West Virginia Department of Environmental Protection
Division of Air Quality

Title V Operating Permit Revision

Earl Ray Tomblin
Governor

Randy C. Huffman
Cabinet Secretary

For Significant Modification Permitting Action Under 45CSR30 and Title V of the Clean Air Act

Permit Action Number: SM02 **SIC:** 4922
Name of Permittee: Columbia Gas Transmission, LLC
Facility Name/Location: Cleveland Compressor Station
County: Upshur
Facility Address: 1700 MacCorkle Avenue, SE, Charleston, WV 25314

Description of Permit Revision: This significant modification incorporates the requirements of the recently issued permit R13-2394B which is to install two (2) new natural gas-fired turbines, one (1) fuel gas heater and twenty (20) catalytic heaters.

Title V Permit Information:
Permit Number: R30-09700009-2012
Issued Date: October 31, 2012
Effective Date: November 14, 2012
Expiration Date: October 31, 2017

Directions To Facility: Travel approximately 9.4 miles south on WV State Rt. 20 from the town of Rock Cave to station.

THIS PERMIT REVISION IS ISSUED IN ACCORDANCE WITH THE WEST VIRGINIA AIR POLLUTION CONTROL ACT (W.VA. CODE §§ 22-5-1 ET SEQ.) AND 45CSR30 - "REQUIREMENTS FOR OPERATING PERMITS." THE PERMITTEE IDENTIFIED AT THE FACILITY ABOVE IS AUTHORIZED TO OPERATE THE STATIONARY SOURCES OF AIR POLLUTANTS IDENTIFIED HEREIN IN ACCORDANCE WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.

William F. Durham
Director

July 26, 2016
Date Issued

Permit Number: **R30-09700009-2012**
Permittee: **Columbia Gas Transmission, LLC**
Facility Name: **Cleveland Compressor Station**
Permittee Mailing Address: **1700 MacCorkle Avenue, SE**
Charleston, WV 25314

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:	State Route 20, Kanawha Head, Upshur County, West Virginia
Facility Mailing Address:	HC32 Box 12, Kanawha Head, WV 26228
Telephone Number:	(304)924-7937
Type of Business Entity:	LLC
Facility Description:	Natural Gas Transmission Facility
SIC Codes:	4922
UTM Coordinates:	555.4 km Easting • 4,289.1 km Northing • Zone 17

Permit Writer: Beena Modi

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

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

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1.0 Emission Units and Listing of Applicable Requirements

Please note that not all sections of this permit may be applicable to this facility. The applicable requirements column in the table below indicates which of the requirements in Sections 2.0 through 24.0 of this permit are applicable to each emissions unit.

Emission Unit ID	Emission Point ID	Emission Unit Description (Make, Model, Serial No.)	Year Installed	Design Capacity	Control Device	Applicable Requirements
Facility-Wide						Sections 2.0, 3.0, 23.0
~~06001[1]~~	~~E01~~	~~Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMVA-8; 2-cycle, lean burn~~	~~1953~~	~~1,100 HP~~	~~N/A~~	~~Section 21.0~~ ~~R13-2394A (Sections 3.0, 4.1.6.)~~
~~06002[1]~~	~~E02~~	~~Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMVA-8; 2-cycle, lean burn~~	~~1954~~	~~1,100 HP~~	~~N/A~~	~~Section 21.0~~ ~~R13-2394A (Sections 3.0, 4.1.6.)~~
~~06003[1]~~	~~E03~~	~~Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMVA-8; 2-cycle, lean burn~~	~~1954~~	~~1,100 HP~~	~~N/A~~	~~21.0~~ ~~R13-2394A (Sections 3.0, 4.1.6.)~~
~~06004[1]~~	~~E04~~	~~Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMVA-8; 2-cycle, lean burn~~	~~1954~~	~~1,100 HP~~	~~N/A~~	~~Section 21.0~~ ~~R13-2394A (Sections 3.0, 4.1.6.)~~
~~06005[1]~~	~~E05~~	~~Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMVA-8; 2-cycle, lean burn~~	~~1954~~	~~1,100 HP~~	~~N/A~~	~~Section 21.0~~ ~~R13-2394A (Sections 3.0, 4.1.6.)~~
~~06006[1]~~	~~E06~~	~~Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMVA-8; 2-cycle, lean burn~~	~~1954~~	~~1,100 HP~~	~~N/A~~	~~Section 21.0~~ ~~R13-2394A (Sections 3.0, 4.1.6.)~~
06007	E07	Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMWA-8; 2-cycle, lean burn	1955	2,000 HP	N/A	None
06008	E08	Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMWA-8; 2-cycle, lean burn	1957	2,000 HP	N/A	None

Emission Unit ID	Emission Point ID	Emission Unit Description (Make, Model, Serial No.)	Year Installed	Design Capacity	Control Device	Applicable Requirements
06009	E09	Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMWA-8; 2-cycle, lean burn	1969	2,000 HP	N/A	None
06010	E10	Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMWA-8; 2-cycle, lean burn	1969	2,000 HP	N/A	None
~~06011[1]~~	~~E11~~	~~Turbine Engine/Centrifugal Compressor; Allison 501K13C; turbine~~	~~1970~~	~~3,165 HP~~	~~N/A~~	~~Section 21.0~~ ~~R13-2394A (Sections 3.0, 4.1.6.)~~
06012	E12	Solar Taurus 70 Combustion Turbine #2/Compressor	2015	10,381 HP at 0ºF	Combustion Controls	Section 8.0 45CSR16; 40 CFR §§60.7(a)(3), 60.8(a), ;40 CFR 60 Subpart KKKK, specifically 40 CFR §§60.4320(a), 60.4330(a)(2), 60.4333(a), 60.4340(a), 60.4365(a), 60.4375(b), 60.4395, 60.4400, Table 1 to Subpart KKKK of 40 CFR 60 (25 ppm at 15 percent O_2 or 150 ng/J of useful output (1.2 lb/MWh)) Section 9.0 45CSR34; 40 CFR 63 Subpart YYYY, specifically 40 CFR §§63.6095(d), 63.6145 (a), (c) Section 21.0 R13-2394B ~~A~~ (Sections 3.0, 4.1.1., 4.1.6. ~~7.~~, 4.2.1., 4.3.1., 4.4.1., 4.4.2., 4.4.3., 4.4.4., 4.4.5., and 4.5.1.)
06013	E13	Solar Taurus 70 Combustion Turbine #3/Compressor	2015	10,381 HP at 0ºF	Combustion Controls	
06014	E14	Solar Mars 100 Turbine #4	2017	14,766 HP @ 32 ºF	Combustion Controls	Section 8.0 45CSR16; 40 CFR §§60.7(a)(3), 60.8(a); 40 CFR 60 Subpart KKKK, specifically 40 CFR §§60.4320(a), 60.4330(a)(2), 60.4333(a), 60.4340(a), 60.4365(a), 60.4375(b), 60.4395, 60.4400, Table 1 to Subpart KKKK of 40 CFR 60 (25 ppm at 15 percent O_2 or 150 ng/J of useful output (1.2 lb/MWh)) Section 9.0 45CSR34; 40 CFR 63 Subpart YYYY, specifically
06015	E15	Solar Mars 100 Turbine #5	2017	14,766 HP @ 32 ºF	Combustion Controls	

Emission Unit ID	Emission Point ID	Emission Unit Description (Make, Model, Serial No.)	Year Installed	Design Capacity	Control Device	Applicable Requirements
						40 CFR §§63.6095(d), 63.6145 (a), (c) Section 21.0 R13-2394B (Sections 3.0, 4.1.2., 4.1.6., 4.2.1., 4.3.1., 4.4.1., 4.4.2., 4.4.3., 4.4.4., 4.4.5., and 4.5.1.)
~~060G4[2]*~~	~~G4~~	~~Reciprocating Engine/Generator; Waukesha H24GL; 4-cycle, lean burn (Emergency Generator)~~	~~1999~~	~~500 HP~~	~~N/A~~	~~Section 10.0~~ ~~40 CFR Part 63 Subpart ZZZZ~~ ~~§63.6595(a)(1)*; §63.6602 (Table 2c, Item 6); §63.6605; §§63.6625 (e), (f), (h), (j); §§63.6640 (a) (Table 6, Item 9), (b), (e), (f) (1); §63.6645 (a) (5); §§63.6655 (a), (b), (d), (e), (f); Footnote 1 of 40 C.F.R. 63, Subpart ZZZZ, Table 2c; §63.6665; and the general provisions of 40 C.F.R. Part 63 except as excluded in §63.6645.; 45CSR34~~ ~~Section 21.0~~ ~~R13-2394A (Sections 3.0, 4.1.4, 4.1.5., 4.2.3., 4.4.1. and 4.4.5.)~~
060G5	G5	Reciprocating Engine/Generator set; Waukesha VGF-L36GL, 4Stroke Lean Burn (Emergency Generator #5)	2015	880 HP	N/A	Section 10.0 45CSR34; 40 CFR 63 Subpart ZZZZ, specifically 40 CFR §§63.6590(b)(1)(i), 63.6605, 63.6640(f)(1), (f)(2) and (f)(3), 63.6645(c) and (f) Section 11.0 45CSR16; 40 CFR §60.8(a); 40 CFR 60 Subpart JJJJ, specifically 40 C.F.R. §§ 60.4233(e), 60.4234, 60.4236(c), 60.4237(a), 60.4243 (b)(2)(ii), (d), (e), 60.4244, 60.4245(a), (b), (c) & (d), 60.4246; Tables 1 (2.0g/HP-hr NOx, 4.0g/HP-hr CO, 1.0g/HP-hr VOC), 2 & 3 to 40 CFR 60 Subpart JJJJ Section 21.0 R13-2394B ~~A~~ (Sections 3.0, 4.1.5. ~~3~~, 4.2.2., 4.3.2.,

Emission Unit ID	Emission Point ID	Emission Unit Description (Make, Model, Serial No.)	Year Installed	Design Capacity	Control Device	Applicable Requirements
						4.4.1. and 4.4.5.)
HTR3	H3	Line Heater #1 (Fuel Preheater)	2015	0.5 ~~0.65~~ MMBtu/h	N/A	Section 4.0, 17.0 45CSR34; 40 CFR 63 Subpart DDDDD, specifically 40 CFR §§63.7480, 63.7485, 63.7490(a) & (b), 63.7495 (a) & (d), 63.7500(a)(1), (a)(3), (e) & (f), 63.7505(a), 63.7510(g), 63.7515(d), 63.7530~~(d) &~~ (f), 63.7540(a), (a)(10), (a)(12), & (a)(13), 63.7545(a), (c), (e), (f), (h), 63.7550(a)-(c), (h)(3), 63.7555(a), (h), ~~(i), (j),~~ 63.7560(a)-(c), 63.7565, Tables 3 (Item # 1), 9 &10 of 40 CFR 63 Subpart DDDDD Section 21.0 R13-2394B ~~A~~ (Sections 3.0, 4.1.3 ~~2~~, 4.4.1., ~~4.4.5.,~~ 4.4.6., 4.5.1., and 4.5.2.)
~~HTR4~~	~~H4~~	~~Line Heater #2 (Fuel Preheater)~~	~~2015~~	~~0.65 MMBtu/h~~	~~N/A~~	~~Section 4.0, 17.0~~ ~~45CSR34; 40 CFR 63 Subpart DDDDD, specifically 40 CFR §§63.7480, 63.7485, 63.7490(a) & (b), 63.7495 (a) & (d), 63.7500(a)(1), (a)(3), (e) & (f), 63.7505(a), 63.7510(g), 63.7515(d), 63.7530(d) & (f), 63.7540(a), (a)(10), (a)(12), & (a)(13), 63.7545(a), (c), (e), (f), (h), 63.7550(a)-(c), (h)(3), 63.7555(a), (h), (i), (j), 63.7560(a)-(c), 63.7565, Tables 3 (Item # 1), 9 &10 of 40 CFR 63 Subpart DDDDD~~ ~~Section 21.0~~ ~~R13-2394B A (Sections 3.0, 4.1.2, 4.4.1., 4.4.5., 4.4.6., 4.5.1., and 4.5.2.)~~
HTR5	SH1	54 ~~46~~ Catalytic Heaters (natural gas fired indoor space heaters)	2015	30 ~~46~~ x 0.072 2 x 0.036 14 x 0.03 8 x 0.006 mmBtu/hr	N/A	None
HTR6	H6	Fuel Gas Heater	2017	1.0 mmBtu/hr	N/A	Section 4.0, 17.0 45CSR34; 40 CFR 63 Subpart DDDDD, specifically 40 CFR §§63.7480, 63.7485, 63.7490(a) & (b), 63.7495 (a) & (d), 63.7500(a)(1), (a)(3), (e) & (f),

Emission Unit ID	Emission Point ID	Emission Unit Description (Make, Model, Serial No.)	Year Installed	Design Capacity	Control Device	Applicable Requirements
						63.7505(a), 63.7510(g), 63.7515(d), 63.7530(f), 63.7540(a), (a)(10), (a)(12), & (a)(13), 63.7545(a), (c), (e), (f), (h), 63.7550(a)-(c), (h)(3), 63.7555(a), (h), 63.7560(a)-(c), 63.7565, Tables 3 (Item # 1), 9 &10 of 40 CFR 63 Subpart DDDDD Section 21.0 R13-2394B (Sections 3.0, 4.1.4, 4.4.1., 4.4.6., 4.5.1., and 4.5.2.
HTR7	SH2	20 Catalytic Heaters	2017	18 x 0.072 2 x 0.005 mmBtu/hr	N/A	None
TK01	TK01	Condensate (Pipeline Fluids) Storage Tank	2015	2,000 gal	N/A	Section 21.0 R13-2394B ~~A~~ (Sections 3.0, 4.2.3. ~~4.~~, 4.4.1.) Section 22.0

~~[1]Within 180 days after initial start-up of both turbines 06012 and 06013, compressor engines 06001 through 06006 and compressor turbine 06011 shall be decommissioned and permanently shut down. (R13-2394A, 4.1.6)~~

~~[2]Emergency generator 060G4 will be retired. It will be replaced with the new emergency generator 060G5.~~

2.0 General Conditions

2.1. Definitions

2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.

