West Virginia Department of Environmental Protection
Division of Air Quality

Earl Ray Tomblin
Governor

Randy C. Huffman
Cabinet Secretary

Permit to Operate

Pursuant to

Title V

of the Clean Air Act

Issued to:

Morgantown Energy Associates
R30-06100027-2014

John A. Benedict
Director

Issued: January 24, 2014 • Effective: February 7, 2014
Expiration: January 24, 2019 • Renewal Application Due: July 24, 2018

Permit Number: **R30-06100027-2014**
Permittee: **Morgantown Energy Associates**
Permittee Mailing Address: **555 Beechurst Avenue, Morgantown, West Virginia 26505**

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:	Morgantown, Monongalia County, West Virginia
Facility Mailing Address:	555 Beechurst Avenue, Morgantown, West Virginia 26505
Telephone Number:	304-284-2500
Type of Business Entity:	Partnership
Facility Description:	Cogeneration (Steam and Electric) Service
SIC Codes:	Primary: 4911; Secondary: N/A; Tertiary: N/A
UTM Coordinates:	589.20 km Easting • 4388.10 km Northing • Zone 17

Permit Writer: Denton McDerment

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

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

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1.0 Emission Units and Active R13, R14, and R19 Permits

1.1. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
Fuel Handling					
S001A	Vents 1 & 2	Elevating Conveyor 1	1989	500 TPH	ES 1 / BH 1 & 2
S001B	Vents 1 & 2	TP001B - Elevating Conveyor 1 to Reversible Feed Conveyor 1	1989	500 TPH	ES 1 / BH 1 & 2
S001C	Vents 1 & 2	Reversible Feed Conveyor 1	1989	500 TPH	ES 1 / BH 1 & 2
S001D	Vent 1	TP001D - Reversible Feed Conveyor 1 to Coal Silo 1	1989	500 TPH	ES 1 / BH 1
S001E	Vent 1	Coal Silo 1	1989	2,100 Tons	ES 1 / BH 1
S001F	Vents 1 & 2	TP001F - Elevating Conveyor 1 to Emergency Bypass Conveyor	2001	120 TPH	ES 1 / BH 1 & 2
S002A	Vent 2	TP002A - Reversible Feed Conveyor 1 to Gob Storage Silo 1	1989	500 TPH	ES 1 / BH 2
S002B	Vent 2	Gob Storage Silo 1	2001	2,100 Tons	ES 1 / BH 2
S003A	Vent 3	TP003A – Coal Silo 1 to Weigh Belt Conveyor 1	1989	60 TPH	ES 2 / BH 3
S003B	Vent 3	TP003B – Gob Storage Silo 1 to Weigh Belt Conveyor 2	1989	60 TPH	ES 2 / BH 3
S003C	Vent 3	Weigh Belt Conveyor 1	1989	60 TPH	ES 2 / BH 3
S003D	Vent 3	Weigh Belt Conveyor 2	2001	60 TPH	ES 2 / BH 3
S003E	Vent 3	TP003E - Weigh Belt Conveyor 1& 2 to Grinding Mill	1989	60 TPH	ES 2 / BH 3
S003F	Vent 3	TP003F - Weigh Belt Conveyor 1& 2 to Hammer Mill	1989	60 TPH	ES 2 / BH 3
S003G	Vent 3	TP003G – Emergency Mill Feed System Hopper 1 to En-mass Elevating Conveyor 1	1989	60 TPH	ES 2 / BH 3
S003H	Vent 3	En-mass Elevating Conveyor 1	1989	60 TPH	ES 2 / BH 3
S003I	Vent 3	TP003I – En-mass Elevating Conveyor 1 to Mill Inlet Chute System	1989	60 TPH	ES 2 / BH 3
S003J	Vent 3	Grinding Mill 1	1989	60 & 90 TPH	ES 2 / BH 3
S003K	Vent 3	Hammer Mill 1	1989	60 TPH	ES 2 / BH 3
S004A	Vent 4	TP004A – Grinding Mill 1 to Mill Collecting Conveyor 1	1989	60 & 90 TPH	ES 3 / BH 4
S004B	Vent 4	TP004B – Hammer Mill 1 to Mill Collecting Conveyor 1	1989	60 TPH	ES 3 / BH 4

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S004C	Vent 4	TP004C – Baghouse 4 Dust Discharge to Mill Collecting Conveyor 1	1989	5 TPH (est.)	ES 3 / BH 4
S004D	Vent 4	Mill Collecting Conveyor 1	2001	120 TPH	ES 3 / BH 4
S004E	Vent 4	TP004E – Mill Collecting Conveyor 1 to Elevating Conveyor 2	1989	120 TPH	ES 3 / BH 4
S004F	Vent 4	TP004F – Baghouse 3 Dust Discharge to Mill Collecting Conveyor 1	1989	12 TPH	ES 3 / BH 4
S004G	Vent 4	Elevating Conveyor 2 (Bottom Half)	2001	120 TPH	ES 3 / BH 4
S005A	Vent 5	Elevating Conveyor 2 (Top Half)	1989	120 TPH	ES 4 / BH 5
S005B	Vent 5	TP005B – Elevating Conveyor 2 to Fuel Bin 1	1989	120 TPH	ES 4 / BH 5
S005C	Vent 5	TP005C – Elevating Conveyor 2 to Fuel Bin 2	1989	120 TPH	ES 4 / BH 5
S005D	Vent 5	Fuel Bin 1	1989	375 Tons	ES 4 / BH 5
S005E	Vent 5	Fuel Bin 2	1989	375 Tons	ES 4 / BH 5
S005F	Vent 5	Emergency Bypass Conveyor	2001	120 TPH	ES 4 / BH 5
Limestone Handling					
S006A	Vent 6	TP006A – Transfer from Truck to Limestone Unloading Hopper 1	1989	37.5 TPH	BE 2 / BH 6
S006B	Vent 6	TP006B – Transfer from Truck to Limestone Unloading Hopper 2	1989	37.5 TPH	BE 2 / BH 6
S006C	Vent 6	Limestone Unloading Hopper 1	1989	75 TPH	BE 2 / BH 6
S006D	Vent 6	Limestone Unloading Hopper 2	1989	75 TPH	BE 2 / BH 6
S007A	Vent 7 & 8	TP007A – Transfer from Limestone Unloading Hopper 1 to Pneumatic Conveying System 1	1989	75 TPH	PCS 1
S007B	Vent 7 & 8	TP007B – Transfer from Limestone Unloading Hopper 2 to Pneumatic Conveying System 1	1989	75 TPH	PCS 1
S007C	Vent 7 & 8	TP007C – Transfer from Truck to Pneumatic Conveying System 1	1989	75 TPH	PCS 1
S007D	Vent 7	TP007D – Transfer from Pneumatic Conveying System 1 to Limestone Silo 1	1989	75 TPH	ES 5 / BVF 1
S007E	Vent 7	Limestone Silo 1	1989	1,160 Tons	ES 5 / BVF 1
S008A	Vent 8	TP008A – Transfer from Limestone Silo 1 to Pneumatic Conveying System 1	1989	75 TPH	PCS 1
S008B	Vent 8	TP008B – Transfer from Pneumatic Conveying System 1 to Limestone Bin 1	1989	75 TPH	ES 6 / BVF 2
S008C	Vent 8	Limestone Bin 1	1989	250 Tons	ES 6 / BVF 2

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S008D	Vent 8	TP008D– Limestone Bin 1 to Gravimetric Feeder/Conveyor A	1989	10 TPH	ES 6 / BVF 2
S008E	Vent 8	Gravimetric Feeder/Conveyor A	1989	10 TPH	ES 6 / BVF 2
S008F	Vent 8	TP008F– Gravimetric Feeder/Conveyor A to Rotary Valve A	1989	10 TPH	ES 6 / BVF 2
S008G	Vent 8	TP008G– Limestone Bin 1 to Gravimetric Feeder/Conveyor B	1989	10 TPH	ES 6 / BVF 2
S008H	Vent 8	Gravimetric Feeder/Conveyor B	1989	10 TPH	ES 6 / BVF 2
S008I	Vent 8	TP008I– Gravimetric Feeder/Conveyor B to Rotary Valve B	1989	10 TPH	ES 6 / BVF 2
Boiler & Associated Equipment					
S009A	STACK1	TP009A - Limestone Feeder Rotary Valve A to Pneumatic Conveying System 2	1989	10 TPH	PCS / BH 7 & 8
S009B	STACK1	TP009B - Limestone Feeder Rotary Valve B to Pneumatic Conveying System 2	1989	10 TPH	PCS / BH 7 & 8
S009C	STACK1	TP009C - Pneumatic Conveying System 2 to CFB Boiler 1	1989	10 TPH	PCS / BH 7 & 8
S009D	STACK1	TP009D - Pneumatic Conveying System 2 to CFB Boiler 2	1989	10 TPH	PCS / BH 7 & 8
S009E	STACK1	TP009E – Fuel Bin 1 to Enclosed Conveying System 7	1989	46 TPH	ES / BH 7 & 8
S009F	STACK1	TP009F – Fuel Bin 2 to Enclosed Conveying System 7	1989	46 TPH	ES / BH 7 & 8
S009G	STACK1	Enclosed Conveying System 7 to CFB Boiler 1	1989	46 TPH	ES / BH 7 & 8
S009H	STACK1	Enclosed Conveying System 7 to CFB Boiler 2	1989	46 TPH	ES / BH 7 & 8
S009J	STACK1	Ahlstrom Pyroflow CFB Boiler/Cyclone #1	1989	375 mmBtu/hr	Limestone Injection, BH 8
S009K	STACK1	Ahlstrom Pyroflow CFB Boiler/Cyclone #2	1989	375 mmBtu/hr	Limestone Injection, BH 7
S009L	STACK1	Zurn Auxiliary Boiler #1	1989	132 mmBtu/hr	LNB
S009M	STACK1	Zurn Auxiliary Boiler #2	1989	132 mmBtu/hr	LNB
Ash Handling					
S010A	Vent 9	TP010A – CFB Boiler 1 Bottom Ash Screw A to Drag Chain Conveyor 101	1989	16.5 TPH	ES 8 / BVF 3
S010B	Vent 9	TP010C – CFB Boiler 1 Bottom Ash Screw B to Drag Chain Conveyor 101	1989	16.5 TPH	ES 8 / BVF 3

