West Virginia Department of Environmental Protection
Division of Air Quality

Joe Manchin, III
Governor

Randy C. Huffman
Cabinet Secretary

Permit to Operate

Pursuant to

Title V

of the Clean Air Act

Issued to:

Consolidation Coal Company
Blacksville No. 2
R30-06100016-2008

John A. Benedict
Director

Issued: June 6, 2008 • Effective: June 20, 2008
Expiration: June 6, 2013 • Renewal Application Due: December 6, 2012

Permit Number: **R30-06100016-2008**
Permittee: **Consolidation Coal Company**
Facility Name: Blacksville No. 2
Permittee Mailing Address: P.O.Box 24
Wana, WV 26590

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:	Wana, Monongalia County, West Virginia
Facility Mailing Address:	P.O. Box 24 Wana, WV 26590
Telephone Number:	304-285-2242
Type of Business Entity:	Corporation
Facility Description:	Coal Preparation Plant with Thermal Dryer
SIC Codes:	1222
UTM Coordinates:	560.47 km Easting • 4395.78 km Northing • Zone 17

Permit Writer: U.K.Bachhawat

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

~~Source ID~~	~~Emission Point ID~~	~~Equipment Description~~	~~Design Capacity TPH~~	~~Design Capacity TPYx 10^6~~	~~Year Installed or Modified~~	~~Fugitive Dust Control System/ Control Device~~	~~Control Device ID~~	~~Associated Emission Points ID No~~	~~Associated Emission Points Transfer Description~~	~~Associated Emission Points Fugitive Dust Control System/ Control Device~~
~~001B~~	~~Z01~~	~~**Screen 1** - Screening of run of mine raw coal at mine's skip shaft~~	~~1,800~~	~~10.0~~	~~2000~~	~~FE~~	~~NA~~	~~001~~	~~Raw coal from mine to Screen/Crusher Unit~~	~~FE~~
								~~002~~	~~Screened/crushed coal to Conveyor 1~~	~~FE~~
~~001A~~	~~Z01~~	~~**Crusher 1** - Crushing of run of mine raw coal at mine's skip shaft~~	~~1,800~~	~~10.0~~	~~2000~~	~~FE~~	~~NA~~	~~001~~	~~Raw coal from mine to Screen/Crusher Unit~~	~~FE~~
								~~002~~	~~Screened/crushed coal to Conveyor 1~~	~~FE~~
~~003~~	~~Z01~~	~~**Conveyor 1** - Belt from Screen/Crusher Building to Raw Coal (RC) Transfer Building~~	~~1,800~~	~~10.0~~	~~2000~~	~~PE~~	~~NA~~	~~004~~	~~Raw coal (RC) from Conv. 1 to Conv. 2~~	~~FE~~
								~~027~~	~~Raw coal (RC) from Conv. 1 to Truck/Pan~~	~~MC~~
~~005~~	~~Z01~~	~~**Conveyor 2** - Belt from RC Transfer Building to Raw Coal Silo 1~~	~~1,800~~	~~10.0~~	~~2000~~	~~PE~~	~~NA~~	~~006~~	~~RC from Conv. 2 to RC Silo 1 load-in~~	~~FE~~
~~007~~	~~Z01~~	~~**Raw Coal Silo 1** - (Capacity 6,000 tons)~~	~~1,800~~	~~10.0~~	~~1970~~	~~FE~~	~~NA~~	~~007A~~	~~RC Silo 1 reclaim to Conveyor 3~~	~~PE~~
								~~007B~~	~~RC Silo 1 reclaim to Conveyor 7~~	~~PE~~
~~008~~	~~Z01~~	~~**Conveyor 3** - Belt from RC Silo 1 to Preparation Plant~~	~~1,500~~	~~10.0~~	~~2000~~	~~PE~~	~~NA~~	~~008A~~	~~RC from Conv. 3 to Preparation Plant~~	~~FE~~
~~010~~	~~Z01~~	~~**Conveyor 4** - Belt from Preparation Plant to Clean Coal (CC) Silo 1~~	~~1,500~~	~~3.42~~	~~2000~~	~~PE~~	~~NA~~	~~011~~	~~CC from Conv. 4 to Clean Coal Silo 1~~	~~FE~~
~~012~~	~~Z01~~	~~**Clean Coal Silo 1** - (Capacity 14,000 t)~~	~~1,500~~	~~3.4~~	~~1970~~	~~FE~~	~~NA~~	~~012B~~	~~CC from CC silo 1 to Conveyor 5~~	~~PE~~

~~012A~~	~~Z01~~	~~**Conveyor 5** - CC Silo 1 reclaim conveyor~~	~~3,000~~	~~3.42~~	~~1970~~	~~FE~~	~~NA~~	~~017A~~	~~CC from Conv. 5 to Conv. 9~~	~~PE~~
~~013~~	~~Z01~~	~~**Conveyor 6** - Belt from Preparation Plant to Clean Coal (CC) Silo 2~~	~~1,500~~	~~4.18~~	~~2000~~	~~PE~~	~~NA~~	~~014~~	~~CC from Conv. 6 to Clean Coal Silo 2~~	~~FE~~
~~015~~	~~Z01~~	~~**Clean Coal Silo 2** - (Capacity 12,000 t)~~	~~1,500~~	~~4.2~~	~~1970~~	~~FE~~	~~NA~~	~~015A~~	~~CC from CC silo 2 to Conveyor 8~~	~~FE~~
~~016~~	~~Z01~~	~~**Conveyor 7** - Belt from Conveyor 15 to Conveyor 8~~	~~1,500~~	~~6.0~~	~~1970~~	~~PE~~	~~NA~~	~~016A~~	~~RC from Conveyor 7 to Conveyor 8~~	~~PE~~
~~018~~	~~Z01~~	~~**Conveyor 8** - CC Silo 2 reclaim conveyor~~	~~3,000~~	~~4.18~~	~~1970~~	~~FE~~	~~NA~~	~~017B~~	~~CC from Conv. 8 to Conv. 9~~	~~PE~~
~~046~~	~~Z01~~	~~**Conveyor 9** - Rail Loadout Feed Belt~~	~~3,000~~	~~7.6~~	~~1970~~	~~PE~~	~~NA~~	~~019~~	~~CC from Conv. 9 to Rail Loadout Bin~~	~~PE~~
~~020~~	~~Z01~~	~~**Rail Loadout Bin** - (Capacity - 100 tons)~~	~~3,000~~	~~7.6~~	~~1970~~	~~FE~~	~~NA~~	~~021~~	~~Rail Loadout Bin to Railcar~~	~~PE~~
								~~045~~	~~Rail Loadout Bin to Trucks/Pan~~	~~PE~~
~~022~~	~~Z01~~	~~**Conveyor 10** - Belt from Preparation Plant to Refuse Loadout Bin1~~	~~400~~	~~1.92~~	~~2000~~	~~PE~~	~~NA~~	~~023~~	~~Refuse from Conveyor 10 to Refuse Loadout Bin 1~~	~~PE~~
~~024~~	~~Z01~~	~~**Refuse Loadout Bin 1** - (Capacity - 100 tons)~~	~~400~~	~~1.9~~	~~1970~~	~~FE~~	~~NA~~	~~025~~	~~Refuse from Refuse Loadout Bin 1 to Refuse Vehicle~~	~~MC~~
~~056~~	~~Z01~~	~~**Conveyor 17 (CB17)** - Belt from Preparation Plant to Refuse Loadout Bin2~~	~~650~~	~~5.694~~	~~2004~~	~~PE~~	~~NA~~	~~057~~	~~Refuse from Conveyor 17 to Refuse Loadout Bin 2~~	~~PE~~
~~058~~	~~Z01~~	~~**Refuse Loadout Bin 2** - (Capacity - 100 tons)~~	~~650~~	~~5.694~~	~~2004~~	~~FE~~	~~NA~~	~~059~~	~~Refuse from Refuse Loadout Bin 2 to Refuse Vehicle~~	~~MC~~
~~033~~	~~Z01~~	~~**Conveyor 11** - Belt from Preparation Plant to Thermal Dryer Transfer Building~~	~~650~~	~~4.2~~	~~2000~~	~~PE~~	~~NA~~	~~035A~~	~~Wet coal from Conv. 11 to Conv. 13 (feed to thermal dryer)~~	~~FE~~
								~~035B~~	~~Wet coal from Conv. 11 to Conv. 12 (by-pass of thermal dryer)~~	~~FE~~
~~034~~	~~Z01~~	~~**Conveyor 12** - Belt from Thermal Dryer Transfer Building to Preparation Plant~~	~~650~~	~~4.2~~	~~2000~~	~~PE~~	~~NA~~	~~034A~~	~~Conveyor 12 to Conveyor 6~~	~~PE~~
~~036~~	~~Z01~~	~~**Conveyor 13** - Belt from Thermal Dryer Transfer Building to Thermal Dryer~~	~~650~~	~~4.2~~	~~1984~~	~~PE~~	~~NA~~	~~036A~~	~~Wet coal from Conv. 13 to Thermal Dryer~~	~~FE~~

~~038~~	~~Z01~~	~~**Conveyor 14** - Belt from Thermal Dryer to Thermal Dryer Transfer Building~~	~~650~~	~~4.2~~	~~1984~~	~~PE~~	~~NA~~	~~035D~~	~~Dried coal from Conv. 14 to Conv. 12~~	~~FE~~
~~035~~	~~P002~~	~~**Thermal Dryer**~~ ~~Manufacture: Heyl-Patterson~~ ~~Type: Fluidized Bed Dryer~~ ~~Furnace Manufacturer: Bigelow - Liptak with a single forced draft burner.~~ ~~Design BTU Rating: 115 x 10^6 Btu/hr~~	~~650~~	~~4.2~~	~~1984~~	~~Cyclones (4 parallel cyclone collectors)~~ ~~Scrubber (Horizontal Venturi Scrubber)~~	~~Cyclones~~ ~~Scrubber~~	~~035C~~	~~Dried Coal from Thermal Dryer to Conv. 14~~	~~FE~~
~~047~~	~~Z01~~	~~**Conveyor 15** - Belt from pan/truck dump to Conv. 3 (plant feed)~~	~~1,500~~	~~1.24~~	~~2000~~	~~PE~~	~~NA~~	~~031~~	~~Stockpile reclaim to Conv. 15~~	~~MC~~
								~~047A~~	~~Transfer from Conv. 15 to Conv 3~~	~~FE~~
~~055~~	~~Z01~~	~~**Conveyor 16** - Belt from Clean/Raw Coal Stockpile 1 reclaim to Preparation Plant~~	~~1,500~~	~~1.3~~	~~1996~~	~~PE~~	~~NA~~	~~055A~~	~~Clean/Raw Coal Stockpile reclaim to Conveyor 16.~~	~~MC~~
~~029~~	~~Z01~~	~~**Clean/Raw Coal Stockpile 1** - Stockpile footprint is 13 acres with a storage capacity of approximately 900,000 tons.~~	~~NA~~	~~2.0~~	~~2000~~	~~MC~~	~~NA~~	~~028~~	~~CC/RC Stockpile 1 coal loadin from pan~~	~~MC~~
								~~030~~	~~CC/RC Stockpile 1 coal loadout to pan~~	~~MC~~
~~039~~	~~Z01~~	~~**Raw Coal Stockpile 1** - Stockpile footprint is 9.9 acres with a storage capacity of approximately 480,000 tons.~~	~~NA~~	~~1.0~~	~~1990~~	~~MC~~	~~NA~~	~~040~~	~~RC Stockpile 1 coal loadin from pan~~	~~MC~~
								~~041~~	~~RC Stockpile 1 coal loadout to pan~~	~~MC~~
								~~041A~~	~~Grading RC Stockpile 1~~	~~MC~~
~~042~~	~~Z01~~	~~**Raw Coal Stockpile 2** - Stockpile footprint is 3.3 acres with a storage capacity of approximately 90,000 tons.~~	~~NA~~	~~0.2~~	~~1990~~	~~MC~~	~~NA~~	~~043~~	~~RC Stockpile 2 coal loadin from pan~~	~~MC~~
								~~044~~	~~RC Stockpile 2 coal loadout to pan~~	~~MC~~
								~~044A~~	~~Grading RC Stockpile 2~~	~~MC~~