2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.

2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

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

2.2. Acronyms

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

2.3. Permit Expiration and Renewal

2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.
[45CSR§30-5.1.b.]

2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.
[45CSR§30-4.1.a.3.]

2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.
[45CSR§30-6.3.b.]

2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.
[45CSR§30-6.3.c.]

2.4. Permit Actions

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

2.5. Reopening for Cause

2.5.1. This permit shall be reopened and revised under any of the following circumstances:

a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.

b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.

c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

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

2.7. Minor Permit Modifications

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

2.8. Significant Permit Modification

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

2.9. Emissions Trading

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

2.10. Off-Permit Changes

2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:

a. The change must meet all applicable requirements and may not violate any existing permit term or condition.

b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.

c. The change shall not qualify for the permit shield.

d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.

e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

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

[45CSR§30-5.9.]

2.11. Operational Flexibility

2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.
[45CSR§30-5.8]

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

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

a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or

b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.

a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.

b. The permit shield shall extend to all terms and conditions under each such operating scenario; and

c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;

d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:

a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.
[45CSR§30-5.1.f.2.]

2.17. Emergency

2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
[45CSR§30-5.7.a.]

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

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

a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. The permitted facility was at the time being properly operated;

c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

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

[45CSR§30-5.7.c.]

2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
[45CSR§30-5.7.d.]

2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.
[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.
[45CSR§30-5.2.a.]

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

2.19. Duty to Provide Information

2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.
[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.
[45CSR§30-4.2.]

2.21. Permit Shield

2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.
[45CSR§30-5.6.a.]

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

a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or

b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.

c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.
[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.
[45CSR§30-5.1.e.]

2.24. Property Rights

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.
[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

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

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.

b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

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

[45CSR§30-5.1.d.]

2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.
[45CSR§30-5.1.a.2.]

3.0 Facility-Wide Requirements

3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1. **[45CSR§6-3.1.]**

3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40 C.F.R. §61.145(b) and 45CSR34]

3.1.4. **Odor.**

3.1.4.1. 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.]

3.1.4.2. Accidental and other infrequent discharges which cause or contribute to objectionable odors will be considered on an individual basis and shall be reported by the person responsible therefore to the Director in the manner to be prescribed by the Director.
[45CSR§4-4.1 State-Enforceable only.]

3.1.4.3. When a process or operation results in the discharge of an air pollutant or pollutants which causes or contributes to an objectionable odor, an acceptable control program shall be developed and offered to the Director by the person responsible for the discharge of such air pollutant or pollutants. This control program shall be submitted in the manner prescribed by the Director and within such time as shall be fixed by the Director. If such a control program has been approved by the Director by the issuance of a variance, the person responsible for said discharge shall not be considered to be in violation of this rule in connection with said discharge so long as the program is observed.
[45CSR§4-6.1 State-Enforceable only.]

3.1.4.4. The Director may permit, under emergency circumstances, the discharge of air pollutants which causes or contributes to an objectionable odor under specific conditions for specific time periods. Any person who desires such a variance shall make application to the Director in the manner prescribed by the Director.
[45CSR§4-6.2 State-Enforceable only.]

3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2]

3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.
[W.Va. Code § 22-5-4(a)(14)]

3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.

b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

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

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

3.1.9. Facilities using Mercaptan Tanks shall use proper odor control methods to comply with 45CSR4. **[45CSR§30-12.7 State-Enforceable only.]**

3.1.10. Emergency Operating Condition/Unit Replacement:

For emergency situations which interrupt the critical supply of natural gas to the public, and which pose a life threatening circumstance to the customer, the permittee is allowed to temporarily replace failed engine(s) as long as all of the following conditions are met:

a. The replacement engine(s) is only allowed to operate until repair of the failed engine(s) is complete, but under no circumstance may the replacement engine(s) operate in excess of sixty (60) days;

b. Both the replacement engine(s) and the repaired failed engine(s) shall not operate at the same time with the exception of any necessary testing of the repaired engine(s) and this testing may not exceed five (5) hours;

c. Potential hourly emissions from the replacement engine(s) are less than or equal to the potential hourly emissions from the engine(s) being replaced;

d. Credible performance emission test data verifying the emission rates associated with the operation of the substitute engine shall be submitted to the Director within five (5) business days;

e. The permittee must provide written notification to the Director within five (5) business days of the replacement. This notification must contain:

i. Information to support the claim of life threatening circumstances to justify applicability of this emergency provision;

ii. Identification of the engine(s) being temporarily replaced;

iii. The design parameters of the replacement engine(s) including, but not limited to, the design horsepower and emission factors;

iv. Projected duration of the replacement engine(s); and

v. The appropriate certification by a responsible official.

[45CSR§30-12.7]

3.2. Monitoring Requirements

3.2.1. None.

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.

b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.

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

d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language.

2. The result of the test for each permit or rule condition.

3. A statement of compliance or non-compliance with each permit or rule condition.

[WV Code §§ 22-5-4(a)(14-15) and 45CSR13]

3.4. Recordkeeping Requirements

3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:

a. The date, place as defined in this permit and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A.]

3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.
[45CSR§30-5.1.c.2.B.]

3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§30-5.1.c. State-Enforceable only.]

3.4.4. a. No person shall cause, suffer, allow or permit fugitive particulate matter to be discharged beyond the boundary lines of the property on which the discharge originates or at any public or residential location, which causes or contributes to statutory air pollution.

b. When a person is found in violation of this rule, the Director may require the person to utilize a system to minimize fugitive particulate matter. This system to minimize fugitive particulate matter may include, but is not limited to, the following:

i. Use, where practicable, of water or chemicals for control of particulate matter in demolition of existing buildings or structures, construction operations, grading of roads or the clearing of land;

ii. Application of asphalt, water or suitable chemicals on unpaved roads, material stockpiles and other surfaces which can create airborne particulate matter;

iii. Covering of material transport vehicles, or treatment of cargo, to prevent contents from dripping, sifting, leaking or otherwise escaping and becoming airborne, and prompt removal of tracked material from roads or streets; or

iv. Installation and use of hoods, fans and fabric filters to enclose and vent the handling of materials, including adequate containment methods during sandblasting, abrasive cleaning or other similar operations.

[45CSR§17-3. State-Enforceable only.]

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
[45CSR§§30-4.4. *and* 5.1.c.3.D.]

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

3.5.3. Except for the electronic submittal of the annual certification to the USEPA as required in 3.5.5 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, mailed first class or by private carrier with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

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

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

If to the US EPA:

Associate Director
Office of Air Enforcement and Compliance Assistance (3AP20)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.
[45CSR§30-8.]

3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The annual certification to the USEPA shall be submitted in electronic format only. It shall be submitted by e-mail to the following address: R3_APD_Permits@epa.gov. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.
[45CSR§30-5.3.e.]

3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.
[45CSR§30-5.1.c.3.A.]

3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

3.5.8. **Deviations.**

a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:

1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.

2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.

3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.

4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.
[45CSR§30-5.1.c.3.B.]

3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.
[45CSR§30-4.3.h.1.B.]

3.5.10. During compliance certification, the facility shall certify that the facility burns natural gas in all stationary equipment regulated under this permit except, when applicable, for emergency equipment (i.e. diesel generators).
[45CSR§30-5.1.c.3.C.]

4.0 Miscellaneous Indirect Heat Exchangers including Reboilers, Natural Gas Heaters and Regeneration Gas Heaters less than 10 MMBtu/hr

4.1. Limitations and Standards

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

4.1.2. Compliance with the visible emission requirements of 45CSR§2-3.1 (Section 4.1.1 of this permit) shall be determined in accordance with 40 C.F.R. Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Director. The Director may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of 45CSR§2-3.1 (Section 4.1.1 of this permit). Continuous opacity monitors shall not be required on fuel burning units which employ wet scrubbing systems for emission control.
[45CSR§2-3.2.]

4.2. Monitoring Requirements

4.2.1. At such reasonable times as the Secretary may designate, the permittee shall conduct visible emissions observations using Method 22 for the purpose of demonstrating compliance with Section 4.1.1. If visible emissions are observed, the permittee shall conduct a Method 9 reading unless the cause for visible emissions is corrected within 24 hours. Records of observation will be kept for at least 5 years from the date of observation.
[45CSR§30-5.1.c.]

4.3. Testing Requirements

4.3.1. N/A

4.4. Recordkeeping Requirements

4.4.1. N/A

4.5. Reporting Requirements

4.5.1. N/A

5.0 Miscellaneous Indirect Heat Exchangers including Reboilers (with Natural Gas Heaters) and Regeneration Gas Heaters greater than or equal to 10 MMBtu/hr and less than 100 MMBtu/hr

5.1. Limitations and Standards

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

5.1.2. Compliance with the visible emission requirements of 45CSR§2-3.1 (Section 5.1.1 of this permit) shall be determined in accordance with 40 C.F.R. Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Director. The Director may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of 45CSR§2-3.1 (Section 5.1.1 of this permit). Continuous opacity monitors shall not be required on fuel burning units which employ wet scrubbing systems for emission control.
[45CSR§2-3.2, 45CSR§2A-6]

5.1.3. No person shall cause, suffer, allow or permit the discharge of particulate matter into the open air from all fuel burning units located at one plant, measured in terms of pounds per hour in excess of the amount determined as follows:
For Gas-fired fuel burning units, the product of 0.09 and the total design heat inputs for such units in million B.T.U.'s per hour, provided however that no more than six hundred (600) pounds per hour of particulate matter shall be discharged into the open air from all such units;
[45CSR§2-4.1.b.]

5.1.4. Subject to the provisions of 45CSR2, allowable emission rates for individual stacks shall be determined by the owner and/or operator and registered with the Director at the request of, and on forms provided by, the Director. Such rates shall be subject to review and approval by the Director. The approved set of individual stack allowable emission rates shall become an official part of the compliance schedule and/or any permits concerning such source(s), and shall not be changed without the prior written approval of the Director
[45CSR§2-4.2]

5.1.5. If the number of similar fuel burning units located at one plant, each of which is meeting the requirements of this rule, is expanded by the addition of a new unit(s), the total allowable emission rate for the new unit(s) shall be determined according to 45CSR§2-4.3.
[45CSR§2-4.3]

5.1.6. The addition of sulfur oxides to a combustion unit exit gas stream for the purpose of improving emissions control equipment efficiency shall be reviewed by the Director. No person shall cause, suffer, allow or permit the addition of sulfur oxides as described above unless written approval for such addition is provided by the Director.
[45CSR§2-4.4.]

5.1.7. The provisions of section 5.1.6 shall not apply to combustion units in operation on or before September 1, 1974.
[45CSR§2-4.5.]

