A
D-1190	295A	Packed Bed Scrubber	1992	526 ACFM	N/A
C-1318	295C	Packed Bed Scrubber	1992	30 ACFM	N/A
D-1419	295D	Packed Bed Scrubber	1992	2 ACFM	N/A
C-5330	290B	Venturi Scrubber	1992	7,945 ACFM	N/A

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
Y-5515	295E	Baghouse	1998	1,094 lbs/hr	N/A
Y-5525	295F	Baghouse	1998	1,094 lbs/hr	N/A

1.2 Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

Permit Number	Date of Issuance
R13-1448B	July 30, 2007

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 Performance Standards
CBI	Confidential Business Information	**PM**	Particulate Matter
CEM	Continuous Emission Monitor	**PM_{10}**	Particulate Matter less than 10μm in diameter
CES	Certified Emission Statement	**pph**	Pounds per Hour
C.F.R. *or* C.F.R.	Code of Federal Regulations	**ppm**	Parts per Million
CO	Carbon Monoxide	**PSD**	Prevention of Significant Deterioration
C.S.R. *or* CSR	Codes of State Rules	**psi**	Pounds per Square Inch
DAQ	Division of Air Quality	**SIC**	Standard Industrial Classification
DEP	Department of Environmental Protection	**SIP**	State Implementation Plan
FOIA	Freedom of Information Act	**SO_2**	Sulfur Dioxide
HAP	Hazardous Air Pollutant	**TAP**	Toxic Air Pollutant
HON	Hazardous Organic NESHAP	**TPY**	Tons per Year
HP	Horsepower	**TRS**	Total Reduced Sulfur
lbs/hr *or* lb/hr	Pounds per Hour	**TSP**	Total Suspended Particulate
LDAR	Leak Detection and Repair	**USEPA**	United States Environmental Protection Agency
M	Thousand	**UTM**	Universal Transverse Mercator
MACT	Maximum Achievable Control Technology	**VEE**	Visual Emissions Evaluation
MM	Million	**VOC**	Volatile Organic Compounds
MMBtu/hr *or* mmbtu/hr	Million British Thermal Units per Hour		
MMCF/hr *or* mmcf/hr	Million Cubic Feet Burned per Hour		
NA	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		
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. **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]

3.1.6. **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)]

3.1.7. **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]

3.1.8. **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]

3.1.9. **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 of Group 1 Permit, issued 5/26/2005) 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.]

3.1.10. The permitted facility shall be constructed and operated in accordance with information filed in Permit Application R13-1448, R13-1448R, R13-1448A and R13-1448B 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 No. R13-1448A (Condition C.3.)]

3.2. Monitoring Requirements

3.2.1. 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.

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.

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 [Rhodimet Unit]

4.1. Limitations and Standards

4.1.1. Emissions from the Rhodimet™ AT-88 production unit shall not exceed the following rates:

Emiss. Pt. ID	Sources Venting / I.D.	Pollutant	Pounds/Hour	Tons/Year
295A	Tanks / D-1110 D-1120 D-1150	CL_2 (HAP) Impurities HAP[1] Total HAPs Total VOC	0.05 0.01 0.06 0.07	0.20 0.05 0.25 0.86
295B	Tank / D-1210	Sulfuric Acid PM	0.01	0.001
295C	Tanks / C-1310 C-1320	Ammonia	1.57	0.02
295D	Tank / D-1419	Ammonia	1.30	0.02
295E	Silo / D-5510	PM VOC	0.56 0.01	2.40 0.001
295F	Silo / D-5520	PM VOC	0.56 0.01	2.40 0.001
295G	Tanks / D-9120 D-9130	Ethylene Glycol HAP - VOC	0.10	0.001
295K	Railcar Depressurization	Sulfuric Acid PM	0.01	0.001
290B	Dryer / Y-5310	Sulfuric Acid HCN (HAP) PM VOC	0.01 0.01 1.65 0.92	0.001 0.05 7.20 4.10
290G	Scrubber / C-8380	NOx SOx CO HAPs[2] VOC Ozone NOx[3]	7.40 5.50 1.54 0.07 0.12 0.01 41.0	32.41 24.15 6.80 0.30 0.52 0.04 8.03
290F	Emergency Flare / Y-8370 96 hr/yr	NOx SOx CO HAPs[2] VOC	7.40 6.40 15.4 0.65 0.96	0.40 0.31 0.74 0.03 0.05

[1] HAP impurities account for trace levels of Acrolein, Acetaldehyde, and Hydroquinone present in MTPA raw material
[2] Hydrogen Cyanide, Acrolein, Acetaldehyde, and Hydroquinone
[3] Represents NOx emissions during cold start and HCN reactor diverts

[45CSR13, Permit No. R13-1448 (Condition A.1.) Compliance with this streamlined PM limit assures compliance with 45CSR§7-4.1 (295A, 295B, 295C, 295D, 295E, 295F, 295G, 295K, 290A, 290B, 290F, 290G)]

4.1.2. The Rhodimet Unit shall not exceed the following production rates:

Rhodimet TM AT-88 - 12,000 Pounds per Hour and 54,000 Tons per Year
Ammonium Sulfate - 10,000 Pounds per Hour and 43,000 Tons per Year

The annual rates established here are with respect to a rolling 12 month annual sum.
[45CSR13, Permit No. R13-1448 (Condition A.2.)]