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S010C	Vent 9	TP010E – CFB Boiler 1 Bottom Ash Screw C to Drag Chain Conveyor 101	1989	16.5 TPH	ES 8 / BVF 3
S010D	Vent 9	Drag Chain Conveyor 101	1989	16.5 TPH	ES 8 / BVF 3
S010E	Vent 9	TP010I – CFB Boiler 2 Bottom Ash Screw A to Drag Chain Conveyor 201	1989	16.5 TPH	ES 8 / BVF 3
S010F	Vent 9	TP010K – CFB Boiler 2 Bottom Ash Screw B to Drag Chain Conveyor 201	1989	16.5 TPH	ES 8 / BVF 3
S010G	Vent 9	TP010M – CFB Boiler 2 Bottom Ash Screw C to Drag Chain Conveyor 201	1989	16.5 TPH	ES 8 / BVF 3
S010H	Vent 9	Drag Chain Conveyor 201	1989	16.5 TPH	ES 8 / BVF 3
S010I	Vent 9	TP010Q – Drag Chain Conveyor 101 to Clinker Grinder 1	1989	16.5 TPH	ES 8 / BVF 3
S010J	Vent 9	TP010S – Drag Chain Conveyor 201 to Clinker Grinder 3	1989	16.5 TPH	ES 8 / BVF 3
S010K	Vent 9	Clinker Grinder 1	1989	16.5 TPH	ES 8 / BVF 3
S010L	Vent 9	Clinker Grinder 3	1989	16.5 TPH	ES 8 / BVF 3
S010M	Vent 9	TP010Y – Clinker Grinder 1 to Bottom Ash Holding Bin 1	1989	16.5 TPH	ES 8 / BVF 3
S010N	Vent 9	TP010AA – Clinker Grinder 3 to Bottom Ash Holding Bin 1	1989	16.5 TPH	ES 8 / BVF 3
S010O	Vent 9	Bottom Ash Holding Bin	1989	76.5 Tons	ES 8 / BVF 3
S011A	Vent 10	TP011A – Bottom Ash Holding Bin Discharge A to Vacuum Conveying System A	1989	50 TPH	ES 3 / VCS A / FS A
S011B	Vent 10	TP011B – Bottom Ash Holding Bin Discharge B to Vacuum Conveying System B	1989	50 TPH	ES 3 / VCS B / FS B
S011C	Vent 10	TP011C – Bottom Ash Holding Bin Discharge C to Vacuum Conveying System C	1989	50 TPH	ES 3 / VCS C / FS C
S011D	Vent 10	TP011D – CFB No. 1 Air Heater Hopper to Vacuum Conveying System A	1989	50 TPH	ES 3 / VCS A / FS A
S011E	Vent 10	TP011E – CFB No. 2 Air Heater Hopper to Vacuum Conveying System C	1989	50 TPH	ES 3 / VCS C / FS C
S011F	Vent 10	TP011F – CFB No. 1 Baghouse Row 1 Discharge to Vacuum Conveying System A	1989	50 TPH	ES 3 / VCS A / FS A
S011G	Vent 10	TP011G – CFB No. 1 Baghouse Row 2 Discharge to Vacuum Conveying System B	1989	50 TPH	ES 3 / VCS B / FS B
S011H	Vent 10	TP011H – CFB No. 2 Baghouse Row 1 Discharge to Vacuum Conveying System B	1989	50 TPH	ES 3 / VCS B / FS B

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S011I	Vent 10	TP011I – CFB No. 2 Baghouse Row 2 Discharge to Vacuum Conveying System C	1989	50 TPH	ES 3 / VCS C / FS C
S011J	Vent 10	Filter/Separator A Exhaust	1989	50 TPH	ES 3 / VCS A / FS A
S011K	Vent 10	Filter/Separator B Exhaust	1989	50 TPH	ES 3 / VCS B / FS B
S011L	Vent 10	Filter/Separator C Exhaust	1989	50 TPH	ES 3 / VCS C / FS C
S012A	Vent 11	TP012A – Filter/Separator A to Ash Silo1	1989	50 TPH	ES 9 / BH 9
S012B	Vent 11	TP012B – Filter/Separator B to Ash Silo1	1989	50 TPH	ES 9 / BH 9
S012C	Vent 11	TP012C – Filter/Separator A to Ash Silo1	1989	50 TPH	ES 9 / BH 9
S012D	Vent 11	Ash Silo1	1989	1,300 Tons	ES 9 / BH 9
S012E	Vent 11	TP012E – Ash Silo to Truck	1989	300 TPH	BH 9 / BE 4 / AC 1
S012F	Vent 11	TP012FE – Ash Silo to Truck	1989	300 TPH	BH 9 / BE 4 / AC 2
Fuel Receiving & Emergency Fuel Feed Fugitives					
S00F1	Fugitive Emission 1	TP00F1 – Transfer from Truck to Fuel Unloading Hopper/Vibratory Feeder 1	1989	250 TPH	BE 1 / WS 1
S00F2	Fugitive Emission 2	Fuel Unloading Hopper 1	1989	250 TPH	BE 1 / WS 1
S00F3	Fugitive Emission 3	Vibratory Feeder 1	1989	250 TPH	BE 1 / ES 1
S00F4	Fugitive Emission 4	TP00F4 – Transfer from Truck to Fuel Unloading Hopper/Vibratory Feeder 2	1989	250 TPH	BE 1 / WS 2
S00F5	Fugitive Emission 5	Fuel Unloading Hopper 2	1989	250 TPH	BE 1 / WS 2
S00F6	Fugitive Emission 6	Vibratory Feeder 2	1989	250 TPH	BE 1 / ES 1
S00F7	Fugitive Emission 7	TP00F7 – Vibratory Feeder 2 to Transfer Conveyor 1	1989	250 TPH	BE 1 / ES 1 / WS 3
S00F8	Fugitive Emission 8	TP00F8 – Vibratory Feeder 1 to Transfer Conveyor 1	1989	250 TPH	BE 1 / ES 1 / WS 4
S00F9	Fugitive Emission 9	Transfer Conveyor 1	1989	500 TPH	BE 1 / ES 1
S00F10	Fugitive Emission 10	TP00F10 – Transfer Conveyor 1 to Elevating Conveyor 1	1989	500 TPH	BE 1 / ES 1 / WS 5

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
S00F11	Fugitive Emission 11	TP00F11 – Dribble Chute 1 to Dribble Chute Catch Bin 1	1989	N/A	BE 1
S00F12	Fugitive Emission 12	Dribble Chute Catch Bin 1	1989	N/A	BE 1
S00F13	Fugitive Emission 13	TP00F13 – Dribble Chute Catch Bin 1 to Dribble Chute Conveyor 1	1989	N/A	BE 1
S00F14	Fugitive Emission 14	TP00F14 – Dribble Chute Conveyor 1 to Transfer Conveyor 1	1989	N/A	BE 1
S00F15	Fugitive Emission 15	TP00F15 – Front End Loader to Emergency Mill Feed System Hopper 1	1989	60 TPH	N/A
S00F16	Fugitive Emission 16	Emergency Mill Feed System Hopper 1	1989	60 TPH	N/A
Storage Tank Fugitives					
S00F17	Fugitive Emission 17	A.S.T. 01 Acid Tank	1989	5,800 Gallons	N/A
S00F18	Fugitive Emission 18	A.S.T. 02 Caustic Tank	1989	5,800 Gallons	N/A
S00F21	Fugitive Emission 21	A.S.T. 05 Turbine Oil Tank	1989	2,378 Gallons	N/A
S00F22	Fugitive Emission 22	A.S.T. 06 EHC Oil Storage Tank	1989	105 Gallons	N/A
S00F23	Fugitive Emission 23	A.S.T. 07 Water Treatment Phosphate Tank	1989	1,600 Gallons	N/A
S00F24	Fugitive Emission 24	A.S.T. 08 Water Treatment Corrosion Inhibitor Tank	1989	400 Gallons	N/A
S00F25	Fugitive Emission 25	A.S.T. 09 Water Treatment Oxygen Scavenger Tank	1989	400 Gallons	N/A
Paved Roadway Fugitives					
S00F26	Fugitive Emission 26	Plant Roadway	1989	N/A	Paved / Water Cleaning

[1] AC – Ash Conditioner; BH – Baghouse; BE – Building Enclosure; BVF – Bin Vent Filter; ES – Enclosed System; FS – Filter Separator; LNB – Low NO_x Burners; PCS – Pneumatic Conveying System; VCS – Vacuum Conveying System; WS – Water Spray.

