

West Virginia Department of Environmental Protection

Joe Manchin, III
Governor

Division of Air Quality

Stephanie R. Timmermeyer
Cabinet Secretary

Permit to Operate



Pursuant to
Title V
of the Clean Air Act

Issued to:
E.I. duPont de Nemours & Company, Inc.
Washington Works
Acrylic Resin Production (Part 1 of 14)
R30-10700001-2003

John A. Benedict
Director

Issued: April 14, 2005 • Effective: April 28, 2005
Expiration: April 14, 2010 • Renewal: October 14, 2009

Permit Number: **R30-10700001-2003**
Permittee: **E. I. du Pont de Nemours and Company, Inc.**
Facility Name: **Washington Works**
Business Unit: **Acrylic Resin Production (Part 1 of 14)**
Mailing Address: **P. O. Box 1217, Washington, WV 26181-1217**

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:	Washington, Wood County, West Virginia
Mailing Address:	P. O. Box 1217, Washington, WV 26181-1217
Telephone Number:	(304) 863.4240
Type of Business Entity:	Corporation
Facility Description:	Production of a series of acrylic resins from acrylic monomers
SIC Codes:	2821
UTM Coordinates:	442.27 km Easting • 4,346.57 km Northing • Zone 17

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

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

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APPENDIX A: R13-0181C Attachments

APPENDIX B: R13-2617B Attachments

1.0. Emission Units

Emission Point ID	Control Device	Emission Unit ID	Emission Unit Description	Year Installed
A010E	A010C Carbon Adsorber	A010.1S	1A Storage Tank	1947
		A010.2S	1B Storage Tank	1947
A020E	None	A020S	7E Storage Tank	1947
A030E	None	A030S	6W Storage Tank	1946
A040E	None	A040S	4W Storage Tank	1946
A050E	A050C Carbon Adsorber	A050S	3S Storage Tank	1948
A060E	None	A060S	3N Storage Tank	1948
A070E	None	A070S	2 Storage Tank	1946
A080E	None	A080.1S	5 Storage Tank	1963
		A080.2S	4E Storage Tank	1946
A090E	None	A090S	Storage Tank	1946
A100E	None	A100S	Storage Tank	1946
NA	Closed System	A105S	8 Storage Tank	1949
A110E	None	A110S	#6 Indoor Storage Tank	1946
A120E	None	A120S	#1 Indoor Storage Tank	1946
A130E A140E	None	A130.1S	#5 Indoor Storage Tank	1946
		A130.2S	#4 Indoor Storage Tank	1946
		A130.3S	#2 Indoor Storage Tank	1946
		A130.4S	#3 Indoor Storage Tank	1946
		A130.5S	DDM Indoor Storage Tank	1946
		A130.6S	Ingredient 8 Storage Tank	1975
		A220S	Ingredient 12 System	1975
A150E	None	A150S	Ingredient 10 Storage Tank	1946
A160E	None	A160.1S	Solids Storage Hopper	1968
		A160.2S	Solids Storage Hopper	1968
		A160.3S	Solids Storage Hopper	1968
		A160.4S	Solids Storage Hopper	1968
		A290.4S	Solids Microscale Tank	1975
A180E	None	A180S	Catalyst Mix Tank	1980
A190E	None	A190S	Catalyst Run Tank	1966
A200E	None	A200S	Ingredient 11 Run Tank	1975
NA (Inside Vent)	None	A260.1S	Ingredient 22 System	1964
A260E	A260C Bag Filter	A260S	Ingredient 22 System Silo	1975
A270E	NA	A270S	Brine Tank	1946
A290E	None	A280S	Water Phase Tank	1946
		A290.1S	Monomer Phase Tank	1946
		A290.2S	Liquids Microscale Tank	1975
		A290.3S	Alternate Liquids Microscale Tank	1975
A310E	None	A310.1S	#1 Slurry Tank	1958
		A310.2S	#3 Slurry Tank	1965
A320E	None	A320S	#4 Blend Tank	1969
A340E	None	A340S	#1 Centrifuge	1946

Emission Point ID	Control Device	Emission Unit ID	Emission Unit Description	Year Installed
A350E	A350.1C Bag Filter	A350.1S	#1 Predryer	1958
		A350.2S	#1 Predyer Cyclone	1969
		A350.3S	#1 Dryer	1947
		A350.4S	#1 Dryer Fines Cyclone	1947
	A350.2C Bag Filter	A350.5S	#1 Screener	1990
		A350.6S	#1 Screener Overs Hopper	1991
		A350.7S	#1 Product Transfer Cyclone	1969
		A350.8S	#1 Packout	1968
A390.7S	#2 Packout	1969		
A380E	None	A380S	#2 Centrifuge	1946
A390.1E A390.2E	A390.1C Water Scrubber	A390.1S	#2 Predryer	1975
		A390.2S	#2 Predryer Cyclone	1975
	A390.2C Bag Filter	A390.3S	#2 Dryer	1996
A390.8E	A390.8C Bag Filter	A390.4S	#2 Screener	2003
		A390.8S	#2 Product Transfer Cyclone	2003
NA (Inside Vent)	A390.6C Bag Filter	A390.6S	Manual Bagger	1975
A290E A450E A460E	None	A440.1S	#1 Polykettle	1975
		A440.2S	#2 Polykettle	1975
		A440.3S	#3 Polykettle	1975
A300E A450E A460E	None	A440.4S	#4 Polykettle	1975
		A440.5S	#5 Polykettle	1975
A470E	None	A470S	Acrylics Lab	1946
A480E	None	A480S	S. PK Room Lab Hood	1946
A900E	None	A900S	Metal Parts Degreaser	1999

2.0. General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

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

2.3. Permit Expiration and Renewal

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

2.4. Permit Actions

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

2.5. Reopening for Cause

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

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

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

2.7. Minor Permit Modifications

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

2.8. Significant Permit Modification

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

2.9. Emissions Trading

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

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
 - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
 - c. The change shall not qualify for the permit shield.
 - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
 - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

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

[45CSR§30-5.9.]

2.11. Operational Flexibility

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

[45CSR§30-5.8]

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

[45CSR§30-5.8.a.]

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

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

[45CSR§30-5.8.c.]

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

[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

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

[45CSR§30-5.1.i.]

2.13. Duty to Comply

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

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

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

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

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

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

[45CSR§30-5.1.f.2.]

2.17. Emergency

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[45CSR§30-5.7.a.]

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

[45CSR§30-5.7.b.]

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

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

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

[45CSR§30-5.7.d.]

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

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

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

[45CSR§30-5.2.a.]

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

2.19. Duty to Provide Information

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

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

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

[45CSR§30-4.2.]

2.21. Permit Shield

2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

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

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

[45CSR§30-5.6.c.]

2.22. Credible Evidence

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

[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

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

[45CSR§30-5.1.e.]

2.24. Property Rights

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

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

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

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

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

[45CSR§30-5.1.a.2.]

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). A copy of this notice is required to be sent to the USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health.
[40 C.F.R. 61 and 45CSR15]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5]
- 3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2]
- 3.1.7. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.8. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

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

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

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

[40 C.F.R. 68]

- 3.1.10. ~~The permittee shall comply with all applicable requirements of 40 C.F.R. 63, Subpart FFFF—“National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing” no later than May 10, 2008. The permittee shall submit a precompliance report as specified in §63.2520(e) and a complete application for a significant Title V permit modification to include the specific requirements of 40 C.F.R. 63, Subpart FFFF in the operating permit on or prior to November 10, 2007. [45CSR34; 40 C.F.R. §§63.2445(b) and 63.2520(e); 45CSR§30-6.5.b.2]- [Reserved]~~

- 3.1.11. ~~The permittee shall submit a complete application for significant modification to the Title V permit, which incorporates the information submitted within the Notification of Compliance (NOC) report required by subpart FFFF. The Title V modification shall be submitted by October 7, 2008, which corresponds to the maximum time allowed for NOC submittal under this NESHAP Regulation.~~

~~This deadline may be changed by mutual agreement between the permittee and the Director. The permittee who wishes to request a change in a deadline shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The permittee shall include in the request whatever information he or she considers useful to convince the Director that an adjustment is warranted.~~

~~Regardless of when the modified Title V permit is issued the operating conditions defined within the Notification of Compliance (NOC) are binding requirements as of the postmark date of the NOC report. The affected sources shall be limited by the operating conditions defined within the NOC, which may be streamlined with any overlapping HAP permit conditions.~~

~~[40 C.F.R. §§63.2520(d), 63.2520(d)(1); 45CSR§30.6.5.b., 45CSR§30.12.7.]- [Reserved]~~

- 3.1.12. The permittee shall comply with all hourly and annual emission limits set forth by the affected 45CSR13 permits, for each of the sources and associated emission points identified in Attachment A of R13-2617B.

Note: For the Acrylic Resin Production Area, the affected permit is R13-0181C and the R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B, and the hourly and annual emission limits for the affected sources are provided in 4.1.1.

[45CSR13, R13-2617B, 4.1.1]

3.1.13. The permitted sources identified in Attachment A of R13-2617B and recognized as being subject to 45CSR21 shall comply with all applicable requirements of 45CSR21 – “Regulation to Prevent and Control Air Pollution from the Emission of Volatile Organic Compounds” provided, however, that compliance with any more stringent requirements under the affected 45CSR13 permit identified in Attachment A of R13-2617B, are also demonstrated. The applicable requirements set forth by 45CSR21 shall include, but not be limited to, the following: **[45CSR13, R13-2617B, 4.1.2]**

3.1.13.1. The permittee shall maintain the aggregated hourly and annual VOC control efficiency of 90% or greater, on a site-wide basis, for all existing sources listed or required to be listed as part of the original facility-wide Reasonably Available Control Measures (RACM) plan, as identified in Attachment A of R13-2617B. **[45CSR13, R13-2617B, 4.1.2.1; 45CSR§21-40.3.a.1 (State-Enforceable only)]**

3.1.13.2. On or after May 1, 1996, construction or modification of any emission source resulting in a maximum theoretical emissions (MTE) of VOCs equaling or exceeding six (6) pounds per hour and not listed or required to be listed in the facility-wide RACM plan shall require the prior approval by the Director of an emission control plan that meets the definition of reasonable available control technology (RACT) on a case-by-case basis for both fugitive and non-fugitive VOC emissions from such source. All sources constructed or modified on or after May 1, 1996 shall be subject to the following: **[45CSR13, R13-2617B, 4.1.2.2; 45CSR§21-40.3.c (State-Enforceable only)]**

a. The RACT control plan(s) shall be embodied in a permit in accordance to 45CSR13. **[45CSR13, R13-2617B, 4.1.2.2.a; 45CSR§21-40.4.e (State-Enforceable only)]**

b. The MTE and associated emission reductions of the constructed or modified source will not be calculated into the site-wide aggregate hourly and annual emissions reduction requirements set forth in Section 3.1.13.1. **[45CSR13, R13-2617B, 4.1.2.2.b]**

3.1.13.3. If a modification to an existing source with current MTE below the threshold of six (6) pounds per hour of VOCs causes an increase in the MTE that results in the source exceeding the six (6) pounds per hour threshold for the first time, the source shall be subject to RACT in accordance to Section 3.1.13.2. **[45CSR13, R13-2617B, 4.1.2.3; 45CSR§21-40.3.c (State-Enforceable only)]**

3.1.13.4. Physical changes to or changes in the method of operation of an existing emission source listed or required to be listed as part of the facility-wide RACM plan, that results in an increase in VOC emissions of any amount, shall require the prior approval by the Director of an emission control plan that meets the definition of RACT on a case-by-case basis for both fugitive and non-fugitive VOC emissions from the source. All sources modified on or after May 1, 1996 shall be subject to the following; **[45CSR13, R13-2617B, 4.1.2.4; 45CSR§21-40.3.c (State-Enforceable only)]**

a. The RACT control plan (s) shall be embodied in a permit in accordance to 45CSR13. **[45CSR13, R13-2617B, 4.1.2.4.a; 45CSR§21-40.4.e (State-Enforceable only)]**

b. The facility-wide RACM plan shall be modified to include the RACT analysis conducted on the modified source(s). **[45CSR13, R13-2617B, 4.1.2.4.b]**

- c. The MTE and associated emission reductions of the modified source shall be recalculated as part of the site-wide aggregate hourly and annual emissions reduction requirements to demonstrate compliance with the minimum 90% reduction rate as set forth in 3.1.13.1 of this permit. **[45CSR13, R13-2617B, 4.1.2.4.c]**

3.1.13.5. In the event the facility-wide RACM plan is modified to delete an existing emission source, and any associated pollution control equipment, due to the source being permanently removed from service or reassigned to service not subject to the requirements of 45CSR§21-40, the MTE shall be recalculated to demonstrate that the 90% facility-wide VOC reduction requirement set forth in Section 3.1.13.1 is still being met. In the event such a modification results in the site-wide aggregate hourly and annual emissions reduction being recalculated to a rate less than 90%, the RACM plan shall be revised to include all new and/or modified sources and their associated control technologies constructed on or after May 1, 1996, in order to meet the requirements set forth in 3.1.13.1. **[45CSR13, R13-2617B, 4.1.2.5]**

3.1.13.6. In the event a source and associated emission point identified in Attachment A of R13-2617B is subject to the New Source Performance Standards (NSPS) of 40 C.F.R. 60, the National Emission Standards for Hazardous Air Pollutants (NESHAP) of 40 C.F.R. 61, or the Maximum Achievable Control Technology (MACT) standards of 40 C.F.R. 63, then compliance with such requirements as defined in the affected 45CSR13 permit shall demonstrate compliance with the RACT requirements set forth in R13-2617B. **[45CSR13, R13-2617B, 4.1.2.6]**

Note: For the Acrylic Resin Production Area, the affected permit is R13-0181C and the R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

- 3.1.14. The permitted sources identified in Attachment A of R13-2617B and recognized as being subject to 45CSR27 shall comply with all applicable requirements of 45CSR27 – “To Prevent and Control the Emissions of Toxic Air Pollutants” provided, however, that compliance with any more stringent requirements under the affected 45CSR13 permit identified in Attachment A of R13-2617B are also demonstrated. The applicable requirements set forth by 45CSR27 shall include, but not be limited to, the following: **[45CSR13, R13-2617B, 4.1.3]**

3.1.14.1. The permittee shall employ the best available technology (BAT) for the purpose of reducing toxic air pollutants (TAP) associated with the applicable sources and emission points identified in Attachment A of R13-2617B. **[45CSR13, R13-2617B, 4.1.3.1; 45CSR§27-3.1 (State-Enforceable only)]**

3.1.14.2. The permittee shall employ BAT for the purpose of preventing and controlling fugitive emissions of TAP to the atmosphere as a result of routing leakage from those sources and their associated equipment identified in Attachment A of R13-2617B as operating in TAP service. **[45CSR13, R13-2617B, 4.1.3.2; 45CSR§27-4.1 (State-Enforceable only)]**

Note: For the Acrylic Resin Production Area, the affected permit is R13-0181C and the R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

- 3.1.15. In the event a source and associated emission point identified in Attachment A of R13-2617B are subject to the MACT standards of 40 C.F.R. 63, then compliance with the applicable MACT requirements identified in the affected 45CSR13 permit shall demonstrate compliance with the BAT requirements set forth in 3.1.14.