~~048~~	~~Z01~~	~~**Lime Storage Silo 1**~~	~~NA~~	~~NA~~	~~1970~~	~~NA~~	~~NA~~			
~~050~~	~~Z01~~	~~**Rock Dust Silo 1**~~	~~NA~~	~~NA~~	~~1970~~	~~NA~~	~~NA~~			
~~054B~~	~~P003~~	~~**Ash Disposal** - Ash Storage Silo~~	~~NA~~	~~0.15~~	~~To be Built~~	~~Baghouse~~	~~Baghouse 1~~	~~054C~~	~~Ash transfer to haul truck~~	~~MC~~
								~~054D,E~~	~~Ash truck to/from disposal site~~	~~WT~~
~~054A~~	~~P003~~	~~**Ash Disposal** - Railcar Depressurization~~	~~NA~~	~~0.15~~	~~To be Built~~	~~Baghouse~~	~~Baghouse 1~~			
~~052A~~	~~Z01~~	~~**Haulroads** Unpaved Roads - refuse vehicle to disposal area full.~~	~~NA~~	~~NA~~	~~2000~~	~~WT~~	~~NA~~	~~026~~	~~Transfer of coarse refuse from haul vehicle to disposal area~~	~~MC~~
								~~032A~~	~~Grading of Refuse Disposal Area~~	~~MC~~
~~052B~~	~~Z01~~	~~**Haulroads** Unpaved Roads - refuse vehicle from disposal area empty.~~	~~NA~~	~~NA~~	~~2000~~	~~WT~~	~~NA~~			
~~052C~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Clean Coal to/from CC/RC Stockpile 1/ empty~~	~~NA~~	~~NA~~	~~2000~~	~~WT~~	~~NA~~			
~~052D~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Clean Coal to/from CC/RC Stockpile 1/ full~~	~~NA~~	~~NA~~	~~2000~~	~~WT~~	~~NA~~	~~028~~	~~CC/RC Stockpile 1 coal loadin from pan~~	~~MC~~
								~~030~~	~~CC/RC Stockpile 1 coal loadout to pan~~	~~MC~~
~~052E~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Raw Coal to/from Raw Coal Stockpile #1 / empty~~	~~NA~~	~~NA~~	~~1990~~	~~WT~~	~~NA~~			
~~052F~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Raw Coal to/from Raw Coal Stockpile #1 / full~~	~~NA~~	~~NA~~	~~1990~~	~~WT~~	~~NA~~	~~040~~	~~RC Stockpile 1 coal loadin from pan~~	~~MC~~
								~~041~~	~~RC Stockpile 1 coal loadout to pan~~	~~MC~~
~~052G~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Raw Coal to/from Raw Coal Stockpile #2/ empty~~	~~NA~~	~~NA~~	~~1990~~	~~WT~~	~~NA~~			
~~052H~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Raw Coal to/from Raw Coal Stockpile #2/ full~~	~~NA~~	~~NA~~	~~1990~~	~~WT~~	~~NA~~	~~043~~	~~RC Stockpile 2 coal loadin from pan~~	~~MC~~
								~~044~~	~~RC Stockpile 2 coal loadout to pan~~	~~MC~~

~~052I~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Empty trucks to truck loadout~~	~~NA~~	~~NA~~	~~1970~~	~~WT~~	~~NA~~			
~~052J~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Full trucks from truck loadout~~	~~NA~~	~~NA~~	~~1970~~	~~WT~~	~~NA~~	~~045~~	~~Rail Loadout Bin to Trucks/Pan~~	~~PE~~
~~052K~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Clean Coal to/from CC/RC Stockpile #1 / full~~	~~NA~~	~~NA~~	~~2000~~	~~WT~~	~~NA~~	~~028~~	~~CC/RC Stockpile 1 coal loading from pan~~	~~MC~~
								~~030~~	~~CC/RC Stockpile 1 coal loadout to pan~~	~~MC~~
~~052L~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Clean Coal to/from CC/RC Stockpile #1 / empty~~	~~NA~~	~~NA~~	~~2000~~	~~WT~~	~~NA~~			
~~054D~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Full ash truck to ash disposal area~~	~~NA~~	~~0.15~~	~~To be Built~~	~~WT~~	~~NA~~	~~026~~	~~Transfer of ash from ash truck to ash disposal area.~~	~~MC~~
~~054E~~	~~Z01~~	~~**Haulroads** Unpaved Roads - Empty ash trucks from ash disposal area~~	~~NA~~	~~0.15~~	~~To be Built~~	~~WT~~	~~NA~~			
~~009B~~	~~Z01~~	~~**VOC emissions** from prep plant Froth Flotation Cell~~	~~NA~~	~~NA~~	~~2000~~	~~NA~~	~~NA~~			
~~009~~	~~P001~~	~~**VOC emissions** from prep plant Vacuum Filter~~	~~NA~~	~~NA~~	~~2000~~	~~NA~~	~~NA~~			
~~049~~	~~Z01~~	~~**VOC emissions** from water treatment Thickener~~	~~NA~~	~~NA~~	~~2000~~	~~NA~~	~~NA~~			
~~020~~	~~Z01~~	~~**VOC emissions** from rail cars anti-freeze spray~~	~~NA~~	~~NA~~	~~1970~~	~~NA~~	~~NA~~			
~~053A-M~~	~~Z01~~	~~**VOC working/breathing losses** from liquid chemical and petroleum storage tanks~~	~~NA~~	~~NA~~	~~1970~~	~~NA~~	~~NA~~			
~~2S~~		~~Storage Silo~~			~~*~~					
~~3S~~		~~Pugmill~~			~~*~~					
~~4e~~		~~Storage Silo baghouse~~			~~*~~					

Source ID	Emission Point ID	Equipment Description	Maximum Design Capacity		Date of Construction, Reconstruction or Modification [1]	Fugitive Dust Control System/ Control Device [2]	Control Device ID	Associated Emission Points		
			TPH	TPY x 10^6				ID No.	Transfer Description	Fugitive Dust Control System/ Control Device [2]
RAW COAL CIRCUIT										
001B	Z01	**Screen 1 –** Screening of run of mine raw coal at mine's skip shaft	1,800	10.0	M 2006 C 2000	FE	NA	001	Raw coal from mine to Screen/Crusher Unit	FE
								002	Screened/crushed coal to Conveyor CB1	FE
001A	Z01	**Crusher 1 –** Crushing of run of mine raw coal at mine's skip shaft	1,800	10.0	M 2006 C 2000	FE	NA	001	Raw coal from mine to Screen/Crusher Unit	FE
								002	Screened/crushed coal to Conveyor CB1	FE
003	Z01	**Conveyor CB1** - Belt from Screen/Crusher Building to Conveyor CB2 in Raw Coal (RC) Transfer Building	1,800	10.0	M 2006 C 2000	PE	NA	004	Raw coal (RC) from Conveyor CB1 to Conveyor CB2 or Run of Mine Bin	FE
007A		**Run of Mine Bin** - receives raw coal from Conveyor CB1 and loads it to truck/pan - 300 ton capacity	1,800	10.0	M 2006	FE	NA	027	Raw Coal (RC) from Run of Mine Bin to truck/pan for transport to stockpiles	N
005	Z01	**Conveyor CB2** - Belt from RC Transfer Building to Run of Silo 1	1,800	10.0	M 2006 C 2000	PE	NA	006	RC from Conveyor CB2 to Run of Mine Silo 1 load-in	FE
007	Z01	**Run of Mine Silo 1** - (Capacity 6,000 tons)	1,800 in 1,500 out	10.0	M 2006 C 1970	FE	NA	007A	Run of Mine Silo 1 reclaim to Conveyor CB15	PE
047	Z01	**Conveyor CB15** - Belt from pan/truck dump reclaim feeder and Run of Mine Silo 1 to Conveyor CB3 (plant feed) or Conveyor CB7	1,500	1.24	2000	PE	NA	031	Stockpile reclaim to Conveyor CB15	N
								047A	Transfer from Conveyor CB15 to Conveyor CB3 or Conveyor CB7	FE
008	Z01	**Conveyor CB3** - Belt from Conveyor CB15 to Preparation Plant	1,500	10.0	2000	PE	NA	008A	RC from Conveyor CB3 to Preparation Plant	FE
016	Z01	**Conveyor CB7** - Belt from Conveyor **CB**15 to Conveyor **CB**8 (see Clean Coal Circuit)	1,500	6.0	1970	PE	NA	016A	RC from Conveyor CB7 to Conveyor CB8	PE
055	Z01	**Conveyor CB16** - Belt from Clean/Raw Coal Stockpile 1 reclaim feeder to Preparation Plant	1,500	1.3	1996	PE	NA	055A	Clean/Raw Coal Stockpile reclaim feeder to Conveyor CB16	N
STOCKPILES										

029	Z01	**Clean/Raw Coal Stockpile 1 -** Stockpile footprint is 13 acres with a storage capacity of approximately 900,000 tons.	NA	2.0	2000	MC	NA	028	CC/RC Stockpile 1 coal loadin from pan	MC
								030	CC/RC Stockpile 1 coal loadout to pan	MC
039	Z01	**Raw Coal Stockpile 1 -** Stockpile footprint is 9.9 acres with a storage capacity of approximately 480,000 tons.	NA	1.0	1990	MC	NA	040	RC Stockpile 1 coal loadin from pan	MC
								041	RC Stockpile 1 coal loadout to pan	MC
								041A	Grading RC Stockpile 1	MC
042	Z01	**Raw Coal Stockpile 2 -** Stockpile footprint is 3.3 acres with a storage capacity of approximately 90,000 tons.	NA	0.2	1990	MC	NA	043	RC Stockpile 2 coal loadin from pan	MC
								044	RC Stockpile 2 coal loadout to pan	MC
								044A	Grading RC Stockpile 2	MC
THERMAL DRYER CIRCUIT										
033	Z01	**Conveyor CB11 -** Belt from Preparation Plant to Conveyor CB13 in Thermal Dryer Transfer Building	650	4.2	2000	PE	NA	035A	Wet coal from Conveyor CB11 to Conveyor CB13 (feed to thermal dryer)	FE
								035B	Wet coal from Conveyor CB11 to Conveyor CB12 (by-pass of thermal dryer)	FE
036	Z01	**Conveyor CB13 -** Belt from Conveyor CB11 in Thermal Dryer Transfer Building to Thermal Dryer	650	4.2	1984	PE	NA	036A	Wet coal from Conveyor CB13 to Thermal Dryer	FE
037C	P002	**Thermal Dryer** Manufacture: Heyl-Patterson Type: Fluidized Bed Dryer Furnace Manufacturer: Bigelow – Liptak with a single forced draft burner. Design BTU Rating: 115 x 10^6 Btu/hr. Max operation of 5,850 hours/year	650	4.2	1984	Cyclones (4 parallel cyclone collectors)	Cyclones	035C	Dried Coal from Thermal Dryer to Conveyor CB14	FE
						Scrubber (Horizontal Venturi Scrubber)	Scrubber			
038	Z01	**Conveyor CB14 -** Belt from Thermal Dryer to Conveyor CB12 in Thermal Dryer Transfer Building	650	4.2	1984	PE	NA	035D	Dried coal from Conveyor CB14 to Conveyor CB12	FE
034	Z01	**Conveyor CB12 -** Belt from Conveyor CB14 in Thermal Dryer Transfer Building to Preparation Plant	650	4.2	2000	PE	NA	034A	Conveyor CB12 to Conveyor CB6 within the Preparation Plant	PE
CLEAN COAL CIRCUIT										
010	Z01	**Conveyor CB4 -** Belt from Preparation Plant to Clean Coal (CC) Silo 1 or Sample Conveyor CB19	1,500	4.18	2000	PE	NA	011	CC from Conveyor CB4 to Clean Coal Silo 1	FE
								STP1	CC from Conveyor CB4 to Conveyor CB19	PE