1.2. Active R13, R14, and R19 Permits

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

Permit Number	Date of Issuance
R13-1085B/R14-7B	April 20, 1993

2.0 General Conditions

2.1. Definitions

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

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

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

2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the 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
LEE	Low emitting EGU

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.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]

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

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

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

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

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

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

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

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

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

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

b. Transport of ash in vehicles or on conveying systems, to include spillage, tracking, or blowing of particulate matter from or by such vehicles or equipment; and

c. Ash or fuel handling systems and ash disposal areas.

Compliance with this streamlined condition will ensure compliance with 45CSR13/14 - Permit No. R13-1085/R14-7 "Other Requirement (B)(1)(e)"

(In addition to the emission units that vent through the emission points identified in Section 5.0., also included are Em. Unit IDs S009A, S009B, S009C, S009D, S009E, S009F, S009G, and S009H which vent through Em. Pt. ID Stack 1.)

[45CSR§2-5]

3.1.10. All plant roads and haulways shall be paved and shall be kept clean by appropriate measures to minimize the emission or entrainment of fugitive particulate matter.
[45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(7)]

3.1.11. **CAIR NO_x Annual Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix A) and the CAIR permit requirements set forth in 45CSR39 for each CAIR NO_x Annual source. The complete CAIR Permit Application shall be the CAIR Permit portion of the Title V permit administered in accordance with 45CSR30.
[45CSR§§39-6.1.b. and 20.1.]

a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§39-2 and, upon recordation by the Administrator under sections 51 through 57, or 60 through 62 of 45CSR39, every allocation, transfer, or deduction of a CAIR NO_x Annual allowance to or from the compliance account of the CAIR NO_x Annual source covered by the permit.
[45CSR§39-23.2.]

b. Except as provided in 45CSR§39-23.2, the Secretary will revise the CAIR Permit portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.
[45CSR§39-24.1.]

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

a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§40-2 and, upon recordation by the Administrator under sections 51 through 57, or 60 through 62 of 45CSR40, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from the compliance account of the CAIR NO_x Ozone Season source covered by the permit.
[45CSR§40-23.2.]

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

3.1.13. **CAIR SO_2Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix A) and the CAIR permit requirements set forth in 45CSR41 for each CAIR SO_2 source. The complete CAIR Permit Application shall be the CAIR Permit portion of the Title V permit administered in accordance with 45CSR30.
[45CSR§§41-6.1.b. and 20.1.]

a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§41-2 and, upon recordation by the Administrator under sections 51 through 57, or 60 through 62 of 45CSR41, every allocation, transfer, or deduction of a CAIR SO_2 allowance to or from the compliance account of the CAIR SO_2 source covered by the permit.
[45CSR§41-23.2.]

b. Except as provided in 45CSR§41-23.2, the Secretary will revise the CAIR Permit portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.
[45CSR§41-24.1.]

3.2. Monitoring Requirements

3.2.1. 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, 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. **Recordkeeping – Dust Control.** The permittee shall maintain records indicating the use of any dust suppressants or any other suitable dust control measures applied at the facility. The permittee shall also inspect all fugitive dust control systems weekly from May 1 through September 30 and monthly from October 1 through April 30 to ensure that they are operated and maintained in conformance with their designs. The permittee shall maintain records of all scheduled and non-scheduled maintenance and shall state any maintenance or corrective actions taken as a result of the weekly and/or monthly inspections, the times the fugitive dust control system(s) were inoperable and any corrective actions taken
[45CSR§30-5.1.c.]

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.]

3.6. Compliance Plan

3.6.1. There is no facility-wide compliance plan since a responsible official certified compliance with all applicable requirements in the renewal application for this Title V operating permit.

3.7. Permit Shield

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

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

a. **40 C.F.R. 60 Subpart Dc -** ***Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.*** Each of the boilers (CFB and auxiliary) has a maximum design heat input capacity greater than 100 MMBtu/hr. Therefore, in accordance with 40 C.F.R. §60.40c(a), the boilers are not subject to Subpart Dc.

b. **40 C.F.R. 60 Subpart K -** ***Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.*** None of the tanks at the facility are greater than 40,000 gallons capacity. Therefore, in accordance with applicability criteria §60.110(a), Subpart K does not apply to the facility's tanks.

c. **40 C.F.R. 60 Subpart Ka** - ***Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.*** None of the tanks at the facility are greater than 40,000 gallons capacity. Therefore, in accordance with applicability criteria §60.110a(a), Subpart Ka does not apply to the facility's tanks.

d. **40 C.F.R. 60 Subpart Kb** - ***Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.*** None of the tanks at the facility are greater than 75-m^3 (19,812.9 gallons) capacity. Therefore, in accordance with applicability criteria §60.110b(a), Subpart Kb does not apply to the facility's tanks.

e. **40 C.F.R. 60 Subpart OOO – *Standards of Performance for Nonmetallic Mineral Processing Plants.*** In accordance with §60.670(a)(1), this NSPS applies to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. The permittee's facility operates some of this equipment. Under §60.671, the NSPS defines a *nonmetallic mineral* to include limestone, but neither coal nor gob (i.e., waste or refuse coal) are included. Therefore, this Subpart does not apply to the equipment used to process coal or gob at the facility. Also under §60.671, the NSPS defines a *Nonmetallic mineral processing plant* to mean "any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants, or any other facility processing nonmetallic minerals except as provided in §60.670(b) and (c)." The key to evaluating the facility with respect to this definition is the language "crush or grind". Even though limestone is a *nonmetallic mineral* as defined in the NSPS, it is not crushed or ground at the facility. Limestone is received already crushed and ground to the appropriate size, and is not subsequently crushed or ground at the facility. This operating scenario agrees with the process flow diagrams in the 2008 renewal application, and was confirmed by the permittee in technical correspondence (6/03/08 e-mail). Therefore, this Subpart does not apply to the processing of limestone at the facility.

f. **40 C.F.R. 60 Subpart CCCC** - ***Standards of Performance for Commercial and Industrial Solid Waste Incineration Units.*** The CFB Boilers are not commercial and industrial solid waste incineration (CISWI) units as defined in §60.2265. This is due to the fact that they are fired by a blend of virgin bituminous coal and coal refuse as well as natural gas for startup purposes. All of these fuels meet the definition of "traditional fuels" in 40 CFR §241.2 and hence are not considered solid wastes.

g. **40 C.F.R. 63 Subpart Q – *National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.*** After review of the permittee's Process Flow Schematic and Equipment Table in the 2008 renewal application, it was determined that the facility does not have an *industrial process cooling tower*, which is defined in §63.401. Therefore, the facility does not meet the applicability criteria of §63.400(a), and hence this MACT does not apply to the facility.

h. **40 C.F.R. 63 Subpart T** - ***National Emission Standards for Halogenated Solvent Cleaning.*** The batch cold solvent cleaning machine at the facility does not utilize any solvent containing methylene chloride (CAS No. 75-09-2), perchloroethylene (CAS No. 127-18-4), trichloroethylene (CAS No. 79-01-6), 1,1,1-trichloroethane (CAS No. 71-55-6), carbon tetrachloride (CAS No. 56-23-5) or chloroform (CAS No. 67-66-3), or any combination of these halogenated HAP solvents, in a total concentration greater than 5 percent by weight, as a cleaning and/or drying agent.

i. **40 C.F.R. 63 Subpart JJJJJJ - *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.*** The facility is not an area source of HAP emissions; therefore, it does not meet the applicability criteria of this regulation.

j. **40 C.F.R. 98 Subpart D - *Electricity Generation.*** Facility is not subject to the Acid Rain Program and is not required to monitor and report CO_2 mass emissions year-round according to 40 C.F.R. Part 75.

k. **45CSR5 – *To Prevent and Control Air Pollution from the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas*.** A "Coal Preparation Plant" is defined under 45CSR§5-2.4., and this definition includes any facility that prepares coal by crushing, and further such definition includes all coal handling operations associated with a crushing process. The permittee crushes coal at the facility using a grinding mill (Em. Unit ID S003J) and hammer mill (Em. Unit ID S003K), and there is coal handling equipment associated with the crushing. However, since the facility is subject to 45CSR2, according to 45CSR§5-2.4.b. the *facility* is not included in the definition of a "Coal Preparation Plant". Therefore, 45CSR5 does not apply to the facility, and particularly its coal crushing operations and associated coal handling.

l. **45CSR7 – *To Prevent and Control Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations.*** Since the facility is subject to 45CSR2, 45CSR§7-10.1. provides an exemption from 45CSR7.

m. **45CSR17 – *To Prevent and Control Particulate Matter Air Pollution from Material Handling, Preparation, Storage and Other Sources of Fugitive Particulate Matter*.** The facility is characterized by the handling and storage of materials that have the potential to produce fugitive particulate if not properly controlled. However, since the facility is subject to 45CSR2, it is not subject to this rule in accordance with the exemption granted in 45CSR§17-6.1.

n. **45CSR33 – *Acid Rain Provisions and Permits* and 40 C.F.R. Part 72 – *Permits Regulation.*** The facility is exempt from "Acid Rain" requirements in accordance with the exemption granted under 40 C.F.R. §72.6(b)(5). It follows, then, that the facility is also exempt from the corresponding state rule 45CSR33.