4.1.3. The Thermal oxidizer, Y-8350, shall maintain a minimum fire box temperature of 982 degrees Celsius with an accuracy of plus or minus 9.83 degrees Celsius. During normal operations an exceedance of this limit is defined as a reduction in firebox temperature equaling or exceeding 28 degrees C based on any three hour block average. Exceedances shall be documented according to 40 C.F.R. 60.705(f).
The Permittee shall keep up-to-date, readily accessible continuous records of the equipment operating parameters specified above in this Condition, as well as up-to-date, readily accessible records of periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. The Administrator may at any time require a report of these data.
[45CSR13, Permit No. R13-1448 (Condition A.3.) (290E)]

4.1.4. The effluent gas from thermal oxidizer, Y-8350, shall be sent to SO2 scrubber, C-8380, emission point 290G, at all times.
[45CSR13, Permit No. R13-1448 (Condition A.4.) (290E, 290G)]

4.1.5. Upon startup or shutdown of Thermal Oxidizer, Y-8350, or during process upsets and/or related malfunctions all waste gas feeds shall be routed to emergency flare, Y-8370. This mode of operation shall not exceed 96 hours per year.
[45CSR13, Permit No. R13-1448 (Condition A.5.) (~~290E~~, 290F)]

4.1.6. Except as provided in Condition 4.1.5, Bayer CropScience is required to utilize the following control equipment at all times the sources they abate are in operation: D-1190, C-1318, D-1419, Y-5515, Y-5525, C-5330, Y-8350, and C-8380. Each air pollution control device including flare, C-8370, shall be maintained and operated according to manufactures' specifications as well as the conditions specified in permit application R13-1448A.
[45CSR13, Permit No. R13-1448 (Condition A.6.) (295A, 295C, 295D, 295E, 295F, 290B, 290E, 290G)]

4.1.7. The Permittee shall submit a modification for approval before installing any equipment listed in permit application R13-1448A, which is specified as a future source.
[45CSR13, Permit No. R13-1448 (Condition B.4.) (D-1130, D-1220, D-5530)

4.1.8. Particulate matter emissions for the thermal oxidizer (290E) shall not exceed 68 lbs/hr. Particulate matter emissions from the flare (290F) shall not exceed 57 lbs/hr.
[45CSR§6-4.1. (290E, 290F)]

4.1.9. Emission of Visible Particulate Matter --No person shall cause, suffer, allow or permit emission of smoke into the atmosphere from any incinerator which is twenty (20%) percent opacity or greater.
[45CSR§6-4.3. (290E, 290F)]

4.1.10. The provisions of Condition 4.1.9 shall not apply to smoke which is less than forty (40%) percent opacity, for a period or periods aggregating no more than eight (8) minutes per start-up, or six (6) minutes in any sixty (60)-minute period for stoking operations.
[45CSR§6-4.4. (290E, 290F)]

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., 45CSR13, Permit No. R13-1448 (Condition B.7.) (290B, 295E, 295F)]

4.1.12. The provisions of 4.1.11. above 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 (60)minute period.
[45CSR§7-3.2. (290B, 295E, 295F)]

4.1.13. 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. (D-5510, D-5520)]

4.1.14. 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. (D-5510, D-5520)]

4.1.15. Sulfuric acid shall not be released from the Sulfuric Acid Storage Tank (D-1210) in a concentration greater than 35 milligrams per dry cubic meter. Hyrdochloric acid shall not be released from the Bleach MTPA Scrubber (D-1190), which treats the emissions from the three MTPA Tanks (D-1110, D-1120, and D-1150) in a concentration greater than 210 milligrams per dry cubic meter.
[45CSR§7-4.2, 45CSR13, Permit No. R13-1448 (Condition B.7.) (295B, 295A)]

4.1.16. No person shall circumvent the provisions of Condition 4.1.15 by adding additional gas to any exhaust or group of exhausts for the purpose of reducing the stack gas concentration.
[45CSR§7-4.3, 45CSR13, Permit No. R13-1448 (Condition B.7.) (295B, 295A)]

4.1.17. Storage tanks D-3110, D-4330, and D-4340 shall be equipped with a closed vent system and control device meeting the following specifications:
(i) The closed vent system shall be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background and visual inspections, as determined in 40C.F.R.60.485(b), Subpart VV.
(ii) The thermal oxidizer Y-8350 shall be designed and operated to reduce inlet VOC emissions by 95 percent or greater. When the emergency flare Y-8370 is used, it shall meet the specification described in the general control device requirements of the General Provisions of 40C.F.R.60.18.
[45CSR16, Subpart Kb, 40C.F.R.§60.112b(a)(3), (290E, 290F)]

4.1.18. Except during periods of start-up, shutdown and malfunction as specified in 40C.F.R.63 Subpart YY, the fuel gas system shall be operating at all times when regulated material emissions are routed to it. If emissions are routed to a fuel gas system, there is no requirement to conduct a performance test or design evaluation.
For the storage tank C-7420, the permittee shall submit the statement of connection reports for fuel gas systems specified below:
The permittee shall submit a statement that the emission stream is connected to the fuel gas system and whether the conveyance system is subject to the requirements of 40C.F.R.63.984(c).
[45CSR34, Subpart SS, 40C.F.R.63.982(d), 45CSR13, Permit No. R13-1448 (Condition A.7.) (HCN Unit, C-7320, C-7410, C-7420, Emission Point, 290E and 290G)]
Compliance with the HCN MACT requirement of 40 C.F.R. 63, Subpart YY, streamlines compliance with the NSPS requirements of 40 C.F.R. 60, Subparts VV, NNN, and III as specified within 40 C.F.R.§63.1100(g).