5.1.8. The visible emission standards set forth in 45CSR§2-3.1 (Section 5.1.1 of this permit) shall apply at all times except in periods of start-ups, shutdowns and malfunctions. Where the Director believes that start-ups and shutdowns are excessive in duration and/or frequency, the Director may require an owner or operator to provide a written report demonstrating that such frequent start-ups and shutdowns are necessary.
[45CSR§2-9.1.]

5.1.9. At all times, including periods of start-ups, shutdowns and malfunctions, owners and operators shall, to the extent practicable, maintain and operate any fuel burning unit(s) including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, visible emission observations, review of operating and maintenance procedures and inspection of the source.
[45CSR§2-9.2.]

5.1.10. Total Allowable Emission Rates for Similar Units in Priority I and Priority II Regions -- No person shall cause, suffer, allow or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of the amount determined as follows: the product of 3.1 and the total design heat inputs for such units discharging through those stacks in million BTU's per hour.
[45CSR§10-3.1.e]

5.1.11. Maximum Allowable Emission Rates for Similar Units in Region IV (Kanawha Valley Air Quality Control Region: Kanawha County, Putnam County, and Falls and Kanawha Magisterial Districts of Fayette County)--No person shall cause, suffer, allow or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of the amount determined as follows: the product of 1.6 and the total design heat inputs for such units discharging through those stacks in million BTU's per hour, provided however, that no more than 5,500 pounds per hour of sulfur dioxide shall be discharged into the open air from all such stacks.
[45CSR§10-3.2.c]

5.1.12. Maximum Allowable Emission Rates for Similar Units in All Priority III Regions Except Region IV. No person shall cause, suffer, allow or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of the amount determined as follows: the product of 3.2 and the total design heat inputs for such units discharging through those stacks in million BTU's per hour.
[45CSR§10-3.3.f.]

5.2. Monitoring Requirements

5.2.1. If periodic testing or instrumental or noninstrumental monitoring (which may consist of recordkeeping designed to serve as monitoring), is not already required by a state rule, federal regulation, 45CSR13 or 45CSR14 permit, or consent order, then compliance with emission limits for NO_x, CO, VOC, SO_2, PM, PM_{10}, and/or applicable HAP's shall be determined based on the fuel usage and one of the following methods:

a. Stack Test Data;
b. AP-42 factors; or
c. Manufacturer's guaranteed emission factors;
d. Other method/data approved by DAQ.
e. GRI Gly-Calc version 3.0 or higher; or
f. GRI HAP-Calc.

If a monitoring timeframe is not already established and there are hourly emission limits, monthly records indicating hourly average emissions shall be available for a period of no less than five (5) years. If a monitoring timeframe is not already established and there are yearly emission limits, monthly records indicating the twelve month rolling total emissions shall be available for a period of no less than five (5) years.
[45CSR§30-5.1.c.]

5.2.2. At such reasonable times as the Secretary may designate, the permittee shall conduct visible emissions observations using Method 22 For the purpose of demonstrating compliance with Section 5.1.1. If visible emissions are observed, the permittee shall conduct a Method 9 reading unless the cause for visible emissions is corrected within 24 hours. Records of observation will be kept for at least 5 years from the date of observation.
[45CSR§30-5.1.c.]

5.3. Testing Requirements

5.3.1. At such reasonable times as the Secretary may designate, the permittee may be required to conduct or have conducted tests to determine compliance with any applicable emission limitations. Tests shall be conducted in accordance with the methods set forth below unless the method is already specified in a state rule, federal regulation, 45CSR13 or 45CSR14 permit, or consent order. The permittee may request an alternative test procedure with a written submittal to the Director.

a. Tests to determine compliance with NO_x emission limits shall be conducted in accordance with Method 7E or 20 as set forth in 40 C.F.R.60, Appendix A.
b. Tests to determine compliance with CO emission limits shall be conducted in accordance with Method 10, 10A, or 10B as set forth in 40 C.F.R.60, Appendix A.
c. Tests to determine compliance with VOC emission limits shall be conducted in accordance with Method 25, or 25A as set forth in 40 C.F.R.60, Appendix A.
d. Tests to determine compliance with SO_2 emission limits shall be conducted in accordance with Method 20 as set forth in 40 C.F.R. 60 Subpart GG or 40 C.F.R. 60 Appendix A, Method 6 or 15.
e. Tests to determine compliance with PM_{10} and PM emission limits shall be conducted in accordance with Method 5 as set forth in 40 C.F.R. 60, Appendix A or Appendix A of 45CSR2.
f. Tests to determine compliance with Benzene emission limits shall be conducted in accordance with Method 18 as set forth in 40 C.F.R. 60, Appendix A. Testing for formaldehyde shall be conducted using EPA Methods 320 or 323.

[45CSR§30-5.1.c; 45CSR§§2-8.1.b and 8.1.c]

5.4. Recordkeeping Requirements

5.4.1. The owner or operator of a fuel burning unit(s) shall maintain records of the operating schedule, and the quality and quantity of fuel burned in each fuel burning unit as the following:

For fuel burning unit(s) which burn only pipeline quality natural gas, such records shall include, but not be limited to, the date and time of start-up and shutdown, and the quantity of fuel consumed on a monthly basis. Such records are to be maintained and made available to the Director or his duly authorized representative upon request.
[45CSR§2-8.3.c, 45CSR§2A-7.1.]

5.5. Reporting Requirements

5.5.1. The owner or operator of a fuel burning unit(s) subject to 45CSR2 shall report to the Director any malfunction of such unit or its air pollution control equipment which results in any excess particulate matter emission rate or excess opacity [i.e., emissions exceeding the standards in sections 3 and 4 of 45CSR2 (Section 5.1.1 & 5.1.3 of this permit)] as provided in one of the following subdivisions:

5.5.1.1. Excess opacity periods meeting the following conditions may be reported on a quarterly basis unless otherwise required by the Director:

The excess opacity period does not exceed thirty (30) minutes within any 24-hour period; and Excess opacity does not exceed 40%.

5.5.1.2. The owner or operator shall report to the Director any malfunction resulting in excess particulate matter or excess opacity, not meeting the criteria set forth in 45CSR§2-9.3a (Section 5.5.1.1 of this permit), by telephone, telefax, or e-mail by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Director within thirty (30) days providing the following information:

A detailed explanation of the factors involved or causes of the malfunction;

The date and time of duration (with starting and ending times) of the period of excess emissions;

An estimate of the mass of excess emissions discharged during the malfunction period;

The maximum opacity measured or observed during the malfunction;

Immediate remedial actions taken at the time of the malfunction to correct or mitigate the effects of the malfunction; and

A detailed explanation of the corrective measures or program that will be implemented to prevent a recurrence of the malfunction and a schedule for such implementation.
[45CSR§2-9.3.]

6.0 Reciprocating Internal Combustion Engines, Emergency Generators and Combustion Turbines

6.1. Limitations and Standards

6.1.1. N/A

6.2. Monitoring Requirements

6.2.1. If periodic testing or instrumental or noninstrumental monitoring (which may consist of recordkeeping designed to serve as monitoring), is not already required by a state rule, federal regulation, 45CSR13 or 45CSR14 permit, or consent order, continued compliance with the emission limits for NO_x, CO, VOC, SO_2, PM, PM_{10} and/or applicable HAPs shall be determined based on compliance with the fuel usage and/or brake hp and one of the following methods:

a. Stack Test Data;
b. AP-42 factors;
c. Manufacturer's guaranteed emission factors;
d. Other method/data approved by DAQ; or
e. GRI HAP-Calc.

If a monitoring timeframe is not already established and there are hourly emission limits, monthly records indicating hourly average emissions shall be available for a period of no less than five (5) years. If a monitoring timeframe is not already established and there are yearly emission limits, monthly records indicating the twelve month rolling total emissions shall be available for a period of no less than five (5) years.

[45CSR§30-5.1.c.]

6.3. Testing Requirements

6.3.1. At such reasonable times as the Secretary may designate, the permittee may be required to conduct or have conducted tests to determine compliance with any applicable emission limitations. Tests shall be conducted in accordance with the methods set forth below unless the method is already specified in a state rule, federal regulation, 45CSR13 or 45CSR14 permit, or consent order. The permittee may request an alternative test procedure with a written submittal to the Director.

a. Tests to determine compliance with NO_x emission limits shall be conducted in accordance with Method 7E or 20 as set forth in 40 C.F.R.60, Appendix A.

b. Tests to determine compliance with CO emission limits shall be conducted in accordance with Method 10, 10A, or 10B as set forth in 40 C.F.R.60, Appendix A.

c. Tests to determine compliance with VOC emission limits shall be conducted in accordance with Method 25, or 25A as set forth in 40 C.F.R.60, Appendix A.

d. Tests to determine compliance with SO_2 emission limits shall be conducted in accordance with Method 20 as set forth in 40 C.F.R. 60, Subpart GG or 40 C.F.R. 60 Appendix A, Method 6 or 15.

e. Tests to determine compliance with PM and PM_{10} emission limits shall be conducted in accordance with Method 5 as set forth in 40 C.F.R. 60, Appendix A.

f. Tests to determine compliance with Benzene emission limits shall be conducted in accordance with Method 18 as set forth in 40 C.F.R. 60, Appendix A. Testing for formaldehyde shall be conducted using EPA Methods 320 or 323.

[45CSR§30-5.1.c.]

6.4. Recordkeeping Requirements

6.4.1. If recordkeeping is not already required by a state rule, federal regulation, 45CSR13 or 45CSR14 permit, or consent order to demonstrate compliance with the emission limits for NO_x, CO, VOC, SO_2, PM, PM_{10} and/or applicable HAPs, the permittee shall maintain a record of equipment fuel consumption and/or bhp-hrs developed and hours of operation for all the Reciprocating Internal Combustion Engines, Emergency Generators & Combustion Turbines. If a monitoring timeframe is not already established, a twelve month rolling total shall be maintained to verify compliance with the long term emission limitations. Each calendar month a new twelve month total shall be calculated using the previous twelve months data. If a monitoring timeframe is not already established and there are hourly emission limits, monthly records indicating the hourly average emissions shall be available for a period of no less than five (5) years. If a monitoring timeframe is not already established and there are yearly emission limits, records indicating the twelve month rolling total emissions shall be available for a period of no less than five (5) years. Upon request by the Secretary the records will be certified by the responsible official.
[45CSR§30-5.1.c.]

6.5. Reporting Requirements

6.5.1. N/A

7.0 Turbines subject to 40 C.F.R. 60 Subpart GG

7.0.1. The provisions of 40 C.F.R. 60 Subpart GG applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

8.0 Turbines subject to 40 C.F.R. 60 Subpart KKKK

8.0.1. The provisions of 40 C.F.R. 60 Subpart KKKK applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

9.0 Turbines subject to 40 C.F.R. 63 Subpart YYYY

9.0.1. The provisions of 40 C.F.R. 63 Subpart YYYY applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

10.0 Stationary Reciprocating Internal Combustion Engines (RICE) subject to 40 C.F.R. 63 Subpart ZZZZ

10.0.1. The provisions of 40 C.F.R. Part 63 Subpart ZZZZ applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

11.0 Stationary Spark Ignition Internal Combustion Engines subject to 40 C.F.R 60 Subpart JJJJ

11.0.1. The provisions of 40 C.F.R. Part 60 Subpart JJJJ applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

12.0 Stationary Compression Ignition Internal Combustion Engines subject to 40 C.F.R. 60 Subpart IIII

12.0.1. The provisions of 40 C.F.R. Part 60 Subpart IIII applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

13.0 Storage Vessels subject to 40 C.F.R. 60 Subpart Kb

13.0.1. The provisions of 40 C.F.R. Part 60 Subpart Kb applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

14.0 Natural Gas Dehydration Units

14.1. Limitations and Standards

14.1.1. (a) Potential HAP emissions from the entire facility shall be less than 10 TPY of any single HAP or 25 TPY of any combination of HAPs. For purposes of determining potential HAP emissions at transmission and storage facilities, the methods specified in 40 CFR 63, Subpart HHH shall be used unless HAPs are specifically limited by a federally enforceable permit condition. For purposes of determining potential HAP emissions at production-related facilities, the methods specified in 40 CFR 63, Subpart HH shall be used unless HAPs are specifically limited by a federally enforceable permit condition.