Note: For the Acrylic Resin Production Area, the affected permit is R13-0181C and the R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

[45CSR13, R13-2617B, 4.1.4; 45CSR§27-3.1 (State-Enforceable only)]

3.2. Monitoring Requirements

- 3.2.1. The permittee shall implement and maintain leak detection and repair (LDAR) programs for the reduction of fugitive VOC emissions in all manufacturing process units subject to 45CSR§21-40 producing a product or products intermediate or final, in excess of 1,000 megagrams (1,100 tons) per year in accordance with the applicable methods and criteria of 45CSR§21-37 or alternate procedures approved by the Director. Procedures approved by the Director, 40 C.F.R. 60, Subpart VV, 40 C.F.R. 61, Subpart V, 40 C.F.R. 63, Subpart H, 40 C.F.R. 63, Subpart TT, 40 C.F.R. 63, Subpart UU, 40 C.F.R. 65, Subpart F, and 40 C.F.R. 265, Subpart CC. This requirement shall apply to all units identified in Attachment A of R13-2617B irrespective of whether or not such units produce as intermediates or final products, substances on the lists contained with 40 C.F.R. 60, 40 C.F.R. 61, or 40 C.F.R. 63.

Note: The R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

[45CSR13, R13-2617B, 4.2.1; 45CSR§21-40.3.a.2 (State-Enforceable only)]

- 3.2.2. The permittee shall implement and maintain a LDAR program for the applicable sources and emission points identified in Attachment A of R13-2617B in order to reduce the emissions of TAP in accordance with the requirements of 40 C.F.R. 63, Subpart H – “National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.” Compliance with 40 C.F.R. 63, Subpart H shall be considered demonstration of compliance with the provisions of 45CSR§27-4 – “Fugitive Emissions of Toxic Air Pollutants.”

Note: The R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

[45CSR13, R13-2617B, 4.2.2; 45CSR§27-4.1 (State-Enforceable only)]

- 3.2.3. In the event a source and associated emission point identified in Attachment A of R13-2617B are subject to the MACT standards of 40 C.F.R. 63, then compliance with any applicable LDAR program set forth by the MACT and identified in the affected 45CSR13 permit shall demonstrate compliance with the monitoring requirements set forth in this permit.

Note: For the Acrylic Resin Production Area, the affected permit is R13-0181C and the R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

[45CSR13, R13-2617B, 4.2.3; 45CSR§21-37.1.c (State-Enforceable only); 45CSR§27-4.1 (State-Enforceable only)]

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:
- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with 45CSR§30-6.4. or 45CSR§30-6.5 as applicable.
 - b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with 45CSR§30-6.4. or 45CSR§30-6.5 as applicable.
 - c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

[WV Code § 22-5-4(a)(15) and 45CSR13]

- 3.3.2. Manufacturing process units may be exempted upon written request of the permittee to the Director. Exempted units are exempted from the frequency of testing as described in 45CSR§21-37, however, LDAR testing of this unit or certification of emission using approved fugitive emission factors will be required every three years, or upon request by the Director or his duly authorized representative. Waiver or scheduling of LDAR testing every three years may be granted by the Director if written request and justification are submitted by the permittee. Units exempted from testing are not exempted from testing which may be required under any other applicable State or Federal regulations, orders, or permits. The Director may periodically require verifications by the permittee that maintenance and repair procedures associated with approved exemptions are continued and practiced. **[45CSR13, R13-2617B, 4.3.1; 45CSR§21-40.3.a.2 (State-Enforceable only)]**

- 3.3.3. In the event a source and associated emission point identified in Attachment A of R13-2617B are subject to the MACT standards of 40 C.F.R. 63, then compliance with the applicable LDAR testing requirements set forth by the MACT and identified in the affected 45CSR13 permit shall demonstrate compliance with the LDAR testing requirements set forth in this permit.

Note: For the Acrylic Resin Production Area, the affected permit is R13-0181C and the R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

[45CSR13, R13-2617B, 4.3.2; 45CSR§21-37.1.c (State-Enforceable only); 45CSR§27-4.1 (State-Enforceable only)]

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, R13-0181C, 4.4.1; 45CSR13, R13-2617B, 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. Such record shall contain an assessment of the validity of the complaints as well as any corrective actions taken.
[45CSR§30-5.1.c. State-Enforceable only.]

- 3.4.4. Unless granted a variance pursuant to 45CSR§21-9.3, or as approved by the Director as part of a required Start-up, Shutdown, and Malfunction (SSM) Plan mandated under 40 C.F.R. §63.6(e) or another applicable Section of 40 C.F.R. 63, the owner or operator of the facility shall operate all emission control equipment listed in Attachment A of R13-2617B as part of the facility-wide control efficiency plan at all times the facilities are in operation or VOC emissions are occurring from these sources or activities. In the event of a malfunction, and a variance has not been granted, the production unit shall be shutdown or the activity discontinued as

expeditiously as possible. The permittee shall comply with 45CSR§21-9.3 with respect to all periods of non-compliance with the emission limitations set forth in the affected 45CSR13 permits and the emissions reduction requests set forth in the facility-wide control efficiency plan resulting from unavoidable malfunctions of equipment.

Note: For the Acrylic Resin Production Area, the affected permit is R13-0181C and the R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

[45CSR13, R13-2617B, 4.4.4]

- 3.4.5. The permittee shall maintain records of the results of all monitoring and inspections, emission control measures applied, and the nature, timing, and results of repair efforts conducted in accordance to 45CSR§27-10 and set forth in the affected 45CSR13 permits as identified in Attachment A of R13-2617B.

Note: For the Acrylic Resin Production Area, the affected permit is R13-0181C and the R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

[45CSR13, R13-2617B, 4.4.5]

3.5. Reporting Requirements

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

[45CSR§§30-4.4. and 5.1.c.3.D.]

- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

[45CSR§30-5.1.c.3.E.]

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

If to the DAQ:

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

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

If to the US EPA:

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

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

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.
[45CSR§30-5.1.c.3.B.]
 - c. Every report submitted under this subsection shall be certified by a responsible official.
[45CSR§30.5.1.c.3.D.]
- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.
[45CSR§30-4.3.h.1.B.]
- 3.5.10. The permittee shall submit to the DAQ a plan for complete, facility-wide implementation of RACT requirements within one hundred eighty (180) days of notification by the Director that a violation of the National Ambient Air Quality Standards (NAAQS) for ozone (that were in effect on or before May 1, 1996) has occurred. Such plan shall include those sources listed in Attachment A of R13-2617B as part of the site-wide control efficiency requirement and may contain an update of existing RACT analyses. Full implementation of such plan shall be completed within two (2) years of approval of the RACT plan by the Director.

Note: The R13-2617B Attachment A listing for only those sources in the Acrylic Resin Production Area is provided in APPENDIX B.

[45CSR13, R13-2617B, 4.5.1; 45CSR§40.4.c.1]

3.6. Compliance Plan

- 3.6.1. NA

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. 40 C.F.R. 60, Subpart K - “Standards of Performance For Storage Vessels For Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.” There are no petroleum liquid storage tanks in the Acrylic Resin Production Area.
 - b. 40 C.F.R. 60, Subpart Ka - “Standards of Performance for Storage Vessels For Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.” There are no petroleum liquid storage tanks in the Acrylic Resin Production Area.
 - c. 40 C.F.R. 60, Subpart Kb - “Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification

Commenced After July 23, 1984.” There are no volatile organic liquid storage tanks in the Acrylic Resin Production Area.

- d. 40 C.F.R. 60, Subpart VV - “Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry.” The Acrylic Resin Production Area does not produce as intermediates or final products any of the materials listed in 40 C.F.R. §60.489.
- e. 40 C.F.R. 60, Subpart DDD - “Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.” The Acrylic Resin Production Area does not manufacture polypropylene, polyethylene, polystyrene, or poly(ethylene terephthalate) for which this rule applies.
- f. 40 C.F.R. 60, Subpart RRR - “Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.” The Acrylic Resin Production Area does not produce any of the chemicals listed in 40 C.F.R. §60.707 as a product, co-product, by-product, or intermediate.
- g. 40 C.F.R. 61, Subpart V - “National Emission Standards for Equipment Leaks (Fugitive Emissions Sources).” Applies to sources in VHAP service as defined in 40 C.F.R. §61.241. VHAP service involves chemicals that are not used in a manner that qualifies them under the rule in the Acrylic Resin Production Area.
- h. 40 C.F.R. 63, Subpart H - “National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.” 40 C.F.R. 63 Subparts F, G, and H do not apply to manufacturing process units that do not meet the criteria in 40 C.F.R. §§63.100(b)(1), (b)(2), and (b)(3).
- i. 40 C.F.R. 63, Subpart JJJ - “National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.” The Acrylic Resin Production Area does not produce the materials listed in 40 C.F.R. §63.1310.
- j. 40 C.F.R. 60, Subpart EEEE – “National Emission Standard for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline).” The Acrylic Resin Production Area does not distribute organic liquids as defined by 40 C.F.R. §63.2406.
- k. 40 C.F.R. 63, Subpart PPPP – “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Plastic Parts and Products.” The Acrylic Resin Production Area does not produce as an intermediate or final product that meets the definition of “surface coated” plastic part.
- l. 40 C.F.R. 63, Subpart WWWW - “National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.” The Acrylic Resin Production Area does not engage in reinforced plastics composites production as defined in 40 C.F.R. §63.5785 and does not manufacture composite material as defined in 40 C.F.R. §63.5935.
- m. 40 C.F.R. 63, Subpart ZZZZ – “National Emission Standards for Hazardous Air Pollutants: Reciprocating Internal Combustion Engines.” The Acrylic Resin Production Area does not have a stationary Reciprocating Internal Combustion Engine (RICE) as defined by 40 C.F.R. §63.6675.

- n. 40 C.F.R. 63, Subpart DDDDD – “National Emission Standards for Hazardous Air Pollutants: Industrial/Commercial/Institutional Boilers and Process Heaters.” The Acrylic Resin Production Area does not own or operate an industrial, commercial, or institutional boiler or process heater as defined in 40 C.F.R. §63.7575.
- o. 40 C.F.R. 63, Subpart HHHHH – “National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing.” The Acrylic Resin Production Area does not produce, blend, or manufacture coatings as part of the manufacturing process.
- p. 40 C.F.R. 82, Subpart B - “Protection of Stratospheric Ozone.” Requires recycling of Chlorofluorocarbons (CFCs) from motor vehicles and that technicians servicing equipment need to be licensed. The Acrylic Resin Production Area does not conduct motor vehicle maintenance involving CFCs on site.
- q. 40 C.F.R. 82, Subpart C – “Protection of Stratospheric Ozone.” Bans non-essential products containing Class I substances and bans non-essential products containing or manufactured with Class II substances. The Acrylic Resin Production Area does not use, manufacture, nor distribute these materials.
- r. 45CSR2 – “To Prevent and Control Particulate Air Pollution from Combustion of Fuel in Indirect Heat Exchangers.” The Acrylic Resin Production Area does not contain any fuel burning units.
- s. 45CSR10 – “To Prevent and Control Air Pollution from the Emission of Sulfur Oxides.” The Acrylic Resin Production Area does not contain any fuel burning units subject to the sulfur dioxide weight emission standards of 45CSR§10-3. Also, per 45CSR§10-4.1.e, manufacturing process source operations in the Acrylic Resin Production Area are exempt from the sulfur dioxide concentration limits of 45CSR§10-4.1 because the potential to emit of sulfur dioxide is less than 500 pounds per year.
- t. 45CSR15 – “Emission Standards for Hazardous Air Pollutants Pursuant to 40 C.F.R. 61.” The Acrylic Resin Production Area is not subject to any requirements under 40 C.F.R. 61.
- u. 45CSR16 – “Standards of Performance for New Stationary Sources Pursuant to 40 C.F.R. 60.” The Acrylic Resin Production Area is not subject to any requirements under 40 C.F.R. 60.
- v. 45CSR17 – “To Prevent and Control Particulate Matter Air Pollution from Materials Handling, Preparation, Storage and Other Sources of Fugitive Particulate Matter.” Per 45CSR§17-6.1, the Acrylic Resin Production Area is not subject to 45CSR17 because it is subject to the fugitive particulate matter emission requirements of 45CSR7.

4.0. R13-0181C and 45CSR7 Requirements

4.1. Limitations and Standards

4.1.1. Maximum allowable hourly and annual emissions from the “A” Area – Acrylic Resins, shall not exceed the limitations set forth in Table 4.1.1.