4.1.19. Reserved

4.1.20. Reserved

4.1.21. The Permittee shall comply with the equipment leak requirements of 40C.F.R.63.1019, Subpart UU, which are attached and listed in Appendix A. Additionally:
The open-ended lines that contain or contact hydrogen cyanide are exempt from any requirements to install a cap, plug, blind flange, or second valve to be capped.
When identifying equipment subject to any equipment leak requirements, an owner or operator is allowed to designate specific components of such equipment as never being safe to monitor with their Notification of Compliance Status report and periodic compliance reports. In order for an owner or operator to designate such equipment as never being safe to monitor, they must certify that monitoring such equipment at any time the CCMPU is operating is never safe (e.g., monitoring this equipment would present an unreasonable hazard or preclude testing personnel from meeting emergency evacuation requirements). If it is demonstrated to the Administrator's satisfaction that equipment designated by the owner or operator as never safe to monitor is appropriately designated, an owner or operator will not be required to monitor such equipment.
[45CSR34, Subpart YY, 40C.F.R.63.1103(g), 45CSR13, Permit No. R13-1448 (Condition A.7, Condition B.9.)]

4.1.22.a. Reserved~~The permittee shall comply with all applicable requirements of 40 C.F.R. 63, Subpart FFFF "National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic NESHAP" (MON) no later than May 10, 2008. As a result, the permittee is required to submit a "Notification of Compliance Status" (NOCS) Report by October 7, 2008 in accordance with 40 C.F.R. 63, Subpart FFFF.~~

~~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 FFFF, 45CSR34]~~

4.1.22.b. Reserved~~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 FFFF. The Title V modification application shall be submitted by October 7, 2008, which corresponds with the maximum time allowed for (NOCS) submittal per 40 C.F.R. 63, Subpart FFFF.~~

~~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.~~
~~[45CSR§30-6.5.b.]~~

4.1.22. (a) Requirements for the HCN Unit.

(1) Except as provided in paragraph (a)(2) of this Condition, the emission limitations and established parameter ranges of this part shall apply at all times except during periods of startup, shutdown, malfunction, or non-operation of the affected source (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies. During periods of startup, shutdown, or malfunction, the owner or operator shall follow the applicable provisions of the startup, shutdown, malfunction plan required by 40C.F.R.63.1111. However, if a startup, shutdown, malfunction or period of non-operation of one portion of an affected source does not affect the ability of a particular emission point to comply with the specific provisions to which it is subject, then that emission point shall still be required to comply with the applicable provisions of this subpart and any of the subparts that are referenced by this subpart during startup, shutdown, malfunction, or period of non-operation.

(2) If equipment leak requirements are referenced by this subpart for a subject source category, such requirements shall apply at all times except during periods of startup, shutdown, or malfunction, process unit shutdown (as defined in 40C.F.R.63.1101), or non-operation of the affected source (or specific portion thereof) in which the lines are drained and depressurized resulting in cessation of the emissions to which the equipment leak requirements apply.

(5) During startups, shutdowns, and malfunctions when the emission standards of this subpart and the subparts referenced by this subpart do not apply pursuant to paragraphs (a)(1) through (2) of this Condition, the owner or operator shall implement, to the extent reasonably available, measures to prevent or minimize excess emissions. The measures to be taken shall be identified in the startup, shutdown, and malfunction plan (if applicable), and may include, but are not limited to, air pollution control technologies, recovery technologies, work practices, pollution prevention, monitoring, and/or changes in the manner of operation of the affected source. Back-up control devices are not required, but may be used if available. Compliance with an inadequate startup, shutdown, and malfunction plan developed pursuant to 40C.F.R.63.1111 is not a shield for failing to comply with good operation and maintenance requirements.

(6) Malfunctions shall be corrected as soon as practical after their occurrence and/or in accordance with the source's startup, shutdown, and malfunction plan developed as specified under 40C.F.R.63.1111.

(7) Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable, independent of emissions limitations or other requirements in relevant standards.

[45CSR34, Subpart YY, 40C.F.R.63.1108(a), 45CSR13, Permit No. R13-1448 (Condition A.7.)]

4.1.23. (a) Startup, shutdown, and malfunction plan for the HCN Unit.

(1) Description and purpose of plan. The permittee shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the affected source during periods of startup, shutdown, and malfunction. This plan shall also include a program of corrective action for malfunctioning process and air pollution control equipment used to comply with relevant standards under this subpart. The plan shall also address routine or otherwise predictable CPMS malfunctions. This requirement is optional for equipment that must comply with 40C.F.R.63, Subpart UU.