4.0 CFB Boilers (S009J, S009K) and Auxiliary Boilers (S009L, S009M) [emission point ID: *STACK1*]

4.1. Limitations and Standards

4.1.1. Visible Emissions from each stack shall not exceed ten (10) percent opacity based on a six minute block average. *Compliance with this streamlined limit ensures compliance with 40 C.F.R. §60.42Da(b) for the CFB boilers.*
[45CSR§2-3.1.; 40 C.F.R. §60.42Da(b); 45CSR16]

4.1.2. The addition of sulfur oxides to a combustion unit exit gas stream for the purpose of improving emissions control equipment is prohibited unless written approval for such addition is provided by the Director.
[45CSR§2-4.4.]

4.1.3. The visible emission standards of condition 4.1.1. shall apply at all times except in periods of start-ups, shutdowns and malfunctions.
[45CSR§2-9.1.]

4.1.4. Any fuel burning unit(s) including associated air pollution control equipment, shall at all times, including periods of start-up, shutdowns, and malfunctions, to the extent practicable, be maintained and operated in a manner consistent with good air pollution control practice for minimizing emissions.
[45CSR§2-9.2.; 45CSR16; 40 C.F.R. §60.11(d)]

4.1.5. The fuel to be fired in CFB boilers 1 & 2 shall have a percent maximum sulfur content of 3.5 and a percent maximum ash content of 51.7 based on a 30-day rolling average of the daily as-fired fuel samples (analyzed on an as-received basis).
[45CSR13/14- Permit No. R13-1085/R14-7 Modification Application Volume 1 Section 5.0 "Affected Source Sheet" page 46 Item 2.A.(4); 45CSR§30-5.1.c.]

4.1.6. The sulfur dioxide reduction efficiency from each of the two (2) circulating fluidized bed boilers shall be no less than 94.6% on a 30-day rolling average basis in accordance with 40 C.F.R. §60.49Da(b). *[Compliance with this streamlined limit ensures compliance with the 70 percent reduction requirement in 40 C.F.R. §60.43Da(a)(2).]*
[45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(6); 45CSR16; 40 C.F.R. §§60.43Da(a)(2), 60.43Da(g), and 60.49Da(b)]

4.1.7. **CFB Boilers.** Air pollutant emissions from the stack serving the two permitted circulating fluidized bed boilers shall not exceed any of the following limitations during which either or both of the subject boilers are in operation:

Pollutant	lbm/hr	lbm/mmBtu	Concentration
Particulate Matter	22.5 (1)	0.03 (2)	0.016 gr/dscf @ 3.5% O_2
Sulfur Dioxide	285 (24-hr average)	0.40 (3) (30-day rolling average)	215 ppmvd @ 3.0% O_2 (24-hr average)
Nitrogen Oxides (NO_2)	300 (24-hr average)	0.40 (4) (30-day rolling average)	293 ppmvd @ 3.0% O_2 (24-hr average)
Volatile Organic Compounds	5.55	0.0074	N/A
Carbon Monoxide	117.5	0.157	188 ppmvd @ 3.0% O_2 (24-hr average)
Lead	0.13	N/A	N/A
Mercury	0.021	N/A	N/A
Fluorides	0.4	N/A	N/A
Beryllium	0.0002	N/A	N/A
Arsenic	0.002	N/A	N/A
Radionuclides	0.0009	N/A	N/A

(1) Compliance with this streamlined PM mass rate limit assures compliance with 45CSR§2-4.1.a.
(2) Compliance with the above R13/R14 permit PM emission limitation of 0.03 lb/mmBtu constitutes compliance with the 0.03 lb/mmBtu limit under 40 C.F.R. §60.42Da(a).
(3) Compliance with the above R13/R14 permit SO_2 limit assures compliance with 40 C.F.R. §60.43Da(a)(2).
(4) Compliance with the above R13/R14 permit NO_x heat rate limit of 0.40 lbm/mmBtu assures compliance with the 0.50 lb/mmBtu limit in 40 C.F.R. §60.44Da(a)(1).

[45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(1); 45CSR16; 40 C.F.R. §§60.42Da(a), 60.43Da(a)(2), 60.43Da(g), 60.44Da(a)(1), and 60.48Da(a); 45CSR§30-5.1.c.]

4.1.8. **Auxiliary Boilers.** During those periods when neither of the two fluidized bed boilers are in operation but steam demand for West Virginia University requires operation of either or both of the gas-fired auxiliary boilers, air pollutant emissions from the main stack venting the two natural gas-fired boilers shall not exceed the following:

Pollutant	lbm/hr	lbm/mmBtu
Particulate Matter	1.2	0.0045
Sulfur Dioxide	0.14	5.3×10^{-4}
Nitrogen Oxides	50.0	0.189
Volatile Organic Compounds	1.95	0.0074
Carbon Monoxide	10.0	0.038

Compliance with these streamlined PM and SO_2 time-rate limits assures compliance with 45CSR§2-4.1.b. and 45CSR§10-3.3.f., respectively. Compliance with this streamlined NO_x heat-rate limit assures compliance with 40 C.F.R. §60.44b(a)(1)(ii).

[45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(2); 45CSR§2-4.1.b.; 45CSR§10-3.3.f.; 40 C.F.R. §60.44b(a)(1)(ii); 45CSR16]

4.1.9. **CFB and Auxiliary Boilers.** During periods when the steam demand for West Virginia University requires the combined operation of the circulating fluidized bed boilers and the auxiliary boilers, air pollutant emissions from the main stack venting those operations shall not exceed the following:

Pollutant	lbm/hr	lbm/mmBtu
Particulate Matter	22.5 (2)	0.022 (4)
Sulfur Dioxide (1)	285 (24-hr average) (3)	0.40 (4) (30-day rolling average)
Nitrogen Oxides (NO_2) (1)	300 (24-hr average)	0.40 (5) (30-day rolling average)
Volatile Organic Compounds	7.5	0.0074
Carbon Monoxide	127.5	0.1257
Lead	0.13	N/A
Mercury	0.021	N/A
Fluorides	0.4	N/A
Beryllium	0.0002	N/A
Arsenic	0.002	N/A
Radionuclides	0.0009	N/A

(1) Compliance shall be demonstrated via continuous emissions monitoring.
(2) Compliance with this streamlined PM limit assures compliance with 45CSR§2-4.1.a. for the CFB boilers (S009J, S009K).
(3) Compliance with this streamlined SO_2 limit assures compliance with 45CSR§10-3.3.f. for the auxiliary boilers (S009L, S009M).
(4) Compliance with these streamlined PM and SO_2 limits assures compliance with 40 C.F.R. §§60.42Da(a) and 60.43Da(a)(2), respectively.
(5) Compliance with this streamlined NO_x limit assures compliance with 40 C.F.R. §60.44b(a)(1)(ii) for the auxiliary boilers (S009L, S009M). Compliance with this streamlined NO_x limit assures compliance with 40 C.F.R. §60.44Da(a)(1) for the CFB boilers (S009J, S009K).

[45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(3); 45CSR§2-4.1.a.; 45CSR§10-3.3.f.; 40 C.F.R. §§60.42Da(a), 60.43Da(a)(2), 60.43Da(g), 60.44Da(a)(1); 40 C.F.R. §§60.44b(a)(1)(ii) and 60.44b(i); 45CSR16]

4.1.10. **Compliance Date for 40 C.F.R. 63 Subpart DDDDD.** If you have an existing boiler or process heater, you must comply with 40 C.F.R. 63 Subpart DDDDD no later than January 31, 2016, except as provided in 40 C.F.R. §63.6(i).
[40 C.F.R. §63.7495(b); 45CSR34] (Auxiliary Boilers S009L and S009M)

4.1.11. **Annual Tune-up for 40 C.F.R. 63 Subpart DDDDD.** If your unit is a new or existing boiler or process heater without a continuous oxygen trim system and with heat input capacity of 10 million Btu per hour or greater, you must conduct an annual tune-up of the boiler or process heater as specified in 40 C.F.R. §63.7540 (paragraphs (i) through (vi) of this condition). Units in the Gas 1 subcategory will conduct this tune-up as a work practice for all regulated emissions under 40 C.F.R. 63 Subpart DDDDD.

(i) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. 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 (you may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection;

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

(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; and

(vi) Maintain on-site and submit, if requested by the Administrator, an annual report containing the information in paragraphs (vi)(A) through (C) of this condition.

(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; and

(C) The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

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.

You must complete an initial tune-up by following the procedures described in paragraphs (i) through (vi) of this condition no later than the compliance date specified in 40 C.F.R.§63.7495(b) (condition 4.1.10.), except as specified in paragraph (j) of 40 C.F.R.§63.7510.