Table 4.1.1. Emission Limits for “A” Area – Acrylic Resins

Emission Point	Pollutant	Emission Limit	
		pph	tpy
A010E	VOC	0.2	0.02
	Ethyl Acrylate	0.17	0.011
A020E	VOC	2.5	0.04
A030E	VOC	1.7	0.04
A040E	VOC	1.7	0.04
A050E	VOC	7.2	0.30
	Methanol	7.17	0.298
A070E	VOC	5.3	0.14
A080E	VOC	4.2	1.41
	Methyl Methacrylate	4.16	1.408
A110E	VOC	0.1	0.01
A120E	VOC	1.9	0.021
	Ethyl Acrylate	1.83	0.021
A130E	VOC	1.5	0.10
	Methyl Methacrylate	0.81	0.09
A140E	VOC	1.5	0.10
	Methyl Methacrylate	0.81	0.09
A160E	PM ₁₀	1.3	0.10
A180E	VOC	2.2	0.103
	Methanol	2.13	0.103
A190E	VOC	4.6	0.09
	Methanol	4.56	0.090
A260E	PM ₁₀	0.6	0.01
A290E	VOC	11.8	29.4
	Acrylic Acid	0.01	0.016
	Ethyl Acrylate	1.20	3.0
	Methyl Methacrylate	8.82	22.1
A300E	VOC	0.6	1.36
	Acrylic Acid	0.01	0.001
	Ethyl Acrylate	0.06	0.134
	Methyl Methacrylate	0.41	1.025
A310E	VOC	0.3	0.72
	Acrylic Acid	0.01	0.001
	Ethyl Acrylate	0.03	0.060
	Methanol	0.06	0.133
	Methyl Methacrylate	0.18	0.441

Emission Point	Pollutant	Emission Limit	
		pph	tpy
A320E	VOC	0.2	0.36
	Acrylic Acid	0.01	0.001
	Ethyl Acrylate	0.02	0.030
	Methanol	0.03	0.070
	Methyl Methacrylate	0.09	0.221
A350E	PM ₁₀	1.8	4.36
	VOC	0.1	0.13
	Acrylic Acid	0.01	0.001
	Ethyl Acrylate	0.01	0.024
	Methanol	0.02	0.051
	Methyl Methacrylate	0.02	0.042
A390.1E	PM ₁₀	1.1	3.84
	VOC	0.1	0.09
	Acrylic Acid	0.01	0.001
	Ethyl Acrylate	0.01	0.016
	Methanol	0.01	0.033
	Methyl Methacrylate	0.01	0.027
A390.2E	PM ₁₀	1.1	3.84
	VOC	0.1	0.09
	Acrylic Acid	0.01	0.001
	Ethyl Acrylate	0.01	0.016
	Methanol	0.01	0.033
	Methyl Methacrylate	0.01	0.027
A390.8E	PM ₁₀	0.1	0.13
A450E	VOC	0.3	0.72
	Acrylic Acid	0.01	0.001
	Ethyl Acrylate	0.03	0.060
	Methanol	0.06	0.133
	Methyl Methacrylate	0.18	0.441
A470E	Methylene Chloride	0.01	0.001

Compliance with this streamline condition assures compliance with 45CSR§13-5.11 and 45CSR§7-4.1. [45CSR13, R13-0181C, 4.1.1; 45CSR§13-5.11; 45CSR§7-4.1]

- 4.1.2. The emission units listed in Table 4.1.2 have minor PM₁₀ and VOC emissions, not to exceed a combined 10 pounds per year of PM₁₀ and 50 pounds per year of VOC.

Table 4.1.2. Insignificant Sources and Activities

Emission Unit ID	Emission Point ID
A130.6S	A130E & A140E
A150S	A150E
A200S	A200E
A220S	A130E & A140E
A260.1S	NA
A270S	A270E
A280S	A290E
A340S	A340E
A380S	A380E
A470S	A470E
A480S	A480E
A440.1-.5S	A460E

[45CSR13, R13-0181C, 4.1.2]

- 4.1.3. The permittee shall not cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in 4.1.4. (*A160E, A350E, A390.1E, A390.2E, A390.8E, and A480E*) **[45CSR13, R13-0181C, 4.1.3; 45CSR§7-3.1]**
- 4.1.4. The provisions of 4.1.3 shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period. (*A160E, A350E, A390.1E, A390.2E, A390.8E, and A480E*) **[45CSR13, R13-0181C, 4.1.4; 45CSR§7-3.2]**
- 4.1.5. The permittee shall not cause, suffer, allow or permit visible emissions from any storage structure(s) associated with any manufacturing process(es) that pursuant to 4.1.6 is required to have a full enclosure and be equipped with a particulate matter control device. (*A260E*) **[45CSR13, R13-0181C, 4.1.5; 45CSR§7-3.7]**
- 4.1.6. The permittee shall not cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable. (*A260.1S and A390.6S*) **[45CSR13, R13-0181C, 4.1.6; 45CSR§7-5.1]**
- 4.1.7. The permittee shall maintain particulate matter control of the plant premises, and plant owned, lease or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment. **[45CSR13, R13-0181C, 4.1.7; 45CSR§7-5.2]**

- 4.1.8. No person shall cause, suffer, allow or permit particulate matter to be vented into the open air from any type source operation or duplicate source operation, or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantity specified under the appropriate source operation type in Table 45-7A of 45CSR7.

Emission Points	Emission Sources	45CSR7 Hourly Particulate Emission Limit pph
A480E	A480S	0.0048

[45CSR§7-4.1.]

- 4.1.9. Due to unavoidable malfunction of equipment, emissions exceeding those set forth in 45CSR7 may be permitted by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director. **[45CSR§7-9.1.]**
- 4.1.10. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, operate, and maintain all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary. **[45CSR13, R13-0181C, 4.1.8; 45CSR13, R13-2617B, 4.1.5]**

4.1.11 Storage Tanks.

- a. The permittee must meet each emission limit in Table 4 to subpart FFFF of 40 CFR Part 63 that applies to the facility's storage tanks, and the permittee must meet each applicable requirement specified in Sections 4.1.11.b. through e.
- b. [Reserved]
- c. Exceptions to subparts SS and WW of 40 CFR Part 63.
- If the permittee conducts a performance test or design evaluation for a control device used to control emissions only from storage tanks, the permittee must establish operating limits, conduct monitoring, and keep records using the same procedures as required in subpart SS of 40 CFR Part 63 for control devices used to reduce emissions from process vents instead of the procedures specified in 40 CFR §§63.985(c), 998(d)(2)(i), and 999(b)(2).
 - When the term "storage vessel" is used in subparts SS and WW of 40 CFR Part 63, the term "storage tank," as defined in 40 CFR §63.2550 applies.
- d. Planned routine maintenance. The emission limits in Table 4 of 40 CFR Part 63 subpart FFFF for control devices used to control emissions from storage tanks do not apply during periods of planned routine maintenance. Periods of planned routine maintenance of each control device, during which the control

device does not meet the emission limit specified in Table 4 of 40 CFR Part 63 subpart FFFF, must not exceed 240 hours per year (hr/yr). The permittee may submit an application to the Administrator requesting an extension of this time limit to a total of 360 hr/yr. The application must explain why the extension is needed, it must indicate that no material will be added to the storage tank between the time the 240-hr limit is exceeded and the control device is again operational, and it must be submitted at least 60 days before the 240-hr limit will be exceeded.

e. Vapor balancing alternative. As an alternative to the emission limits specified in Table 4 of 40 CFR Part 63 subpart FFFF, the permittee may elect to implement vapor balancing in accordance with 40 CFR§63.1253(f), except as specified in the following cases:

1. When 40 CFR§63.1253(f)(6)(i) refers to a 90 percent reduction, 95 percent applies.

2. To comply with 40 CFR§63.1253(f)(6)(i), the owner or operator of an offsite cleaning or reloading facility must comply with 40 CFR§§63.2445 through 2550 instead of complying with 40 CFR§63.1253(f)(7)(ii), with the following exceptions:

i. The reporting requirements in 40 CFR §63.2520 do not apply to the owner or operator of the offsite cleaning or reloading facility.

ii. As an alternative to complying with the monitoring, recordkeeping, and reporting provisions in 40 CFR§§63.2445 through 2550, the owner or operator of an offsite cleaning or reloading facility may comply as specified in 40 CFR§63.2535(a)(2) with any other subpart of 40 CFR Part 63 which has monitoring, recordkeeping, and reporting provisions as specified in 40 CFR§63.2535(a)(2).

3. The permittee may elect to set a pressure relief device to a value less than the 2.5 pounds per square inch gage pressure (psig) required in 40 CFR§63.1253(f)(5) if rationale is provided in the notification of compliance status report explaining why the alternative value is sufficient to prevent breathing losses at all times.

4. The permittee may comply with the vapor balancing alternative in 40 CFR§63.1253(f) when the facility's storage tank is filled from a barge. All requirements for tank trucks and railcars specified in 40 CFR§63.1253(f) also apply to barges, except as specified in 40 CFR§63.2470(e)(4)(i).

i. When 40 CFR§63.1253(f)(2) refers to pressure testing certifications, the requirements in 40 CFR§61.304(f) apply for barges.

ii. [Reserved]

<u>TABLE 4 TO SUBPART FFFF OF PART 63.--EMISSION LIMITS FOR STORAGE TANKS</u>		
<u>For each . . .</u>	<u>For which . . .</u>	<u>Then you must . . .</u>
<u>1. Group 1 storage tank.....</u>	<u>a. The maximum true vapor pressure of total HAP at the storage temperature is ≥76.6 kilopascals.</u>	<u>ii. Reduce total HAP emissions by >95 percent by weight or to <20 ppmv of TOC or organic HAP and <20 ppmv of hydrogen halide and halogen HAP by venting emissions through a closed vent system to any combination control devices (excluding a flare); or</u> <u>iii. Reduce total organic HAP emissions by venting emissions through a closed vent system to a flare; or</u> <u>iii. Reduce total HAP emissions by venting emissions to a fuel gas system or process in accordance with §63.982(d) and the requirements referenced therein.</u>
	<u>b. The maximum true vapor pressure of total HAP at the storage temperature is <76.6 kilopascals</u>	<u>i. Comply with the requirements of subpart WW of this part, except as specified in §63.2470; or</u> <u>ii. Reduce total HAP emissions by >95 percent by weight or to <20 ppmv of TOC or organic HAP and <20 ppmv of hydrogen halide and halogen HAP by venting emissions through a closed vent system to any combination of control devices (excluding a flare); or</u> <u>iii. Reduce total organic HAP emissions by venting emissions through a closed system to a flare; or</u> <u>iv. Reduce total HAP emissions by emissions to a fuel gas system or process in accordance with §63.982(d) and the requirements referenced therein.</u>
<u>2. Halogenated vent stream from a Group 1 storage tank</u>	<u>You use a combustion control device to control organic HAP emissions</u>	<u>Meet one of the emission limit options in Item 2.a.i or ii. in Table 1 to this subpart.</u>

[40 CFR§63.2470, 45CSR34] [A010.1S, A010.2S, A050S]

4.1.12 General compliance requirements for storage vessels, process vents, transfer racks, and equipment leaks.

An owner or operator who is referred to this subpart for controlling regulated material emissions from storage vessels, process vents, low and high throughput transfer racks, or equipment leaks by venting emissions through a closed vent system to a flare, nonflare control device or routing to a fuel gas system or process shall comply with the following applicable requirements:

- a. Storage vessels. The owner or operator shall comply with the applicable provisions of 40 CFR§§63.982(b), (c)(1), and (d).

- b. Process vents. The owner or operator shall comply with the applicable provisions of 40 CFR §§63.982(b), (c)(2), and (e).
- c. Transfer racks.
 - 1. For low throughput transfer racks, the owner or operator shall comply with the applicable provisions of 40 CFR §§63.982(b), (c)(1), and (d).
 - 2. For high throughput transfer racks, the owner or operator shall comply with the applicable provisions of 40 CFR §§63.982(b), (c)(2), and (d).
- d. Equipment leaks. The owner or operator shall comply with the applicable provisions of 40 CFR §§63.982(b), (c)(3), and (d).

[40 CFR§63.982(a), 45CSR34] [A010.1S, A010.2S, A050S]

4.1.13 Closed vent system and nonflare control device. Owners or operators who control emissions through a closed vent system to a nonflare control device shall meet the requirements in 40 CFR§63.983 for closed vent systems, the applicable recordkeeping and reporting requirements of 40 CFR§§63.998 and 999, and the applicable requirement of 4.1.13.a below.

- a. For storage vessels and low throughput transfer racks, the owner or operator shall meet the requirements in 40 CFR§63.985 for nonflare control devices and the monitoring, recordkeeping, and reporting requirements referenced therein. No other provisions of this subpart apply to low throughput transfer rack emissions or storage vessel emissions vented through a closed vent system to a nonflare control device unless specifically required in the monitoring plan submitted under 40 CFR§63.985(c).

[40 CFR§63.982(c), 45CSR34] [A010.1S, A010.2S, A010C, A050S, A050C]

4.1.14 Nonflare control device equipment and operating requirements. The owner or operator shall operate and maintain the nonflare control device so that the monitored parameters defined as required in 40 CFR§63.985(c) within the ranges specified in the Notification of Compliance Status whenever emissions of regulated material are routed to the control device except during periods of start-up, shutdown, and malfunction.

[40 CFR§63.985(a), 45CSR34]

4.1.15 Nonflare control device design evaluation or performance test requirements. When using a control device other than a flare, the owner or operator shall comply with the requirements in 40 CFR§§63.985(b)(1)(i) or (ii), except as provided in 40 CFR§§63.985(b)(2) and (3).

- a. **Design evaluation or performance test results.** The owner or operator shall prepare and submit with the Notification of Compliance Status, as specified in 40 CFR§63.999(b)(2), either a design evaluation that includes the information specified below, or the results of the performance test as described in 40 CFR§63.985(b)(1)(ii).
 - 1. **Design evaluation.** The design evaluation shall include documentation demonstrating that the control device being used achieves the required control efficiency during the reasonably expected maximum storage vessel filling or transfer loading rate. This documentation is to include a description of the gas stream that enters the control device, including flow and regulated material content, and the

information specified in below, as applicable. For storage vessels, the description of the gas stream that enters the control device shall be provided for varying liquid level conditions. This documentation shall be submitted with the Notification of Compliance Status as specified in 40 CFR§63.999(b)(2).

- i. The efficiency determination is to include consideration of all vapors, gases, and liquids, other than fuels, received by the control device.
- ii. If an enclosed combustion device with a minimum residence time of 0.5 seconds and a minimum temperature of 760°C is used to meet an emission reduction requirement specified in a referencing subpart for storage vessels and transfer racks, documentation that those conditions exist is sufficient to meet the requirements of 4.1.15.a.1.
- iii. Except as provided in 4.1.15.a.1.ii. for enclosed combustion devices, the design evaluation shall include the estimated autoignition temperature of the stream being combusted, the flow rate of the stream, the combustion temperature, and the residence time at the combustion temperature.
- iv. For carbon adsorbers, the design evaluation shall include the estimated affinity of the regulated material vapors for carbon, the amount of carbon in each bed, the number of beds, the humidity, the temperature, the flow rate of the inlet stream and, if applicable, the desorption schedule, the regeneration stream pressure or temperature, and the flow rate of the regeneration stream. For vacuum desorption, pressure drop shall be included.