(2) Operation of source. During periods of startup, shutdown, and malfunction, the permittee shall operate and maintain such affected source (including associated air pollution control equipment and CPMS) in accordance with the procedures specified in the startup, shutdown, and malfunction plan developed under paragraph (a)(1) of this Condition.

(3) Use of additional procedures. To satisfy the requirements of this Condition to develop a startup, shutdown, and malfunction plan, the permittee may use it's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this Condition and are made available for inspection when requested by the Administrator.

(4) Revisions to the plan. Based on the results of a determination made under 40C.F.R.63.1108(b)(3), the Administrator may require that the permittee make changes to the startup, shutdown, and malfunction plan for that source. The Administrator may require reasonable revisions to a startup, shutdown, and malfunction plan if the Administrator finds that the plan is inadequate as specified in 40C.F.R.63.1111(a)(4)(i) through (iv).

(5) Additional malfunction plan requirements. If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the permittee developed the plan, the permittee shall revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the affected source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control equipment or CPMS.

(b) Startup, shutdown, and malfunction reporting requirements.

(1) Periodic startup, shutdown, and malfunction reporting requirements. If actions taken by the permittee during a startup, shutdown, and malfunction, or of a control device or monitoring system required for compliance (including actions taken to correct a malfunction) are consistent with the procedures specified in the permittee's plan, then the permittee shall state such information in a startup, shutdown, and malfunction report. During the reporting period, reports shall only be required for startups, shutdowns, and malfunctions during which excess emissions, as defined in 40C.F.R.63.1108(a)(5), occur during the reporting period. A startup, shutdown, and malfunction report can be submitted as part of a Periodic Report required under 40C.F.R.63.1110(a)(5), or on a more frequent basis if specified otherwise under 40C.F.R.63, Subpart YY or a subpart referenced by 40C.F.R.63, Subpart YY or as established otherwise by the permitting authority in the permittee's title V permit. The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate), unless the information is submitted with the Periodic Report. The report shall include the information specified below:

(i) The name, title, and signature of the owner or operator or other responsible official certifying its accuracy.

(ii) The number of startup, shutdown, and malfunction events and the total duration of all periods of startup, shutdown, and malfunction for the reporting period if the total duration amounts to either of the durations in paragraphs (b)(1)(ii)(A) or (B) of this Condition.

(A) Total duration of periods of malfunctioning of a CPMS equal to or greater than 5 percent of that CPMS operating time for the reporting period; or

(B) Total duration of periods of startup, shutdown, and malfunction for an affected source equal to or greater than 1 percent of that affected source's operating time for the reporting period.

Records of the number of CPMS startup, shutdown, and malfunction events and the total duration of all periods of startup, shutdown, and malfunction for the reporting period are required as follows:

The start time and duration or start and stop times of any periods when the CPMS is inoperative.

Records of the occurrence and duration of each start-up, shutdown, and malfunction of CPMS used to comply with this subpart during which excess emissions (as defined in a referencing subpart) occur.

(iii) Records documenting each startup, shutdown and malfunction event as required below:

Records documenting each start-up, shutdown, and malfunction event.

(iv) Records documenting the total duration of operating time as required below:

Records of the total duration of operating time.

(2) Immediate startup, shutdown, and malfunction reports. Notwithstanding the allowance to reduce the frequency of reporting for startup, shutdown, and malfunction reports under paragraph (b)(1) of this Condition, any time an action taken by the permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) during which excess emissions occur is not consistent with the procedures specified in the permittee's plan, the permittee shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan, followed by a letter delivered or postmarked within 7 working days after the end of the event. The immediate report required under this Condition shall contain the name, title, and signature of an responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred. Notwithstanding the requirements of the previous sentence, after the effective date of an approved permit program in the State in which the permittee is located, the permittee may make alternative reporting arrangements, in advance, with the permitting authority in that State. Procedures governing the arrangement of alternative reporting requirements in this Condition are specified in 40C.F.R.63.1110(h).

[45CSR34, Subpart YY, 40C.F.R.63.1111, 45CSR13, Permit No. R13-1448 (Condition A.7.)]

4.1.2~~5~~4. Incinerators, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors.
[45CSR§6-4.6 (290E, 290F)]

4.1.2~~6~~5. No person shall allow cause, suffer, allow or permit the emission into the open air from any source operation an in-stack sulfur dioxide concentration exceeding 2,000 parts per million by volume from existing source operations, except as provided in 45CSR§10-4.1.
[45CSR§10-4.1 (290G)]

4.1.2~~7~~6. The Rhodimet unit is subject to the Leak Detection and Repair (LDAR) monitoring requirements of 40C.F.R.§63.160, Subpart H. These conditions are listed in Appendix B.
[45CSR§21-37, CO-21-97-4, Condition III.2.]