And / Or,

(b) Actual average emissions shall be less than 1.0 tons/yr (or 0.9 Mg/yr) of Benzene per dehydration unit either thru 45CSR13 limit or by this condition. For purposes of determining actual average benzene emissions at transmission and storage facilities, the methods specified in 40 CFR 63, Subpart HHH shall be used unless Benzene emissions are specifically limited by a federally enforceable permit condition. For purposes of determining actual average Benzene emissions at production-related facilities, the methods specified in 40 CFR 63, Subpart HH shall be used unless Benzene emissions are specifically limited by a federally enforceable permit condition.

[45CSR§30-12.7]

The following requirements for flares make the flare federally and practically enforceable. *If a flare is being used to provide the natural gas source with synthetic minor status or reduce the potential HAPs to below major source levels, the one ton of benzene exemption for MACT, or even if the source is minor without the flare, but would like to reduce their PTE by the use of a flare, the following control device requirements shall be used.*

14.1.2. Flare, subject to this section shall be designed and operated in accordance with the following:

14.1.2.a. Flares shall be steam-assisted, air-assisted, or non-assisted.

14.1.2.b. Flares shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. This streamlined limit of no visible emissions will ensure compliance with 45CSR§6-4.3. During the exception period when visible emissions are allowed, the visible emissions shall not exceed 20% opacity except for periods of start-up as outlined in 45CSR§6-4.4. (i.e., less than forty (40%) percent opacity, for a period or periods aggregating no more than eight (8) minutes per start-up).

14.1.2.c. Flares shall be operated and with a flame present at all times when emissions may be vented to them, except during SSM (Startup, Shutdown, Malfunctions) events.

14.1.2.d. Flares shall be used only with the net heating value of the gas being combusted at 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted at 7.45 MJ/scm (200 Btu/scf) or greater if the flares is non-assisted. The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K\sum_{i=1}^{n} C_i H_i$$

Where:

H_T=Net heating value of the sample, MJ/scm; where the net enthalpy per mole of off gas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C.

K=Constant=

$$1.740\times10^{-7}\left(\frac{1}{ppmv}\right)\left(\frac{\text{g-mole}}{\text{scm}}\right)\left(\frac{\text{MJ}}{\text{kcal}}\right)$$

where the standard temperature for (g-mole/scm) is 20 °C.

C_i=Concentration of sample component i in ppmv on a wet basis, which may be measured for organics by Test Method 18, but is not required to be measured using Method 18 (unless designated by the Director).

H_i=Net heat of combustion of sample component i, kcal/g-mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382–76 or 88 or D4809–95 if published values are not available or cannot be calculated.

n=Number of sample components.

14.1.2.e. Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity less than 18.3 m/sec (60 ft/sec), except as provided by 14.1.2.f and 14.1.2.g of this section. The actual exit velocity of a flare shall be determined by dividing by the volumetric flow rate of gas being combusted (in units of emission standard temperature and pressure), by the unobstructed (free) cross-sectional area of the flare tip, which may be determined by Test Method 2, 2A, 2C, or 2D in appendix A to 40 CFR part 60, as appropriate, but is not required to be determined using these Methods (unless designated by the Director).

14.1.2.f. Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in 14.1.2.e. of this section, equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec), are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

14.1.2.g. Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in 14.1.2.e. of this section, less than the velocity V_{max}, as determined by the method specified in this paragraph, but less than 122 m/sec (400 ft/sec) are allowed. The maximum permitted velocity, V_{max}, for flares complying with this paragraph shall be determined by the following equation:

$$\text{Log}_{10}(V_{max})=(H_T+28.8)/31.7$$

Where:

V_{max}=Maximum permitted velocity, m/sec.
28.8=Constant.
31.7=Constant.
H_T=The net heating value as determined in 14.1.2.d of this section

14.1.2.h. Air-assisted flares shall be designed and operated with an exit velocity less than the velocity V_{max}. The maximum permitted velocity, V_{max}, for air-assisted flares shall be determined by the following equation:

$$V_{max}=8.71 + 0.708(H_T)$$

Where:

V_{max}=Maximum permitted velocity, m/sec.
8.71=Constant.
0.708=Constant.
H_T=The net heating value as determined in 14.1.2.d of this section.

[45CSR§30-12.7; 45CSR§§6-4.3 and 4.4]

14.1.3. Flares are not required to conduct a flare compliance assessment for concentration of sample (i.e. Method 18) and tip velocity (i.e. Method 2), until such time as the Director requests a flare compliance assessment to be conducted in accordance with section 14.3.3, but the permittee is required to conduct a flare design evaluation in accordance with section 14.3.2.
[45CSR§30-5.1.c.]

14.1.4. No person shall cause or allow particulate matter to be discharged from any incinerator into the open air in excess of the quantity determined by use of the following formula:
Emissions (lb/hr) = F x Incinerator Capacity (tons/hr)
Where, the factor, F, is as indicated in Table I below:

Table I: Factor, F, for Determining Maximum Allowable Particulate Emissions.

	Incinerator Capacity	Factor F
A.	Less than 15,000 lbs/hr	5.43
B.	15,000 lbs/hr or greater	2.72

[45CSR§6-4.1]

14.1.5. No person shall cause, suffer, allow or permit the emission of particles of unburned or partially burned refuse or ash from any incinerator which are large enough to be individually distinguished in the open air.
[45CSR§6-4.5]

14.1.6. Incinerators, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors.
[45CSR§6-4.6]

14.1.7. No person shall cause, suffer, allow or permit the emission into the open air from any source operation an in-stack sulfur dioxide concentration exceeding 2,000 parts per million by volume from existing source operations, except as provided in 45CSR§10-4.1.a through 45CSR§10-4.1.e.
[45CSR§10-4.1]

14.1.8. No person shall cause, suffer, allow or permit the combustion of any refinery process gas stream or any other process gas stream that contains hydrogen sulfide in a concentration greater than 50 grains per 100 cubic feet of gas except in the case of a person operating in compliance with an emission control and mitigation plan approved by the Director and U. S. EPA. In certain cases very small units may be considered exempt from this requirement if, in the opinion of the Director, compliance would be

economically unreasonable and if the contribution of the unit to the surrounding air quality could be considered negligible.
[45CSR§10-5.1]

14.2. Monitoring Requirements

14.2.1. In order to demonstrate compliance with the requirements of 14.1.2.c, the permittee shall monitor the presence or absence of a flare pilot flame using a thermocouple or any other equivalent device, except during SSM events.
[45CSR§30-5.1.c.]

14.2.2. Compliance with emission limits for NO_x, CO, VOC, SO_2, PM, PM_{10}, and/or applicable HAPs shall be determined based on compliance with either the underlying 45CSR13 or 45CSR14 permit(s) authorizing construction of the source or the gas and/or liquid throughput & gas usage. If a monitoring timeframe is not already established and there are hourly emission limits, records indicating the hourly average emissions shall be available for a period of no less than five (5) years. If a monitoring timeframe is not already established and there are yearly emission limits, monthly records indicating the twelve month rolling total emissions shall be available for a period of no less than five (5) years.
[45CSR§30-5.1.c.]

14.2.3. Compliance with the emission limits for CO and NO_x from the flare shall be determined by using the emission factors listed in 13.5 for Industrial Flares of the 5th edition of USEPA's AP-42 (or more recent version).
[45CSR§30-5.1.c.]

14.2.4. Compliance with the emission limits for PM-10 from the flare shall be determined by using the emission factors listed in Section 1.4-2 for Natural Gas Combustion of the 5th edition of USEPA's AP-42 (or more recent version) and the design heat input of the flare.
[45CSR§30-5.1.c.]

14.2.5. To show compliance with Section 14.1.7 and 14.1.8, the owner or operator may elect not to monitor the total sulfur content of the fuel combusted, if the gaseous fuel is demonstrated to meet the definition of natural gas in 40 C.F.R. § 60.331(u). The owner or operator shall use one of the following sources of information to make the required demonstration:

The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, representative fuel data specified in either section 2.3.1.4 or 2.3.2.4 of appendix D to 40 C.F.R.75 is required. **[45CSR§30-5.1.c.]**

14.3. Testing Requirements

14.3.1. In order to demonstrate compliance with the flare opacity requirements of 14.1.2.b the permittee shall conduct a Method 22 opacity test for at least two hours. This test shall demonstrate no visible emissions are observed for more than a total of 5 minutes during any 2 consecutive hour period using 40CFR60 Appendix A Method 22. The permittee shall conduct this test within one (1) year of permit issuance or initial startup whichever is later and a second opacity test within one (1) year from the time the permit expires. The visible emission checks shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the

References 1 and 2 from 40 CFR part 60, appendix A, Method 22 or from the lecture portion of 40 CFR part 60, appendix A, Method 9 certification course.
[45CSR§30-5.1.c.]

14.3.2. In order to demonstrate compliance with the flare design criteria requirements of section 14.1.2, the permittee shall conduct a flare design evaluation demonstrating compliance with the criteria set forth by section 14.1.2. The flare design evaluation shall include, but not limited to, net heat value calculations, exit (tip) velocity calculations, and all supporting concentration calculations. The permittee may elect to demonstrate compliance with the flare design criteria requirements of section 14.1.2 by complying with the compliance assessment testing requirements of section 14.3.3.
[45CSR§30-5.1.c.]

14.3.3. The Director may require the permittee to conduct a flare compliance assessment to demonstrate compliance with the flare requirements of section 14.1.2 and the flare design evaluation. This compliance assessment testing shall be conducted in accordance with Test Method 18 for organics and Test Method 2, 2A, 2C, or 2D in appendix A to 40 CFR part 60, as appropriate, or other equivalent testing approved in writing by the Director. Also, Test Method 18 may require the permittee to conduct Test Method 4 in conjunction with Test Method 18.
[45CSR§30-5.1.c.]

14.4. Recordkeeping Requirements

14.4.1. For the purpose of demonstrating compliance with section 14.1.2.c and 14.2.1, the permittee shall maintain records of the times and duration of all periods which the pilot flame was absent. Said records shall be maintained on-site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review.
[45CSR§30-5.1.c.]

14.4.2 For the purpose of demonstrating compliance with section 14.1.2 and 14.3.2, the permittee shall maintain a record of the flare design evaluation. The flare design evaluation shall include, net heat value calculations, exit (tip) velocity calculations, and all supporting concentration calculations and other related information requested. Said records shall be maintained on-site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review.
[45CSR§30-5.1.c.]

14.4.3 For the purpose of demonstrating compliance with the requirements set forth in sections 14.1.2 and 14.3.3., the permittee shall maintain records of testing conducted in accordance with 14.3.3. Said records shall be maintained on-site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review.
[45CSR§30-5.1.c.]

14.4.4. The permittee shall document and maintain the corresponding records specified by the on-going monitoring requirements of 14.2 and testing requirements of 14.3. Said records shall be maintained on-site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review.
[45CSR§30-5.1.c.]

14.4.5. For the purpose of demonstrating compliance with section 14.1.2.b, the permittee shall maintain records of the visible emission opacity tests conducted per Section 14.3.1. Said records shall be maintained on-site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said

records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review.
[45CSR§30-5.1.c.]

14.4.6. For the purpose of demonstrating compliance with section 14.1.1.a, the permittee shall maintain a record of all potential to emit (PTE) HAP calculations for the entire facility. These records shall include the natural gas compressor engines and ancillary equipment. Said records shall be maintained on-site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review.
[45CSR§30-5.1.c.]

14.4.7. The permittee shall maintain a record of the wet natural gas throughput through the dehydration system. Said records shall be maintained on-site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review.
[45CSR§30-5.1.c.]

14.4.8. The permittee shall maintain records of monthly hours of operation for the Glycol Dehydration Unit. Said records shall be maintained on-site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review.
[45CSR§30-5.1.c.]

14.4.9. For the purpose of demonstrating compliance with section 14.1.1.b, the permittee shall maintain a record of actual average Benzene emissions calculations for the entire facility. These records shall include the natural gas compressor engines and ancillary equipment. Said records shall be maintained on-site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review.
[45CSR§30-5.1.c.]

14.5. Reporting Requirements

14.5.1. If permittee is required by the Director or chooses to demonstrate compliance with section 14.3.3, then the permittee shall submit a testing protocol thirty (30) days prior to testing and shall submit a notification of the testing date fifteen (15) days prior to testing. Also, the permittee shall submit the testing results within sixty (60) days of testing and provide all supporting calculations and testing data.
[45CSR§30-5.1.c.]