[40 CFR§63.985(b), 45CSR34] [A010C, A050C]

4.1.16 [Reserved]

4.1.17 Operating Parameters defined for the control devices A050C and A010C establish the maximum amount of material being fed from all sources to the respective carbon canister as follows:

<u>Control Device</u>	<u>Regulated Material</u>	<u>Maximum Loading Prior to replacement</u>
<u>A050C</u>	<u>Methanol</u>	<u>68.75 pounds vented to control device</u>
<u>A010C</u>	<u>Ethyl Acrylate</u>	<u>71.4 pounds vented to control device</u>

[40 CFR§63.985(b)(1)(i), 45CSR34] [A010C, A050C]

4.1.18 40 CFR Part 63 Subpart UU Requirements for Equipment Leaks - The permittee shall comply with all applicable standards of 40 CFR Part 63 Subpart UU except as specified by 40 CFR§§63.2480(b) through (d). Compliance with the provisions of Subpart UU shall also be considered compliance with 45CSR§21-37 where the equipment is subject to multiple requirements.

[40 CFR§63.2480(a), 45CSR§21-37, 45CSR34] [A290.1S, A440.1S, A440.2S, A440.3S, A440.4S, A440.5S]

4.1.18.1. If the permittee complies with either subpart H or subpart UU of 40 CFR Part 63, the permittee may elect to comply with the provisions listed below as an alternative to the referenced provisions in subpart H or subpart UU of this part.

- a. The requirements for pressure testing in 40 CFR §§63.179(b) or 1036(b) may be applied to all processes, not just batch processes.
- b. Pressure testing for leaks in accordance with 40 CFR §§63.179(b) or 1036(b) is not required after reconfiguration of an equipment train if only flexible hose connections are disturbed.
- c. For an existing source, the permittee is not required to develop an initial list of identification numbers for connectors as would otherwise be required under 40 CFR §§63.1022(b)(1) or 181(b)(1)(i).
- d. For connectors in gas/vapor and light liquid service at an existing source, the permittee may elect to comply with the requirements in 40 CFR §§63.169 or 1029 for connectors in heavy liquid service, including all associated recordkeeping and reporting requirements, rather than the requirements of 40 CFR §§63.174 or 1027.
- e. For pumps in light liquid service in an MCPU that has no continuous process vents and is part of an existing source, the permittee may elect to consider the leak definition that defines a leak to be 10,000 parts per million (ppm) or greater as an alternative to the values specified in 40 CFR §§63.1026(b)(2)(i) through (iii) or 40 CFR §63.163(b)(2).

[40 CFR §63.2480(b), 45CSR34] [A290.1S, A440.1S, A440.2S, A440.3S, A440.4S, A440.5S]

4.1.18.2. If the permittee complies with 40 CFR Part 65, subpart F, the permittee may elect to comply with the provisions listed below as an alternative to the referenced provisions in 40 CFR Part 65, subpart F.

- a. The requirements for pressure testing in 40 CFR §65.117(b) may be applied to all processes, not just batch processes.
- b. For the purposes of this subpart, pressure testing for leaks in accordance with 40 CFR §65.117(b) is not required after reconfiguration of an equipment train if flexible hose connections are the only disturbed equipment.
- c. For an existing source, the permittee is not required to develop an initial list of identification numbers for connectors as would otherwise be required under 40 CFR §65.103(b)(1).
- d. The permittee may elect to comply with the monitoring and repair requirements specified in 40 CFR §65.108(e)(3) as an alternative to the requirements specified in 40 CFR §§65.108(a) through (d) for any connectors at the affected source.
- e. For pumps in light liquid service in an MCPU that has no continuous process vents and is part of an existing source, the permittee may elect to consider the leak definition to be 10,000 ppm or greater as an alternative to values specified in 40 CFR §§65.107(b)(2)(i) through (iii).
- f. When 40 CFR Part 65, subpart F refers to the implementation date specified in 40 CFR §65.1(f), it means the compliance date specified in 40 CFR §63.2445.
- g. When 40 CFR §§65.105(f) and 117(d)(3) refer to 40 CFR §65.4, it means 40 CFR §63.2525.
- h. When 40 CFR §65.120(a) refers to 40 CFR §65.5(d), it means 40 CFR §63.2515.

- i. When 40 CFR§65.120(b) refers to 40 CFR§65.5(e), it means 40 CFR§63.2520.

[40 CFR§63.2480(c), 45CSR34] [A290.1S, A440.1S, A440.2S, A440.3S, A440.4S, A440.5S]

4.1.18.3. Alternative Equipment Leak Provisions - Batch Processes.

- a. **General requirement.** As an alternative to complying with the requirements of 40 CFR§§63.1025 through 1033 and 1035, an owner or operator of a batch process that operates in regulated material service during the calendar year may comply with one of the standards specified in Sections 4.1.18.3.b and c., or the owner or operator may petition for approval of an alternative standard under the provisions of 40 CFR§63.1021(b). The alternative standards provide the options of pressure testing or monitoring the equipment for leaks. The owner or operator may switch among the alternatives provided the change is documented as specified in 4.1.18.3.h.
- b. **Pressure testing of the batch equipment.** The following requirements shall be met if an owner or operator elects to use pressure testing of batch product-process equipment to demonstrate compliance.
1. Reconfiguration. Each time equipment is reconfigured for production of a different product or intermediate, the batch product- process equipment train shall be pressure-tested for leaks before regulated material is first fed to the equipment and the equipment is placed in regulated material service.
 2. When the batch product-process equipment train is reconfigured to produce a different product, pressure testing is required only for the new or disturbed equipment.
 3. Each batch product process that operates in regulated material service during a calendar year shall be pressure-tested at least once during that calendar year.
 4. Pressure testing is not required for routine seal breaks, such as changing hoses or filters, that are not part of the reconfiguration to produce a different product or intermediate.
- c. **Testing procedures.** The batch product process equipment shall be tested either using the procedures specified in paragraph e of this section for pressure vacuum loss or with a liquid using the procedures specified in paragraph f of this section.
- d. **Leak detection.**
1. For pressure or vacuum tests using a gas, a leak is detected if the rate of change in pressure is greater than 6.9 kilopascals (1 pound per square inch gauge) in 1 hour or if there is visible, audible, or olfactory evidence of fluid loss.
 2. For pressure tests using a liquid, a leak is detected if there are indications of liquids dripping or if there is other evidence of fluid loss.
- e. **Leak repair.**
1. If a leak is detected, it shall be repaired and the batch product-process equipment shall be retested before start- up of the process.

2. If a batch product-process fails the retest (the second of two consecutive pressure tests), it shall be repaired as soon as practical, but not later than 30 calendar days after the second pressure test except as specified in 40 CFR§63.1036(e).
- f. Gas pressure test procedure for pressure or vacuum loss. The following procedures shall be used to pressure test batch product-process equipment for pressure or vacuum loss to demonstrate compliance.
 1. The batch product-process equipment train shall be pressurized with a gas to a pressure less than the set pressure of any safety relief devices or valves or to a pressure slightly above the operating pressure of the equipment, or alternatively the equipment shall be placed under a vacuum.
 2. Once the test pressure is obtained, the gas source or vacuum source shall be shut off.
 3. The test shall continue for not less than 15 minutes unless it can be determined in a shorter period of time that the allowable rate of pressure drop or of pressure rise was exceeded. The pressure in the batch product-process equipment shall be measured after the gas or vacuum source is shut off and at the end of the test period. The rate of change in pressure in the batch product-process equipment shall be calculated using Equation 1 (below):

$$\Delta\left(\frac{P}{t}\right) = \frac{|P_f - P_i|}{t_f - t_i} \quad (1)$$

Where:

(P/t) = Change in pressure, pounds per square inch gauge per hour.

P_f = Final pressure, pounds per square inch gauge.

P_i = Initial pressure, pounds per square inch gauge.

t_f - t_i = Elapsed time, hours.

4. The pressure shall be measured using a pressure measurement device (gauge, manometer, or equivalent) that has a precision of ±2.5 millimeter mercury (0.10 inch of mercury) in the range of test pressure and is capable of measuring pressures up to the relief set pressure of the pressure relief device. If such a pressure measurement device is not reasonably available, the owner or operator shall use a pressure measurement device with a precision of at least ± 10 percent of the test pressure of the equipment and shall extend the duration of the test for the time necessary to detect a pressure loss or rise that equals a rate of 1 pound per square inch gauge per hour (7 kilopascals per hour).
5. An alternative procedure may be used for leak testing the equipment if the owner or operator demonstrates the alternative procedure is capable of detecting a pressure loss or rise.

- g. **Pressure test procedure using test liquid.** The following procedures shall be used to pressure-test batch product-process equipment using a liquid to demonstrate compliance with the requirements of 4.1.18.4.d.2.
1. The batch product-process equipment train, or section of the equipment train, shall be filled with the test liquid (e.g., water, alcohol) until normal operating pressure is obtained. Once the equipment is filled, the liquid source shall be shut off.
 2. The test shall be conducted for a period of at least 60 minutes, unless it can be determined in a shorter period of time that the test is a failure.
 3. Each seal in the equipment being tested shall be inspected for indications of liquid dripping or other indications of fluid loss. If there are any indications of liquids dripping or of fluid loss, a leak is detected.
 4. An alternative procedure may be used for leak testing the equipment, if the owner or operator demonstrates the alternative procedure is capable of detecting losses of fluid.
- h. **Pressure testing recordkeeping.** The owner or operator of a batch product process who elects to pressure test the batch product process equipment train to demonstrate compliance shall maintain records of the following information:
1. The identification of each product, or product code, produced during the calendar year. It is unnecessary to identify individual equipment items of equipment in a batch product process equipment train.
 2. Physical tagging of the equipment to identify that it is in regulated material service and subject to the proper provisions is not required. Equipment in a batch product process may be identified on a plant site plan, in log entries, or by other appropriate methods.
 3. The dates of each pressure test, the test pressure, and the pressure drop observed during the test.
 4. Records of any visible, audible, or olfactory evidence of fluid loss.
 5. When a batch product process equipment train does not pass two consecutive pressure tests, the following information shall be recorded in a log and kept for 2 years:
 - i. The date of each pressure test and the date of each leak repair attempt.
 - ii. Repair methods applied in each attempt to repair the leak.
 - iii. The reason for the delay of repair.
 - iv. The expected and actual delivery date of the replacement equipment; and
 - v. The date of successful repair

[40 CFR §§63.1036(a) and (b), 45CSR34] [A290.1S, A440.1S, A440.2S, A440.3S, A440.4S, A440.5S]

4.1.18.5. Equipment monitoring. The following requirements shall be met if an owner or operator elects to monitor the equipment in a batch process to detect leaks by the method specified in 40 CFR §§63.1023(b) and, as applicable, 1023(c), to demonstrate compliance. The owner or operator shall comply with the following requirements of 40 CFR §§63.1025 through 1035, as modified.

- a. The equipment shall be monitored for leaks by the method specified in 40 CFR §§63.1023(b) and, as applicable, 1023(c), when the equipment is in regulated material service or is in use with any other detectable material.
- b. The equipment shall be monitored for leaks as specified in items 1-4 below.
 1. Each time the equipment is reconfigured for the production of a new product, the reconfigured equipment shall be monitored for leaks within 30 days of start-up of the process. This initial monitoring of reconfigured equipment shall not be included in determining percent leaking equipment in the process unit or affected facility.
 2. Connectors shall be monitored in accordance with the requirements in 40 CFR §63.1027.
 3. Equipment other than connectors shall be monitored at the frequencies specified in Table 1 to Subpart UU of 40 CFR Part 63. The operating time shall be determined as the proportion of the year the batch product-process is operating.
 4. The monitoring frequencies specified in item number 3 above are not requirements for monitoring at specific intervals and can be adjusted to accommodate process operations. An owner or operator may monitor anytime during the specified monitoring period (e.g., month, quarter, year), provided the monitoring is conducted at a reasonable interval after completion of the last monitoring campaign. For example, if the equipment is not operating during the scheduled monitoring period, the monitoring can be done during the next period when the process is operating.
- c. If a leak is detected, it shall be repaired as soon as practical but not later than 15 calendar days after it is detected, except as provided in 40 CFR §63.1036(e).

[40 CFR §63.1036(c), 45CSR34] [A290.1S, A440.1S, A440.2S, A440.3S, A440.4S, A440.5S]

4.1.18.6. Added equipment recordkeeping.

- a. For batch product-process units or affected facilities that the owner or operator elects to monitor as provided under 40 CFR §63.1036(c), the owner or operator shall prepare a list of equipment added to batch product process units or affected facilities since the last monitoring period required in 4.1.18.5.b.2 and 3.
- b. Maintain records demonstrating the proportion of time during the calendar year the equipment is in use in a batch. Examples of suitable documentation are records of time in use for individual pieces of equipment or average time in use for the process unit or affected facility. These records

are not required if the owner or operator does not adjust monitoring frequency by the time in use, as provided in 4.1.18.5.b.3.

- c. Record and keep, the date and results of the monitoring required in 4.1.18.5.b.1 for equipment added to a batch product- process unit or affected facility since the last monitoring period required in 4.1.18.5.b.2 and 3. If no leaking equipment is found during this monitoring, the owner or operator shall record that the inspection was performed. Records of the actual monitoring results are not required.

[40 CFR§63.1036(d), 45CSR34]

4.1.18.7. Delay of repair. Delay of repair of equipment for which leaks have been detected is allowed if the replacement equipment is not available providing the following conditions are met:

- a. Equipment supplies have been depleted and supplies had been fully stocked before depletion.
b. The repair is made no later than 10 calendar days after delivery of the replacement equipment.

[40 CFR§63.1036(e), 45CSR34] [A290.1S, A440.1S, A440.2S, A440.3S, A440.4S, A440.5S]

4.1.18.8. Periodic report contents. For owners or operators electing to meet the requirements of 40 CFR§63.1039(b), the Periodic Report to be filed shall include the following information:

- a. Batch product process equipment train identification;
b. The number of pressure tests conducted;
c. The number of pressure tests where the equipment train failed the pressure test; and
d. The facts that explain any delay of repairs.