4.1.27. Startup, shutdown, and malfunction plan for the Rhodimet Unit.
(i) The owner or operator of an affected source must develop a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; and a program of corrective action for malfunctioning process, air pollution control, and monitoring equipment used to comply with the relevant standard. The startup, shutdown, and malfunction plan does not need to address any scenario that would not cause the source to exceed an applicable emission limitation in the relevant standard. This plan must be developed by the owner or operator by the source's compliance date for that relevant standard. The purpose of the startup, shutdown, and malfunction plan is to—
(A) Ensure that, at all times, the owner or operator operates and maintains each affected source, including associated air pollution control and monitoring equipment, in a manner which satisfies the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;
(B) Ensure that owners or operators are prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and
(C) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).
(iii) When actions taken by the owner or operator during a startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. These records may take the form of a "checklist," or other effective form of recordkeeping that confirms conformance with the startup, shutdown, and malfunction plan and describes the actions taken for that event. In addition, the owner or operator must keep records of these events as specified in paragraph 63.10(b), including records of the occurrence and duration of each startup or shutdown (if the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner or operator shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in §63.10(d)(5).
(v) The owner or operator must maintain at the affected source a current startup, shutdown, and malfunction plan and must make the plan available upon request for inspection and copying by the Administrator. In addition, if the startup, shutdown, and malfunction plan is subsequently revised as provided in paragraph (e)(3)(viii) of this section, the owner or operator must maintain at the affected source each previous (i.e., superseded) version of the startup, shutdown, and malfunction plan, and must make each such previous version available for inspection and copying by the Administrator for a period of 5 years after revision of the plan. If at any time after adoption of a startup, shutdown, and malfunction plan the affected source ceases operation or is otherwise no longer subject to the provisions of this part, the owner or operator must retain a copy of the most recent plan for 5 years from the date the source ceases operation or is no longer subject to this part and must

make the plan available upon request for inspection and copying by the Administrator. The Administrator may at any time request in writing that the owner or operator submit a copy of any startup, shutdown, and malfunction plan (or a portion thereof) which is maintained at the affected source or in the possession of the owner or operator.

Upon receipt of such a request, the owner or operator must promptly submit a copy of the requested plan (or a portion thereof) to the Administrator. The owner or operator may elect to submit the required copy of any startup, shutdown, and malfunction plan to the Administrator in an electronic format. If the owner or operator claims that any portion of such a startup, shutdown, and malfunction plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40 CFR 2.301, the material which is claimed as confidential must be clearly designated in the submission.

(vi) To satisfy the requirements of this section to develop a startup, shutdown, and malfunction plan, the owner or operator may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection or submitted when requested by the Administrator.

(vii) Based on the results of a determination made under paragraph (e)(1)(i) of this section, the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator must require appropriate revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:

(A) Does not address a startup, shutdown, or malfunction event that has occurred;

(B) Fails to provide for the operation of the source (including associated air pollution control and monitoring equipment) during a startup, shutdown, or malfunction event in a manner consistent with the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;

(C) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control and monitoring equipment as quickly as practicable; or

(D) Includes an event that does not meet the definition of startup, shutdown, or malfunction listed in §63.2.

(viii) The owner or operator may periodically revise the startup, shutdown, and malfunction plan for the affected source as necessary to satisfy the requirements of this part or to reflect changes in equipment or procedures at the affected source. Unless the permitting authority provides otherwise, the owner or operator may make such revisions to the startup, shutdown, and malfunction plan without prior approval by the Administrator or the permitting authority. However, each such revision to a startup, shutdown, and malfunction plan must be reported in the semiannual report required by §63.10(d)(5). If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator must revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control and monitoring equipment. In the event that the owner or operator makes any revision to the startup, shutdown, and malfunction plan which alters the scope of the activities at the source which are deemed to be a startup, shutdown, or malfunction, or otherwise modifies the applicability of any emission limit, work practice requirement, or other requirement in a standard established under this part, the revised plan shall not take effect until after the owner or operator has provided a written notice describing the revision to the permitting authority.

[45CSR34, Subpart FFFF, Table 12, 40C.F.R. §63.6(3)(i),(ii) & (v)-(viii)]

4.2. Monitoring Requirement

4.2.1. Compliance with Conditions 4.1.1, 4.1.3, and 4.1.6 shall be demonstrated based on monitoring and record keeping of the parametric operating ranges specified in Table 2. If any of the listed control equipment is operated outside its respective parameter range, excluding startups and shutdowns, corrective actions shall be taken immediately. For each occurrence a corrective action report shall be generated. The report shall include the date and duration of the malfunction, as well as any corrective actions initiated.
Routine daily records shall be summarized into monthly reports, which tabulate the parameter exceedances for the month along with the date and time of each occurrence. The monthly reports shall also include any corrective action reports for the month. These records shall be maintained on site for no less than 5 years and be made available for inspection upon request by the Director or a duly authorized representative.

Table 2.