14.5.2. Any deviation(s) of the allowable visible emission requirement for any emission source discovered during observations using 40CFR Part 60, Appendix A, Method 9 or 22 shall be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned. **[45CSR§30-5.1.c.]**

14.5.3. Any deviation(s) of the flare design and operation criteria in Section 14.1.2 shall be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days of discovery of such deviation.
[45CSR§30-5.1.c.]

15.0 Natural Gas Transmission and Storage Facilities which are major sources of HAPs subject to 40 C.F.R. 63 Subpart HHH

15.0.1. The provisions of 40 C.F.R. Part 63 Subpart HHH applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

16.0 Natural Gas Production Facilities subject to 40 C.F.R.63 Subpart HH

16.0.1. The provisions of 40 C.F.R. Part 63 Subpart HH applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

17.0 Boilers and Process Heaters subject to 40 C.F.R.63 Subpart DDDDD

17.0.1. The provisions of 40 C.F.R. Part 63 Subpart DDDDD applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

18.0 Small Industrial-Commercial-Institutional Steam Generating Units subject to 40 C.F.R.60 Subpart Dc

18.0.1. The provisions of 40 C.F.R. Part 60 Subpart Dc applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

19.0 Boiler subject to 40 C.F.R. 63 Subpart JJJJJJ

19.0.1. The provisions of 40 C.F.R. Part 63 Subpart JJJJJJ applicable to the emission unit are specified in the Emission Units Table in Section 1.0.

20.0 45CSR40 requirements applicable to Stationary Internal Combustion Engines

20.0.1. The provisions of 45CSR40 applicable to Stationary Internal Combustion Engines are specified in the Emission Units Table in Section 1.0.

21.0 45CSR13, 45CSR14, and Consent Order Requirements

Permit R13-2394B ~~A~~ (see Appendix A).

22.0 Other Specific Requirements

22.1. Limitations and Standards

22.1.1. Upon completion of the monitoring requirements of permit R13-2394B ~~A~~ §4.2.3. ~~4.~~, if the potential VOC emissions from Tank TK01 are equal to or greater than 6 tpy:

a. The tank shall comply with all applicable requirements for storage vessels pursuant to 40 CFR 60 Subpart OOOO "Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution" and;

b. The permittee shall submit a complete application for a modification to the Title V permit to incorporate the specific requirements of 40 CFR 60 Subpart OOOO no later than twelve (12) months from the date the tank commenced operation.

[45CSR§§30-4.1.a.2. and 6.5.; 45CSR16; 40 CFR 60, Subpart OOOO]

22.2. Monitoring Requirements

22.2.1. None

22.3. Testing Requirements

22.3.1. None

22.4. Recordkeeping Requirements

22.4.1. None

22.5. Reporting Requirements

22.5.1. None

23.0 Permit Shield

23.1. 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.

23.2. 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. 45CSR4 shall not apply to the following sources of objectionable odor until such time as feasible control methods are developed: Internal combustion engines.
[45CSR§4-7.1 State-Enforceable only.]

b. 40 C.F.R. 60 Subpart GG; *Standards of Performance for Stationary Gas Turbines* - There are no ~~is one~~ turbines at Cleveland station which have commenced construction, modification, or reconstruction after October 3, 1977 and before February 18, 2005 ~~was installed in 1970~~. ~~No modifications to the turbine have occurred since the original installation.~~ Also stationary combustion turbines regulated under 40 CFR 60 Subpart KKKK (i.e., combustion turbines 06012, ~~and~~ 06013, 06014 and 06015 constructed after February 18, 2005) are exempt from the requirements of Subpart GG.

c. 40 C.F.R. 60 Subparts K, Ka; *Standards of Performance for Storage Vessels for Petroleum Liquids* - All tanks at Cleveland station are below 40,000 gallons in capacity.

d. 40 C.F.R. 60 Subpart Kb; *Standards of Performance for Volatile Organic Liquid Storage Vessels* - All tanks at Cleveland station are below 75 m^3 in capacity.

e. 40 C.F.R. 60 Subpart KKK; *Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plant* - Cleveland station is not engaged in the extraction or fractionation of natural gas liquids from field gas, the fractionation of mixed natural gas liquids to natural gas products, or both.

f. 45CSR21; *To Prevent and Control Air Pollution from the Emission of Volatile Organic Compounds*- This facility is not located in one of the affected counties.

g. 45CSR27; *To Prevent and Control the Emissions of Toxic Air Pollutants*- Natural gas is included as a petroleum product and contains less than 5% benzene by weight. 45CSR§27-2.4 exempts equipment "used in the production and distribution of petroleum products providing that such equipment does not produce or contact materials containing more than 5% benzene by weight."

h. Reserved

i. Reserved

j. 45CSR10; *To prevent and control air pollution from the emission of sulfur oxides*. In accordance with 45CSR§10-10.1., since the line heaters HTR3 and HTR 6 ~~4~~ have a heat input under 10 mmBtu/hr they are exempt from sections 3, 6, 7 and 8 of this rule. The facility is not defined as a manufacturing process and therefore Section 4 of this rule is not applicable to the heaters, engines or turbines. The facility does not combust refinery or process gas streams and therefore Section 5 of this rule is not applicable.

k. 40 C.F.R. 64; *Compliance Assurance Monitoring*- Engines do not have any add-on control; therefore, in accordance with 40 C.F.R § 64.2(a), CAM is not applicable to this facility.

l. 40 C.F.R. 60 Subpart IIII; *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* - There are no compression ignition engines at the facility.

m. Reserved

n. 40 C.F.R. 63 Subpart HHH; *National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities* - The facility does not have a glycol dehydration unit and is therefore not subject to the requirements of this subpart per 40 C.F.R§63.1270(c).

24.0 Compliance Plan

None

APPENDIX A

Permit R13-2394B ~~A~~

West Virginia Department of Environmental Protection

Earl Ray Tomblin
Governor

Division of Air Quality

Randy C. Huffman
Cabinet Secretary

Permit to Modify

R13-2394B

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§22-5-1 et seq.) and 45 C.S.R. 13 – Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the above-referenced facility is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:

Columbia Gas Transmission LLC
Cleveland Compressor Station
097-00009

William F. Durham
Director

Issued: May 5, 2016

*This permit will supercede and replace Permit R13-*2394A *issued on March 10, 2015.*

Facility Location:	State Route 20, Kanawha Head, Upshur County, West Virginia
Mailing Address:	1700 MacCorkle Avenue, SE Charleston, WV 25314
Facility Description:	Transmission station for a natural gas pipeline system
NAICS Codes:	486210
UTM Coordinates:	555.4 km Easting • 4,289.1 km Northing • Zone 17
Permit Type:	Modification
Description of Change:	This project includes the installation of two (2) new natural gas-fired turbines, one (1) fuel gas heater and twenty (20) catalytic heaters.

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.

The source is subject to 45CSR30. Changes authorized by this permit must also be incorporated into the facility's Title V operating permit. Commencement of the operations authorized by this permit shall be determined by the appropriate timing limitations associated with Title V permit revisions per 45CSR30.

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1.0. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
06007	E07	Cooper-Bessemer GMWA-8 Compressor Engine	1955	2,000 hp	None
06008	E08	Cooper-Bessemer GMWA-8 Compressor Engine	1957	2,000 hp	None
06009	E09	Cooper-Bessemer GMWA-8 Compressor Engine	1969	2,000 hp	None
06010	E10	Cooper-Bessemer GMWA-8 Compressor Engine	1969	2,000 hp	None
06012	E12	Solar Taurus 70 Combustion Turbine #2/Compressor	2016	10,381 hp*	Combustion Controls
06013	E13	Solar Taurus 70 Combustion Turbine #3/Compressor	2016	10,381 hp*	Combustion Controls
HTR3	H3	Line Heater #1 (Fuel Preheater)	2016	0.50 MMBtu/hr	None
060G5	G5	Waukesha VGF-L36GL reciprocating, SI, 4SLB engine/generator set (Emergency Generator #5)	2016	880 bhp	None
TK01	A24	Condensate (Pipeline Fluids) Storage Tank	2016	2,000 gal	None
HTR5	SH1	54 Catalytic Heaters	2016	30@0.072 2@0.036 14@0.03 8@0.006 MMBTU/hr	None
06014	E14	Solar Mars 100 Turbine #4	2017	14,766 hp @32 ºF	Combustion Controls
06015	E15	Solar Mars 100 Turbine #5	2017	14,766 hp @32 ºF	Combustion Controls
HTR6	H6	Fuel Gas Heater	2017	1.0 MMBTU/hr	None
HTR7	SH2	20 Catalytic Heaters	2017	18@0.072 2@0.005 MMBTU/hr	None

* Power output at 0^0F.
SI – Spark-ignition.
4SLB – 4 stroke, lean burn.

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
CBI	Confidential Business Information
CEM	Continuous Emission Monitor
CES	Certified Emission Statement
C.F.R. *or* CFR	Code of Federal Regulations
CO	Carbon Monoxide
C.S.R. *or* CSR	Codes of State Rules
DAQ	Division of Air Quality
DEP	Department of Environmental Protection
dscm	Dry Standard Cubic Meter
FOIA	Freedom of Information Act
HAP	Hazardous Air Pollutant
HON	Hazardous Organic NESHAP
HP	Horsepower
lbs/hr	Pounds per Hour
LDAR	Leak Detection and Repair
M	Thousand
MACT	Maximum Achievable Control Technology
MDHI	Maximum Design Heat Input
MM	Million
MMBtu/hr *or* mmbtu/hr	Million British Thermal Units per Hour
MMCF/hr *or* mmcf/hr	Million Cubic Feet per Hour
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NESHAPS	National Emissions Standards for Hazardous Air Pollutants
NO_X	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
$PM_{2.5}$	Particulate Matter less than 2.5 µm in diameter
PM_{10}	Particulate Matter less than 10µm in diameter
Ppb	Pounds per Batch
Pph	Pounds per Hour
Ppm	Parts per Million
Ppm_V or ppmv	Parts per Million by Volume
PSD	Prevention of Significant Deterioration
Psi	Pounds per Square Inch
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
TAP	Toxic Air Pollutant
TPY	Tons per Year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulate
USEPA	United States Environmental Protection Agency
UTM	Universal Transverse Mercator
VEE	Visual Emissions Evaluation
VOC	Volatile Organic Compounds
VOL	Volatile Organic Liquids

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Act W.Va. Code §§ 22-5-1. et seq. and the following Legislative Rules promulgated thereunder:

2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation*;

2.3.2. 45CSR14 – *Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration;*

2.4. Term and Renewal

2.4.1. This permit supersedes and replaces previously issued Permit R13-2394A. This Permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any other applicable legislative rule;

2.5. Duty to Comply

2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-2394 - R13-2394B, and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
[45CSR§§13-5.11 and 10.3.]

2.5.2. 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;

2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;

2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses, and/or approvals from other agencies; i.e., local, state, and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

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 administratively updating, modifying, revoking, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records 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.

2.7. Duty to Supplement and Correct Information

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.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-4.]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-5.4.]

2.10 Major Permit Modification

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.
[45CSR§13-5.1]

2.11. Inspection and Entry

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; and

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.

2.12. Emergency

2.12.1. An "emergency" means any situation arising from sudden and reasonable 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.

2.12.2. 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 Section 2.12.3 are met.

2.12.3. 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. 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 must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

2.12.5 The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should 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.

2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

2.15. Property Rights

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

2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. **[45CSR§13-10.1.]**

2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

2.19. Credible Evidence

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

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, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management, and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40CFR§61.145(b) and 45CSR§34]

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.]

3.2. Monitoring Requirements

[Reserved]

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 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 may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 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 may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 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.

d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

    1. The permit or rule evaluated, with the citation number and language;
    2. The result of the test for each permit or rule condition; and,
    3. A statement of compliance or noncompliance with each permit or rule condition.

[WV Code § 22-5-4(a)(14-15) and 45CSR13]

3.4. Recordkeeping Requirements

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports, and notifications) required by this permit recorded

in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§4. *State Enforceable Only.*]

3.5. Reporting Requirements

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

3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

3.5.3. **Correspondence.** 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
Charleston, WV 25304-2345

If to the US EPA:
Associate Director
Office of Air Enforcement and Compliance Assistance (3AP20)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3.5.4. Operating Fee

3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, 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.