013	Z01	**Conveyor CB6** - Belt from Preparation Plant to Clean Coal (CC) Silo 2 or Sample Conveyor CB19	1,500	3.42	2000	PE	NA	014	CC from Conveyor CB6 to Clean Coal Silo 2	FE
								STP2	CC from Conveyor CB6 to Sample Conveyor CB19	PE
CB19	CB19	**Sample Conveyor CB19** - Sample Belt from Conveyor CB4 and CB6 (see below) to Sample Crusher CR1	5	0.0438	C 1989	PE	NA	STP3	CC from Sample Conveyor CB19 to Sample Crusher CR1	PE
CR1	CR1	**Sample Crusher CR1** - crushes CC from Sample Conveyor CB19	5	0.0438	C 1989	FE	NA	STP4	CC from Sample Crusher CR1 to Sample Conveyor CB20	FE
CB20	CB20	**Sample Conveyor CB20** - Sample Belt from Sample Crusher CR1 back to Conveyors CB4 or CB6	5	0.0438	C 1989	PE	NA	STP5	CC from Sample Conveyor CB20 back to Conveyor CB6	PE
								STP6	CC from Sample Conveyor CB20 back to Conveyor CB4	PE
012	Z01	**Clean Coal Silo 1** - (Capacity 14,000 t)	1,500	4.18	1970	FE	NA	012B	CC from CC silo 1 to Conveyor CB5	PE
012A	Z01	**Conveyor CB5** - CC Silo 1 reclaim conveyor	3,000	4.18	1970	FE	NA	017A	CC from Conveyor CB5 to Conveyor CB9 (see below) or Conveyor CB18	PE
CB18	CB18	**Conveyor CB18** - CC truck loadout conveyor	1,000	1.0	C 2011	PE	NA	TLTP1	CC from Conveyor CB18 to Conveyor CB18A	PE
CB18A	CB18A	**Conveyor CB18A** - CC truck loadout conveyor	1,000	1.0	C 2011	PE	NA	TLTP2	CC from Conveyor CB18A to Truck Loadout Bin TLB	PE
TLB	TLB	**Truck Loadout Bin TLB** - 100 ton capacity	1,000	1.0	C 2011	FE	NA	TLTP3	CC from Truck Loadout Bin TLB to trucks	MD
015	Z01	**Clean Coal Silo 2** - (Capacity 12,000 t)	1,500	3.42	1970	FE	NA	015A	CC from CC silo 2 to Conveyor CB8	FE
018	Z01	**Conveyor CB8** - CC Silo 2 reclaim conveyor	3,000	3.42	1970	FE	NA	017B	CC from Conveyor CB8 and direct ship from Conveyor CB7 (see Raw Coal Circuit) to Conveyor 9	PE
046	Z01	**Conveyor CB9** - Rail Loadout Feed Belt - from Conveyors CB5 and CB8 to Rail Loadout Bin	3,000	7.6	1970	PE	NA	019	CC from Conveyor CB9 to Rail Loadout Bin	PE
020	Z01	**Rail Loadout Bin** - (Capacity - 100 tons)	3,000	7.6	1970	FE	NA	021	Rail Loadout Bin to Railcar	PE
								045	Rail Loadout Bin to Trucks/Pan	PE
REFUSE CIRCUIT										
022	Z01	**Conveyor CB10** - Belt from Preparation Plant to Refuse Loadout Bin1	650	5.694	M 2011 C 2000	PE	NA	023	Refuse from Conveyor CB10 to Refuse Loadout Bin 1	PE
024	Z01	**Refuse Loadout Bin 1** - (Capacity – 100 tons)	650	5.694	M 2011 C 1970	FE	NA	025	Refuse from Refuse Loadout Bin 1 to Refuse Vehicle	MC
								025A	Refuse from Refuse Loadout Bin 1 to Conveyor CB17	PE

056	Z01	**Conveyor CB17**- Belt from Refuse Loadout Bin 1to Refuse Loadout Bin2	650	5.694	2004	PE	NA	057	Refuse from Conveyor CB17 to Refuse Loadout Bin 2	PE
058	Z01	**Refuse Loadout Bin 2 -** (Capacity – 100 tons)	650	5.694	2004	FE	NA	059	Refuse from Refuse Loadout Bin 2 to Refuse Vehicle	MC
HAULROADS										
052A	Z01	**Haulroads**-Unpaved Roads - refuse vehicle to disposal area full.	NA	NA	2000	WT	NA	026	Transfer of coarse refuse from haul vehicle to disposal area	MC
								032A	Grading of Refuse Disposal Area	MC
052B	Z01	**Haulroads**-Unpaved Roads - refuse vehicle from disposal area empty.	NA	NA	2000	WT	NA			
052C	Z01	**Haulroads**-Unpaved Roads - Clean Coal to/from CC/RC Stockpile 1/ empty	NA	NA	2000	WT	NA			
052D	Z01	**Haulroads**-Unpaved Roads - Clean Coal to/from CC/RC Stockpile 1/ full	NA	NA	2000	WT	NA	028	CC/RC Stockpile 1 coal loadin from pan	MC
								030	CC/RC Stockpile 1 coal loadout to pan	MC
052	Z01	**Haulroads**-Unpaved Roads - Raw Coal to/from Raw Coal Stockpile #1 / empty	NA	NA	1990	WT	NA			
052F	Z01	**Haulroads**-Unpaved Roads - Raw Coal to/from Raw Coal Stockpile #1 / full	NA	NA	1990	WT	NA	040	RC Stockpile 1 coal loadin from pan	MC
								41	RC Stockpile 1 coal loadout to pan	MC
052G	Z01	**Haulroads**-Unpaved Roads - Raw Coal to/from Raw Coal Stockpile #2/ empty	NA	NA	1990	WT	NA			
052H	Z01	**Haulroads**-Unpaved Roads - Raw Coal to/from Raw Coal Stockpile #2/ full	NA	NA	1990	WT	NA	043	RC Stockpile 2 coal loadin from pan	MC
								044	RC Stockpile 2 coal loadout to pan	MC
052I	Z01	**Haulroads**-Unpaved Roads - Empty trucks to truck loadout	NA	NA	1970	WT	NA			
052J	Z01	**Haulroads**-Unpaved Roads -Full trucks from truck loadout	NA	NA	1970	WT	NA	045	Rail Loadout Bin to Trucks/Pan	PE
052K	Z01	**Haulroads**-Unpaved Roads - Clean Coal to/from CC/RC Stockpile #1 / full	NA	NA	2000	WT	NA	28	CC/RC Stockpile 1 coal loading from pan	MC
								30	CC/RC Stockpile 1 coal loadout to pan	MC
052L	Z01	**Haulroads**-Unpaved Roads - Clean Coal to/from CC/RC Stockpile #1 / empty	NA	NA	2000	WT	NA			
054D	Z01	**Haulroads**-Unpaved Roads -Full ash truck to ash disposal area	NA	0.15	To be Built	WT	NA	026	Transfer of ash from ash truck to ash disposal area.	MC

054E	Z01	**Haulroads**-Unpaved Roads - Empty ash trucks from ash disposal area	NA	0.15	To be Built	WT	NA			
		Haulroads - Unpaved Roads - Trucks transporting coal from Truck Loadout Bin TLB	1,000	1.0	C 2011	WT	NA	TLTP3	Transfer of clean coal to trucks for shipment off-site	MD
MISCELLANEOUS										
048	Z01	**Lime Storage Silo 1**	NA	NA	1970	NA	NA			
050	Z01	**Rock Dust Silo 1**	NA	NA	1970	NA	NA			
054B	P003	**Ash Disposal** - Ash Storage Silo	NA	0.15	To be Built	Baghouse	Baghouse 1	054C 054D,E	Ash transfer to haul truck Ash truck to/from disposal site	MC WT
054A	P003	**Ash Disposal** - Railcar Depressurization	NA	0.15	To be Built	Baghouse	Baghouse 1			
009B	Z01	**VOC emissions** from prep plant Froth Flotation Cell	NA	NA	2000	NA	NA			
009	P001	**VOC emissions** from prep plant Vacuum Filter	NA	NA	2000	NA	NA			
049	Z01	**VOC emissions** from water treatment Thickener	NA	NA	2000	NA	NA			
020	Z01	**VOC emissions** from rail cars anti-freeze spray	NA	NA	1970	NA	NA			
053A-M	Z01	**VOC working/breathing losses** from liquid chemical and petroleum storage tanks	NA	NA	1970	NA	NA			
2S		Storage Silo			To be Built					
3S		Pugmill			To be Built					
4e		Storage Silo baghouse			To be Built					

~~* Has not been constructed~~

~~Abbreviations: MC – Moisture Content, PE – Partially Enclosed, FE-Fully Enclosed, WT-Water Truck~~

[1] In accordance with 40 CFR 60 Subpart Y: all emissions from thermal dryers constructed, re-constructed or modified on or before April 28, 2008 shall be less than 20% opacity; coal processing and conveying equipment, coal storage systems, and coal transfer and loading systems constructed, reconstructed, or modified on or before April 28, 2008 shall not discharge gases which exhibit 20 percent opacity or greater; and coal processing and conveying equipment, coal storage systems, and coal transfer and loading systems constructed, reconstructed, or modified after April 28, 2008 shall not discharge gases which exhibit 10 percent opacity or greater.

[2] Control Device abbreviations: FE - Full Enclosure; PE - Partial Enclosure; ST - Stacking Tube; WS - Water Sprays; WT - Water Truck; MC - Moisture Control; MD - Minimize Drop Height; N - None; NA - Not Applicable.

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
R13-0718~~C~~D	~~January 20, 2006~~ July 13, 2011
R13-1551	January 12, 1993

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.