Emission Point	Control Equipment ID / Description	Operating Range	Frequency of monitoring and recording
295A	D-1190 / Packed Bed Scrubber	$\Delta P \leq$ 6" w.c. G.P.M. $\geq$ 10.5 Cl conc. $\geq$ 0.75% wt.	Every 2 hours Every 2 hours Once per Week Averaged over monitoring period
295C	C-1318 / Packed Bed Scrubber	G.P.M. $\geq$ 1.5	Flow rate is confirmed to be above minimum requirement before each tank charging
295D	D-1419 / Packed Bed Scrubber	G.P.M. $\geq$ 0.75	Every 2 hours Averaged over monitoring period
290B	C-5330 / Venturi Scrubber	$\Delta P \leq$ 3" w.c. G.P.M. $\geq$ 60	Every 2 hours Averaged over monitoring period
290E	Y-8350 / Thermal Oxidizer	Fire Box Temp. $\geq$ 1800F	Continuous defined by At least 4 readings per hour / Averaged over monitoring period
290F	Y-8370 / Flare	Pilot Light sensor	Continuous defined by at least 4 readings per hour with continuous record of all times pilot not operating
290G	C-8380 / SO2 Scrubber	$\Delta P \leq$ 6" w.c. pH $\geq$ 7 GPM recycle $\geq$ 475	Every 2 hours Averaged over monitoring period

The monitoring and recordkeeping provisions defined by the above table shall be in place and fully operational within 180 days from the date this permit is issued or upon reaching 80% of maximum production capacity as defined by Specific Requirement A.2. whichever comes first. Upon completion of all monitoring device installations and operator training necessary to fully comply with the monitoring and

recordkeeping requirements of this permit written notification shall be submitted to DAQ.
[45CSR13, Permit No. R13-1448 (Condition B.2.)]

4.2.2. At least monthly, visual emission checks of each emission point subject to an opacity limit shall be conducted. 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 C.F.R. 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 (290B, 295E, 295F)]

4.2.3. At least monthly, visual emission checks of each emission point subject to an opacity limit shall be conducted. 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 C.F.R. 60, Appendix A, Method 22. If sources of visible emissions are identified during the survey, or at any other time, the permittee shall conduct a 40 C.F.R. 60, Appendix A, Method 9 evaluation within twenty-four (24) hours. A Method 9 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 (290E, 290F)]

4.2.4. Monthly visual emission checks of emission points 295E and 295F, associated with baghouses Y-5515 and Y-5525, respectively, shall be conducted. These checks shall be conducted during periods of normal facility operation for a sufficient time interval to determine if the emission points have visible emissions using procedures outlined in 40 C.F.R. 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 45CSR7A-2.1.a,b within twenty-four (24) hours. However, a 45CSR7A-2.1.a,b evaluation shall not be required more than once per month per baghouse emission point. A 45CSR7A-2.1.a,b evaluation shall not be required if the visible emission condition is corrected in a timely manner and the bag houses 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, emission point identification number, the applicable visible emissions requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer.
[45CSR13, Permit No. R13-1448, (Condition A.8.), (295E, 295F)]

4.2.5. Compliance with the particulate matter limits of 4.1.1 for the baghouses (Y-5515, Y-5525) shall be determined by:

a. material balances around the baghouse.
b. the baghouses shall be inspected monthly.

[45CSR§30.5.1.c (295E, 295F)]

4.2.6. In order to assure compliance with 45CSR4, the permittee shall conduct a monthly visual and olfactory inspection of all pressure relief vents utilized by storage tanks D-1110, D-1120, and D-1150. These inspections shall be recorded in an inspection log, which contains at a minimum the date and time of the inspection, inspectors name and signature, the identification number of each vent inspected, as well as the results of the inspection. When a leak is detected every effort shall be made to repair the leak as soon as possible. The date repaired shall also be documented on the inspection log, which identified the leak. If the leaking vent is not repaired within 30 days from being detected notice shall be given to DAQ detailing the surrounding issues and anticipated time line for repair.
[45CSR13, Permit No. R13-1448 (Condition B.5.) (295A)]

4.2.7. Compliance with the SO2 concentration limit of 4.1.2~~6~~5 shall be shown by following the Rule 10 Monitoring Plan, submitted by the Permittee on February 28, 2001, and appended on August 31, 2001. This Plan is attached as Appendix C to this Permit.
[45CSR§10-8.2.c, 45CSR§10A-6.2. (290G)]

4.3. Testing Requirements

4.3.1. When operating the thermal oxidizer, Y-8350, the permittee shall operate the closed vent system and control device in accordance with the operating plan submitted in accordance with the testing requirements of 40C.F.R.60.113(b)(c)(1). When operating the emergency flare, Y-8370, the permittee shall meet the requirements of 40C.F.R.60.18(e) and (f).
[45CSR16, Subpart Kb, 40C.F.R.§60.113b(c) (D-3110, D-4330, D-4340, Y-8350, and Y-8370)]

4.4. Recordkeeping Requirements

4.4.1. In order to demonstrate compliance with Conditions 4.1.1 and 4.1.2, Bayer CropScience shall maintain daily logs of the type and amount of products, Rhodimet ™ AT-88 and Ammonium Sulfate, produced with respect to time. The daily production records shall record the total pounds produced per day. These daily totals shall be summarized into monthly reports tabulating the total for the month as well as a rolling annual 12 month total. These records shall be maintained on site for no less than 5 years and be made available for review upon request by the Director or a duly authorized representative.
[45CSR13, Permit No. R13-1448 (Condition B.1.) (295A, 295B, 295C, 295D, 295E, 295F, 295G, 295K, 290A, 290B, 290F, 290G)]