[40 C.F.R. §63.7500(a)(1), Table 3, Item #3; 40 C.F.R. §§ 63.7505(a), 63.7510(e), 63.7540(a)(10) and (a)(10)(i) through (vi), 63.7540(a)(13); 45CSR34] (Auxiliary Boilers S009L and S009M)

4.1.12. **One-time Energy Assessment for 40 C.F.R. 63 Subpart DDDDD.** If your unit is an existing boiler or process heater located at a major source facility, not including limited use units, you must have a one-time energy assessment performed by a qualified energy assessor. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy assessment requirements in Table 3 to 40 C.F.R. 63 Subpart DDDDD, satisfies the energy assessment requirement. A facility that operates under an energy management program compatible with ISO 50001 that includes the affected units also satisfies the energy assessment requirement. The energy assessment must include the following with extent of the evaluation for items a. to e. appropriate for the on-site technical hours listed in applicable section (1) of the definition of *Energy assessment* in 40 C.F.R. §63.7575: The energy assessment for facilities with affected boilers and process heaters with a combined heat input capacity of less than 0.3 trillion Btu (TBtu) per year will be 8 on-site technical labor hours in length maximum, but may be longer at the discretion of the owner or operator of the affected source. The boiler system(s) and any on-site energy use system(s) accounting for at least 50 percent of the affected boiler(s) energy (e.g., steam, hot water, process heat, or electricity) production, as applicable, will be evaluated to identify energy savings opportunities, within the limit of performing an 8-hour on-site energy assessment.

a. A visual inspection of the boiler or process heater system.

b. An evaluation of operating characteristics of the boiler or process heater systems, specifications of energy using systems, operating and maintenance procedures, and unusual operating constraints.

c. An inventory of major energy use systems consuming energy from affected boilers and process heaters and which are under the control of the boiler/process heater owner/operator.

d. A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage.

e. A review of the facility's energy management practices and provide recommendations for improvements consistent with the definition of energy management practices, if identified.

f. A list of cost-effective energy conservation measures that are within the facility's control.

g. A list of the energy savings potential of the energy conservation measures identified.

h. A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments.

You must complete the one-time energy assessment specified in this condition no later than the compliance date specified in 40 C.F.R. §63.7495(b) (condition 4.1.10.), except as specified in paragraph (j) of 40 C.F.R. §63.7510.

[40 C.F.R. §63.7500(a)(1), Table 3, Item #4; 40 C.F.R. §§ 63.7505(a) and 63.7510(e); 45CSR34] (Auxiliary Boilers S009L and S009M)

4.1.13. At all times, you must operate and maintain any affected source (as defined in 40 C.F.R. §63.7490), including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
[40 C.F.R. §63.7500(a)(3); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.1.14. **Compliance Date for 40 C.F.R. 63 Subpart UUUUU.** If you have an existing EGU, you must comply with 40 C.F.R. 63 Subpart UUUUU no later than April 16, 2015.
[40 C.F.R. §63.9984(b); 45CSR34] (CFB Boilers S009J and S009K)

4.1.15. You must demonstrate that compliance has been achieved, by conducting the required performance tests and other activities, no later than 180 days after the applicable date in paragraph (b) of 40 C.F.R. §63.9984 (condition 4.1.14.).

For existing affected sources a tune-up may occur prior to April 16, 2012, so that existing sources without neural networks have up to 42 calendar months (3 years from promulgation plus 180 days) after the date that is specified for your source in 40 C.F.R. §63.9984 and according to the applicable provisions in 40 C.F.R. §63.7(a)(2) as cited in Table 9 to 40 C.F.R. 63 Subpart UUUUU to demonstrate compliance with this requirement. If a tune-up occurs prior to such date, the source must maintain adequate records to show that the tune-up met the requirements of this standard.

[40 C.F.R. §§ 63.9984(f) and 63.10005(f); 45CSR34] (CFB Boilers S009J and S009K)

4.1.16. **Filterable Particulate Matter (PM) Emission Limitation for 40 C.F.R. 63 Subpart UUUUU.** If your EGU is in the coal-fired unit not low rank virgin coal subcategory, for filterable particulate matter (PM), you must meet the emission limit 0.030 lb/MMBtu, by collecting a minimum of 1 dscm per run according to applicable test methods in Table 5 to Subpart UUUUU.
[40 C.F.R. §63.9991(a)(1), Table 2, Item #1.a.; 40 C.F.R. §63.10000(a); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.17. **Sulfur Dioxide (SO_2) Emission Limitation for 40 C.F.R. 63 Subpart UUUUU.** If your EGU is in the coal-fired unit not low rank virgin coal subcategory, for sulfur dioxide (SO_2), you must meet the emission limit 0.20 lb/MMBtu, using SO_2 CEMS according to applicable methods in Table 5 and procedures in Table 7 to 40 C.F.R. 63 Subpart UUUUU.

You may use the alternate SO_2 limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU only if your EGU:

(1) Has a system using wet or dry flue gas desulfurization technology (this includes limestone injection into a fluidized bed combustion unit, as per the definition of *Dry flue gas desulfurization technology* in 40 C.F.R. §63.10042) and SO_2 continuous emissions monitoring system (CEMS) installed on the unit; and

(2) At all times, you operate the wet or dry flue gas desulfurization technology (this includes limestone injection into a fluidized bed combustion unit, as per the definition of *Dry flue gas desulfurization technology* in 40 C.F.R. §63.10042) installed on the unit consistent with 40 C.F.R. §63.10000(b) (permit condition 4.1.22.).

[40 C.F.R. §63.9991(a)(1), Table 2, Item #1.b.; 40 C.F.R. §63.10021(a), Table 7, Item #1; 40 C.F.R. §§63.9991(c)(1) and (2); 40 C.F.R. §63.10000(a); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.18. **Mercury (Hg) Emission Limitation for 40 C.F.R. 63 Subpart UUUUU.** If your EGU is in the coal-fired unit not low rank virgin coal subcategory, for mercury (Hg), you must meet the emission limit 1.2 lb/TBtu, using LEE testing for 30 days with 10 days maximum per Method 30B run or Hg CEMS or sorbent trap monitoring system only using applicable methods in Table 5 to Subpart UUUUU.
[40 C.F.R. §63.9991(a)(1), Table 2, Item #1.c.; 40 C.F.R. §63.10000(a); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.19. **Tune-up Work Practice Standard for 40 C.F.R. 63 Subpart UUUUU**. If your EGU is an existing EGU, you must conduct a tune-up of the EGU burner and combustion controls at least each 36 calendar months as specified in 40 C.F.R. §63.10021(e). Each performance tune-up specified in §63.10021(e) must be no more than 36 calendar months after the previous performance tune-up.

(1) As applicable, inspect the burner and combustion controls, and clean or replace any components of the burner or combustion controls as necessary upon initiation of the work practice program and at least once every required inspection period. Repair of a burner or combustion control component requiring special order parts may be scheduled as follows:

(i) Burner or combustion control component parts needing replacement that affect the ability to optimize NO_X and CO must be installed within 3 calendar months after the burner inspection,

(ii) Burner or combustion control component parts that do not affect the ability to optimize NO_X and CO may be installed on a schedule determined by the operator;

(2) As applicable, inspect the flame pattern and make any adjustments to the burner or combustion controls necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available, or in accordance with best combustion engineering practice for that burner type;

(3) As applicable, observe the damper operations as a function of mill and/or cyclone loadings, cyclone and pulverizer coal feeder loadings, or other pulverizer and coal mill performance parameters, making adjustments and effecting repair to dampers, controls, mills, pulverizers, cyclones, and sensors;

(4) As applicable, evaluate windbox pressures and air proportions, making adjustments and effecting repair to dampers, actuators, controls, and sensors;

(5) Inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly. Such inspection may include calibrating excess O_2 probes and/or sensors, adjusting overfire air systems, changing software parameters, and calibrating associated actuators and dampers to ensure that the systems are operated as designed. Any component out of calibration, in or near failure, or in a state that is likely to negate combustion optimization efforts prior to the next tune-up, should be corrected or repaired as necessary;

(6) Optimize combustion to minimize generation of CO and NO_X . This optimization should be consistent with the manufacturer's specifications, if available, or best combustion engineering practice for the applicable burner type. NO_X optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, adjusting combustion zone temperature profiles, and add-on controls such as SCR and SNCR; CO optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, and adjusting combustion zone temperature profiles;

(7) While operating at full load or the predominantly operated load, measure the concentration in the effluent stream of CO and NO_X in ppm, by volume, and oxygen in volume percent, before and after the tune-up 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). You may use portable CO, NO_X and O_2 monitors for this measurement. EGU's employing neural network optimization systems need only provide a single pre- and post-tune-up value rather than continual values before and after each optimization adjustment made by the system;

(8) Maintain on-site and submit, if requested by the Administrator, an annual report containing the information in paragraphs (1) through (9) of this condition including:

(i) The concentrations of CO and NO_X in the effluent stream in ppm by volume, and oxygen in volume percent, measured before and after an adjustment of the EGU combustion systems;

(ii) A description of any corrective actions taken as a part of the combustion adjustment; and

(iii) The type(s) and amount(s) of fuel used over the 12 calendar months prior to an adjustment, but only if the unit was physically and legally capable of using more than one type of fuel during that period; and

(9) Report the dates of the initial and subsequent tune-ups as follows:

(i) If the first required tune-up is performed as part of the initial compliance demonstration, report the date of the tune-up in hard copy (as specified in 40 C.F.R. § 63.10030 (4.5.12.)) and electronically (as specified in 40 C.F.R.§ 63.10031 (condition 4.5.19.(4))). Report the date of each subsequent tune-up electronically (as specified in 40 C.F.R §63.10031 (condition 4.5.19.(4))).