2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

2.2. Acronyms

CAAA	Clean Air Act Amendments
CBI	Confidential Business Information
CEM	Continuous Emission Monitor
CES	Certified Emission Statement
C.F.R. *or* CFR	Code of Federal Regulations
CO	Carbon Monoxide
C.S.R. *or* CSR	Codes of State Rules
DAQ	Division of Air Quality
DEP	Department of Environmental Protection
FOIA	Freedom of Information Act
HAP	Hazardous Air Pollutant
HON	Hazardous Organic NESHAP
HP	Horsepower
lbs/hr *or* lb/hr	Pounds per Hour
LDAR	Leak Detection and Repair
m	Thousand
MACT	Maximum Achievable Control Technology
mm	Million
mmBtu/hr	Million British Thermal Units per Hour
mmft^3/hr *or* mmcf/hr	Million Cubic Feet Burned per Hour
NA *or* N/A	Not Applicable
NAAQS	National Ambient Air Quality Standards
NESHAPS	National Emissions Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
PM_{10}	Particulate Matter less than 10µm in diameter
pph	Pounds per Hour
ppm	Parts per Million
PSD	Prevention of Significant Deterioration
psi	Pounds per Square Inch
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
TAP	Toxic Air Pollutant
TPY	Tons per Year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulate
USEPA	United States Environmental Protection Agency
UTM	Universal Transverse Mercator
VEE	Visual Emissions Evaluation
VOC	Volatile Organic Compounds

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 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 or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40 C.F.R. §61.145(b) 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 person shall cause, suffer, allow or permit a coal preparation plant or handling operation to operate that is not equipped with a fugitive dust control system. This system shall be operated and maintained in such a manner as to minimize the emission of particulate matter into the open air.
[45CSR§5-6.1] [45CSR13, R13-0718, 4.1.10]

3.1.10. The owner or operator of a coal preparation plant or handling operation shall maintain dust control of the premises and owned, leased, or controlled access roads by paving, or other suitable measures. Good operating practices shall be observed in relation to stockpiling, car loading, breaking, screening, and general maintenance to minimize dust generation and atmospheric entrainment.
[45CSR§5-6.2] [45CSR13, R13-0718, 4.1.11]

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]

All tests to determine compliance with exhaust gas dust concentrations and particulate matter mass emission rates shall be conducted in accordance with Methods 1-5 of 40 CFR Part 60, Appendix A provided that all compliance tests must consist of not less than three (3) test runs, test run duration shall not be less than sixty (60) minutes, and not less than thirty (30) standard cubic feet of exhaust gas must be sampled during each test run.
[45CSR§5-12.1.]

Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf). Sampling shall begin no less than 30 minutes after startup and shall terminate before shutdown procedures begin.

[40 C.F.R. § 60.254; 45CSR16]

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.] [45CSR13, R13-0718, 4.4.1]

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, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§30-5.1.c. State-Enforceable only.] [45CSR13, R13-0718, 3.4.2]

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, mailed first class or by private carrier 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.
[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 on or before 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.]

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.

a. None

4.0 Source-Specific Requirements [Preparation Plant, Refuse Disposal Area, Transfer Points, Thermal Dryer, Haulroads, Storage Silos; 2S, 3S, 4e, 001A, 001B, 003, 005, 008, 010, 012, 012A, 013, 015, 016, 018, 020, 022, 033-036, 038, 046-048, 050, 052A, 052B, 052C, 052D, 052E, 052F, 052G, 052H, 052I, 052J, 052K, 052L, 054A, 054B, 054D, 054E, 055, 056, P002, CB18, CB18A, TLB]

4.1. Limitations and Standards

4.1.1. The permitted facility shall be limited to a maximum throughput of 150,000 tons of flyash per year (annual basis).
[45CSR13, R13-1551, A.1.] [054A, 054B]

4.1.2. The permitted facility shall maintain a fully enclosed building around the storage silo (ID #2S), and the pugmill (ID #3S).
[45CSR13, R13-1551, A.2.] [2S, 3S]

4.1.3. The permitted facility shall fully moisten the flyash before loading into scrapers and/or trucks for haulage to the refuse disposal area.
[45CSR13, R13-1551, A.3.] [054A, 054B]

4.1.4. A water spray truck as described in Permit Application R13-1545 shall be used continuously as weather and atmospheric conditions warrant to minimize fugitive particulate emission and atmospheric entrainment from haulroads.
[45CSR13, R13-1551, A.4.] [052A, 052B, 052C, 052D, 052E, 052F, 052G, 052H, 052I, 052J, 052K, 052L, 054D, 054E]

4.1.5. Particulate emissions from the stack venting the storage silo baghouse (emission point 4e), shall not exceed a rate of 1.72 pounds per hour.
[45CSR13, R13-1551, A.5.] [4e]

4.1.6. The permitted facility shall be constructed and maintained in accordance with Permit Application R13-1551 and its amendments.
[45CSR13, R13-1551, A.6.]

4.1.7. The permitted facility shall comply with all applicable provisions of 45CSR2, including the following:
No person shall cause, suffer, allow or permit a facility to operate that is not equipped with a fugitive dust control system. This system shall be operated and maintained in such a manner as to minimize the emission of particulate matter into the open air. Sources of fugitive particulate matter associated with fuel burning units shall include, but not be limited to, the following:
a) stockpiling of ash either in the open or in enclosures such as silos;
b) transport of ash in vehicles or on conveying systems, to include spillage, tracking, or blowing of particulate matter from or by such vehicles or equipment; and,
c) ash or fuel handling systems and ash disposal areas.
[45CSR13, R13-1551, B.2.] [054A, 054B]

4.1.8. The sulfur dioxide control system as described in ~~CONSOL's~~ Consolidation Coal Company's September 8, 1992 submission, involving the addition of caustic to the wet coal that feeds the fluidizing bed and the operation of a continuous emission monitoring system, shall be operated continuously when the thermal dryer is in operation.
[45CSR13, R13-0718, 4.1.~~1~~3.] [CO-R5, 13, 14-93-6, III.2.] [035]

4.1.9. The emissions limit for SO_2 shall be set at
(a) 120.7 lbs/hr measured on the basis of a one-hour average
(b) 20.7 tons/month measured on the basis of actual emissions ~~as reported monthly to the Division of Air Quality~~, and
(c) 249.4 tons/year.
[45CSR13, R13-0718, 4.1.~~2~~4.] [P002]

4.1.10. The thermal dryer will be operated no more than 5,850 hours per year.
[45CSR13, R13-0718, 4.1.~~3~~5.] [P002]

4.1.11. The following table sets forth the allowable hourly and annual limitations for total particulate matter, carbon monoxide, nitrogen dioxide, sulfur dioxide, and volatile organic compounds from the thermal dryer (~~035~~ 037C) at emission point P002.

Pollutant	Hourly Emissions (lb/hr)	Annual Emissions (ton/year)
Total Particulate Matter (PM)	24.2	70.8
Carbon Monoxide (CO)	43.2	103
Nitrogen Dioxide (NO_X)	46.6	136
Sulfur Dioxide (SO_2)	120.7	249.4
Volatile Organic Compounds (VOC)	24.6	47.4

[45CSR13, R13-0718, 4.1.~~4~~6.] [P002]

4.1.12. Throughput of coal from conveyor belts CB3 and CB16 combined into the preparation plant shall not exceed 1,500 tons per hour or 10,000,000 tons per year in raw coal input. ~~Compliance with the throughput limit shall be determined using a rolling yearly total. A rolling yearly total shall mean the sum of coal throughput at any given time for the previous twelve (12) consecutive calendar months~~
[45CSR13, R13-0718, 4.1.~~5~~7.] [Preparation Plant]

4.1.13. Fugitive particulate dust control system(s) shall be properly designed, installed, operated and maintained in such a manner so as to minimize the generation and atmospheric entrainment of fugitive particulate emissions. Such system(s) at a minimum shall include, but not be limited to:

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

The spraybar shall be quipped with commercially available spray nozzles, of sufficient size and number, so as to provide adequate coverage to the area being treated. The pump delivering the water, or solution, shall be of sufficient size and capacity so as to be capable of delivering to the spray nozzle(s) an adequate quantity of water, or solution, and at a sufficient pressure, so as to assure that the treatment process will minimize the atmospheric entrainment of fugitive particulate emissions generated from the haulroads and work areas where mobile equipment is used.

The permittee shall properly install, operate and maintain designed winterization systems for all water trucks and/or water sprays in a manner that all such fugitive dust control systems remain functional during winter months and cold weather.
[45CSR13, R13-0718, 4.1.~~6~~8.] [052A, 052B, 052C, 052D, 052E, 052F, 052G, 052H, 052I, 052J, 052K, 052L, 054D, 054E]

4.1.14. In accordance with the information filed in Permit Application R13-0718B, and R13-0718C the following affected sources throughput rates shall not be exceeded, and the following methods of controls shall be installed, maintained, and operated so as to minimize particulate matter (PM) emissions.

Name of Equipment	ID Number	Maximum Throughput TPH	Maximum Throughput TPY	Type of Controls
Belt No. 1	S003 (003)	1800	10,000,000	PE
Belt No. 2	S005 (005)	1800	10,000,000	PE
Belt No. 3	S008 (008)	1500	10,000,000	PE
Belt No. 4	S010 (010)	1500	~~3420000~~ 4,180,000	PE
Belt No. 5	S012A (012A)	3000	~~3420000~~ 4,180,000	PE
Belt No. 6	S013 (013)	1500	~~4,180,000~~ 3,420,000	PE
Belt No. 8	S018 (018)	3000	~~4,180,000~~ 3,420,000	PE
Belt No. 9	S046 (046)	3000	7,600,000	PE
Belt No. 10	S022 (022)	~~400~~ 650	~~1,920,000~~ 5,694,000	PE
Belt No. 15	S047 (047)	1500	1,240,000	PE
Belt No. 16	S055 (055)	1000	1,300,000	PE
Crusher	S001A (001A)	1800	10,000,000	FE
Screen	S001B (001B)	1800	10,000,000	FE

PE Partial Enclosure
FE Full Enclosure
[45CSR13, R13-0718, 1.0.] [003, 005, 008, 010, 012A, 013, 018, 046, 022, 047, 055, 001A, 001B]

4.1.15. The permitted facility shall be constructed and operated in accordance with information filed in Permit Application R13-0718, R13-0718A, R13-0718B, R13-0718C, R13-0718D 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, R13-0718, 2.5.1.]

4.1.16. ~~The permittee shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal that commences construction or modification after October 24, 1974, gases which exhibit 20 percent opacity or greater. These opacity standards shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard~~.
Standards for Particulate Matter. On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.
[40 C.F.R. § 60.~~252(c)~~254(a); 45CSR13, R13-0718, 4.1.~~8~~16; 45CSR16] [001B, 001A, 003, 005, 008, 010, 013, 022, 033, 034, 036, 038, 047, 055, 054B, 054A, 056]

4.1.17. **Standards for Particulate Matter.** On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified after April 28, 2008, must meet the following requirements:

(1) Except as provided in paragraph (3) of this section, the owner or operator must not cause to be discharged into the atmosphere from the affected facility any gases which exhibit 10 percent opacity or greater.
(2) The owner or operator must not cause to be discharged into the atmosphere from any mechanical vent on an affected facility gases which contain particulate matter in excess of 0.023 g/dscm (0.010 gr/dscf).
(3) Equipment used in the loading, unloading, and conveying operations of open storage piles are not subject to the opacity limitations of paragraph (1) of this section.

[40 C.F.R. § 60.254(b); 45CSR13, R13-0718, 4.1.17; 45CSR16]

4.1.18. The permittee shall not cause to be discharged into the atmosphere from any thermal dryer gases that:
(1) Contain particulate matter in excess of 0.070 g/dscm (0.031 gr/dscf).
(2) Exhibit 20 percent opacity or greater.
[40 C.F.R. § 60.252(a); 45CSR16; 45CSR§5-3.1; 45CSR13, R13-0718, 4.1.15] [P002]

4.1.19. No person shall cause, suffer, allow or permit emission of particulate matter into the open air from any fugitive dust control system which is twenty percent (20%) opacity or greater.
[45CSR§5-3.4; 45CSR13, R13-0718, 4.1.~~7~~9.] [003, 005, 007, 008, 010, 012, 012A, 013, 015, 016, 018, 046, 020, 022, 033, 034, 036, 038, 035, 047, 048, 050, 054B, 055, 048, 054A, 056]

4.1.20. In order to prevent and control air pollution from coal refuse disposal areas, the operation of coal refuse disposal areas shall be conducted in accordance with the standards established by the following**:**
[45CSR§5-7.1.] [Refuse Disposal Area]

(a) Coal refuse is not to be deposited on any coal refuse disposal area unless the coal refuse is deposited in such a manner as to minimize the possibility of ignition of the coal refuse.
[45CSR§5-7.2.] [Refuse Disposal Area]
(b) Coal refuse disposal areas shall not be so located with respect to mine openings, tipples, or other mine buildings, unprotected coal outcrops or steam lines, that these external factors will contribute to the ignition of the coal refuse on such coal refuse disposal areas.