[40 CFR§63.1036(f), 45CSR34] [A290.1S, A440.1S, A440.2S, A440.3S, A440.4S, A440.5S]

4.1.19. **Closed Vent System and non-flare Control Device (Storage Tanks) - Closed vent system equipment and operating requirements.** Except for closed vent systems operated and maintained under negative pressure, the provisions of this paragraph apply to closed vent systems collecting regulated material from a regulated source.

- a. **Collection of emissions.** Each closed vent system shall be designed and operated to collect the regulated material vapors from the emission point, and to route the collected vapors to a control device.
- b. **Period of operation.** Closed vent systems used to comply with the provisions of this permit shall be operated at all times when emissions are vented to, or collected by, them.
- c. **Bypass monitoring.** Except for equipment needed for safety purposes such as pressure relief devices, low leg drains, high point bleeds, analyzer vents, and open-ended valves or lines, the owner or operator shall comply with the provisions of either 4.1.19.c.1 or 2 for each closed vent system that contains bypass lines that could divert a vent stream to the atmosphere.

1. Properly install, maintain, and operate a flow indicator that is capable of taking periodic readings. Records shall be generated as specified in 40 CFR§63.998(d)(1)(ii)(A). The flow indicator shall be installed at the entrance to any bypass line.
2. Secure the bypass line valve in the non-diverting position with a car-seal or a lock-and-key type configuration. Records shall be generated as specified in 40 CFR§63.998(d)(1)(ii)(B).
- d. **Loading arms at transfer racks.** Each closed vent system collecting regulated material from a transfer rack shall be designed and operated so that regulated material vapors collected at one loading arm will not pass through another loading arm in the rack to the atmosphere.
- e. **Pressure relief devices in a transfer rack's closed vent system.** The owner or operator of a transfer rack shall ensure that no pressure relief device in the transfer rack's closed vent system, excluding devices required for safety purposes, shall open to the atmosphere during loading.

[40 CFR§63.983(a), 45CSR34] [A010.1S, A010.2S, A050S]

4.1.20. Closed vent system leak repair provisions. The following provisions apply to closed vent systems collecting regulated material from a regulated source.

- a. If there are visible, audible, or olfactory indications of leaks at the time of the annual visual inspections required by 40 CFR§63.983(b)(1)(i)(B), the owner or operator shall adhere to the following procedure:
 1. The owner or operator shall eliminate the leak, or
 2. The owner or operator shall monitor the equipment according to the procedures in 40 CFR§63.983(c).
- b. Leaks, as indicated by an instrument reading greater than 500 parts per million by volume above background or by visual inspections, shall be repaired as soon as practical, except as provided in Section 4.1.20.c. Records shall be generated as specified in 40 CFR§63.998(d)(1)(iii) when a leak is detected.
 1. A first attempt at repair shall be made no later than 5 days after the leak is detected.
 2. Except as provided in Section 4.1.20.c., repairs shall be completed no later than 15 days after the leak is detected or at the beginning of the next introduction of vapors to the system, whichever is later.
- c. Delay of repair of a closed vent system for which leaks have been detected is allowed if repair within 15 days after a leak is detected is technically infeasible or unsafe without a closed vent system shutdown, as defined in 40 CFR§63.981, or if the owner or operator determines that emissions resulting from immediate repair would be greater than the emissions likely to result from delay of repair. Repair of such equipment shall be completed as soon as practical, but not later than the end of the next closed vent system shutdown.

[40 CFR§63.983(d) , 45CSR34] [A010.1S, A010.2S, A050S]

4.1.21. For all wastewater streams and liquid streams in open systems within the MCPU, the permittee must meet each requirement in Table 7 to 40 CFR Part 63 Subpart FFFF that applies to the wastewater streams and liquid streams in open systems within an MCPU, except as specified in 4.1.21.1-4.1.21.14.

4.1.21.1. Wastewater HAP. Where 40 CFR §§63.105 and 132 through 148 refer to compounds in Table 9 of 40 CFR Part 63 Subpart G, the compounds in Tables 8 and 9 of 40 CFR Part 63 Subpart FFFF apply.

[40 CFR§63.2485(b), 45CSR34]

4.1.21.2. Group 1 wastewater. 40 CFR§63.132(c)(1)(i) and (ii) do not apply. A process wastewater stream is Group 1 for compounds in Tables 8 and 9 of 40 CFR Part 63 Subpart FFFF if any of the following conditions apply:

- a. The total annual average concentration of compounds in Table 8 to 40 CFR Part 63 Subpart FFFF is greater than or equal to 10,000 ppmw at any flowrate, and the total annual load is greater than or equal to 200 lb/yr.
- b. The total annual average concentration of compounds in Table 8 to 40 CFR Part 63 Subpart FFFF is greater than or equal to 1,000 ppmw, and the annual average flowrate is greater than or equal to 1 l/min.
- c. The combined total annual average concentration of compounds in Tables 8 and 9 of 40 CFR Part 63 Subpart FFFF is greater than or equal to 30,000 ppmw, and the combined total annual load is greater than or equal to 1 tpy.

[40 CFR§63.2485(c), 45CSR34]

4.1.21.3. Wastewater tank requirements.

- a. When 40 CFR §§63.133(a) and 147 reference floating roof requirements in 40 CFR §§63.119 and 120, the corresponding requirements in subpart WW of 40 CFR Part 63 may be applied.
- b. When 40 CFR §63.133(a) refers to Table 10 of Subpart G of 40 CFR Part 63, the maximum true vapor pressure in the table shall be limited to the HAP listed in Tables 8 and 9 of Subpart FFFF.
- c. The requirements of 40 CFR §63.133(a)(2) are satisfied by operating and maintaining a fixed roof if the permittee demonstrates that the total soluble and partially soluble HAP emissions from the wastewater tank are no more than 5 percent higher than the emissions would be if the contents of the wastewater tank were not heated, treated by an exothermic reaction, or sparged.
- d. The emission limits specified in 40 CFR §§63.133(b)(2) and 139 for control devices used to control emissions from wastewater tanks do not apply during periods of planned routine maintenance of the control device(s) of no more than 240 hr/yr. The permittee may request an extension to a total of 360 hr/yr in accordance with the procedures specified in 40 CFR §63.2470(d).

[40 CFR§63.2485(d), 45CSR34]

4.1.21.4. Individual drain systems. The provisions of 40 CFR §63.136(e)(3) apply except as specified in 4.1.21.4.a.

a. A sewer line connected to drains that are in compliance with 40 CFR§63.136(e)(1) may be vented to the atmosphere, provided that the sewer line entrance to the first downstream junction box is water sealed and the sewer line vent pipe is designed as specified in 40 CFR§63.136(e)(2)(ii)(A).

b. [Reserved]

[40 CFR§63.2485(e), 45CSR34]

4.1.21.5. Closed-vent system requirements. When 40 CFR§63.148(k) refers to closed vent systems subject to the requirements of 40 CFR§63.172, the requirements of either 40 CFR§§63.172 or 1034 apply.

[40 CFR§63.2485(f), 45CSR34]

4.1.21.6. Halogenated vent stream requirements. For each halogenated vent stream from a Group 1 wastewater stream or residual removed from a Group 1 wastewater stream vented through a closed-vent system to a combustion device to reduce organic HAP emissions, the permittee must meet the same emission limits as specified for batch process vents in item 2 of Table 2 of Subpart FFFF of 40 CFR Part 63.

[40 CFR§63.2485(g), 45CSR34]

4.1.21.7. Alternative test methods.

a. As an alternative to the test methods specified in 40 CFR§63.144(b)(5)(i), the permittee may use Method 8260 or 8270 as specified in 40 CFR§63.1257(b)(10)(iii).

b. As an alternative to using the methods specified in 40 CFR§63.144(b)(5)(i), the permittee may conduct wastewater analyses using Method 1666 or 1671 of 40 CFR Part 136 and comply with the sampling protocol requirements specified in 40 CFR§63.144(b)(5)(ii). The validation requirements specified in 40 CFR§63.144(b)(5)(iii) do not apply if the permittee uses Method 1666 or 1671 of 40 CFR Part 136.

c. As an alternative to using Method 18 of 40 CFR60, as specified in 40 CFR§63.139(c)(1)(ii) and 145(i)(2), the permittee may elect to use Method 25A of 40 CFR Part 60 as specified in 40 CFR§63.997.

[40 CFR§63.2485(h), 45CSR34]

4.1.21.8. Offsite management and treatment option.

a. If the permittee ships wastewater to an offsite treatment facility that meets the requirements of 40 CFR§63.138(h), the permittee may elect to document in its notification of compliance status report that the wastewater will be treated as hazardous waste at a facility that meets the requirements of 40 CFR§63.138(h) as an alternative to having the offsite facility submit the certification specified in 40 CFR§63.132(g)(2).

b. As an alternative to the management and treatment options specified in 40 CFR§63.132(g)(2), any affected wastewater stream (or residual removed from an affected wastewater stream) with a total annual average concentration of compounds in Table 8 of Subpart FFFF of 40 CFR Part 63 less than 50 ppmw may be transferred offsite in accordance with the following requirements:

1. The transferee (or the permittee) must demonstrate that less than 5 percent of the HAP in Table 9 of Subpart FFFF of 40 CFR Part 63 is emitted from the waste management units up to the activated sludge unit.
2. The transferee must treat the wastewater stream or residual in a biological treatment unit in accordance with 40 CFR §§63.138 and 145 and the requirements referenced therein.

[40 CFR§63.2485(i), 45CSR34]

4.1.21.9. The permittee must determine the annual average concentration and annual average flowrate for wastewater streams for each MCPU. The procedures for flexible operation units specified in 40 CFR §§63.144(b) and (c) do not apply.

[40 CFR§63.2485(j), 45CSR34]

4.1.21.10. The requirement to correct outlet concentrations from combustion devices to 3 percent oxygen in 40 CFR §§63.139(c)(1)(ii) and 146(i)(6) applies only if supplemental gases are combined with a vent stream from a Group 1 wastewater stream. If emissions are controlled with a vapor recovery system as specified in 40 CFR §63.139(c)(2), the permittee must correct for supplemental gases as specified in 40 CFR §63.2460(c)(6).

[40 CFR§63.2485(k), 45CSR34]

4.1.21.11. Requirements for liquid streams in open systems.

- a. References in 40 CFR §63.149 to 40 CFR §63.100(b) mean 40 CFR §63.2435(b).
- b. When 40 CFR §63.149(e) refers to 40 CFR §§63.100(l)(1) or (2), 40 CFR §63.2445(a) applies.
- c. When 40 CFR §63.149 uses the term "chemical manufacturing process unit," the term "MCPU" applies.
- d. When 40 CFR §63.149(e)(1) refers to characteristics of water that contain compounds in Table 9 to 40 CFR Part 63 Subpart G, the characteristics specified in 40 CFR §63.2485(c)(1) through (3) apply.
- e. When 40 CFR §63.149(e)(2) refers to characteristics of water that contain compounds in Table 9 to 40 CFR Part 63 Subpart G, the characteristics specified in 40 CFR §63.2485(c)(2) apply.

[40 CFR§63.2485(l), 45CSR34]

4.1.21.12. When 40 CFR §63.132(f) refers to "a concentration of greater than 10,000 ppmw of Table 9 compounds," the phrase "a concentration of greater than 30,000 ppmw of total partially soluble HAP (PSHAP) and soluble HAP (SHAP) or greater than 10,000 ppmw of PSHAP" shall apply.

[40 CFR§63.2485(m), 45CSR34]

4.1.21.13. Alternative requirements for wastewater that is Group 1 for soluble HAP only. This option applies to wastewater that is Group 1 for soluble HAP in accordance with 40 CFR §63.2485(c)(3) and is discharged to biological treatment. Except as provided in Section 4.1.21.13.d., this option does not apply to wastewater that is Group 1 for partially soluble HAP in accordance with 40

CFR§63.2485(c)(1),(2), or (4). For wastewater that is Group 1 for SHAP, the permittee need not comply with 40 CFR§§63.133 through 137 for any equalization unit, neutralization unit, and/or clarifier prior to the activated sludge unit, and the permittee need not comply with the venting requirements in 40 CFR§63.136(e)(2)(ii)(A) for lift stations with a volume larger than 10,000 gal, provided the permittee complies with the requirements specified in Sections 4.1.21.13.a. through c. and all otherwise applicable requirements specified in Table 7 to subpart FFFF of 40 CFR Part 63. For this option, the treatment requirements in 40 CFR§63.138 and the performance testing requirements in 40 CFR§63.145 do not apply to the biological treatment unit, except as specified in Sections 4.1.21.13.b.1. through 4.

- a. Wastewater must be hard-piped between the equalization unit, clarifier, and activated sludge unit. This requirement does not apply to the transfer between any of these types of units that are part of the same structure and one unit overflows into the next.
- b. Calculate the destruction efficiency of the biological treatment unit using Equation 2 in accordance with the following procedures. The permittee has demonstrated initial compliance if E is greater than or equal to 90 percent.

$$E = \frac{(QMW_a - QMG_e - QMG_n - QMG_c)(F_{bio})}{QMW_a} \times 100 \quad (2)$$

Where:

E = destruction efficiency of total PSHAP and SHAP for the biological treatment unit including the equalization unit, neutralization unit, and/or clarifier, percent;

QMW_a = mass flow rate of total PSHAP and SHAP compounds entering the equalization unit (or whichever of the three types of units is first), kilograms per hour (kg/hr);

QMG_e = mass flow rate of total PSHAP and SHAP compounds emitted from the equalization unit, kg/hr;

QMG_n = mass flow rate of total PSHAP and SHAP compounds emitted from the neutralization unit, kg/hr;

QMG_c = mass flow rate of total PSHAP and SHAP compounds emitted from the clarifier, kg/hr;

F_{bio} = site-specific fraction of PSHAP and SHAP compounds biodegraded in the biological treatment unit.

1. Include all PSHAP and SHAP compounds in both Group 1 and Group 2 wastewater streams from all MCPU, except the permittee may exclude any compounds that meet the criteria specified in 40 CFR§§63.145(a)(6)(ii) or (iii).
2. Conduct the demonstration under representative process unit and treatment unit operating conditions in accordance with 40 CFR§§63.145(a)(3) and (4).