4.4.2. In order to demonstrate compliance with Conditions 4.1.1 and 4.1.5 Bayer CropScience shall maintain a monthly log to record all dates and times waste gas is vented to emergency flare, Y-8370, as well as all dates and times the PTO, Y-8350, is operated in cold start mode or abating emissions during, C-7210, divert mode. These records shall be maintained on site for no less than 5 years and be made available for review upon request by the Director or a duly authorized representative.
[45CSR13, Permit No. R13-1448 (Condition B.6.) (290F)]

4.4.3. The Permittee shall keep readily accessible records showing the dimension of the storage vessels D-3110, D-4310, D-4320, D-4330, and D-4340, and an analysis showing the capacity of the storage vessel.
[45CSR16, Subpart Kb, 40C.F.R.§60.116b(b) (D-3110, D-4310, D-4320, D-4330, and D-4340)]

4.4.4. The permittee shall keep copies of all records required by 4.4.3 for the life of the source.
[45CSR16, Subpart Kb, 40C.F.R.§60.116b(a) (D-3110, D-4310, D-4320, D-4330, and D-4340)]

4.4.5. The permittee shall keep the following records regarding the thermal oxidizer Y-8350:
(1) A copy of the operating plan.
(2) A record of the measured values of the parameters monitored in accordance with Condition 4.3.1.
[45CSR16, Subpart Kb, 40C.F.R.§60.115b(c) (D-3110, D-4310, D-4320, D-4330, and D-4340)]

4.4.6. The permittee shall do the following regarding the emergency flare Y-8370:
(2) Records shall be kept of all periods of operation during which the flare pilot flame is absent, when the flare is being used as the control device.
(3) Semiannual reports of all periods when the flare is being used as the control device, and when the pilot flame was absent shall be submitted to the Director.
[45CSR16, Subpart Kb, 40C.F.R.§60.115b(d) (D-3110, D-4310, D-4320, D-4330, and D-4340)]

4.4.7. The permittee shall keep a copy of the operating plan required in Condition 4.4.5 for the life of the source. The permittee shall keep records of the measured values of the parameters monitored in accordance with Condition 4.3.1, required by Condition 4.4.5 for at least 2 years. The permittee shall keep records of all periods of operation during which the flare pilot flame is absent, as required by Condition 4.4.6 for at least 2 years.
[45CSR16, Subpart Kb, 40C.F.R.§60.115b (D-3110, D-4310, D-4320, D-4330, and D-4340)]

4.4.8. The permittee shall keep equipment start-up, shutdown and malfunction records as follows.
(i) Records of the occurrence and duration of each start-up, shutdown, and malfunction of operation of process equipment or of air pollution control equipment used to comply with this part during which excess emissions (as defined in a referencing subpart) occur.
(ii) For each start-up, shutdown, and malfunction during which excess emissions occur, records that the procedures specified in the source's start-up, shutdown, and malfunction plan were followed, and documentation of actions taken that are not consistent with the plan. For example, if a start-up, shutdown, and malfunction plan includes procedures for routing control device emissions to a backup control device (e.g., the incinerator for a halogenated stream could be routed to a flare during periods when the primary control device is out of service), records must be kept of whether the plan was followed. These records may take the form of a ``checklist,'' or other form of recordkeeping that confirms conformance with the start-up, shutdown, and malfunction plan for the event.
[45CSR34, Subpart SS, 40C.F.R.§63.998(d)(3), 45CSR13, Permit No. R13-1448 (Condition A.7.) (C-7420, 290E)]

4.4.9. Equipment leak records. The permittee shall maintain records of the information specified in paragraphs (i) and (ii) of this Condition for closed vent systems and control devices if specified by the equipment leak provisions in a referencing subpart. The records specified in paragraph (i) of this Condition shall be retained for the life of the equipment. The records specified in paragraph (ii) of this Condition shall be retained for 5 years.
(i) The design specifications and performance demonstrations specified in paragraphs (i)(A) through (C) of this Condition.
(A) Detailed schematics, design specifications of the control device, and piping and instrumentation diagrams.
(B) The dates and descriptions of any changes in the design specifications.
(C) A description of the parameter or parameters monitored, as required in a referencing subpart, to ensure that control devices are operated and maintained in conformance with their design and an explanation of why that parameter (or parameters) was selected for the monitoring.
(ii) Records of operation of closed vent systems and control devices, as specified in paragraphs (ii)(A) through (C) of this Condition.
(A) Dates and durations when the closed vent systems and control devices required are not operated as designed as indicated by the monitored parameters.
(B) Dates and durations during which the monitoring system or monitoring device is inoperative.