[45CSR§5-7.3.] [Refuse Disposal Area]

(c) Vegetation and combustible materials shall not be left on the ground at the site where a coal refuse pile is to be established, unless it is rendered inert before coal refuse is deposited on such site.

[45CSR§5-7.4.] [Refuse Disposal Area]

(d) Coal refuse shall not be dumped or deposited on a coal refuse pile known to be burning, except for the purpose of controlling the fire or where the additional coal refuse will not tend to ignite or where such dumping will not result in statutory air pollution.

[45CSR§5-7.5.] [Refuse Disposal Area]

(e) Materials with low ignition points used in the production or preparation of coal, including but not limited to wood, brattice cloth, waste paper, rags, oil and grease, shall not be deposited on any coal refuse disposal area or in such proximity as will reasonably contribute to the ignition of a coal refuse disposal area.

[45CSR§5-7.6.] [Refuse Disposal Area]

(f) Garbage, trash, household refuse, and like materials shall not be deposited on or near any coal refuse disposal area.

[45CSR§5-7.7.] [Refuse Disposal Area]

(g) The deliberate ignition of a coal refuse disposal area or the ignition of any materials on such an area by any person or persons is prohibited. **[45CSR§5-7.8.] [Refuse Disposal Area]**

Each burning coal refuse disposal area which allegedly causes air pollution shall be investigated by the Director (in accordance with the following)

[45CSR§5-8.1.] [Refuse Disposal Area]

(a) Each coal refuse disposal area which causes air pollution shall be considered on an individual basis by the Director. Consistent with the declaration of policy and purpose set forth in section one of Chapter twenty-two, article five of the code of West Virginia, as amended, as well as the established facts and circumstances of the particular case, the Director shall determine and may order after a proper hearing the effectuation of those air pollution control measures which are adequate for each such coal refuse disposal area.

[45CSR§5-8.2.] [Refuse Disposal Area]

(b). With respect to all burning coal refuse disposal areas, the person responsible for such coal refuse disposal areas or the land on which such coal refuse disposal areas are located shall use due diligence to control air pollution from such coal refuse disposal areas. Consistent with the declaration of policy and purpose set forth in section one of chapter twenty-two, article five of the code of West Virginia, as amended, the Director shall determine what constitutes due diligence with respect to each such burning coal refuse disposal area. When a study of any burning coal refuse disposal area by the Director establishes that air pollution exists or may be created, the person responsible for such coal refuse disposal area or the land on which such coal refuse disposal area is located shall submit to the Director a report setting forth satisfactory methods and procedures to eliminate, prevent, or reduce such air pollution. The report shall be submitted within such time as the Director shall specify. The report for the elimination, prevention or reduction of air pollution shall contain sufficient information, including completion dates, to establish that such program can be executed with due diligence. If approved by the Director, the corrective measures and completion dates shall be embodied in a consent order issued pursuant to W.Va. Code **§§** 22-5-1 et seq. If such report is not submitted as requested or if the Director determines that the methods and procedures set forth in such report are not adequate to reasonably control such air pollution, then a hearing will be held pursuant to the procedures established by W.Va. Code **§** 22-5.

[45CSR§5-8.3.] [Refuse Disposal Area]

4.1.21. No person shall circumvent 40 C.F.R § 60.252 or 45CSR5 by adding additional gas to any dryer exhaust or group of dryer exhausts for the purpose of reducing the grain loading.

[45CSR§5-4.2.] [035]

4.1.22. No person shall cause, suffer, allow or permit the exhaust gases from a thermal dryer to be vented into the open air at an altitude of less than eighty (80) feet above the foundation grade of the structure containing the dryer or less than ten (10) feet above the top of said structure or any adjacent structure, whichever is greater. In determining the desirable height of a plant stack, due consideration shall be given to the local topography, meteorology, the location of nearby dwellings and public roads, the stack emission rate and good engineering practice as set forth in 45CSR20.
[45CSR§5-4.3.] [035]

4.1.23. At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
[40 C.F.R § 60.11(d); 45CSR16; 45CSR13, R13-0718, ~~4.1.9~~. 4.1.13 and 4.1.14] [001B, 001A, 003, 005, 008, 010, 013, 022, 033, 034, 036, 038, 047, 055, 054B, 054A, 056]

4.1.24. No person shall cause, suffer, allow, or permit the emission into open air from any source operation an in-stack sulfur dioxide concentration exceeding 2000 ppmv by volume from existing source operations, except as

provided in subdivisions of 45CSR§10-4.1.
[45CSR§10-4.1.] [P002]
Note: Compliance with SO_2 limit in Section 4.1.11 shall show compliance with this section – please see fact sheet for calculation showing the compliance.

4.1.24. No owner or operator subject to the provisions of this rule shall build, erect, install, modify or use any article, machine, equipment or process, the use of which purposely conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.
[45CSR§10-11.1.] [035]

4.1.25. Compliance with all annual throughput limits shall be determined using a 12 month rolling total. For example, a 12 month rolling total shall mean the sum of raw coal received at any given time for the previous twelve (12) consecutive calendar months.
[45CSR13, R13-0718, 4.1.1]

4.2. Monitoring Requirements

4.2.1. (a) The Permittee shall install, calibrate, maintain, and continuously operate monitoring devices as follows:
(1) A monitoring device for the measurement of the temperature of the gas stream at the exit of the thermal dryer on a continuous basis. The monitoring device is to be certified by the manufacturer to be accurate within ±3º Fahrenheit.
(2) A monitoring device for the continuous measurement of the pressure loss through the venturi constriction of the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ±1 inch water guage.

(3) A monitoring device for the continuous measurement of the water supply pressure to the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ±5 percent of design water supply pressure. The pressure sensor or tap must be located close to the water discharge point.

(b) All monitoring devices under paragraph (a) of this section are to be recalibrated annual in accordance with procedures under 40 C.F.R § 60.13(b)

[40 C.F.R § 60.253; 45CSR16] [035]

Note: **The following is for informational purposes only; not a permit condition:**
Based on scrubber design parameters and stack testing performed, the following are operating ranges for the scrubber that, if maintained, assume compliance with particulate limits:
Exit Gas temperature – 120-220 (Deg F)
Water Pressure to Scrubber (psig) – 14-30
Water Flow Rate to Scrubber – 640-1,053 GPM
Pressure Drop Across scrubber (inches H_2O Pressure Drop) – 26-40

4.2.2. ~~For the purpose of determining compliance with the opacity limit of 4.1.18, the permittee shall conduct visible emission checks and/or opacity monitoring and recordkeeping for all emission sources subject to an opacity limit [Not required for stockpiles and haulroads]:~~

~~a. A visible emissions evaluation shall be conducted for each emission unit at least once every consecutive 12-month period in accordance with 40 C.F.R. 60 Appendix A, Method 9. This annual evaluation shall consist of a minimum of 24 consecutive observations for each emission unit.~~

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

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

~~c. If visible emissions are present at a source(s) for six (6) consecutive monthly checks, the permittee shall conduct an opacity reading at that source(s) using the procedures and requirements of Method 9 as soon as practicable, but within seventy-two (72) hours of the final visual emission check. Method 9 observations shall be performed on the source for at least six (6) minutes. A Method 9 observation at a source(s) restarts the count of the number of consecutive readings with the presence of visible emissions.~~

~~d. The permittee shall maintain records of all monitoring data, documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission~~

~~unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.~~

For the purpose of determining compliance with the opacity limits of Sections 4.1.19, 4.1.17, 4.1.18, and 4.1.16 of this permit, the permittee shall conduct visible emissions checks and/or opacity monitoring for all emissions units subject to an opacity standard [Except for the following: stockpiles 029 (Clean/Raw Coal Stockpile 1) , 039 (Raw Coal Stockpile 1) and 042 (Raw Coal Stockpile 2) which are exempt; or new equipment Conveyor Belt CB18, Conveyor Belt CB18A and Truck Loadout Bin TLB and modified equipment Belt Conveyor CB10 and Refuse Loadout Bin 1, which are subject to the certification of compliance requirements in 40 CFR§60.255(b) found in Section 4.3.5. of this permit]:

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

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

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

c. If the initial, or any subsequent, visible emissions evaluation indicates visible emissions in excess of 50 percent of the allowable visible emissions requirement for a given emission unit, a visible emissions evaluation in accordance with 40 CFR 60 Appendix A-4, Method 9 shall be performed for that unit at least once every consecutive 14-day period. If subsequent visible emissions evaluations indicate visible emissions less than or equal to 50 percent of the allowable visible emissions requirement for the emission unit for 3 consecutive evaluation periods, the emission unit may comply with the visible emissions testing requirements in Section 4.2.2.b. of this permit in lieu of those established in this condition.

d. A visual emissions evaluation shall be conducted on all process and control equipment at least once each calender month. If any deficiencies are observed, the necessary maintenance must be performed as expeditiously as possible.

e. A visible emissions evaluation shall be conducted for each emission unit at least once every consecutive 12-month period in accordance with 40 CFR 60 Appendix A-4, Method 9. This annual evaluation shall consist of a minimum of 24 consecutive observations for each emission unit.

f. A record of each visible emissions observation shall be maintained, including any data required by 40 CFR 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable visible emissions requirement, the results of the observation, and the name of the observer.

[40 C.F.R § 60.11(b); 45CSR16; 45CSR13, R13-0718, 4.2.4. and 4.3.1] [001B, 001A, 003, 005, 008, 010, 013, 022, 033, 034, 036, 038, 047, 055, 054B, 054A, 056]

4.2.3. The permittee shall inspect all fugitive dust control systems weekly to ensure that they are operated and maintained in conformance with their designs. The permittee shall maintain records of all scheduled and non-scheduled maintenance. Records shall be maintained on site stating any maintenance or corrective actions taken as a result of the weekly inspections, and the times the fugitive dust control system(s) are inoperable and any corrective actions taken.
[45CSR§30-5.1.c.]

4.2.4. The permittee shall use Method 5 or an alternative method approved by the Director for such testing. Parameter indicator ranges shall be established for the exit temperature of the thermal dryer, water pressure to the control equipment, and the pressure loss of the inlet airflow to the scrubber. The permittee shall establish these indicator ranges and operate within these ranges to provide a reasonable assurance that the thermal dryer unit is in compliance with opacity and particulate loading limits. The permittee shall take immediate corrective action when a parameter falls outside the indicator range established for that parameter and shall record the cause and corrective measures taken. The permittee shall also record the following parameters during such testing:

a. Opacity readings on the exhaust stack following the procedures of Method 9;
b. Amount of coal burned and the amount of coal dried;
c. Coal drying temperature and residence time in the dryer;
d. Temperature of the gas stream at the exit of the thermal dryer;
e. Flow rate through the dryer and converted to dry standard cubic feet;
f. Water pressure to the control equipment; and
g. Pressure loss of the inlet airflow to the scrubber. The pressure drop will be measured between the inlet airflow to the scrubber and outlet airflow of the scrubber, which is atmospheric loss through the venturi constriction of the control equipment.

These records shall be maintained on site.

Note: In the last stack testing performed on 12-14-06, PM emission rate was 54.13% of particulate loading limit in Section 4.1.11. Hence the next stack testing for PM has to be performed on or before 12-14-09.