3. Determine PSHAP and SHAP concentrations and the total wastewater flow rate at the inlet to the equalization unit in accordance with 40 CFR §§63.145(f)(1) and (2). References in 40 CFR §§63.145(f)(1) and (2) to required mass removal and actual mass removal do not apply for the purposes of this section.
4. Determine F_{bio} for the activated sludge unit as specified in 40 CFR §63.145(h), except as specified in the following conditions:
 - i. If the biological treatment process meets both of the requirements specified in 40 CFR §§63.145(h)(1)(i) and (ii), the permittee may elect to replace the F_{bio} term in Equation 1 of this section with the numeral "1."
 - ii. The permittee may elect to assume F_{bio} is zero for any compounds on List 2 of Table 36 in subpart G of 40 CFR Part 63.
5. Determine OMG_g , OMG_n , and OMG_c using EPA's WATER9 model or the most recent update to this model, and conduct testing or use other procedures to validate the modeling results.
6. Submit the data and results of the permittee's demonstration, including both a description of and the results of the permittee's WATER9 modeling validation procedures, in the permittee's notification of compliance status report as specified in 40 CFR §63.2520(d)(2)(ii).
- c. As an alternative to the venting requirements in 40 CFR §63.136(e)(2)(ii)(A), a lift station with a volume larger than 10,000 gal may have openings necessary for proper venting of the lift station. The size and other design characteristics of these openings may be established based on manufacturer recommendations or engineering judgment for venting under normal operating conditions. The permittee must describe the design of such openings with supporting calculations and other rationale in the permittee's notification of compliance status report.
- d. For any wastewater streams that are Group 1 for both PSHAP and SHAP, the permittee may elect to meet the requirements specified in Table 7 to subpart FFFF of 40 CFR Part 63 for the PSHAP and then comply with 4.1.21.13.a. through c. of this section for the SHAP in the wastewater system. The permittee may determine the SHAP mass removal rate, in kg/hr, in treatment units that are used to meet the requirements for PSHAP and add this amount to both the numerator and denominator in Equation 2.

[40 CFR §63.2485(m), 45CSR34]

4.1.21.14. Compliance records. For each CPMS used to monitor a nonflare control device for wastewater emissions, the permittee must keep records as specified in 40 CFR §63.998(c)(1) in addition to the records required in 40 CFR §63.147(d).

[40 CFR §63.2485(o), 45CSR34]

<u>TABLE 7 TO SUBPART FFFF OF 40 CFR PART 63.--REQUIREMENTS FOR WASTEWATER STREAMS AND LIQUID STREAMS IN OPEN SYSTEMS WITHIN AN MCPU</u>	
<u>For each . . .</u>	<u>You must . . .</u>
<u>1. Process wastewater stream</u>	<u>Comply with the requirements in §§63.132 through 63.148 and the requirements referenced therein, except as specified in §63.2485.</u>
<u>2. Maintenance wastewater stream</u>	<u>Comply with the requirements in §63.105 and the requirements referenced therein, except as specified in §63.2485.</u>
<u>3. Liquid streams in an open system within an MCPU</u>	<u>Comply with the requirements in §63.149 and the requirements referenced therein, except as specified in §63.2485.</u>

4.1.22 The permittee must comply with each requirement in Table 10 to subpart FFFF of 40 CFR Part 63 that applies to the permittee’s heat exchange systems, with the following expectations:

- a. The phrase "a chemical manufacturing process unit meeting the conditions of §63.100(b)(1) through (b)(3) of this section" in 40 CFR§63.104(a) means "an MCPU meeting the conditions of §63.2435".
- b. The reference to 40 CFR§63.100(c) in 40 CFR§63.104(a) does not apply.

[40 CFR§§63.2490(a)–(c), 45CSR34]

<u>TABLE 10 TO SUBPART FFFF OF 40 CFR PART 63.--WORK PRACTICE STANDARDS FOR HEAT EXCHANGE SYSTEMS</u>	
<u>For each . . .</u>	<u>You must . . .</u>
<u>Heat exchange system, as in §63.101</u>	<u>Comply with the requirements of §63.104 and the requirements specified in §63.2490.</u>

4.2. Monitoring Requirements

4.2.1. For the purpose of determining compliance with the opacity limits set forth in 4.1.3, 4.1.4 and 4.1.5, the permittee shall conduct opacity monitoring for all emission points and equipment subject to an opacity limit under 45CSR7 and for which particulate emission limits have been set in 4.1.1.

Monitoring shall be conducted at least once per month with a maximum of forty-five (45) days between consecutive readings. These checks shall be performed during periods of normal operation of emission sources that vent from the referenced emission points for a sufficient time interval to determine if there is a visible emission. If visible emissions are identified during the visible emission check, or at any other time regardless of operations, the permittee shall conduct a visual emission evaluation per 45CSR7A within three (3) days of the

first identification of visible emissions. A 45CSR7A evaluation shall not be required if the visible emission condition is corrected within seventy-two (72) hours after the visible emission and the sources are operating at normal conditions.

[45CSR13, R13-0181C, 4.2.1; 45CSR§30-5.1.c]

4.2.2. To ensure compliance with the requirements of 4.1.14 through 4.1.17 and 40 CFR§63.982(c), the permittee shall monitor the operation of the affected storage tanks [A050S, A101.1S and A101.2S] and calculate the amount of material vented to the respective control device on a monthly basis using the approved calculation methods. Parameters will be monitored in accordance with the Notice of Compliance Statement (NOCS) required in 40 CFR§§63.985(c) and 999(b)(2). Calculations must be completed within 30 days of the end of the month being calculated.

[40 CFR§63.2450(e)(1)]

4.2.3. Closed vent system inspection and monitoring requirements. These provisions apply to closed vent systems collecting regulated material from a regulated source. Inspection records shall be generated as specified in 40 CFR§63.998(d)(1)(iii) and (iv).

4.2.3.1. Except for any closed vent systems that are designated as unsafe or difficult to inspect as provided in 40 CFR§§63.983(b)(2) and (3), each closed vent system shall be inspected as specified in 4.2.3.1.a or 40 CFR§§63.983(b)(1)(ii).

a. If the closed vent system is constructed of hard-piping, the owner or operator shall comply with the following requirements:

1. Conduct an initial inspection according to the procedures in 4.2.3.2; and
2. Conduct annual inspections for visible, audible, or olfactory indications of leaks.

[40 CFR§63.983(b), 45CSR34]

4.2.3.2. Closed vent system inspection procedures. The following provisions apply to closed vent systems collecting regulated material from a regulated source.

- a. Each closed vent system subject shall be inspected according to the following procedures:
1. Inspections shall be conducted in accordance with Method 21 of 40 CFR60, appendix A, except as specified.
 2. Except as provided in Section 4.2.3.2.a.3., the detection instrument shall meet the performance criteria of Method 21 of 40 CFR60, appendix A, except the instrument response factor criteria in Section 3.1.2(a) of Method 21 must be for the representative composition of the process fluid and not of each individual VOC in the stream. For process streams that contain nitrogen, air, water, or other inerts that are not organic HAP or VOC, the representative stream response factor must be determined on an inert-free basis. The response factor may be determined at any concentration for which the monitoring for leaks will be conducted.

3. If no instrument is available at the plant site that will meet the performance criteria of Method 21 specified in Section 4.2.3.2.a.2., the instrument readings may be adjusted by multiplying by the representative response factor of the process fluid, calculated on an inert-free basis as described in Section 4.2.3.2.a.2.
4. The detection instrument shall be calibrated before use on each day of its use by the procedures specified in Method 21 of 40 CFR60, appendix A.
5. Calibration gases shall be as specified as follows:
 - i. Zero air (less than 10 parts per million hydrocarbon in air); and
 - ii. Mixtures of methane in air at a concentration less than 10,000 parts per million. A calibration gas other than methane in air may be used if the instrument does not respond to methane or if the instrument does not meet the performance criteria specified in Section 4.2.3.2.a.2. In such cases, the calibration gas may be a mixture of one or more of the compounds to be measured in air.
 - iii. If the detection instrument's design allows for multiple calibration scales, then the lower scale shall be calibrated with a calibration gas no higher than 2,500 parts per million.
6. An owner or operator may elect to adjust or not adjust instrument readings for background. If an owner or operator elects not to adjust readings for background, all such instrument readings shall be compared directly to 500 parts per million to determine whether there is a leak. If an owner or operator elects to adjust instrument readings for background, the owner or operator shall measure background concentration using the procedures in this section. The owner or operator shall subtract the background reading from the maximum concentration indicated by the instrument.
7. If the owner or operator elects to adjust for background, the arithmetic difference between the maximum concentration indicated by the instrument and the background level shall be compared with 500 parts per million for determining whether there is a leak.
- b. The instrument probe shall be traversed around all potential leak interfaces as described in Method 21 of 40 CFR60, appendix A.
- c. Except as provided in Section 4.2.3.2.d., inspections shall be performed when the equipment is in regulated material service, or in use with any other detectable gas or vapor.
- d. Inspections of the closed vent system collecting regulated material from a transfer rack shall be performed only while a tank truck or railcar is being loaded or is otherwise pressurized to normal operating conditions with regulated material or any other detectable gas or vapor.

[40 CFR§63.983(c), 45CSR34]

4.3. Testing Requirements

- 4.3.1. **Stack testing.** At such reasonable times as the Secretary may designate, the permittee may be required to conduct or have conducted stack tests to determine the particulate matter loading in exhaust gases when the Secretary has reason to believe that an emission limitation is being violated. For cause, the Secretary may request the permittee to install such stack gas monitoring devices as the Secretary deems necessary to determine continuing compliance. The data from such devices shall be readily available for review on-site or at such other reasonable locations that the Secretary may specify. At the request of the Secretary, such data shall be made available for inspection or copying and the Secretary may require periodic submission of excess emission reports. Compliance with this streamlined requirement assures compliance with 45CSR§7-8.1 and 45CSR§13-6.1. [**45CSR§7-8.1; 45CSR§13-6.1**]
- 4.3.2. **Compliance testing.** Any such test to determine compliance with particulate matter limitations set forth in 4.1.1 shall be conducted in accordance with Method 5 of 40 C.F.R. 60, Appendix A, Method 201 or 201A of 40 C.F.R. 51, or other such appropriate method approved by the Secretary. All such compliance tests must consist of not less than three (3) test runs; any test run duration shall not be less than sixty (60) minutes and no less than thirty (30) standard cubic feet of exhaust gas must be sampled during each test run. Such tests shall be conducted under such reasonable operating conditions as the Secretary may specify. The Secretary, or a duly authorized representative, may option to witness or conduct such stack test. Should the Secretary exercise his option to conduct such tests, the registrant shall provide all necessary sampling connections and sampling ports located in a manner as the Secretary may require, power for test equipment and required safety equipment in place such as scaffolding, railings and ladders in order to comply with generally accepted good safety practices. [**45CSR§7-8.1**]
- 4.3.3. Any stack serving any process source operation or air pollution control device on any process source operation shall contain flow straightening devices or a vertical run of sufficient length to establish flow patterns consistent with acceptable stack sampling procedures. [**45CSR§7-4.12**]
- 4.3.4. **Opacity testing.** Any test to determine compliance with the visible emission (opacity) limitations set forth in 4.1.3, 4.1.4, and 4.1.5 shall be conducted by personnel appropriately trained for the task. Personnel performing the visual emissions observation shall be trained and familiar with the limitations and restrictions associated with 40 C.F.R. 60, Appendix A, Method 22. Any person performing an opacity observation for compliance assessment in the event of visible emissions must be a certified visible emission observer in accordance with 45CSR7A – “Compliance Test Procedures for 45CSR7 – *To Prevent and Control Particulate Air Pollution from Manufacturing Process Operation*” and Method 22 of 40 C.F.R. 60, Appendix A. Nothing in this section, however, shall preclude any permittee or the Secretary from using opacity data from a properly installed, calibrated, maintained and operated continuous opacity monitor as evidence to demonstrate compliance or a violation of visible emission limitations for a period of time during which 45CSR7A or Method 22 data indicates noncompliance, the 45CSR7A or Method 22 data shall be used to determine compliance with the visible emission limitations. [**45CSR§30-5.1.c.**]
- 4.3.5. **Notification of compliance testing.** For any compliance test to be conducted by the permittee as set forth in Section 4.3, a test protocol shall be submitted to the Secretary at least thirty (30) calendar days prior to the scheduled date of the test. Such compliance test protocol shall be subject to approval by the Secretary. The permittee shall notify the Secretary at least fifteen (15) days in advance of actual test dates and times during which the test (or tests) will be conducted. [**45CSR§30-5.1.c.**]

- 4.3.6. **Alternative test methods.** The Secretary may require a different test method or approve an alternative method in light of any technology advancements that may occur and may conduct or require such other tests as may be deemed necessary to evaluate air pollution emissions. [45CSR§30-5.1.c.]
- 4.3.7. [40 CFR Part 63 Subpart UU Testing Requirements for Equipment Leaks – The permittee shall comply with all applicable test methods and procedures of 40 CFR Part 63 Subpart UU – “National Emission Standards for Equipment Leaks–Control Level 2 Standards” as specified in 40 CFR§63.2480. \[45CSR34, 40 CFR Part 63 Subpart UU\]](#)

4.4. Recordkeeping Requirements

- 4.4.1. The permittee shall maintain monthly records of monitoring parameters on forms equivalent to the example form supplied as Appendix A, Attachment A. [45CSR13, R13-0181C, 4.4.4]
- 4.4.2. The permittee shall maintain records equivalent to the example emission reports supplied as Appendix A, Attachment B and C. [45CSR13, R13-0181C, 4.4.5]
- 4.4.3. The permittee shall maintain records of all monitoring data required by 4.2.1 documenting the date and time of each visible emission check, the emission point or equipment identification number, the name or means of identification of the responsible observer, the results of the check, and if necessary, all corrective actions taken. Such records shall be equivalent to the example form supplied as Appendix A, Attachment D. Should a visible emission observation be required to be performed per the requirements specified in 45CSR7A, the data records of each observation shall be maintained per the requirements of 45CSR7A. For an emission unit out of service during the normal monthly evaluation, the record of observation may note “out of service” (OOS) or equivalent. [45CSR13, R13-0181C, 4.4.6]
- 4.4.4. **Records of Malfunctions of Air Pollution Control Equipment.** For all air emissions control devices listed in Section 1.0, the permittee shall keep accurate records of the occurrence and duration of malfunctions and other operational shutdowns of the air pollution control equipment which result in excess emissions.