3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. The following conditions and requirements are specific to Solar Taurus 70 Turbines #2 and #3 (ID 06012 & 06013):

a. Emissions from each combustion turbine shall not exceed the following:

i. Emissions of nitrogen oxides (NO_x) shall be controlled with the combustion controls. Each turbine shall not discharge nitrogen oxides (NO_x) emissions in excess of 25 ppm at 15 percent O_2 when operating at load conditions at or above 75 percent of peak load and/or when operating temperatures are at or above 0^0F. For when the operating loads of the turbine are less than 75% of peak load and/or operating temperatures are less than 0^0F, NO_x emissions rate from the turbine shall not exceed 150 ppm at 15 percent O_2. Annual NO_x emissions from each turbine shall not exceed 19.91 tpy on a 12-month rolling total. This limit applies at all times, including periods of startup, shutdown, or malfunction.
[40CFR§§60.4320(a), Table 1 to Subpart KKKK of Part 60 – Nitrogen Oxides Emission Limits for New Stationary Combustion Turbines]

ii. Emissions of CO shall not exceed 28.5 tons, on a rolling 12 month total basis.

iii. Emissions of VOC shall not exceed 2.40 tons, on a rolling 12 month total basis.

b. Each turbine shall only be fired with pipeline-quality natural gas.

c. The permittee must operate and maintain each turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.
[40 CFR §60.4333(a)]

4.1.2. The following conditions and requirements are specific to Solar Mars 100 Turbines #4 and #5 (ID 06014 & 06015):

a. Emissions from each combustion turbine shall not exceed the following:

i. Emissions of nitrogen oxides (NO_x) shall be controlled with the combustion controls. Each turbine shall not discharge nitrogen oxides (NO_x) emissions in excess of 25 ppm at 15 percent O_2 when operating at load conditions at or above 75 percent of peak load and/or when operating temperatures are at or above 0^0F. For when the operating loads of the turbine are less than 75% of peak load and/or operating temperatures are less than 0^0F, NO_x emissions rate from the turbine shall not exceed 150 ppm at 15 percent O_2. Annual NO_x emissions from each turbine shall not exceed 31.38 tpy on a 12-month rolling total. This limit applies at all times, including periods of startup, shutdown, or malfunction.
[40CFR§§60.4320(a), Table 1 to Subpart KKKK of Part 60 – Nitrogen Oxides Emission Limits for New Stationary Combustion Turbines]

ii. Emissions of CO shall not exceed 48.12 tons, on a rolling 12 month total basis.

iii. Emissions of SO_2 shall not exceed 0.060 lb of SO_2/MMBtu heat input. For purpose of demonstrating compliance with this limit, the permittee shall maintain the Federal Energy Regulatory Commission (FERC) tariff limit on total sulfur content of 20 grains of sulfur per 100 standard cubic feet of natural gas combusted in the turbines.

[40 CFR §§60.4330(a)(2) & 60.4365(a)]

iv. Emissions of VOC shall not exceed 3.73 tons, on a rolling 12 month total basis.

b. Each turbine shall only be fired with pipeline-quality natural gas.

c. The permittee must operate and maintain each turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.
[40 CFR §60.4333(a)]

4.1.3. The following conditions and requirements are specific to Line Heater #1 (ID HTR3):

a. NO_x emissions emitted to the atmosphere from heater HTR3 shall not exceed 0.21 tons per year on a rolling yearly total basis.

b. CO emissions emitted to the atmosphere from heater HTR3 shall not exceed 0.18 tons per year on a rolling yearly total basis.

c. Heater HTR3 shall be designed and constructed with a maximum design heat input of 0.50 MMBtu/hr. The condition satisfies compliance with the limitation of 45 CSR §2-3.1
[45 CSR 2A-3.1.a.]

d. For the purpose of complying with Subpart DDDDD of Part 63 as Gas 1 units, the permittee shall perform a tune-up on each heater in accordance with 40 CFR §63.7540(a)(12). The first tune-up shall be completed no later than 61 months after initial start-up of the heater, and thereafter once every 61 months. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup. Such tune-ups shall consist of the following:

i. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (permittee may delay the burner inspection until the next scheduled unit shutdown, but inspected at least once every 72 months). At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

ii. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

iii. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (permittee may delay the inspection until the next scheduled unit shutdown);

iv. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NOx requirement to which the unit is subject; and

v. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer;
[40 CFR §§63.7540(a)(10), (12), and (13)]

4.1.4. The following conditions and requirements are specific to Fuel Gas Heater (ID HTR6):

a. NO_x emissions emitted to the atmosphere from heater HTR6 shall not exceed 0.43 tons per year on a rolling yearly total basis.

b. CO emissions emitted to the atmosphere from heater HTR6 shall not exceed 0.36 tons per year on a rolling yearly total basis.

c. Heater HTR6 shall be designed and constructed with a maximum design heat input of 1.0 MMBtu/hr. The condition satisfies compliance with the limitation of 45 CSR §2-3.1
[45 CSR 2A-3.1.a.]

d. For the purpose of complying with Subpart DDDDD of Part 63 as Gas 1 units, the permittee shall perform a tune-up on each heater in accordance with 40 CFR §63.7540(a)(12). The first tune-up shall be completed no later than 61 months after initial start-up of the heater, and thereafter once every 61 months. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup. Such tune-ups shall consist of the following:

i. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (permittee may delay the burner inspection until the next scheduled unit shutdown, but inspected at least once every 72 months). At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

ii. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

iii. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (permittee may delay the inspection until the next scheduled unit shutdown);

iv. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NOx requirement to which the unit is subject; and

v. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer;
[40 CFR §§63.7540(a)(10), (12), and (13)]

4.1.5. The following conditions and requirements are specific to the internal combustion engine for the Emergency Generator #5) (ID 060G5):

a. Emissions from emergency generator shall not exceed the following:

i. NO_x emissions from the engine shall not exceed 2.0 grams of NO_x per horsepower-hour (g/hp-hr) or 160 ppmvd at 15 percent O_2;

ii. CO emissions from engine shall not exceed 4.0 g/hp-hr or 540 ppmvd at 15 percent O_2;

iii. VOC emissions from the engine shall not exceed 1.0 g/hp-hr or 86 ppmvd at 15 percent O_2. Emission of formaldehyde shall be excluded when determining compliance with this VOC limit.

[40 CFR §60.4233(e), Table 1 to Subpart JJJJ of Part 60 - NO_x, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines $\geq$ 100 HP, Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines > 25 HP]

b. Compliance with the limits in Item a. shall be determined using the appropriate equations listed in 40 CFR §60.4244.

c. There is no time limit on the use of the engine in emergency situations. The engine can operate for combined non-emergency purposes, which include emergency demand response, maintenance and testing, and other non-emergency use for a maximum of 100 hours per year. Within the 100 hours per year, the engine can only operate:

i. 15 hours per year for emergency demand response. Emergency demand response is determined by the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3 or other authorized entity as determined by the Reliability Coordinator; and

ii. 50 hours per year for non-emergency use. The non-emergency situations cannot be used for peak shaving or to generate income for the facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

The operating limits imposed in this condition are on a calendar year basis.
[40 CFR §60.4243(d)]

d. The engine shall be equipped with a non-resettable hour-meter prior to start-up.
[40 CFR §60.4237(a)]

e. The permittee shall keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engines in a manner consistent with good air pollution control practice for minimizing emissions.
[40 CFR §60.4243(b)(2)(ii)]

f. The engine shall only be fired with pipeline quality natural gas.

4.1.6. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR§13-5.11.]

4.2. Monitoring Requirements

4.2.1. For the purpose of determining compliance with the annual limits for each combustion turbine (#06012, 06013, 06014, 06015), the permittee shall monitor and record the following for each calendar month:

a. Hours the turbine operated at normal conditions, which is when the turbine is at or above 50% load, and the ambient temperature is above 0^0F.

b. Hours the turbine operated at low-load conditions, which is when the turbine load is less than 50% load.

c. Hours the turbine operated at low temperature conditions, which is when the ambient temperature is less than 0^0F but at or above -20^0F.

d. Hours the turbine operated at very-low temperature conditions, which is when the ambient temperature is less than -20^0F.

e. The number of startup and shutdown cycles that occurred during the month.

Such records shall be maintained in accordance with Condition 3.4.1. of this permit.

4.2.2. The permittee shall keep records of the hours of operation for the engine identified as 060G5. The records must document how many hours are spent for emergency operation, including what classified the operation as an emergency, and how many hours spent for non-emergency operation with corresponding reason for the non-emergency. Such records shall be maintained in accordance with Condition 3.4.1. and must be in a manner to demonstrate compliance with the operating limits of Condition 4.1.5.c.
[40 CFR §60.4245(b)]

4.2.3. The permittee shall collect production data of condensate collected from the pipeline segment that the permitted facility support for the first 30 days that TK01 was placed into service. The permittee must calculate the potential VOC emissions from TK01, which includes flash emissions, breathing losses, and working losses from the vessel, using a generally accepted model or calculation methodology, based on the maximum average daily throughput determined for a 30-day period of production. If the potential VOC emissions from TK01 are at or greater than 6 tpy, TK01 is an affected source subject to Subpart OOOO of 40 CFR 60 and the permittee shall comply with the following:

a. Determine the potential VOC emission rate as specified in 40 CFR §60.5365(e).

b. Reduce the VOC emissions in accordance with 40 CFR §60.5395(d).

c. Submit the information required for TK01 as specified in 40 CFR §60.5420(b) to the Director within 60 days from placing TK01 within service.

d. Maintain records in accordance with Condition 3.4.1.
[40 CFR §60.5410(h)]

4.3. Testing Requirements

4.3.1. For the purposes of demonstrating compliance with the NO_x emission standards in Condition 4.1.1.(a)(i), 4.1.2.(a)(1) and 40 CFR§60.4320(a), the permittee shall conduct an initial performance test within 60 days after achieving maximum output of each turbine, but no later than 180 days after initial startup. After the initial test, subsequent performance testing shall be conducted annually (no more than 14 months following the previous test) unless the previous results demonstrate that the affected units achieved compliance of less than or equal to 75 percent of the NO_x emission limit, then the permittee may reduce the frequency of subsequent tests to once every two years (no more than 26 calendar months following the previous test) as allowed under 40 CFR §60.4340(a). If the results of any subsequent performance test exceed 75 percent of the NOx emission limit, then the permittee must resume annual performance tests. Such testing shall be conducted in accordance with Condition 3.3.1. and 40 CFR §60.4400. Records of such testing shall be maintained in accordance with Condition 3.4.1.
[40 CFR §60.8(a), §60.4340(a), §60.4375(b), and §60.4400]

4.3.2. For the purposes of demonstrating compliance with the emission standards in Condition 4.1.5. and 40 CFR§60.4233(e), the permittee shall conduct an initial performance test within one year after initial startup. After the initial test, subsequent performance testing shall be conducted every 8,760 hours of operation or 3 years, whichever comes first. If the engine is not operational, the permittee must conduct the performance test immediately upon startup of the engine. These tests must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements of §60.8, under the specific conditions that are specified by Table 2 to Subpart JJJJ of Part 60 – Requirements for Performance Test, and in accordance with Condition 3.3.1. of this permit. Records of such testing shall be maintained in accordance with Condition 3.4.1. of this permit.
[40 CFR §60.8(a), 60.4243(b)(2(ii), and 60.4244]

4.4. Recordkeeping Requirements

4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

a. The date, place as defined in this permit, and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

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

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

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

4.4.4. Compliance with the annual emission limits in permit condition 4.1.1 and 4.1.2 for NOx, CO and VOC for the turbines (06012, 06013, 06014, 06015) shall be based on a rolling 12 month total. The emissions from each turbine shall be determined monthly using the following equation:

$ME_{Px} = DLN_{Px}$* DLN hours + LL_{Px}*LL hours + LT_{Px}*LT hours + VLT_{Px}*VLT hours + SS_{Px}*SS cycles

Where:

ME_{Px} = Monthly emissions of Pollutant X

DLN_{Px} = Hourly emission rate of Pollutant X during normal operation

DLN = Number of hours of normal operation in said month

LL_{Px} = Hourly emission rate of Pollutant X during low load (<50%) operation

LL = Number of hours of low load operation in said month

LT_{Px} = Hourly emission rate of Pollutant X during low temperatures (<0°F)

LT = Number of hours of low temperature operation in said month

VLT_{px} = Hourly emission rate of Pollutant X during very low temperatures (<-20°F)

VLT = Number of hours of very low temperature operation in said month

$SS_{P\,x}$ = Unit emission rate (lb/cycle) for Pollutant X during startup/shutdown cycles

SS = Number of startup/shutdown cycles for said month

Hourly emission rates used in the above calculation shall be based on best available data which is data collected during source specific testing or the data for specific model turbine provide or published by the manufacturer. This determination shall be performed within 30 days after the end of the calendar month and the monthly emissions shall be summed with the preceding 11

months to determine compliance with the annual limits in Condition 4.1.1.(a) and 4.1.2(a). Records of the monthly total and 12 month totals shall be maintained in accordance with Condition 3.4.1.