Subsequent testing to determine compliance with the particulate loading limitations of 4.1.17 and 4.1.11 shall be conducted in accordance with the schedule set forth in the following table:

Test	Test Results	Testing Frequency
Annual	If annual testing is required, after two successive tests indicate mass emission rates between 50% and 90 % of particulate loading limit	Once/3 years

Test	Test Results	Testing Frequency
Annual	If annual testing is required, after three successive tests indicate mass emission rates ≤50% of particulate loading limit	Once/5 years
Once/3 years	If testing is required once/3 years, after two successive tests indicate mass emission rates ≤50% of particulate loading limit	Once/5 years
Once/3 years	If testing is required once/3 years and any test indicates a mass emission rate ≥90% of particulate loading limit	Annual
Once/5 years	If testing is required once /5 years and any test indicates mass emission rates between 50% and 90 % of particulate loading limit	Once/3 years
Once/5 years	If testing is required once/5 years and any test indicates a mass emission rate ≥90% of particulate loading limit	Annual

[45CSR§30-5.1.c.] [P002]

Any stack venting thermal dryer exhaust gases shall include straight runs of sufficient length to establish flow patterns consistent with acceptable stack sampling procedures. Flow straightening devices shall be required where cyclonic gas flow would exist in the absence of such devices.
[45CSR§5-12.6.] [P002]

4.2.5. The permittee shall conduct monitoring/recordkeeping/reporting for the thermal dryer as follows:

a. A visible emissions evaluation shall be conducted for the thermal dryer unit(s) at least once every consecutive 12-month period in accordance with 40 C.F.R. 60 Appendix A, Method 9. This annual evaluation shall consist of a minimum of 24 consecutive observations for the thermal dryer unit(s).

b. The thermal dryer unit(s) included in this permit shall be observed visually on a daily basis during periods of normal facility operation for a sufficient time interval to determine if the unit has any visible emissions using 40 C.F.R. 60 Appendix A, Method 22. If visible emissions from the thermal dryer unit(s) are observed during these daily observations, or at any other time, that appear to exceed 50 percent of the allowable visible emission requirement for the thermal dryer unit(s), visible emissions evaluations in accordance with 40 C.F.R. 60 Appendix A, Method 9 shall be conducted as soon as practicable, but no later than fourteen (14) days from the time of the observation. A Method 9 evaluation shall not be required if the visible emissions condition is corrected in a timely manner; the thermal dryer unit(s) is operating at normal operating conditions; and, the cause and corrective measures taken are recorded.

c. If any subsequent visible emissions evaluation indicates visible emissions in excess of 50 percent of the allowable visible emissions requirement for a thermal dryer unit, a visible emissions evaluation shall be performed for that unit at least once every consecutive seven (7) day period in accordance with 40 C.F.R. 60 Appendix A, Method 9. If subsequent visible emissions evaluations indicate visible emissions less than or equal to 50 percent of the allowable visible emissions requirement for the thermal dryer unit for 3 consecutive evaluation periods, the thermal dryer may comply with the visible emissions testing requirements of Condition 4.2.5.b. in lieu of those established in this condition.

d. A record of each visible emissions observation shall be maintained, including any data required by 40 C.F.R. 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a

minimum, the date, time, name of the emission unit, the applicable visible emissions requirement, the results of the observation, and the name of the observer. Records shall be maintained on site stating any maintenance or corrective actions taken as a result of the daily inspections. If any visible emissions evaluation performed in accordance with 40C.F.R.60 Appendix A, Method 9 indicates a visible emissions observation of twenty percent (20%) or greater, the minimum total time of the observations for that emission unit shall be sixty (60) minutes. This section shall not apply if any visible emissions observation is sixty percent (60%) or greater.

e. The thermal dryer unit(s) included in this permit shall be observed visually during periods of building a fire of operating quality and minimization efforts taken to ensure particulate matter emissions of sixty percent (60 %) opacity for a period of up to 8 minutes in any operating day is not exceeded during such activities.

[45CSR§30-5.1.c] [P002]

4.2.6. The continuous emissions monitoring system on the thermal dryer exhaust stack shall measure sulfur dioxide concentrations which meets performance specifications set forth under Title 40, Part 60, Appendix B Performance Specification 2 – Specifications and Test Procedures for SO2 and NOx Continuous Emission Monitoring Systems in stationary sources of the Code of Federal Regulations. In addition, the Permittee shall conduct required reference method testing and calibration drift tests, including submission of certified monthly reports showing conformance with the aforementioned Performance Specifications no later than sixty (60) days following installation of such CEM system and commencing operations of the subject thermal dryer. Such system shall also include a device which monitors stack gas flow rate and a data reduction system to convert stack gas concentrations into lbm/hr values and to provide cumulative monthly emission rates in tons. The output from the CEM system shall be used to vary the caustic addition rate of the sulfur dioxide removal system so that sulfur dioxide emissions shall be controlled below the limitations contained in Condition 4.1.11.
[45CSR§30-5.1.c] [P002]

The installation, operation and maintenance of a continuous monitoring system meeting the requirements of 40 CFR 60, Appendix B, Performance Specification 2 (PS2) shall be deemed to fulfill the requirements of a monitoring plan for a fuel burning unit(s), manufacturing process source(s) or combustion source(s).
[45CSR§10-8.2.c.1] [P002]

4.2.7. The permittee shall use EPA approved method or an alternative method approved by the Director for testing NOx, CO and VOC's to show compliance with Section 4.1.11. The permittee shall establish indicator ranges and operate within these ranges to provide a reasonable assurance that the thermal dryer unit is in compliance with NOx, CO and VOC limits. The permittee shall take immediate corrective action when a parameter falls outside the indicator range established for that parameter and shall record the cause and corrective measures taken.
These records shall be maintained on site.
Subsequent testing to determine compliance with the NOx, CO and VOC limits of 4.1.11 shall be conducted in accordance with the schedule set forth in the following table:

Test	Test Results	Testing Frequency
Initial	≤50% of NOx, CO and VOC limits	Once/5 years
Initial	Between 50% and 90 % of NOx, CO and VOC limits	Once/3 years
Initial	≥90% of NOx, CO and VOC limits	Annual

Test	Test Results	Testing Frequency
Annual	If annual testing is required, after two successive tests indicate mass emission rates between 50% and 90 % of NOx, CO and VOC limits	Once/3 years
Annual	If annual testing is required, after three successive tests indicate mass emission rates ≤50% of NOx, CO and VOC limits	Once/5 years
Once/3 years	If testing is required once/3 years, after two successive tests indicate mass emission rates ≤50% of NOx, CO and VOC limits	Once/5 years
Once/3 years	If testing is required once/3 years and any test indicates a mass emission rate ≥90% of NOx, CO and VOC limits	Annual
Once/5 years	If testing is required once /5 years and any test indicates mass emission rates between 50% and 90 % of NOx, CO and VOC limits	Once/3 years
Once/5 years	If testing is required once/5 years and any test indicates a mass emission rate ≥90% of NOx, CO and VOC limits	Annual

[45CSR§30-5.1.c.] [P002]

4.2.8. The owner or operator of a continuous emissions monitoring system installed pursuant to 45CSR10 shall follow the quality assurance requirements as set forth in 40 CFR Part 60, Appendix F.
[45CSR§10-8.2.c.1.A.] [P002]

4.2.9. **Continuous Monitoring Requirements for Thermal Dryer.** The owner or operator of each affected facility constructed, reconstructed, or modified on or before April 28, 2008, must meet the following monitoring requirements, as applicable to the affected facility:

a. The owner or operator of any thermal dryer shall install, calibrate, maintain, and continuously operate monitoring devices as follows:

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

2. For affected facilities that use wet scrubber emission control equipment:

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

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

b. All monitoring devices under this section are to be recalibrated annually in accordance with procedures

under §60.13(b).

[40CFR§60.256(a); 45CSR16; 45CSR13, R13-0718, 4.2.5.]

4.2.10. The owner or operator of each affected facility constructed, reconstructed, or modified after April 28, 2008, that has one or more mechanical vents must install, calibrate, maintain, and continuously operate the following monitoring, as applicable to the mechanical vent and any control device installed on the vent:

a. For mechanical vents with fabric filters (baghouses) with design controlled potential PM emissions rates of 25 Mg (28 tons) per year or more, a bag leak detection system according to the requirements in paragraph (c) of 40CFR§60.256.

b. For mechanical vents with wet scrubbers, monitoring devices according to the requirements in paragraphs b.1 through 4 of this section.

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

2. A monitoring device for the continuous measurement of the water supply flow rate to the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ±5 percent of design water supply flow rate.

3. A monitoring device for the continuous measurement of the pH of the wet scrubber liquid. The monitoring device is to be certified by the manufacturer to be accurate within ±5 percent of design pH.

4. An average value for each monitoring parameter must be determined during each performance test. Each monitoring parameter must then be maintained within 10 percent of the value established during the most recent performance test on an operating day average basis.

c. For mechanical vents with control equipment other than wet scrubbers, a monitoring device for the continuous measurement of the reagent injection flow rate to the control equipment, as applicable. The monitoring device is to be certified by the manufacturer to be accurate within ±5 percent of design injection flow rate. An average reagent injection flow rate value must be determined during each performance test. The reagent injection flow rate must then be maintained within 10 percent of the value established during the most recent performance test on an operating day average basis.

[40CFR§60.256; 45CSR13, R13-0718, 4.2.6.]

4.2.11. Each bag leak detection system used to comply with provisions of this subpart must be installed, calibrated, maintained, and continuously operated according to the following requirements:

a. The bag leak detection system must meet the following specifications and requirements:

1. The bag leak detection system must be certified by the manufacturer to be capable of detecting PM emissions at concentrations of 1 milligram per dry standard cubic meter (mg/dscm) (0.00044 grains per actual cubic foot (gr/acf)) or less.

2. The bag leak detection system sensor must provide output of relative PM loadings. The owner or operator shall continuously record the output from the bag leak detection system using electronic or other means (e.g., using a strip chart recorder or a data logger).

3. The bag leak detection system must be equipped with an alarm system that will sound when the system

detects an increase in relative particulate loading over the alarm set point established according to paragraph a.4 of this section, and the alarm must be located such that it can be heard by the appropriate plant personnel.

4. In the initial adjustment of the bag leak detection system, the owner or operator must establish, at a minimum, the baseline output by adjusting the sensitivity (range) and the averaging period of the device, the alarm set points, and the alarm delay time.

5. Following initial adjustment, the owner or operator must not adjust the averaging period, alarm set point, or alarm delay time without approval from the Administrator or delegated authority except as provided in paragraph b.6 of this section.

6. Once per quarter, the owner or operator may adjust the sensitivity of the bag leak detection system to account for seasonal effects, including temperature and humidity, according to the procedures identified in the site-specific monitoring plan required by paragraph b of this section.