(C) Dates and durations of start-ups and shutdowns of control devices required in this subpart.
[45CSR34, Subpart SS, 40C.F.R.§63.998(d)(4), 45CSR13, Permit No. R13-1448 (Condition A.7.) (C-7420, 290E)]

4.4.10. (a) Maintaining notifications, records, and reports. Except as provided in paragraph (b) of this section, the permittee shall keep copies of notifications, reports and records required by 40C.F.R.63, Subpart YY, 40C.F.R.63, Subpart SS, 40C.F.R.63, Subpart FFFF, and 40C.F.R.63, Subpart UU for at least 5 years, unless otherwise specified by these Subparts.
(b) Copies of reports. If the Administrator has waived the requirement of 40C.F.R.63.1110(g)(1) for submittal of copies of reports, the permittee is not required to maintain copies of the waived reports. This paragraph applies only to reports and not the underlying records that must be maintained as specified 40C.F.R.63, Subpart YY, 40C.F.R.63, Subpart SS, 40C.F.R.63, Subpart FFFF, and 40C.F.R.63, Subpart UU.
(c) Availability of records. All records required to be maintained by 40C.F.R.63, Subpart YY, 40C.F.R.63, Subpart SS, 40C.F.R.63, Subpart FFFF, and 40C.F.R.63, Subpart UU shall be maintained in such a manner that they can be readily accessed and are suitable for inspection. The records of the remaining 3 years, where required, may be retained offsite. Records may be maintained in hard copy or computer-readable form including, but not limited to, on paper, microfilm, computer, computer disk, magnetic tape, or microfiche.
(d) Control applicability records. The permittee shall maintain records containing information developed and used to assess control applicability under 40C.F.R.63.1103 (e.g., combined total annual emissions of regulated organic HAP).
[45CSR34, Subpart YY, 40C.F.R.63.1109, 40C.F.R.63, Subpart FFFF, **45CSR13, Permit No. R13-1448 (Condition A.7.)]**

4.5. Reporting Requirements

4.5.1. The permittee shall submit a statement that the emission stream is connected to the fuel gas system and whether the conveyance system is subject to the requirements of 40C.F.R.63.983.
[45CSR34, Subpart SS, 40C.F.R.§63.999(b)(1)(ii), 45CSR13, Permit No. R13-1448 (Condition A.7.) (C-7420)]

4.5.2. For the 6-month period covered by the periodic report, the following information shall be recorded:
A description of the planned routine maintenance during the next 6-month periodic reporting period that is anticipated to be performed for the control system when it is not expected to meet the required control efficiency. This description shall include the type of maintenance necessary, planned frequency of maintenance, and expected lengths of maintenance periods.
[45CSR34, Subpart SS, 40C.F.R.§63.999(c)(4)(iii), 45CSR13, Permit No. R13-1448 (Condition A.7.) (290E)]

4.5.3. The permittee shall submit the following reports:
(1) HCN Unit Periodic Reports that have the information outlined in 40C.F.R.63.1110(e).
(2) Application for approval of construction or reconstruction described in 40C.F.R.63.5(d).
(3) Startup, Shutdown, and Malfunction Reports, as described in Condition 4.1.2~~4~~3 and 4.1.27.
(4) Other reports. Other reports required by 40C.F.R. Subpart YY shall be submitted as specified elsewhere in Subpart YY.
(5) Rhodimet Unit Compliance Reports that have the information outlined in 40CFR§63.2520(e).
[45CSR34, Subpart YY, 40C.F.R.63.1110, Subpart FFFF, 40C.F.R.§63.2520, 45CSR13, Permit No. R13-1448 (Condition A.7.)]

4.5.4. For each Rhodimet Unit SSM during which excess emissions occur, the compliance report must include records that the procedures specified in your startup, shutdown, and malfunction plan (SSMP) were followed or documentation of actions taken that are not consistent with the SSMP, and include a brief description of each malfunction.
[45CSR34; Subpart FFFF, 40C.F.R. §63.2520(e)(4)]

4.5.5 If in the Rhodimet Unit a Group 2 emission point becomes a Group 1 emission point after the compliance date for the affected source, the emission point must comply with the Group 1 requirements beginning on the date the switch occurs. An initial compliance demonstration as specified in this subpart must be conducted within 150 days after the switch occurs.
[45CSR34; 40C.F.R. §63.2445(d) (Oxidation, Crude Naphthol, and PANA Group 2 Emission Points)]

4.5.6. Except as specified in 4.5.6.2 below, whenever a process change is made in the Rhodimet Unit or any change to the information submitted in the notification of compliance status report or a previous compliance report that is not within the scope of an existing operating scenario, the change must be documented in the compliance report. A process change does not include moving within a range of conditions identified in the standard batch and a nonstandard batch does not constitute a process change.

4.5.6.1 The notification must include all of the following information:

(A) A description of the process change.

(B) Revisions to any of the information reported in the original notification of compliance status report under 40C.F.R. §63.2520(d).

(C) Information required by the notification of compliance status report under 40C.F.R. §63.2520(d) for changes involving the addition of processes or equipment at the affected source.

4.5.6.2 You must submit a report 60 days before the scheduled implementation date of any of the changes identified below:

(A) Any change to the information contained in the precompliance report.

(B) A change in the status of a control device from small to large.

(C) A change from Group 2 to Group 1 for any emission point except for batch process vents that meet the conditions specified in 40C.F.R. §63.2460(b)(6)(i).

[45CSR34; 40C.F.R. §63.2520(e)(10)]

4.6. Compliance Plan

N/A

Appendix A

40C.F.R.63.1019

Subpart UU
National Emission Standards for Equipment Leaks
Control Level 2 Standards

Appendix B

40C.F.R.63.160

Subpart H

National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks

Appendix C

Rule 10 Monitoring Plan