4.4.5. The permittee shall maintain current and valid documentation that the natural gas consumed by the combustion turbines specifying that the maximum total sulfur content is 20 grains of sulfur or less per 100 cubic feet of natural gas. Said documentation can be purchase contracts, tariff sheets, or transportation contracts. Such records shall be maintained in accordance with Condition 3.4.1., except that these records can be maintained off-site but must be made available for inspection within 15 days of the request. By satisfying this requirement the permittee is exempted from the total sulfur monitoring requirement of §60.4370. These records satisfy Conditions 4.1.1.b., 4.1.2.b. and 4.1.5.f..
[40 CFR §60.4365(a)]

4.4.6. The permittee shall keep the following records in accordance with 40CFR§63.7555. This includes but is not limited to the following information during the tune up as required in Condition 4.1.3.d., 4.1.4.d. and 40 CFR §63.7540:

a. The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

b. A description of any corrective actions taken as a part of the tune-up.
[40 CFR §§63.7540(a)(10)(vi) and 63.7555]

4.5. Reporting Requirements

4.5.1. The permittee shall submit a notification to the Director of the initial start-up of Turbines (06012, 06013, 06014, 06015), and Heaters (HTR3, HTR6). Such notice must be submitted within 15 days after the actual date of start-up for the affected source. This notification supersedes the notification requirements of Condition 2.18.
[40CFR§60.7(a)(3) (Turbines)] [40 CFR §63.9(b)(4)(v), and63.7545(c) (Line Heaters)]

4.5.2. The permittee shall submit "5-year Compliance Reports" for Heaters (HTR3, HTR6) electronically using CEDRI that is accessed through the EPA's Center Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form for this report is not available in CEDRI at the time the report is due, the permittee shall submit the report to the Administrator and Director using the addresses listed in Condition 3.5.3. The first compliance report shall be submitted no later than five years after the initial start-up of the unit and the first date ending on January 31. Subsequent reports shall be submitted once every five years afterwards. Such reports shall contain the information specified in 40 CFR §§63.7550(c)(5) (i)through (iv) and (xiv) which are:

a. Permittee and facility name, and address;

b. Process unit information emission limitations, and operating limitations;

c. Date of report and beginning and ending dates of the reporting period;

d. The total operating time during the reporting period of each affected unit;

e. Include the date of the most recent tune-up for each boiler; and

f. Include the date of the most recent burner inspection if it was not done on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown.

The permittee shall maintain records of such reports in accordance with Condition 3.4.1.
[40CFR §§63.7550(b), (b)(1), (c)(1), & (c)(5)(i) though (iv) and (xiv), and (h)(3)]

CERTIFICATION OF DATA ACCURACY

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

Signature[1] _____ _____
(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.

West Virginia Department of Environmental Protection

Earl Ray Tomblin
Governor

Division of Air Quality

Randy C. Huffman
Cabinet Secretary

~~Permit to Modify~~

~~R13-2394A~~

~~*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§22-5-1 et seq.) and 45 C.S.R. 13 – Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the above-referenced facility is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*~~

~~*Issued to:*~~

~~**Columbia Gas Transmission LLC**~~
~~**Cleveland Compressor Station**~~
~~**097-00009**~~

~~*William F. Durham*~~
~~*Director*~~

~~*Issued: March 10, 2015*~~

This permit will supercede and replace Permit R13-2394.

Facility Location:	State Route 20 Kanawha Head, Upshur County, West Virginia
Mailing Address:	1700 MacCorkle Avenue, SE Charleston, WV 25314
Facility Description:	Transmission Station for a natural gas pipeline system
NAICS Codes:	486210
UTM Coordinates:	555.4 km Easting • 4,289.1 km Northing • Zone 17
Permit Type:	Modification
Description of Change:	This project with improve the reliability of the station to compress natural gas by adding two combustion turbine/compressors with two fuel preheater, and replacing the existing emergency generator set.

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.

The source is subject to 45CSR30. Changes authorized by this permit must also be incorporated into the facility's Title V operating permit. Commencement of the operations authorized by this permit shall be determined by the appropriate timing limitations associated with Title V permit revisions per 45CSR30.

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1.0. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
06001	E01	Cooper-Bessemer GMVA-8 Compressor Engine	1953	1,100 hp	None
06002	E02	Cooper-Bessemer GMVA-8 Compressor Engine	1954	1,100 hp	None
06003	E03	Cooper-Bessemer GMVA-8 Compressor Engine	1954	1,100 hp	None
06004	E04	Cooper-Bessemer GMVA-8 Compressor Engine	1954	1,100 hp	None
06005	E05	Cooper-Bessemer GMVA-8 Compressor Engine	1954	1,100 hp	None
06006	E06	Cooper-Bessemer GMVA-8 Compressor Engine	1954	1,100 hp	None
06011	E11	Allison 501K13C Compressor Turbine #1	1970	3,165 hp	None
06012	E12	Solar Taurus 70 Combustion Turbine #2/Compressor	2015	10,381 hp*	Combustion Controls
06013	E13	Solar Taurus 70 Combustion Turbine #3/Compressor	2015	10,381 hp*	Combustion Controls
HTR3	H3	Line Heater #1 (Fuel Preheater)	2015	0.65 MMBtu/hr	None
HTR4	H4	Line Heater #2 (Fuel Preheater)	2015	0.65 MMBtu/hr	None
060G4	G4	Waukesha H24GL Engine(SI) for an emergency engine	1999	500 hp	None
060G5	G5	Waukesha VGF-L36GL reciprocating, SI, 4SLB engine/generator set (Emergency Generator #5)	2015	880 bhp	None
TK01	TK01	Condensate (Pipeline Fluids) Storage Tank	2015	2,000 gal	None

* Power output at 0°F.
SI – Spark ignition.
4SLB – 4 stroke, lean burn.

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
CBI	Confidential Business Information
CEM	Continuous Emission Monitor
CES	Certified Emission Statement
C.F.R. *or* CFR	Code of Federal Regulations
CO	Carbon Monoxide
C.S.R. *or* CSR	Codes of State Rules
DAQ	Division of Air Quality
DEP	Department of Environmental Protection
dscm	Dry Standard Cubic Meter
FOIA	Freedom of Information Act
HAP	Hazardous Air Pollutant
HON	Hazardous Organic NESHAP
HP	Horsepower
lbs/hr	Pounds per Hour
LDAR	Leak Detection and Repair
M	Thousand
MACT	Maximum Achievable Control Technology
MDHI	Maximum Design Heat Input
MM	Million
MMBtu/hr *or* mmbtu/hr	Million British Thermal Units per Hour
MMCF/hr *or* mmcf/hr	Million Cubic Feet per Hour
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NESHAPS	National Emissions Standards for Hazardous Air Pollutants
NO_X	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
$PM_{2.5}$	Particulate Matter less than 2.5 µm in diameter
PM_{10}	Particulate Matter less than 10µm in diameter
Ppb	Pounds per Batch
Pph	Pounds per Hour
Ppm	Parts per Million
Ppm_V or ppmv	Parts per Million by Volume
PSD	Prevention of Significant Deterioration
Psi	Pounds per Square Inch
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
TAP	Toxic Air Pollutant
TPY	Tons per Year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulate
USEPA	United States Environmental Protection Agency
UTM	Universal Transverse Mercator
VEE	Visual Emissions Evaluation
VOC	Volatile Organic Compounds
VOL	Volatile Organic Liquids

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Act W.Va. Code §§ 22-5-1. et seq. and the following Legislative Rules promulgated thereunder:

2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation*;

2.3.2. 45CSR14 – *Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration;*

2.4. Term and Renewal

2.4.1. This permit supersedes and replaces previously issued Permit R13-2394. This Permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any other applicable legislative rule;

2.5. Duty to Comply

2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-2394, R13-2394A, and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to; **[45CSR§§13-5.11 and 10.3.]**

2.5.2. 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;

2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;

2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses, and/or approvals from other agencies; i.e., local, state, and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

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 administratively updating, modifying, revoking, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records 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.

2.7. Duty to Supplement and Correct Information

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.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-4.]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-5.4.]

2.10 Major Permit Modification

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.
[45CSR§13-5.1]

2.11. Inspection and Entry

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; and

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.

2.12. Emergency

2.12.1. An "emergency" means any situation arising from sudden and reasonable 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.

2.12.2. 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 Section 2.12.3 are met.

2.12.3. 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. 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 must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

2.12.5 The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should 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.

2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

2.15. Property Rights

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

2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. **[45CSR§13-10.1.]**

2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

2.19. Credible Evidence

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

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, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management, and the Bureau for Public Health – Environmental Health require a copy of this notice to be sent to them.
[40CFR§61.145(b) and 45CSR§34]

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.]

3.2. Monitoring Requirements

[Reserved]

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 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 may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 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 may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 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.

d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language;
2. The result of the test for each permit or rule condition; and,
3. A statement of compliance or noncompliance with each permit or rule condition.

[WV Code § 22-5-4(a)(14-15) and 45CSR13]

3.4. Recordkeeping Requirements

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports, and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§4. *State Enforceable Only*.]

3.5. Reporting Requirements

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

3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

3.5.3. **Correspondence.** 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
Charleston, WV 25304-2345

If to the US EPA:
Associate Director
Office of Air Enforcement and Compliance Assistance (3AP20)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3.5.4. **Operating Fee**

3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, 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.~~

~~3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.~~

4.0. Source Specific Requirements

4.1. Limitations and Standards

4.1.1. The following conditions and requirements are specific to Combustion Turbines #2 and #3 (ID 06012 & 06013):

d. Emissions from each combustion turbine shall not exceed the following:

i. Emissions of nitrogen oxides (NO_x) shall be controlled with the combustion controls. Each turbine shall not discharge nitrogen oxides (NO_x) emissions in excess of 25 ppm at 15 percent O_2 when operating at load conditions at or above 75 percent of peak load and/or when operating temperatures are at or above 0^0F. For when the operating loads of the turbine are less than 75% of peak load and/or operating temperatures are less than 0^0F, NO_x emissions rate from the turbine shall not exceed 150 ppm at 15 percent O_2. Annual NO_x emissions from each turbine shall not exceed 19.91 tpy on a 12 month rolling total. This limit applies at all times, including periods of startup, shutdown, or malfunction.
[40CFR§§60.4320(a), Table 1 to Subpart KKKK of Part 60 – Nitrogen Oxides Emission Limits for New Stationary Combustion Turbines]

ii. Emissions of CO shall not exceed 28.5 tons, on a rolling 12 month total basis.

iii. Emissions of SO_2 shall not exceed 0.060 lb of SO_2/MMBtu heat input. For purpose of demonstrating compliance with this limit, the permittee shall maintain the Federal Energy Regulatory Commission (FERC) tariff limit on total sulfur content of 20 grains of sulfur per 100 standard cubic feet of natural gas combusted in the turbines.
[40 CFR §§60.4330(a)(2) & 60.4365(a)]

iv. Emissions of VOC shall not exceed 2.40 tons, on a rolling 12 month total basis.

e. Each turbine shall only be fired with pipeline-quality natural gas.

f. The permittee must operate and maintain each turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.
[40 CFR §60.4333(a)]

4.1.2. The following conditions and requirements are specific to Line Heaters #1 and #2 (ID HTR3 & HTR4):

e. NO_x emissions emitted to the atmosphere from each heater shall not exceed 0.28 tons per year on a rolling yearly total basis.

f. CO emissions emitted to the atmosphere from each heater shall not exceed 0.23 tons per year on a rolling yearly total basis.

g. Each heater shall not be designed or constructed with a maximum design heat input in excess of 0.65 MMBtu/hr. The condition satisfies compliance with the limitation of 45 CSR §2-3.1
[45 CSR 2A-3.1.a.]

h. For the purpose of complying with Subpart DDDDD of Part 63 as Gas 1 units, the permittee shall perform a tune-up on each heater in accordance with 40 CFR §63.7540(a)(12). The first

tune-up shall be completed no later than 61 months after initial start-up of the heater, and thereafter once every 61 months. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup. Such tune-ups shall consist of the following:

i. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (permittee may delay the burner inspection until the next scheduled unit shutdown, but inspected at least once every 72 months). At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

ii. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

iii. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (permittee may delay the inspection until the next scheduled unit shutdown);

iv. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NOx requirement to which the unit is subject; and

v. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer;

[40 CFR §§63.7540(a)(10), (12), and (13)]

4.1.3. The following conditions and requirements are specific to the internal combustion engine for the Emergency Generator #5) (ID 060G5):

g. Emissions from emergency generator shall not exceed the following:

i. NO_x emissions from the engine shall not exceed 2.0 grams of NO_x per horsepower hour (g/hp-hr) or 160 ppmvd at 15 percent O_2;

ii. CO emissions from engine shall not exceed 4.0 g/hp-hr or 540 ppmvd at 15 percent O_2;

iii. VOC emissions from the engine shall not exceed 1.0 g/hp-hr or 86 ppmvd at 15 percent O_2. Emission of formaldehyde shall be excluded when determining compliance with this VOC limit.