7. The owner or operator must install the bag leak detection sensor downstream of the fabric filter.

8. Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

b. The owner or operator must develop and submit to the Administrator or delegated authority for approval a site-specific monitoring plan for each bag leak detection system. This plan must be submitted to the Administrator or delegated authority 30 days prior to startup of the affected facility. The owner or operator must operate and maintain the bag leak detection system according to the site-specific monitoring plan at all times. Each monitoring plan must describe the following items:

1. Installation of the bag leak detection system;

2. Initial and periodic adjustment of the bag leak detection system, including how the alarm set-point will be established;

3. Operation of the bag leak detection system, including quality assurance procedures;

4. How the bag leak detection system will be maintained, including a routine maintenance schedule and spare parts inventory list;

5. How the bag leak detection system output will be recorded and stored; and

6. Corrective action procedures as specified in paragraph c of this section. In approving the site-specific monitoring plan, the Administrator or delegated authority may allow the owner and operator more than 3 hours to alleviate a specific condition that causes an alarm if the owner or operator identifies in the monitoring plan this specific condition as one that could lead to an alarm, adequately explains why it is not feasible to alleviate this condition within 3 hours of the time the alarm occurs, and demonstrates that the requested time will ensure alleviation of this condition as expeditiously as practicable.

c. For each bag leak detection system, the owner or operator must initiate procedures to determine the cause of every alarm within 1 hour of the alarm. Except as provided in paragraph b.6 of this section, the owner or operator must alleviate the cause of the alarm within 3 hours of the alarm by taking whatever corrective action(s) are necessary. Corrective actions may include, but are not limited to the following:

1. Inspecting the fabric filter for air leaks, torn or broken bags or filter media, or any other condition that may cause an increase in PM emissions;

2. Sealing off defective bags or filter media;

3. Replacing defective bags or filter media or otherwise repairing the control device;

4. Sealing off a defective fabric filter compartment;

5. Cleaning the bag leak detection system probe or otherwise repairing the bag leak detection system; or

6. Shutting down the process producing the PM emissions.

[40CFR§60.256(c); 45CSR13, R13-0718, 4.2.7.]

4.3. Testing Requirements

4.3.1. The following test methods shall be utilized for Sections 4.2.4 and 4.2.7 unless otherwise approved by the Director:

a.	Carbon Monoxide	EPA Method 10
b.	Nitrogen Oxides	EPA Method 7
c.	Volatile Organic Compounds	EPA Method 25
d.	Particulate Matter	EPA Method 5

[45CSR§30-5.1.c] [P002]

4.3.2. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, the owner or operator of such facility shall conduct performance test(s) and furnish a written report of the results of such performance test(s).
[40CFR§60.8(a); 45CSR16; 45CSR13, R13-0718, 4.3.2.]

4.3.3. Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).
[40CFR§60.11(b); 45CSR16; 45CSR13, R13-0718, 4.3.3.]

4.3.4. **Performance Tests and Other Compliance Requirements for Subpart Y - Performance Tests.** An owner or operator of each affected facility that commenced construction, reconstruction, or modification on or before April 28, 2008, must conduct performance tests required by 40CFR§60.8 to demonstrate compliance with the applicable emission standards using the methods identified in 40CFR§60.257.
[40CFR§60.255(a); 45CSR16; 45CSR13, R13-0718, 4.3.4.]

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

a. For each affected facility subject to a PM, SO_2, or combined NO_X and CO emissions standard, an initial performance test must be performed. Thereafter, a new performance test must be conducted according the following requirements, as applicable:

1. If the results of the most recent performance test demonstrate that emissions from the affected facility are greater than 50 percent of the applicable emissions standard, a new performance test must be conducted within 12 calendar months of the date that the previous performance test was required to be completed.

2. If the results of the most recent performance test demonstrate that emissions from the affected facility are 50 percent or less of the applicable emissions standard, a new performance test must be conducted within 24 calendar months of the date that the previous performance test was required to be completed.

3. An owner or operator of an affected facility that has not operated for the 60 calendar days prior to the due date of a performance test is not required to perform the subsequent performance test until 30 calendar days after the next operating day.

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

1. Any 6-minute average opacity reading in the most recent performance test exceeds half the applicable opacity limit, a new performance test must be conducted within 90 operating days of the date that the previous performance test was required to be completed.

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

[40CFR§60.255(b); 45CSR16; 45CSR13, R13-0718, 4.3.5.]

4.3.6. **Performance Tests and Other Compliance Requirements for Subpart Y.** If any affected coal processing and conveying equipment (e.g., breakers, crushers, screens, conveying systems), coal storage systems, or other coal transfer and loading systems that commenced construction, reconstruction, or modification after April 28, 2008, are enclosed in a building do not exceed any of the standards in 40CFR§60.254 that apply to the affected facility, then the facility shall be deemed to be in compliance with such standards.
[40CFR§60.255(c); 45CSR16; 45CSR13, R13-0718, 4.3.6.]

4.3.7. An owner or operator of an affected facility (other than a thermal dryer) that commenced construction, reconstruction, or modification after April 28, 2008, is subject to a PM emission standard and uses a control device with a design controlled potential PM emissions rate of 1.0 Mg (1.1 tons) per year or less is exempted from the requirements Conditions 4.3.5.a.1 and 2 provided that the owner or operator meets all of the following conditions:

a. PM emissions, as determined by the most recent performance test, are less than or equal to the applicable limit,

b. The control device manufacturer's recommended maintenance procedures are followed, and

c. All 6-minute average opacity readings from the most recent performance test are equal to or less than half the applicable opacity limit or the monitoring requirements in paragraphs (e) or (f) of 40 C.F.R. § 60.255 are followed.

This exemption does not apply to thermal dryers.

[40CFR§60.255(d)(3); 45CSR16; 45CSR13, R13-0718, 4.3.7.]

4.3.8. For an owner or operator of a group of up to five of the same type of affected facilities that commenced

construction, reconstruction, or modification after April 28, 2008, that are subject to PM emissions standards and use identical control devices, the Administrator or delegated authority may allow the owner or operator to use a single PM performance test for one of the affected control devices to demonstrate that the group of affected facilities is in compliance with the applicable emissions standards provided that the owner or operator meets all of the following conditions:

a. PM emissions from the most recent performance test for each individual affected facility are 90 percent or less of the applicable PM standard;

b. The manufacturer's recommended maintenance procedures are followed for each control device; and

c. A performance test is conducted on each affected facility at least once every 5 calendar years.

[40CFR§60.255(e)(3); 45CSR16; 45CSR13, R13-0718, 4.3.8.]

4.3.9. **Performance Tests and Other Compliance Requirements for Subpart Y - Monitoring Visible Emissions or Digital Opacity Compliance System.** As an alternative to meeting the requirements in condition 4.3.5, an owner or operator of an affected facility that commenced construction, reconstruction, or modification after April 28, 2008, may elect to comply with the following requirements:

a. Monitor visible emissions from each affected facility according to the following requirements:

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

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

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

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

[40CFR§60.255(f); 45CSR13, R13-0718, 4.3.9.]

4.3.10. **Performance Tests and Other Compliance Requirements for Subpart Y - COMS.** As an alternative to

meeting the requirements in condition 4.3.5, an owner or operator of an affected facility that commenced construction, reconstruction, or modification after April 28, 2008, subject to a visible emissions standard under this subpart may install, operate, and maintain a continuous opacity monitoring system (COMS). Each COMS used to comply with provisions of this subpart must be installed, calibrated, maintained, and continuously operated according to the requirements in 40CFR§§60.255(g)(1) and (2).
[40CFR§60.255(g); 45CSR16; 45CSR13, R13-0718, 4.3.10]

4.3.11. **Coal Truck Dump Operations.** The owner or operator of each affected coal truck dump operation that commenced construction, reconstruction, or modification after April 28, 2008, must meet the following requirements:

a. Conduct an initial performance test using Method 9 of Appendix A–4 of 40CFR60 according to the following requirements:

1. Opacity readings shall be taken during the duration of three separate truck dump events. Each truck dump event commences when the truck bed begins to elevate and concludes when the truck bed returns to a horizontal position.

2. Compliance with the applicable opacity limit is determined by averaging all 15-second opacity readings made during the duration of three separate truck dump events.

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

c. Conduct a performance test using Method 9 of Appendix A–4 of 40CFR60 at least once every 5 calendar years for each affected facility.

[40CFR§60.255(h); 45CSR16; 45CSR13, R13-0718, 4.3.11]

4.3.12. **Test Methods and Procedures for Subpart Y.** The owner or operator must determine compliance with the applicable opacity standards as specified in the following paragraphs:

a. Method 9 of Appendix A-4 of 40CFR60 and the procedures in 40CFR§60.11 must be used to determine opacity, with the following exceptions:

1. The duration of the Method 9 of Appendix A-4 of this 40CFR60 performance test shall be 1 hour (ten 6-minute averages).

2. If, during the initial 30 minutes of the observation of a Method 9 of Appendix A-4 of 40CFR60 performance test, all of the 6-minute average opacity readings are less than or equal to half the applicable opacity limit, then the observation period may be reduced from 1 hour to 30 minutes.

b. To determine opacity for fugitive coal dust emissions sources, the following additional requirements must be used:

1. The minimum distance between the observer and the emission source shall be 5.0 meters (16 feet), and the sun shall be oriented in the 140-degree sector of the back.

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

3. The observer shall make opacity observations at the point of greatest opacity in that portion of the

plume where condensed water vapor is not present. Water vapor is not considered a visible emission.

c. A visible emissions observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:

1. No more than three emissions points may be read concurrently.

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

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

[40CFR§60.257(a); 45CSR16; 45CSR13, R13-0718, 4.3.12]

4.3.13. **Test Methods and Procedures for Subpart Y.** The owner or operator must conduct all performance tests required by 40CFR§60.8 to demonstrate compliance with the applicable emissions standards specified in 40CFR§60.252 according to the requirements in 40CFR§60.8 using the applicable test methods and procedures in 40CFR§§60.257(b)(1) through (8).
[40CFR§60.257(b); 45CSR16; 45CSR13, R13-0718, 4.3.13]

4.4. Recordkeeping Requirements

4.4.1. The following information shall be recorded on a daily basis, and maintained at the permitted facility for a period of five (5) years, and made available to the Director of Air Quality, or his designated representative upon request:

a) flyash received in tons per day; and
b) water used for conditioning in gallons per day.

A report of quarterly totals shall be submitted to the Division of Air Quality, Director of Air Quality. Such quarterly reports shall be certified to be accurate by the Chief Executive Officer or owner of the permitted facility, or their designee and shall be submitted by the fifteenth day following the end of each calendar quarter. **[45CSR13, R13-1551, Condition B.3.]**

4.4.2. The applicant shall maintain on-site records of hourly operation of the thermal dryer~~, and within fifteen (15) days after the end of each calendar month shall submit certified Monthly Reports,~~ utilizing the form identified as Attachment B, to the Director showing

(a) cumulative yearly hours of operation of the dryer
(b) cumulative monthly emission rates for SO_2, and

(c) identifying all hours in which an allowable SO_2 emission rate was exceeded.

[45CSR13, R13-0718, 4.2.1; CO-R5, 13, 14-93-6] [035]

4.4.3. For the purpose of determining compliance with the maximum throughput limits set forth under Condition 4.1.12., the permittee shall maintain certified monthly and annual records of the amount of raw coal transferred to the preparation plant on conveyor belts CB3 and CB16 combined ~~(008)~~ and the hours operated, utilizing the form identified as Attachment C. In addition, for the purposes of demonstrating compliance with Condition 4.1.13., the permittee shall maintain daily records indicating the use of any dust suppressants or other suitable dust control measures applied at the facility, utilizing the form identified as attachment D. Such records shall be certified by a "responsible official" and maintained on site for a period of not less than five (5) years and shall be made available to the Director or his or her duly authorized representative upon request.
[45CSR13, R13-0718, 4.1.12 and 4.2.2.]

4.4.4. For the purpose of determining compliance with water truck usage set forth in 4.1.13., the permittee shall monitor water truck activity and maintain certified daily records, utilizing the form identified as Attachment D. Such records shall be certified by a "responsible official" and maintained on site for a period of not less than five (5) years and shall be made available to the Director or his or her duly authorized representative upon request. **[45CSR13, R13-0718, 4.2.3.]**

4.4.5. For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
[45CSR13, R13-0718, 4.4.2.]

4.4.6. For all air pollution control equipment, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

a. The equipment involved;
b. Steps taken to minimize emissions during the event;
c. The duration of the event;

d. The estimated increase in emissions during the event.