(ii) If the first tune-up is not conducted as part of the initial compliance demonstration, but is postponed until the next unit outage, report the date of that tune-up and all subsequent tune-ups electronically, in accordance with 40 C.F.R §63.10031 (condition 4.5.19.(4)).

[40 C.F.R. §63.9991(a)(1), Table 3, Item #1; 40 C.F.R. §§63.10021(e)(1) through (9); 40 C.F.R. §63.10021(a), Table 7, Item #5; 40 C.F.R. §63.10000(e); 40 C.F.R. §63.10005(e); 40 C.F.R. §63.10006(i)(1); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14., and must initially be completed by the date specified in condition 4.1.15.***

4.1.20. **Startup Work Practice Standard for 40 C.F.R. 63 Subpart UUUUU**. If your EGU is a coal-fired EGU during startup you must operate all CMS during startup. Startup means either the first-ever firing of fuel in a boiler for the purpose of producing electricity, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on site use). For startup of a unit, you must use clean fuels, either natural gas or distillate oil or a combination of clean fuels for ignition. Once you convert to firing coal, residual oil, or solid oil-derived fuel, you must engage all of the applicable control technologies except dry scrubber and SCR. You must start your dry scrubber and SCR systems, if present, appropriately to comply with relevant standards applicable during normal operation. You must comply with all applicable emissions limits at all times except for periods that meet the definitions of startup and shutdown in this subpart. You must keep records during periods of startup. You must provide reports concerning activities and periods of startup, as specified in §63.10021(i) (condition 4.5.16.a.(1)).
[40 C.F.R. §63.9991(a)(1), Table 3, Item #3; 40 C.F.R. §63.10021(a), Table 7, Item #6; 40 C.F.R. §63.10000(a); 40 C.F.R. §63.10005(j); 40 C.F.R. §63.10011(g); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.21. **Shutdown Work Practice Standard for 40 C.F.R. 63 Subpart UUUUU**. If your EGU is a coal-fired EGU during shutdown you must operate all CMS during shutdown. Shutdown means the cessation of operation of a boiler for any purpose. Shutdown begins either when none of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on-site use) or at the point of no fuel being fired in the boiler. Shutdown ends when there is both no electricity being generated and no fuel being fired in the boiler. During shutdown, you must operate all applicable control technologies while firing coal, residual oil, or solid oil-derived fuel. You must comply with all applicable emissions limits at all times except for periods that meet the definitions of startup and shutdown in this subpart. You must keep records during periods of shutdown. You must provide reports concerning activities and periods of shutdown, as specified in as specified in §63.10021(i) (condition 4.5.16.a.(1)).
[40 C.F.R. §63.9991(a)(1), Table 3, Item #4; 40 C.F.R. §63.10021(a), Table 7, Item #7; 40 C.F.R. §63.10000(a); 40 C.F.R. §63.10005(j); 40 C.F.R. §63.10011(g); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.22. At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
[40 C.F.R. §63.10000(b); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.1.23. You must determine the fuel whose combustion produces the least uncontrolled emissions, *i.e.*, the cleanest fuel, either natural gas or distillate oil, that is available on site or accessible nearby for use during periods of startup or shutdown. Your cleanest fuel, either natural gas or distillate oil, for use during periods of startup or shutdown determination may take safety considerations into account.
[40 C.F.R. §§63.10011(f)(1) and (2); 45CSR34] (CFB Boilers S009J and S009K)

4.2. Monitoring Requirements

4.2.1. The owner or operator shall install, calibrate, certify, operate, maintain, and record the output of continuous monitoring systems that measure all Opacity, SO_2, NO_x, and O_2 or CO_2 emissions from emission point *Stack 1* as specified in 40 C.F.R. Part 60, Subpart Da for the CFB boilers; and NO_x as specified in 40 C.F.R. Part 60, Subpart Db for the auxiliary boilers. Alternatively, the SO_2, NO_X and O_2 or CO_2 CEMS shall be certified, operated, and maintained in accordance with the requirements of 40 C.F.R. Part 75, provided that the relevant requirements of 40 CFR §§60.49Da(b)(4), (c)(2), and (d) are met.
Compliance with this streamlined provision assures compliance 45CSR13/14 - Permit No. R13-1085/R14-7 "Other Requirement (B)(1)(d)".
[45CSR16; 40 C.F.R. § 60.49Da, 40 C.F.R. §60.48b, 40 C.F.R. §60.13; 45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (B)(1)(d); 40 C.F.R. §§ 64.3(a), 64.3(b), 64.3(d)(1), and 64.6(c)(1); 40 C.F.R. §§60.49Da(b)(4), (c)(2), and (d)]

4.2.2. Compliance with the visible emission requirements of 45CSR§2-3.1. (condition 4.1.1.) 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 and as described in the approved monitoring plan. Compliance with the weight emission limit (4.1.7.) shall be demonstrated by periodic particulate matter stack testing (4.3.1. and 4.3.12.), conducted in accordance with the appropriate test method set forth in the Appendix to 45CSR2 or other equivalent EPA approved method approved by the Director. Such testing shall be conducted at a frequency to be established by the Director. [*Permit R13-1085/R14-7B serves as the approved monitoring plan.*]
[45CSR§§2-3.2. and 8.1.a., 45CSR§2A-6]

4.2.3. Compliance with the visible emissions limit (4.1.1.) shall be monitored as set forth in the approved monitoring plan for each emission unit. [*Permit R13-1085/R14-7B serves as the approved monitoring plan.*]
[45CSR§2-8.2.a.]

4.2.4. **Commencement of operation**. The permittee shall conduct the monitoring required under 40 C.F.R. Part 64 upon issuance of this permit that includes such monitoring.
[40 C.F.R. § 64.7(a); 45CSR§30-5.1.c.]

4.2.5. **Proper Maintenance** – At all times, the permittee shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
[40 C.F.R. § 64.7(b); 45CSR§30-5.1.c.]

4.2.6. **Continued Operation** – Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of 40 C.F.R. Part 64, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
[40 C.F.R. § 64.7(c); 45CSR§30-5.1.c.]

4.2.7. **Documentation of Need for Improved Monitoring** – After approval of monitoring under 40 C.F.R. Part 64, if the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly notify the Director and, if necessary, submit a proposed modification to the permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.
[40 C.F.R. § 64.7(e); 45CSR§30-5.1.c.]

4.2.8. **Quality Improvement Plan (QIP) –** Based on the results of a determination made under permit condition 4.4.3.(2), the Administrator or the Director may require the permittee to develop and implement a QIP. Consistent with 40 C.F.R. §64.6(c)(3), the permittee is limited to an accumulation of exceedances or excursions no greater than five (5) percent of the operating time for the boilers during a reporting period, prior to requiring the implementation of a QIP. If a QIP is required, then it shall be developed, implemented, and modified as required according to 40 C.F.R. §§ 64.8(b) through (e). Refer to permit condition 4.5.6.(2)(iii) for the reporting required when a QIP is implemented.
[40 C.F.R. § 64.8; 45CSR§30-5.1.c.]

4.2.9. **Supplementary Actions prior to an Excursion** – For CAM purposes, normal operation shall be between 0% and 6% opacity on a six-minute block basis during any one-hour period. Opacity greater than 6% (six-minute block) triggers the following supplementary actions.

a. Monitor the opacity as the baghouses (which are dedicated to either CFB#1 or CFB#2) go through a manually initiated cleaning cycle. The opacity will increase when the compartment with the problem or leaking bag goes through the cleaning cycle.
b. Once the problem compartment is identified, the compartment will be isolated and appropriate corrective measures will be taken.

[40 C.F.R. § 64.3(a); 45CSR§§30-5.1.c. and 12.7.]

4.2.10. **Excursions** – An excursion shall be defined as opacity greater than eight (8) percent during any six-minute period during any one-hour period after supplementary action (as defined in condition 4.2.9.) has been taken. An excursion will not be deemed to have occurred if the opacity exceeds 8% during the cleaning cycle specified in condition 4.2.9.a. If the opacity exceeds 8% before the permittee has time to perform the supplementary actions in condition 4.2.9., an excursion will be deemed to have occurred. Refer to conditions 4.4.3., 4.4.4., and 4.5.6. for recordkeeping and reporting requirements for excursions.
[40 C.F.R. § 64.6(c)(2); 45CSR§30-5.1.c.]

4.2.11. *40 C.F.R. 63 Subpart UUUUU affected units utilizing common stack with non-affected units*.