[40 CFR §60.4233(e), Table 1 to Subpart JJJJ of Part 60 - NO_x, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥ 100 HP, Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines > 25 HP]

h. Compliance with the limits in Item a. shall be determined using the appropriate equations listed in 40 CFR §60.4244.

i. There is no time limit on the use of the engine in emergency situations. The engine can operate for combined non-emergency purposes, which include emergency demand response, maintenance and testing, and other non-emergency use for a maximum of 100 hours per year. Within the 100 hours per year, the engine can only operate:

i. 15 hours per year for emergency demand response. Emergency demand response is determined by the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3 or other authorized entity as determined by the Reliability Coordinator; and

ii. 50 hours per year for non-emergency use. The non-emergency situations cannot be used for peak shaving or to generate income for the facility to supply power to an electric gird or otherwise supply power as part of a financial arrangement with another entity.

The operating limits imposed in this condition are on a calendar year basis.
[40 CFR §60.4243(d)]

j. The engine shall be equipped with a non-resettable hour-meter prior to start-up.
[40 CFR §60.4237(a)]

k. The permittee shall keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engines in a manner consistent with good air pollution control practice for minimizing emissions.
[40 CFR §60.4243(b)(2)(ii)]

l. The engine shall only be fired with pipeline quality natural gas.

4.1.4. The maximum air pollutant emissions rates from the engine for 060G4 (emergency generator) shall not exceed the following limits:

Table 4.1.4 Emission Limits for 060G4		
Pollutant	Maximum Emission Rate	
	lb/hr	(ton/yr)
NO_x	1.16	5.06
CO	1.43	6.26
VOC	0.04	0.19
SO_2	0.01	0.02
PM_{10}	0.12	0.53

4.1.5. The emergency engine 060G4 shall be restricted to consume only natural gas and limited to an hourly fuel consumption rate of 4,800 cubic feet per hour and an annual fuel consumption rate of 2.4 MM cubic feet of per year. Operation of the engine shall be limited to 500 hours per year or less.

4.1.6. Within 180 days after initial start-up of both Turbines #2 and #3 (whichever is later), the permittee shall decommission and permanently shut down compressor engines 06001 through 06006 and Compressor Turbine 06011.
[45 CSR §14-2.46.h.]

4.1.7. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR§13-5.11.]

4.2. Monitoring Requirements

4.2.1. For the purpose of determining compliance with the annual limits for each combustion turbine (#06012 & 06013), the permittee shall monitor and record the following for each calendar month:

f. Hours the turbine operated at normal conditions, which is when the turbine is at or above 50% load, and the ambient temperature is above 0^0F.

g. Hours the turbine operated at low load conditions, which is when the turbine load is less than 50% load.

h. Hours the turbine operated at low temperature conditions, which is when the ambient temperature is less than 0^0F but at or above -20^0F.

i. Hours the turbine operated at very-low temperature conditions, which is when the ambient temperature is less than -20^0F.

j. The number of startup and shutdown cycles that occurred during the month.

Such records shall be maintained in accordance with Condition 3.4.1. of this permit.

4.2.2. The permittee shall keep records of the hours of operation for the engine identified as 060G5. The records must document how many hours are spent for emergency operation, including what classified the operation as an emergency, and how many hours spent for non-emergency operation with corresponding reason for the non-operation. Such records shall be maintained in accordance with Condition 3.4.1. and must be in a manner to demonstrate compliance with the operating limits of Condition 4.1.3.c.
[40 CFR §60.4245(b)]

4.2.3. The permittee shall keep records of the hours of operation and the amount of natural gas consumed by the engine identified as 060G4 each month for the purpose of demonstrating compliance with the limits in Condition 4.1.5., which demonstrates compliance with the emission limits in Condition 4.1.4. Such records shall be maintained in accordance with Condition 3.4.1.

4.2.4. The permittee shall collect production data of condensate collected from the pipeline segment that the permitted facility support for the first 30 days that TK01 was placed into service. The permittee must calculated the potential VOC emissions from TK01, which includes flash emissions, breathing losses, and working loses from the vessel, using a generally accepted model or calculation methodology, based on the maximum average daily throughput determined for a 30-day period of production. If the potential VOC emissions from TK01 are at or greater than 6 tpy, TK01 is an affect source subject to Subpart OOOO of 40 CFR 60 and the permittee shall comply with the following:

e. Determine the potential VOC emission rate as specified in 40 CFR §60.5365(e).

f. Reduce the VOC emissions in accordance with 40 CFR §60.5395(d).

g. Submit the information required for TK01 as specified in 40 CFR §60.5420(b) to the Director within 60 days from placing TK01 within service.

h. Maintain records in accordance with Condition 3.4.1.
[40 CFR §60.5410(h)]

4.3. Testing Requirements

4.3.1. For the purposes of demonstrating compliance with the NO_x emission standards in Condition 4.1.1.(a)(i) and 40 CFR§60.4320(a), the permittee shall conduct an initial performance test within 60 days after achieving maximum output of each turbine, but no later than 180 days after initial startup. After the initial test, subsequent performance testing shall be conducted annually (no more than 14 months following the previous test) unless the previous results demonstrate that the affected units achieved compliance of less than or equal to 75 percent of the NO_x emission limit, then the permittee may reduce the frequency of subsequent tests to once every two years (no more than 26 calendar months following the previous test) as allowed under 40 CFR §60.4340(a). If the results of any subsequent performance test exceed 75 percent of the NOx emission limit, then the permittee must resume annual performance tests. Such testing shall be conducted in accordance with Condition 3.3.1. and 40 CFR §60.4400. Records of such testing shall be maintained in accordance with Condition 3.4.1.
[40 CFR §60.8(a), §60.4340(a), §60.4375(b), and §60.4400]

4.3.2. For the purposes of demonstrating compliance with the emission standards in Condition 4.1.3. and 40 CFR§60.4233(e), the permittee shall conduct an initial performance test within one year after initial startup. After the initial test, subsequent performance testing shall be conducted every 8,760 hours of operation or 3 years, whichever comes first. If the engine is not operational, the permittee must conduct the performance test immediately upon startup of the engine. These tests must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements of §60.8, under the specific conditions that are specified by Table 2 to Subpart JJJJ of Part 60—Requirements for Performance Test, and in accordance with Condition 3.3.1. of this permit. Records of such testing shall be maintained in accordance with Condition 3.4.1. of this permit.
[40 CFR §60.8(a), 60.4243(b)(2(ii), and 60.4244]

4.4. Recordkeeping Requirements

4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

a. The date, place as defined in this permit, and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

~~a. The equipment involved.~~

~~b. Steps taken to minimize emissions during the event.~~

~~c. The duration of the event.~~

~~d. The estimated increase in emissions during the event.~~

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

~~e. The cause of the malfunction.~~

~~f. Steps taken to correct the malfunction.~~

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

~~4.4.4. Compliance with the annual emission limits in 4.1.1 for NOx, CO and VOC for the turbines #2 & #3 shall be based on a rolling 12 month total. The emissions from each turbine shall be determined monthly using the following equation:~~

$$ME_{Px} = DLN_{Px} * DLN\ hours + LL_{Px} * LL\ hours + LT_{Px} * LT\ hours + VLT_{Px} * VLT\ hours + SS_{Px} * SS\ cycles$$

~~Where:~~

~~ME_{Px} = Monthly emissions of Pollutant X~~

~~DLN_{Px} = Hourly emission rate of Pollutant X during normal operation~~

~~DLN = Number of hours of normal operation in said month~~

~~LL_{Px} = Hourly emission rate of Pollutant X during low load (<50%) operation~~

~~LL = Number of hours of low load operation in said month~~

~~LT_{Px} = Hourly emission rate of Pollutant X during low temperatures (<0°F)~~

~~LT = Number of hours of low temperature operation in said month~~

~~VLT_{px} = Hourly emission rate of Pollutant X during very low temperatures (< 20°F)~~

~~VLT = Number of hours of very low temperature operation in said month~~

~~SS_{P-x} = Unit emission rate (lb/cycle) for Pollutant X during startup/shutdown cycles~~

~~SS = Number of startup/shutdown cycles for said month~~

~~Hourly emission rates used in the above calculation shall be based on best available data which is data collected during source specific testing or the data for specific model turbine provide or published by the manufacturer. This determination shall be performed within 30 days after the end of the calendar month and the monthly emissions shall be summed with the preceding 11~~

months to determine compliance with the annual limits in Condition 4.1.1.(a). Records of the monthly total and 12 month totals shall be maintained in accordance with Condition 3.4.1.

4.4.5. The permittee shall maintain current and valid documentation that the natural gas consumed by the combustion turbines specifying that the maximum total sulfur content is 20 grains of sulfur or less per 100 cubic feet of natural gas. Said documentation can be purchase contracts, tariff sheets, or transportation contracts. Such records shall be maintained in accordance with Condition 3.4.1., except that these records can be maintained off site but must be made available for inspection within 15 days of the request. By satisfying this requirement the permittee is exempted from the total sulfur monitoring requirement of §60.4370. These records satisfy Conditions 4.1.1.b., 4.1.2.c., 4.1.3.f., and 4.1.5.
[40 CFR §60.4365(a)]

4.4.6. The permittee shall keep the following records in accordance with 40CFR§63.7555. This includes but is not limited to the following information during the tune-up as required in Condition 4.1.2.d. and 40 CFR §63.7540:

c. The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater. If concentrations of NO_x are taken during the tune-up of the unit, records of such measurements shall be included;

d. A description of any corrective actions taken as a part of the tune-up.
[40 CFR §§63.7540(a)(10)(vi) and 63.7555]

4.5. Reporting Requirements

4.5.1. The permittee shall submit a notification to the Director of the initial start-up of Turbines #2 & #3, and Line Heaters #1 & #2. Such notice must be submitted within 15 days after the actual date of start-up for the affected source. This notification supersedes the notification requirements of Condition 2.18.
[40CFR§60.7(a)(3) (Turbines)] [40 CFR §63.9(b)(4)(v), and63.7545(c) (Line Heaters)]

4.5.2. The permittee shall submit "5-year Compliance Reports" for Line Heaters #1 and #2 electronically using CEDRI that is accessed through the EPA's Center Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form for this report is not available in CEDRI at the time the report is due, the permittee shall submit the report to the Administrator and Director using the addresses listed in Condition 3.5.3. The first compliance report shall be submitted no later than five years after the initial start-up of the unit and the first date ending on January 31. Subsequent reports shall be submitted once every five years afterwards. Such reports shall contain the information specified in 40 CFR §§63.7550(c)(5) (i)through (iv) and (xiv) which are:

g. Permittee and facility name, and address;

h. Process unit information emission limitations, and operating limitations;

i. Date of report and beginning and ending dates of the reporting period;

j. The total operating time during the reporting period of each affected unit;

k. Include the date of the most recent tune-up for each boiler; and

~~l. Include the date of the most recent burner inspection if it was not done on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown.~~

~~The permittee shall maintain records of such reports in accordance with Condition 3.4.1.~~
~~**[40CFR §§63.7550(b), (b)(1), (c)(1), & (c)(5)(i) though (iv) and (xiv), and (h)(3)]**~~

CERTIFICATION OF DATA ACCURACY

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

Signature[1] _____ _____
(please use blue ink) Responsible Official or Authorized Representative Date

Name & Title _____ _____
(please print or type) Name Title

Telephone No. _____ Fax No. _____

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[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.