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

e. The cause of the malfunction;

f. Steps taken to correct the malfunction;

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

[45CSR13, R13-0718, 4.4.3.]

4.4.7. The permittee shall maintain records of all monitoring data required by Section 4.2.2 of this permit by documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE wind) during the visual emission check(s). An example form is supplied as Appendix D. Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent. **[45CSR13, R13-0718, 4.4.4.]**

4.4.8. Any and all records, such as throughput, hours of operation of the thermal dryer, SO_2 data, etc., shall be completed, certified and kept on site for a period of no less than five (5) years. Such records shall be made available to the Director or his or her duly authorized representative upon request. **[45CSR13, R13-0718, 4.1.2.]**

4.5. Reporting Requirements

4.5.1. The Permittee shall submit certified monthly reports to the Director identifying all hours in which the allowable SO_2 emission rate from Condition 4.1.11 is exceeded. Reports shall be submitted within 15 days after the end of each calendar month. **[CO-R5, 13, 14-93-6 (Condition III.2.)]**

4.5.2. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observations using 40CFR Part 60, Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned. **[45CSR13, R13-0718, 4.5.1.]**

4.5.3. 45CSR§10A-7.2. Exception Reporting.

7.2.a. CEMS. -- Each owner or operator employing CEMS for an approved monitoring plan, shall submit a "CEMS Summary Report" and/or a "CEMS Excursion and Monitoring System Performance Report" to the Secretary quarterly; the Secretary may, on a case-by-case basis, require more frequent reporting if the Secretary deems it necessary to accurately assess the compliance status of the source. All reports shall be postmarked no later than forty-five (45) days following the end of each calendar quarter. The CEMS Summary Report shall contain the information and be in the format shown in Appendix A unless otherwise specified by the Secretary.

7.2.a.1. Submittal of 40 CFR Part 75 data in electronic data reporting (EDR) format to the Secretary shall be deemed to satisfy the requirements of subdivision 7.2.a.

7.2.a.2. If the total duration of excursions for the reporting period is less than four percent (4%) of the total source operating time for the reporting period and the total monitoring method downtime for the reporting period is less than five percent (5%) of the total source operating time for the reporting period, only the CEMS Summary Report shall be submitted; the CEMS Excursion and Monitoring System Performance report shall be maintained on-site and shall be submitted to the Secretary upon request.

7.2.a.3. If the total duration of excursions for the reporting period is four percent (4%) or greater of the total operating time for the reporting period or the total monitoring method downtime for the reporting period is five percent (5%) or greater of the total operating time for the reporting period, the CEMS Summary Report and the CEMS Excursion and Monitoring System Performance Report shall both be submitted to the Secretary.

7.2.a.4. The CEMS Excursion and Monitoring System Performance Report shall be in a format approved by the Secretary and shall include the following information:

7.2.a.4.A. The magnitude of each excursion, and the date and time, including starting and ending times, of each excursion;

7.2.a.4.B. Specific identification of each excursion that occurs during start-ups, shutdowns, and malfunctions of the facility;

7.2.a.4.C. The nature and cause of any malfunction (if known), and the corrective action taken and preventive measures adopted;

7.2.a.4.D. The date and time identifying each period during which quality- controlled monitoring data was unavailable, except for zero and span checks, and the reason for data unavailability and the nature of the repairs or adjustments to the monitoring system; and

7.2.a.4.E. When no excursions have occurred or there were no periods of quality-controlled data unavailability, and no monitoring systems were inoperative, repaired, or adjusted, such information shall be stated in the report.

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4.5.4. Any violation(s) of the allowable SO_2 requirements in Section 4.1.9 of this permit and recorded in Appendix A must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the testing, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.
[45CSR13, R13-0718, 4.5.2.]

4.5.5. With regard to any testing required by the Director, the permittee shall submit to the Director of Air Quality and the Associate Director - Office of Enforcement and Permit Review (3AP12) of the U.S. EPA a test protocol detailing the proposed test methods, the date, and the time the proposed testing is to take place, as well as identifying the sampling locations and other relevant information. The test protocol must be received by the Director and the Associate Director no less than thirty (30) days prior to the date the testing is to take place. Test results shall be submitted to the Director and the Associate Director no more than sixty (60) days after the date the testing takes place.
[45CSR13, R13-0718, 4.5.3.]

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

a. A notification of the date construction (or reconstruction as defined under 40CFR§60.15) of an affected facility is commenced postmarked no later than 30 days after such date.

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

[40CFR§60.7(a)(3); 45CSR16; 45CSR13, R13-0718, 4.5.4.]

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

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

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

c. The amount and type of coal processed each calendar month.

d. The amount of chemical stabilizer or water purchased for use in the coal preparation and processing plant.

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

f. Monthly certification that the fugitive coal dust emissions control plan was implemented as described. Any variance from the plan, if any, shall be noted. A copy of the applicable fugitive coal dust emissions control plan and any letters from the Administrator providing approval of any alternative control measures shall be maintained with the logbook. Any actions, e.g. objections, to the plan and any actions relative to the alternative control measures, e.g. approvals, shall be noted in the logbook as well.

g. For each bag leak detection system, the owner or operator must keep the records specified in paragraphs g.1 through 3 of this section.

1. Records of the bag leak detection system output;

2. Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection settings; and

3. The date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, the cause of the alarm, an explanation of the actions taken, the date and time the cause of the alarm was alleviated, and whether the cause of the alarm was alleviated within 3 hours of the alarm.

h. A copy of any applicable monitoring plan for a digital opacity compliance system and monthly certification that the plan was implemented as described. Any variance from plan, if any, shall be noted.

i. During a performance test of a wet scrubber, and each operating day thereafter, the owner or operator shall record the measurements of the scrubber pressure loss, water supply flow rate, and pH of the wet scrubber liquid.

j. During a performance test of control equipment other than a wet scrubber, and each operating day thereafter, the owner or operator shall record the measurements of the reagent injection flow rate, as

applicable.

[40CFR§60.258(a); 45CSR16; 45CSR13, R13-0718, 4.5.5.]

4.5.8. For the purpose of reports required under section 40CFR§60.7(c), any owner operator subject to the provisions of this subpart also shall report semiannually periods of excess emissions as follow:

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

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

c. All 6-minute average opacities that exceed the applicable standard.

[40CFR§60.258(b); 45CSR16; 45CSR13, R13-0718, 4.5.6.]

4.5.9. **Reporting for Subpart Y - Results of Initial Performance Tests.** The owner or operator of an affected facility shall submit the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of 40CFR§60.8. The owner or operator who elects to comply with the reduced performance testing provisions of 40CFR§§60.255(c) or (d) shall include in the performance test report identification of each affected facility that will be subject to the reduced testing. The owner or operator electing to comply with 40CFR§60.255(d) shall also include information which demonstrates that the control devices are identical.
[40CFR§60.258(c); 45CSR16; 45CSR13, R13-0718, 4.5.7.]

4.5.10. **Reporting for Subpart Y - WebFIRE Data Base.** After July 11, 2011, within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with this subpart, the owner or operator of the affected facility must submit the test date to EPA by successfully entering the data electronically into EPA's WebFIRE data base available at:

http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main

For performance tests that cannot be entered into WebFIRE (i.e. Method 9 of appendix A-4 of 40CFR60 opacity performance tests) the owner or operator of the affected facility must mail a summary copy to United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; mail code D243-01; RTP, NC 27711.

[40CFR§60.258(d); 45CSR16; 45CSR13, R13-0718, 4.5.8.]

4.6. Compliance Plan

4.6.1. N/A

Attachment B
Consolidation Coal Company
Blacksville No. 2
Plant ID No. 061-00016
Permit No.R13-0718C

MONTHLY REPORT FOR THERMAL DRYER EMISSIONS

Month_____Year

1. Hours of operation:

2. Cumulative emissions of SO_2 in tons (current month):

3. Cumulative emissions of SO_2 in tons (current year):

4. Hours exceeding SO_2 emission rate (maximum hourly average):

5. Dryer fu~~l~~eel in tons:

6. Dryer fuel sulfur (%, as rec'd):

This Monthly Report must be certified on the reverse side and submitted within fifteen (15) days after the end of each calendar month to the Director of the Division of Air Quality. Submit to:

_____ Director
WV DEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Attachment C
Daily Throughput of Coal on Conveyors CB3 and CB16 to the Preparation Plant
Consolidation Coal Company
Blacksville No. 2 Preparation Plant
~~Plant~~ Company ID No. 061-00016
Permit No.R13-0718~~C~~D
~~Daily Throughput of Coal on Conveyor 3 to Preparation Plant~~[1] ~~(Note: Both R13 (there is no CB3) and existing Title V permit is wrong)~~

Month_____ Year

Day of Month	Throughput (Tons)	Hours Operated	Initials
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
Monthly Throughput			
12 Month Rolling Total[2]			
Yearly Permitted Limit	10,000,000		

(1) The **CERTIFICATION OF DATA ACCURACY** statement appearing on the reverse side shall be completed within fifteen (15) days of the end of the reporting period. All records shall be kept on site for a period of no less than five (5) years and shall be made available to the Director or his or her duly authorized representative upon request.

~~(2) The Twelve Month Rolling Total shall mean the sum of the amount of coal produced at any given time during the previous twelve (12) consecutive calender months.~~

Attachment D
Consolidation Coal Company
Blacksville No. 2
Plant ID No. 061-00016
Permit No.R13-0718C
Certified Daily and Monthly Water Usage By The Pressurized Water Truck[1]

Month_____ Year

Day of Month	Note Water or Solution Applied[2]	Remarks[3]	Initials
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
Total			

(1) The **CERTIFICATION OF DATA ACCURACY** statement appearing on the reverse side shall be completed within fifteen (15) days of the end of the reporting period. All records shall be kept on site for a period of no less than five (5) years and shall be made available to the Director or his or her duly authorized representative upon request.
(2) If a chemical solution is applied, record the name chemical solution and concentration used in the remarks column.
(3) Use the remarks column to explain why the water truck was not in use or was used sparingly.

10A

Appendix A - CEMS Summary Report

Pollutant SO_2

Company _____

Emission Limitation

Regulation	Limit	Units	Period
45 CSR 10			

Total Source Operating Time _____ minutes

Reporting Period: Calendar Quarter _____ to _____

Monitor Manufacturer: _____

Model Number: _____

Date of Last Certification or Audit: _____

Process Unit(s) Description: _____

Emissions Data Summary

1. Duration of excess emissions in reporting period due to:

a. Startup/Shutdown _____ hours

b. Malfunctions due to Control Equipment Problems _____ hours

c. Malfunctions due to Process Problems _____ hours

d. Other Known Causes _____ hours

e. Unknown Causes _____ hours

2. Total Duration _____ hours

3. Percent Excess Emissions _____ %

% Excess Emissions = 100 * (Total Duration / Total source Operating Time)

CEMS Performance Summary

1. CEMS Downtime in reporting period due to:

a. Monitor Equipment Malfunction _____ hours

b. Other Equipment Malfunction _____ hours

c. Quality Assurance Calibration _____ hours

d. Other Known Causes _____ hours

e. Unknown Causes _____ hours

2. Total CEMS Downtime _____ hours

3. Percent CEMS Downtime _____ %

% Downtime = 100 8 (Total COMS Downtime / Total Source Operating Time)

Please Note:
1. Separate Summary Reports are required for each process in the system when it has separate monitoring equipment.
2. Total source operating time means the total time which the affected source is operating, including all periods of start-up, shut-down, malfunction, or CEMS downtime as those times are defined under the rule.
3. All times for SO_2 emissions are to be reported in hours.
4. On a separate page describe any changes since the last reporting period to the CEMS process or controls.
5. Other reports may be necessary to meet requirements.