(i) When one or more affected units shares a common stack with one or more non-affected units, you shall either:

(A) Install the required CEMS, PM CPMS, and sorbent trap monitoring systems in the ducts leading to the common stack from each affected unit; or

(B) Install the required CEMS, PM CPMS, and sorbent trap monitoring systems described in this section in the common stack and attribute all of the emissions measured at the common stack to the affected unit(s).

(ii) If you choose the common stack monitoring option:

(A) For each hour in which valid data are obtained for all parameters, you must calculate the pollutant emission rate and

(B) You must assign the calculated pollutant emission rate to each unit that shares the common stack.

[40 C.F.R. §63.10010(a)(3); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.12. **Specifications and Operation of SO_2 CEMS for 40 C.F.R. 63 Subpart UUUUU**.

(1) If you use an SO_2 CEMS, you must install the monitor at the outlet of the EGU, downstream of all emission control devices, and you must certify, operate, and maintain the CEMS according to 40 C.F.R. part 75.

(2) For on-going QA, the SO_2 CEMS must meet the applicable daily, quarterly, and semiannual or annual requirements in sections 2.1 through 2.3 of appendix B to 40 C.F.R. part 75, with the following addition: You must perform the linearity checks required in section 2.2 of appendix B to 40 C.F.R. part 75 if the SO_2 CEMS has a span value of 30 ppm or less.

(3) Calculate and record a 30-boiler operating day rolling average SO_2 emission rate in the units of the standard, updated after each new boiler operating day. Each 30-boiler operating day rolling average emission rate is the average of all of the valid SO_2 emission rates in the preceding 30 boiler operating days.

(4) Use only unadjusted, quality-assured SO_2 concentration values in the emissions calculations; do not apply bias adjustment factors to the part 75 SO_2 data and do not use part 75 substitute data values.

[40 C.F.R. §§63.10010(f)(1) through (4); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.13. You must operate the monitoring system and collect data at all required intervals at all times that the affected EGU is operating, except for periods of monitoring system malfunctions or out-of-control periods (see 40 C.F.R. §63.8(c)(7) of this part), and required monitoring system quality assurance or quality control activities, including, as applicable, calibration checks and required zero and span adjustments. You are required to affect monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.
[40 C.F.R. §63.10020(b); 45CSR34] (CFB Boilers S009J and S009K, SO_2 CEMS) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.14. You may not use data recorded during EGU startup or shutdown or monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, or required monitoring system quality assurance or control activities in calculations used to report emissions or operating levels. You must use all the data collected during all other periods in assessing the operation of the control device and associated control system.
[40 C.F.R. §63.10020(c); 45CSR34] (CFB Boilers S009J and S009K, SO_2 CEMS) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.15. Except for periods of monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments), failure to collect required data is a deviation from the monitoring requirements.
[40 C.F.R. §63.10020(d); 45CSR34] (CFB Boilers S009J and S009K, SO_2 CEMS) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.16. Except as otherwise provided in 40 C.F.R. §63.10020(c) (condition 4.2.14.), if you use a CEMS to measure SO_2 , PM, or Hg emissions, or using a sorbent trap monitoring system to measure Hg emissions, you must demonstrate continuous compliance by using all quality-assured hourly data recorded by the CEMS (or sorbent trap monitoring system) and the other required monitoring systems (e.g., flow rate, CO_2 , O_2 , or moisture systems) to calculate the arithmetic average emissions rate in units of the standard on a continuous 30-boiler operating day (or, if alternate emissions averaging is used for Hg, 90-boiler operating day) rolling average basis, updated at the end of each new boiler operating day. Use Equation 8 in 40 C.F.R. §63.10021(b) to determine the 30- (or, if applicable, 90-) boiler operating day rolling average.
[40 C.F.R. §63.10021(b); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.2.17. If you use an oxygen (O_2) or carbon dioxide (CO_2) CEMS to convert measured pollutant concentrations to the units of the applicable emissions limit, the O_2 or CO_2 concentrations shall be monitored at a location that represents emissions to the atmosphere, *i.e.*, at the outlet of the EGU, downstream of all emission control devices. You must install, certify, maintain, and operate the CEMS according to part 75 of this chapter. Use only quality-assured O_2 or CO_2 data in the emissions calculations; do not use part 75 substitute data values.
[40 C.F.R. §63.10010(b); 45CSR34] (CFB Boilers S009J and S009K, SO_2 CEMS) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3. Testing Requirements

4.3.1. Compliance with the particulate matter emission limitations under condition 4.1.7. and 40 C.F.R. §60.42Da(a) shall be demonstrated in accordance with 40 C.F.R. §60.8, 40 C.F.R. §60.48Da, 40 C.F.R. §60.50Da, and 45CSR2 Appendix - Compliance Test Procedures for 45CSR2.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(1)]

4.3.2. Compliance with the sulfur dioxide emission limitation and sulfur dioxide reduction requirements under conditions 4.1.7. 4.1.6., and 4.1.9. and as required by 40 C.F.R. §60.43Da(a), shall be demonstrated in accordance with 40 C.F.R. §60.8, 40 C.F.R. §60.48Da, 40 C.F.R. §60.49Da and 40 C.F.R. §60.50Da, except that compliance with the maximum SO_2 emission limitation (in units of ppmvd and lb/hr) shall be demonstrated for each and all fixed twenty-four hour periods. Compliance with the SO_2 emission limitations in units of lb/mmBtu and SO_2 percent reduction shall be demonstrated based on the rolling average of 30 successive boiler operating days.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(1)(c); 40 C.F.R. 60.43Da(g); 45CSR16; 45CSR§30-5.1.c.]

4.3.3. Compliance with the nitrogen oxides emission limitation under condition 4.1.7. shall be demonstrated in accordance with 40 C.F.R. §60.8, 40 C.F.R. §60.48Da, 40 C.F.R. §60.49Da, and 40 C.F.R. §60.50Da.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(2)]

4.3.4. Compliance with the nitrogen oxides emission limitations under condition 4.1.8. shall be demonstrated in accordance with 40 C.F.R. §60.8, 40 C.F.R. §60.46b, 40 C.F.R. §60.48b and 40 C.F.R. §60.49b.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(3)]

4.3.5. Compliance with the volatile organic compound emission limitation under conditions 4.1.7., 4.1.8., and 4.1.9. shall be demonstrated in accordance with 40 C.F.R. 60, Appendix A - Method 25 or 25A.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(4)]

4.3.6. Compliance with the carbon monoxide emission limitations under conditions 4.1.7., 4.1.8., and 4.1.9. shall be demonstrated in accordance with 40 C.F.R. 60 Appendix A - Method 10.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(5)]

4.3.7. The owner or operator shall conduct a test at least once every five (5) years to determine the compliance of the CFB Boilers 1 & 2 with the carbon monoxide (CO) limits of condition 4.1.7. Such tests shall be conducted in accordance with 40 CFR 60 Appendix A - Method 10. A compliance test shall be conducted no later than eighteen (18) months of the issuance date of this permit. An emission factor shall be determined from the test results and updated from the results of each subsequent test. The emission factor shall be used for compliance demonstration for periods between tests.
[45CSR§30-5.1.c.]

4.3.8. Compliance with the emission limitation for lead under condition 4.1.7. shall be demonstrated in accordance with 40 C.F.R. 60 Appendix A - Method 12.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(6)]

4.3.9. Compliance with the emission limitation for mercury under condition 4.1.7. shall be demonstrated in accordance with 40 C.F.R. Part 60, Appendix A, Method 30B.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(7)]

4.3.10. Compliance with the emission limitation for fluorides under condition 4.1.7. shall be demonstrated in accordance with 40 C.F.R. 60, Appendix A - Method 13.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(8)]

4.3.11. Compliance with the emission limitation for beryllium under condition 4.1.7. shall be demonstrated in accordance with 40 C.F.R. 61, Appendix B - Method 104.
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(9)]

4.3.12. The owner or operator shall conduct, or have conducted, tests to determine the compliance of CFB Boilers 1 & 2 with the particulate matter mass emission limitations. Such tests shall be conducted in accordance with the appropriate method set forth in 45CSR2 Appendix – Compliance Test Procedures for 45CSR2, or other equivalent EPA approved method approved by the Director. Such tests shall be conducted in accordance with the schedule set forth in the following table.

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

At this renewal the last testing was completed on April 3, 2012 and the next testing shall be conducted no later than April 3, 2015.

[45CSR§2-8.1., 45CSR§2A-5.2.]

4.3.13. For coal-fired units, initial performance testing is required for all pollutants, to demonstrate compliance with the filterable particulate matter (PM) and mercury (Hg) emission limits (conditions 4.1.16. and 4.1.18., respectively).

(i) For a coal-fired EGU, you may conduct the initial performance testing in accordance with 40 C.F.R. §63.10005(h), to determine whether the unit qualifies as a low emitting EGU (LEE) for filterable particulate matter (PM) and mercury (Hg).