For each such case, the following information must be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the malfunction.
- c. The duration of the malfunction.
- d. The estimated increase in emissions during the malfunction.

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 modification to equipment or procedures that would help prevent future recurrences of the malfunction.

These records may be maintained electronically or in hard copy form, and shall be made available for review upon request of the Director or his duly authorized representative. [45CSR13, R13-0181C, 4.4.3; 45CSR13, R13-2617B, 4.4.3]

- 4.4.5. **Startup, shutdown, and malfunction plan.** The permittee must develop a written startup, shutdown, and malfunction plan (SSMP) that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; and a program of corrective action for malfunctioning process, air pollution control, and monitoring equipment used to comply with the relevant standard. The startup, shutdown, and malfunction plan does not need to address any scenario that would not cause the source to exceed an applicable emission limitation. Compliance with Section 4.4.4 may be shown by keeping the required records as part of a SSMP. [40 CFR§63.6(e)(3), 45CSR34]
- 4.4.6. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures. [45CSR13, R13-0181C, 4.4.2; 45CSR13, R13-2617B, 4.4.2]
- 4.4.7. **Fugitives.** The permittee shall monitor all fugitive particulate emission sources as required by 4.1.6. to ensure that a system to minimize fugitive emissions has been installed or implemented. Records shall be maintained on site for a period of no less than five (5) years stating the types of fugitive particulate capture and/or suppression systems used, the times these systems were inoperable, and the corrective actions taken to repair these systems. [45CSR§30-5.1.c.]
- 4.4.8. **Fugitives.** The permittee shall maintain records indicating the use of any dust suppressants or any other suitable dust control measures as required by 4.1.7 applied at the facility. These records shall be maintained on site for a period of no less than five (5) years. [45CSR§30-5.1.c.]
- 4.4.9. To ensure compliance with 4.1.14 through 4.1.17 and 40 CFR§63.982(c), the permittee shall keep records of all emission factors, variable values, and data input used in the calculations of emissions as well as the version of software used for the calculations. The permittee shall comply with all applicable recordkeeping requirements of 40 CFR§§63.998 and 999. The results of the calculations and the totals of the material fed for each control device shall be submitted on a monthly basis. At change out of any control device referenced in 4.1.14 through 4.1.17 the total amount of HAP material fed to the unit prior to change out must be recorded as part of the change record. These records must be kept for a period no less than 5 years from generation. [40 CFR§63.2450(e)(1)]
- 4.4.10. **Storage vessel and transfer rack records.** An owner or operator shall keep readily accessible records of the following specified information, as applicable:
- a. The measured values of the parameters monitored in accordance with 40 CFR§§63.985(c) or 987(c).
 - b. The planned routine maintenance performed on the control system during which the control system does not meet the applicable specifications of 40 CFR§§63.983(a), 985(a), or 987(a), as applicable, due to the planned routine maintenance. Information in this record shall be submitted in the Periodic Reports as specified in 40 CFR§63.999(c)(4). Such a record shall include the following information:
 1. The first time of day and date the requirements of 40 CFR§§63.983(a), 985(a), or 987(a), as applicable, were not met at the beginning of the planned routine maintenance, and
 2. The first time of day and date the requirements of 40 CFR§§63.983(a), 985(a), or 987(a), as applicable, were met at the conclusion of the planned routine maintenance.

3. A description of the type of maintenance performed.

[40 CFR§63.998(d)(2), 45CSR34]

4.4.11. Closed vent system records. For closed vent systems the owner or operator shall record:

- a. For closed vent systems collecting regulated material from a regulated source, the owner or operator shall record the identification of all parts of the closed vent system, that are designated as unsafe or difficult to inspect, an explanation of why the equipment is unsafe or difficult to inspect, and the plan for inspecting the equipment required by 40 CFR§§63.983(b)(2)(ii) or (iii).
- b. For each closed vent system that contains bypass lines that could divert a vent stream away from the control device and to the atmosphere, the owner or operator shall keep a record of the following information, as applicable:
 1. Hourly records of whether the flow indicator specified under 40 CFR§63.983(a)(3)(i) was operating and whether a diversion was detected at any time during the hour, as well as records of the times of all periods when the vent stream is diverted from the control device or the flow indicator is not operating.
 2. Where a seal mechanism is used to comply with 40 CFR§63.983(a)(3)(ii), hourly records of flow are not required. In such cases, the owner or operator shall record that the monthly visual inspection of the seals or closure mechanisms has been done, and shall record the occurrence of all periods when the seal mechanism is broken, the bypass line valve position has changed, or the key for a lock-and-key type lock has been checked out, and records of any car-seal that has been broken.
- c. For a closed vent system collecting regulated material from a regulated source, when a leak is detected as specified in 40 CFR§63.983(d)(2), the following information shall be recorded and kept for 5 years:
 1. The instrument and the equipment identification number and the operator name, initials, or identification number.
 2. The date the leak was detected and the date of the first attempt to repair the leak.
 3. The date of successful repair of the leak.
 4. The maximum instrument reading measured by the procedures in 40 CFR§63.983(c) after the leak is successfully repaired or determined to be nonrepairable.
 5. "Repair delayed" and the reason for the delay if a leak is not repaired within 15 days after discovery of the leak. The owner or operator may develop a written procedure that identifies the conditions that justify a delay of repair. In such cases, reasons for delay of repair may be documented by citing the relevant sections of the written procedure.
 6. Copies of the Periodic Reports as specified in 40 CFR§63.999(c), if records are not maintained on a computerized database capable of generating summary reports from the records.

- d. For each instrumental or visual inspection conducted in accordance with 40 CFR§63.983(b)(1) for closed vent systems collecting regulated material from a regulated source during which no leaks are detected, the owner or operator shall record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

[40 CFR§63.998(d)(1), 45CSR34]

- 4.4.12. 40 CFR Part 63 Subpart UU Recordkeeping requirements for Equipment Leaks – The permittee shall comply with all applicable recordkeeping requirements of 40 CFR Part 63 Subpart UU – “National Emission Standards For Equipment Leaks--Control Level 2 Standards” as specified in 40 CFR§63.2480. [40 CFR Part 63 Subpart UU, 45CSR34, 40 CFR§63.2480]

4.5. Reporting Requirements

- 4.5.1. **Compliance Report Timing** - Unless the Administrator has approved a different schedule for submission of reports under 40 CFR§63.10(a), the permittee must submit each report by the date in 40 CFR Part 63 Subpart FFFF Table 11 and according to the following requirements:

- a. The first compliance report must cover the period beginning on the compliance date specified for the permittee’s affected source in 40 CFR§63.2445 and ending on June 30 or December 31, whichever date is the first date following the end of the first 6 months after the compliance date that is specified for the permittee’s affected source in 40 CFR§63.2445.
- b. The first compliance report must be postmarked or delivered no later than August 31 or February 28, whichever date is the first to follow the end of the first reporting period specified in Section 4.5.1.a.
- c. Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.
- d. Each subsequent compliance report must be postmarked or delivered no later than August 31 or February 28, whichever date is the first date following the end of the semiannual reporting period.
- e. For each affected source that is subject to permitting regulations pursuant to 40 CFR Part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR§§70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), the permittee may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in 4.5.1.a through d.

[40 CFR§63.2520(b), 45CSR34]

- 4.5.2 **Compliance Report Content** - The compliance report must contain the following information:

- a. Company name and address.
- b. Statement by a responsible official with that official's name, title, and signature, certifying the accuracy of the report.
- c. Date of report and beginning and ending dates of the reporting period.

- d. For each SSM during which excess emissions occur, the compliance report must include records that the procedures specified in the permittee's startup, shutdown, and malfunction plan (SSMP) were followed or documentation of actions taken that are not consistent with the SSMP, and include a brief description of each malfunction.

- e. The compliance report must contain the following information on deviations, as defined in 40 CFR§63.2550:
 1. If there are no deviations from any emission limit, operating limit or work practice standard, include a statement that there were no deviations from the emission limits, operating limits, or work practice standards during the reporting period.
 2. For each deviation from an emission limit, operating limit, and work practice standard that occurs at an affected source where the permittee is not using a continuous monitoring system (CMS) to comply with the emission limit or work practice standard, the permittee must include the following information. This includes periods of SSM.
 - i. The total operating time of the affected source during the reporting period.
 - ii. Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.
 - iii. Operating logs of processes with batch vents from batch operations for the day(s) during which the deviation occurred, except operating logs are not required for deviations of the work practice standards for equipment leaks.
 3. For each deviation from an emission limit or operating limit occurring at an affected source where the permittee is using a CMS to comply with an emission limit, the permittee must include the following information. This includes periods of SSM.
 - i. The date and time that each CMS was inoperative, excluding zero (low-level) and high-level checks.
 - ii. The date, time, and duration that each CEMS was out-of-control, including the information in 40 CFR§63.8(c)(8).
 - iii. The date and time that each deviation started and stopped, and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period.
 - iv. A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total operating time of the affected source during that reporting period.
 - v. A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.

- vi. A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the affected source during that reporting period.
 - vii. An identification of each HAP that is known to be in the emission stream.
 - viii. A brief description of the process units.
 - ix. A brief description of the CMS.
 - x. The date of the latest CMS certification or audit.
 - xi. Operating logs of processes with batch vents from batch operations for each day(s) during which the deviation occurred.
 - xii. The operating day or operating block average values of monitored parameters for each day(s) during which the deviation occurred.
- 4. If the permittee documents in its notification of compliance status report that an MCPU has Group 2 batch process vents because the non-reactive HAP is the only HAP and usage is less than 10,000 lb/yr, the total uncontrolled organic HAP emissions from the batch process vents in an MCPU will be less than 1,000 lb/yr for the anticipated number of standard batches, or total uncontrolled hydrogen halide and halogen HAP emissions from all batch process vents and continuous process vents in a process are less than 1,000 lb/yr, include the records associated with each calculation required by 40 CFR§63.2525(e) that exceeds an applicable HAP usage or emissions threshold.
- f. If the permittee uses a CEMS, and there were no periods during which it was out-of-control as specified in 40 CFR§63.8(c)(7), include a statement that there were no periods during which the CEMS was out-of-control during the reporting period.
- g. Include each new operating scenario which has been operated since the time period covered by the last compliance report and has not been submitted in the notification of compliance status report or a previous compliance report. For each new operating scenario, the permittee must provide verification that the operating conditions for any associated control or treatment device have not been exceeded and that any required calculations and engineering analyses have been performed. A revised operating scenario for an existing process is considered to be a new operating scenario.
- h. Records of process units added to a PUG as specified in 40 CFR§63.2525(i)(4) and records of primary product redeterminations as specified in 40 CFR§63.2525(i)(5).
- i. Applicable records and information for periodic reports as specified in referenced subparts F, G, H, SS, UU, WW, and GGG of 40 CFR Part 63 and subpart F of 40 CFR Part 65.
- j. *Notification of process change.*
 - 1. Except as specified in Section 4.5.2.j.2, whenever the permittee makes a process change, or changes any of the information submitted in the notification of compliance status report or a previous compliance report, that is not within the scope of an existing operating scenario, the permittee must

document the change in the compliance report. A process change does not include moving within a range of conditions identified in the standard batch, and a nonstandard batch does not constitute a process change. The notification must include all of the following information.

- i. A description of the process change.
 - ii. Revisions to any of the information reported in the original notification of compliance status report under 40 CFR§2520(d).
 - iii. Information required by the notification of compliance status report under paragraph (d) of this section for changes involving the addition of processes or equipment at the affected source.
2. The permittee must submit a report 60 days before the scheduled implementation date of any of the following changes.
- i. Any change to the information contained in the precompliance report.
 - ii. A change in the status of a control device from small to large.
 - iii. A change from Group 2 to Group 1 for any emission point except for batch process vents that meet the conditions specified in 40 CFR§63.2460(b)(6)(i). [40 CFR§63.2520(e), 45CSR34]

4.5.3. Periodic reports Under Subpart SS - Periodic reports shall include the reporting period dates, the total source operating time for the reporting period, and, as applicable, any additional specified information, including reports of periods when monitored parameters are outside their established ranges.

- a. For closed vent systems subject to the requirements of 40 CFR§63.983, the owner or operator shall submit as part of the periodic report the information specified below, as applicable:
 1. The information recorded in 40 CFR§§63.998(d)(1)(iii)(B) through (E);
 2. Reports of the times of all periods recorded under 40 CFR§63.998(d)(1)(ii)(A) when the vent stream is diverted from the control device through a bypass line; and
 3. Reports of all times recorded under 40 CFR§63.998(d)(1)(ii)(B) when maintenance is performed in car-sealed valves, when the seal is broken, when the bypass line valve position is changed, or the key for a lock-and-key type configuration has been checked out.
- b. For flares, report all periods when all pilot flames were absent or the flare flame was absent as recorded in 40 CFR§63.998(a)(1)(i)(C).
- c. For storage vessels, the owner or operator shall include in each periodic report the following information:
 1. For the 6-month period covered by the periodic report, the information recorded in 40 CFR§63.998(d)(2)(ii)(A) through (C).
 2. For the time period covered by the periodic report and the previous periodic report, the total number of hours that the control system did not meet the requirements of 40 CFR§63.983(a), 985(a), or 987(a) due to planned routine maintenance.

3. A description of the planned routine maintenance during the next 6-month periodic reporting period that is anticipated to be performed for the control system when it is not expected to meet the required control efficiency. This description shall include the type of maintenance necessary, planned frequency of maintenance, and expected lengths of maintenance periods.
- d. If a control device other than a flare is used to control emissions from storage vessels or low throughput transfer racks, the periodic report shall describe each occurrence when the monitored parameters were outside of the parameter ranges documented in the Notification of Compliance Status in accordance with 40 CFR§63.999(b)(3). The description shall include the following information:

 1. Identification of the control device for which the measured parameters were outside of the established ranges, and
 2. The cause for the measured parameters to be outside of the established ranges.
- e. For process vents and transfer racks (except low throughput transfer racks), periodic reports shall include the information specified below.

 1. Periodic reports shall include the daily average values of monitored parameters, calculated as specified in 40 CFR§63.998(b)(3)(i) for any days when the daily average value is outside the bounds as defined in 40 CFR§§63.998(c)(2)(iii) or (3)(iii), or the data availability requirements defined below are not met, whether these excursions are excused or unexcused excursions. For excursions caused by lack of monitoring data, the duration of periods when monitoring data were not collected shall be specified. An excursion means any of the cases listed in Sections 4.5.3.e.1.i. through iii. If the owner or operator elects not to retain the daily average values pursuant to 40 CFR§63.998(b)(5)(ii)(A), the owner or operator shall report this in the Periodic Report.

 - i. When the daily average value of one or more monitored parameters is outside the permitted range.
 - ii. When the period of control or recovery device operation is 4 hours or greater in an operating day and monitoring data are insufficient to constitute a valid hour of data for at least 75 percent of the operating hours.
 - iii. When the period of control or recovery device operation is less than 4 hours in an operating day and more than one of the hours during the period of operation does not constitute a valid hour of data due to insufficient monitoring data.
 - iv. Monitoring data are insufficient to constitute a valid hour of data as used in Sections 4.5.3.e.1.ii. and iii., if measured values are unavailable for any of the 15-minute periods within the hour.
 2. Report all carbon-bed regeneration cycles during which the parameters recorded under 40 CFR§63.998(a)(2)(ii)(C) were outside the ranges established in the Notification of Compliance Status or in the operating permit.
 3. The provisions of 40 CFR§63.999(c)(6)(i) and (ii) do not apply to any low throughput transfer rack for which the owner or operator has elected to comply with 40 CFR§63.985 or to any storage vessel for which the owner or operator is not required, by the applicable monitoring plan established under 40 CFR§63.985(c)(1), to keep continuous records. If continuous records are required, the owner or operator shall specify in the monitoring plan whether the provisions of 4.5.3.e.1 and 2 apply.

4. [If the owner or operator has chosen to use the alternative recordkeeping requirements of 40 CFR§63.998\(b\)\(5\), and has not notified the Administrator in the Notification of Compliance Status that the alternative recordkeeping provisions are being implemented as specified in 40 CFR§63.999\(b\)\(5\), the owner or operator shall notify the Administrator in the Periodic Report submitted immediately preceding implementation of the alternative. The notifications specified in 40 CFR§63.998\(b\)\(5\)\(ii\) shall be included in the next Periodic Report following the identified event.](#)

[\[40 CFR§63.999\(c\), 45CSR34\]](#)

- 4.5.4. [40 CFR Part 63 Subpart UU Reporting Requirements for Equipment Leaks. The permittee shall comply with all applicable reporting requirements of 40 CFR Part 63 Subpart UU – “National Emission Standards for Equipment Leaks – Control level 2 Standards” as specified in 40 CFR§63.1039 \(reporting requirements\). \[45CSR34, 40 CFR Part 63 Subpart UU, 40 CFR§63.1039\]](#)

4.6. Compliance Plan

- 4.6.1. NA

5.0. Metal Parts Degreaser (A900S) Requirements

5.1. Limitations and Standards

- 5.1.1. The owner or operator of a cold cleaning facility shall:
- a. Provide a permanent, legible, conspicuous label, summarizing the operating requirements.
 - b. Store waste solvent in covered containers.
 - c. Close the cover whenever parts are not being handled in the cleaner.
 - d. Drain the cleaned parts until dripping ceases.
 - e. If used, supply a solvent spray that is a solid fluid stream (not a fine, atomized, or shower-type spray) at a pressure that does not exceed 10 pounds per square inch gauge.
 - f. Degrease only materials that are neither porous nor absorbent.

[45CSR§§21-30.3.a.4., 30.3.a.5., 30.3.a.6., 30.3.a.7., 30.3.a.8., 30.3.a.9.]

5.2. Monitoring Requirements

- 5.2.1. NA

5.3. Testing Requirements

- 5.3.1. Test Method ASTM D323-72 shall be used for measuring the solvent true vapor pressure.
[45CSR§21-30.4.e.]

5.4. Recordkeeping Requirements

- 5.4.1. Each owner or operator of a solvent metal cleaning source subject to this 45CSR§21-30 shall maintain the following records in a readily accessible location for at least 5 years and shall make these records available to the Director upon verbal or written request:
- a. A record of central equipment maintenance, such as replacement of the carbon in a carbon adsorption unit.
 - b. The results of all tests conducted in accordance with the requirements in section 45CSR§21-30.4 (5.3.1).

[45CSR§21-30.5. and 45CSR§30-5.1.c.]

5.5. Reporting Requirements

- 5.5.1. Except as provided in section 45CSR§21-9.3, the owner or operator of any facility containing sources subject to 45CSR§21-5 shall, for each occurrence of excess emissions expected to last more than 7 days, within 1 business day of becoming aware of such occurrence, supply the Director by letter with the following information.

- a. The name and location of the facility;
- b. The subject sources that caused the excess emissions;
- c. The time and date of first observation of the excess emissions; and
- d. The cause and expected duration of the excess emissions.
- e. For sources subject to numerical emission limitations, the estimated rate of emissions (expressed in the units of the applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and
- f. The proposed corrective actions and schedule to correct the conditions causing the excess emissions.

[45CSR§21-5.2.]

5.6. Compliance Plan

5.6.1. NA

APPENDIX A (Example Data Forms)

ATTACHMENT A – Monthly Production & Throughput Report

E. I. du Pont de Nemours & Company, Inc.; Washington Works
 Plant ID No. 107-00001; Permit No. R13-0181C

Current Month and Year: _____
 Data Entered By: _____
 Date Entered: _____
 Reviewed By: _____
 Date Reviewed: _____

Storage Tanks

Equipment ID	Material Stored	Max Fill Rate (gpm)	Monthly Throughput (gal)	12 Month Total Throughput (gal)	12 Month Total Emissions ²		
					Breathing	Working	Total
A010.1S	EA						
A010.2S	EA						
A020S	VOC						
A030S	VOC						
A040S	VOC						
A050S	MeOH						
A070S	VOC						
A080.1S	MMA						
A080.2S	MMA						
A110S	MAA						
A120S	EA						
A130.1S	MMA						
A130.2S	VOC						
A130.3S	VOC						
A130.4S	VOC						
A130.5S	VOC						
A180S	MeOH						
A190S	MeOH						

Raw Material Consumption – Solids

Equipment ID	Monthly Total (lb)
A160.1S	
A160.2S	
A160.3S	
A160.4S	
A260S	

Production – Batches

Maximum batches weighed in one hour	
Total batches for this month	

Production – Finishing

Max. Hourly Production – Line 1	(lb)
Max. Hourly Production – Line 2	(lb)
Total Monthly Production – Line 1	(lb)
Total Monthly Production – Line 2	(lb)
#2 Dryer Flow (Choose control device that was used most frequently this month)	

⁽¹⁾ This record shall be maintained per Section 4.4.5

⁽²⁾ From TANKS 4.0 (or later version) Program.

ATTACHMENT B – Monthly Emissions Report

E. I. du Pont de Nemours & Company, Inc.; Washington Works
 Plant ID No. 107-00001; Permit No. R13-0181C

Storage Tanks

Emission Point ID	Equipment ID	Control Device ID	VOC		EA		MMA		MeOH	
			Max. pph	ppy ²						
A010E	A010.1 & .2S	A010C								
A020E	A020S	NA								
A030E	A030S	NA								
A040E	A040S	NA								
A050E	A050S	NA								
A070E	A070S	NA								
A080E	A080.1 & .2S	NA								
A110E	A110S	NA								
A120E	A120S	NA								
A130E	A130.1-.5S	NA								
A140E	A130.1-.5S	NA								
A180E	A180S	NA								
A190E	A190S	NA								

Process Equipment – VOC & HAP

Emission Point ID	Equipment ID	Control Device ID	VOC		AA		EA		MMA		MeOH	
			Max. pph	ppy ²								
A290E	A290.1-.3S, A440.1-.3S	NA										
A300E	A440.4 & .5S	NA										
A450E	A440.1-.5S	NA										
A310E	A310.1 & .2S	NA										
A320E	A320S	NA										
A350E	A350.3S	A350.1C										
A390.1E	A390.3S	A390.1C										
A390.2E	A390.3S	A390.2C										

Process Equipment – PM₁₀

Emission Point ID	Equipment ID	Control Device ID	PM ₁₀	
			Max. pph	ppy ²
A160E	A160.1-.4S	NA		
A260E	A260S	A260C		
A350E	A350.2S, A350.3S, A350.4S, A350.6S, A350.7S, A350.8S, A390.5S, A390.7S	A350.1 & .2C		
A390.1E	A390.2S, A390.3S, A390.5S	A390.1C		
A390.2E	A390.2S, A390.3S, A390.5S	A390.2C		
A390.6E	A390.6S	A390.6C		
A390.8E	A390.8S	NA		

- (1) This record shall be maintained per Section 4.4.5
- (2) Rolling 12 month totals from TANKS 4.0 (or later version) program.
- (3) A390.3S will vent either through A390.1E or A390.2E, but not both at the same time.
- (4) Sources with optional emission cases will only vent from one at a time.

ATTACHMENT C – Annual Emissions Report

E. I. du Pont de Nemours & Company, Inc.; Washington Works
 Plant ID No. 107-00001; Permit No. R13-0181C

Current Year: _____

Acrylic Acid (AA) Emissions (lb)

Emission Pont ID	Equipment ID															12 Month Total
A290E	A290.1-.3S, A440.1-.3S															
A300E	A440.4 & .5S															
A450E	A440.1-.5S															
A310E	A310.1 & .2S															
A320E	A320S															

Methyl Methacrylate (MMA) Emissions (lb)

Emission Pont ID	Equipment ID																12 Month Total
A080E	A080.1 & .2S																
A130E	A130.1-.5S																
A140E	A130.1 - .5S																
A290E	A290.1-.3S, A440.1-.3S																
A300E	A440.4 & .5S																
A450E	A440.1 - .5S																
A310E	A310.1 & .2S																
A320E	A320S																
A350E	A350.3S																
A390.1E	A390.3S																
A390.2E	A390.3S																

Methanol (MeOH) Emissions (lb)

Emission Pont ID	Equipment ID																12 Month Total
A050E	A050S																
A180E	A180S																
A190E	A190S																
A450E	A440.1-.5S																
A310E	A310.1 & .2S																
A320E	A320S																
A350E	A350.3S																
A390.1E	A390.3S																
A390.2E	A390.3S																

VOC Emissions (lb)

Emission Point ID	Equipment ID																	12 Month Total
A010E	A010.1 & .2S																	
A020E	A020S																	
A030E	A030S																	
A040E	A040S																	
A050E	A050S																	
A070E	A070S																	
A080E	A080.1 & .2S																	
A110E	A110S																	
A120E	A120S																	
A130E	A130.1-.5S																	
A140E	A130.1-.5S																	
A180E	A180S																	
A190E	A190S																	
A290E	A290.1-.3S, A440.1-.3S																	
A300E	A440.4 & .5S																	
A310E	A440.1-.5S																	
A320E	A310.1 & .2S																	
A350E	A350.3S																	
A390.1E	A390.3S																	
A390.2E	A390.3S																	

PM₁₀ Emissions (lb)

Emission Point ID	Equipment ID																	12 Month Total
A160E	A160.1-.4S																	
A260E	A260S																	
A350E	A350.2S, A350.3S, A350.4S, A350.6S, A350.7S, A350.8S, A390.5S, A390.7S																	
A390.1E	A390.2S, A390.3S, A390.5S																	
A390.2E	A390.2S, A390.3S, A390.5S																	
A390.6E	A390.6S																	
A390.8E	A390.8S																	

- (1) This record shall be maintained per Section 4.4.5.
- (2) A390.3S will vent either through A390.1E or A390.2E, but not both at the same time.
- (3) Sources with optional emission cases will only vent from one at a time.

ATTACHMENT D – Monthly Opacity Report

E. I. du Pont de Nemours & Company, Inc.; Washington Works
 Plant ID No. 107-00001; Permit No. R13-0181C

Current Month and Year: _____

Data Entered By: _____

Date Entered: _____

Reviewed By: _____

Date Reviewed: _____

Stack/Vent ID	Stack/Vent Description	Date of Observation	Time of Observation	Name of Observer	Visible Plume? Yes/No	Near 20% Opacity? Yes/No	Method 9 Compliance Status?	Comments
A160E	Ingredient Hopper Stack							
A260E	Salt Silo Stack							
A350E	1A/1B Filter Stack							
A390.1E	#2 Dryer Stack							
A390.2E	#2 Dryer Bag Filter Stack							
A390.8E	#2 Product Transfer Cyclone							

Opacity Observers – Method 22 Training	Latest Certification Date	Certification Expiration Date	Current Date	Certification Current?
Observer Name				

⁽¹⁾ This record shall be maintained per Section 4.4.5.

CERTIFICATION OF DATA ACCURACY

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

Signature¹

(please use blue ink)

_____ Responsible Official or Authorized Representative

_____ Date

Name & Title

(please print or type)

_____ Name

_____ Title

Telephone No. _____

Fax No. _____

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

- a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (i) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or
 - (ii) the delegation of authority to such representative is approved in advance by the Director;
- b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of U.S. EPA); or
- d. The designated representative delegated with such authority and approved in advance by the Director.

ATTACHMENT A of R13-2617B for the Acrylic Resin Production Area Only

Emission Point Identification	Source Identification	Source Description	Control Device Identification	Service (VOC/HAP/TAP)	Affected R13 Permit	Included in Original R21 RACM Plan	Currently Subject to:		Other Applicable Regulations - Citation (MACT/BACT/NSPS/NESHAP etc.)
							R21	R27	
A Area	A LabHoods	Laboratory Hoods	None	TAP-M	R13-0181C	No	No	Yes	
A050E	A050S	Storage Tank	None	VOC	R13-0181C	Yes	Yes	No	MON MACT
A290E	A290.1	Phase Tank	None	VOC	R13-0181C	Yes	Yes	No	MON MACT

Note #1 - Formaldehyde (TAP-F) does not qualify as a MACT Wastewater under any Standard.

Note #2 - MON MACT has a process vent definition cut-off at 50 ppm. Below this there are no controls since it is not considered to be a process vent.

Note #3 - The WWTP located at Washington Works does not receive any Group 1 Streams as defined by the rule. Hence the applicability of 40 C.F.R. §63.135 and 40 C.F.R. §63.145 are very, very limited.

Note #4 - Sources identified as being "Removed from Service" are considered permanently removed and must undergo 45CSR13 review prior to being returned to service.