(ii) For a qualifying LEE for Hg emissions limits, you must conduct a 30-day performance test using Method 30B at least once every 12 calendar months to demonstrate continued LEE status. For affected units meeting the LEE requirements of 40 C.F.R. §63.10005(h), you must repeat the performance test once every year for Hg according to Table 5 of 40 C.F.R. 63 Subpart UUUUU and 40 C.F.R. §63.10007. Should subsequent emissions testing results show the unit does not meet

the LEE eligibility requirements, LEE status is lost. If this should occur, for Hg, you must install, certify, maintain, and operate a Hg CEMS or a sorbent trap monitoring system in accordance with appendix A to 40 C.F.R. 63 Subpart UUUUU, within 6 calendar months of losing LEE eligibility. Until the Hg CEMS or sorbent trap monitoring system is installed, certified, and operating, you must conduct Hg emissions testing quarterly (according to Item #4 in Table 7 to 40 C.F.R. 63 Subpart UUUUU), except as otherwise provided in 40 C.F.R. §63.10021(d)(1). You must have 3 calendar years of testing and CEMS or sorbent trap monitoring system data that satisfy the LEE emissions criteria to reestablish LEE status.

(iii) For a qualifying LEE for PM, you must conduct a performance test at least once every 36 calendar months to demonstrate continued LEE status. For affected units meeting the LEE requirements of 40 C.F.R. §63.10005(h), you must repeat the performance test once every 3 years according to Table 5 of 40 C.F.R. 63 Subpart UUUUU and 40 C.F.R. §63.10007. Should subsequent emissions testing results show the unit does not meet the LEE eligibility requirements, LEE status is lost. If this should occur, for PM, you must conduct emissions testing quarterly (according to Item #4 in Table 7 to 40 C.F.R. 63 Subpart UUUUU), except as otherwise provided in 40 C.F.R. §63.10021(d)(1).

(iv) If your coal-fired EGU does not qualify as a LEE for filterable particulate matter (PM), you must demonstrate compliance through an initial performance test and you must monitor continuous performance through either use of a particulate matter continuous parametric monitoring system (PM CPMS), a PM CEMS, or, for an existing EGU, compliance performance testing repeated quarterly (according to Item #4 in Table 7 to 40 C.F.R. 63 Subpart UUUUU).

(vi) If your coal-fired EGU does not qualify as a LEE for Hg, you must demonstrate initial and continuous compliance through use of a Hg CEMS or a sorbent trap monitoring system, in accordance with appendix A to 40 C.F.R. 63 Subpart UUUUU.

For candidate LEE units, use the results of the performance testing described in 40 C.F.R. §63.10005(h) to determine initial compliance with the applicable emission limit(s) in Table 2 to 40 C.F.R. 63 Subpart UUUUU and to determine whether the unit qualifies for LEE status.

[40 C.F.R. §§63.10000(c)(1)(i), (ii), (iii), (iv), and (vi); 40 C.F.R. §63.10005(h); 40 C.F.R. §§63.10006(b)(1) and (2); 40 C.F.R. §63.10011(a); 40 C.F.R. §63.10011(d); 40 C.F.R. §63.10021(a), Table 7, Item #4; 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.14. *General Initial Compliance Requirements*. For each of your affected EGUs, you must demonstrate initial compliance with each applicable emissions limit in Table 2 of 40 C.F.R. 63 Subpart UUUUU (condition 4.1.16. for PM; condition 4.1.17. for SO_2; condition 4.1.18. for Hg) through performance testing. Where two emissions limits are specified for a particular pollutant (e.g., a heat input-based limit in lb/MMBtu and an electrical output-based limit in lb/MWh), you may demonstrate compliance with either emission limit. For a particular compliance demonstration, you may be required to conduct one or more of the following activities in conjunction with performance testing: collection of hourly electrical load data (megawatts); establishment of operating limits according to 40 C.F.R. §63.10011 and Tables 4 and 7 to 40 C.F.R. 63 Subpart UUUUU; and CMS performance evaluations. In all cases, you must demonstrate initial compliance no later than the applicable date in paragraph (f) of 40 C.F.R. §63.10005 (condition 4.1.15.) for tune-up work practices for existing EGUs, in 40 C.F.R. §63.9984 (conditions 4.1.14., 4.1.15.) for other requirements for existing EGUs.

(1) To demonstrate initial compliance with an applicable emissions limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU using stack testing, the initial performance test generally consists of three runs at specified process operating conditions using approved methods.

(2) To demonstrate initial compliance using an SO_2 CEMS, the initial performance test consists of 30 boiler operating days of data collected by the initial compliance demonstration date specified in 40 C.F.R. §63.10005 with the certified monitoring system.

(i) The 30-boiler operating day CMS performance test must demonstrate compliance with the SO_2 emissions limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU.

[40 C.F.R. §§63.10005(a), 63.10005(a)(1), 63.10005(a)(2), and 63.10005(a)(2)(i); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.15. *Performance testing requirements.* If you choose to use performance testing to demonstrate initial compliance with the applicable emissions limits in Tables 2 of 40 C.F.R. 63 Subpart UUUUU (condition 4.1.16. for PM; condition 4.1.17. for SO_2; condition 4.1.18. for Hg) for your EGUs, you must conduct the tests according to 40 C.F.R. §63.10007 and Table 5 to 40 C.F.R. 63 Subpart UUUUU. For the purposes of the initial compliance demonstration, you may use test data and results from a performance test conducted prior to the date on which compliance is required as specified in 40 C.F.R. §63.9984 (permit condition 4.1.14.), provided that the following conditions are fully met:

(1) For a performance test based on stack test data, the test was conducted no more than 12 calendar months prior to the date on which compliance is required as specified in 40 C.F.R. §63.9984;

(2) For a performance test based on data from a certified CEMS, the test consists of all valid CMS data recorded in the 30 boiler operating days immediately preceding that date;

(3) The performance test was conducted in accordance with all applicable requirements in 40 C.F.R. §63.10007 and Table 5 to 40 C.F.R. 63 Subpart UUUUU;

(4) A record of all parameters needed to convert pollutant concentrations to units of the emission standard (e.g., stack flow rate, diluent gas concentrations, hourly electrical loads) is available for the entire performance test period; and

(5) For each performance test based on stack test data, you certify, and keep documentation demonstrating, that the EGU configuration, control devices, and fuel(s) have remained consistent with conditions since the prior performance test was conducted.

[40 C.F.R. §§63.10005(b), and 63.10005(b)(1) through (5); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.16. *CMS requirements.* If, for a particular emission or operating limit, you are required to (or elect to) demonstrate initial compliance using a continuous monitoring system, the CMS must pass a performance evaluation prior to the initial compliance demonstration. If a CMS has been previously certified under another state or federal program and is continuing to meet the on-going quality-assurance (QA) requirements of that program, then, provided that the certification and QA provisions of that program meet the applicable requirements of 40 C.F.R. §§ 63.10010(b) through (h), an additional performance evaluation of the CMS is not required under 40 C.F.R. 63 Subpart UUUUU.

For an affected coal-fired EGU, you may demonstrate initial compliance with the applicable SO_2 emissions limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU through use of an SO_2 CEMS installed and operated in accordance with 40 C.F.R. part 75 or Appendix B to 40 C.F.R. 63 Subpart UUUUU, as applicable. You may also demonstrate compliance with a filterable PM emission limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU through use of a PM CEMS installed, certified, and operated in accordance with 40 C.F.R. §63.10010(i). Initial compliance is achieved if the arithmetic average of 30-boiler operating days of quality-assured CEMS data, expressed in units of the standard (see 40 C.F.R. §63.10007(e)), meets the applicable SO_2 or PM emissions limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU. Use Equation 19-19 of Method 19 in appendix A-7 to 40 C.F.R. part 60 to calculate the 30-boiler operating day average emissions rate.

[40 C.F.R. §§63.10005(d), and 63.10005(d)(1); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.17. Except as otherwise provided in 40 C.F.R. §63.10007, you must conduct all required performance tests according to 40 C.F.R. §63.7(d), (e), (f), and (h). You must also develop a site-specific test plan according to the requirements in 40 C.F.R. §63.7(c).
[40 C.F.R. §63.10007(a); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.18. If you use SO_2 CEMS to determine compliance with a 30-boiler operating day rolling average emission limit, you must collect data for all nonexempt unit operating conditions (see 40 C.F.R. §63.10011(g) and Table 3 to 40 C.F.R. 63 Subpart UUUUU).
[40 C.F.R. §63.10007(a)(1); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.19. If you conduct performance testing with test methods in lieu of continuous monitoring, operate the unit at maximum normal operating load conditions during each periodic (e.g., quarterly) performance test. Maximum normal operating load will be generally between 90 and 110 percent of design capacity but should be representative of site specific normal operations during each test run.
[40 C.F.R. §63.10007(a)(2); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.20. You must conduct each performance test (including traditional 3-run stack tests, 30-boiler operating day tests based on CEMS data (or sorbent trap monitoring system data), and 30-boiler operating day Hg emission tests for LEE qualification) according to the requirements in Table 5 to 40 C.F.R. 63 Subpart UUUUU.
[40 C.F.R. §63.10007(b); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.21. Except for a 30-boiler operating day performance test based on CEMS (or sorbent trap monitoring system) data, where the concept of test runs does not apply, you must conduct a minimum of three separate test runs for each performance test, as specified in 40 C.F.R. §63.7(e)(3). Each test run must comply with the minimum applicable sampling time or volume specified in Table 2 to 40 C.F.R. 63 Subpart UUUUU. Sections 63.10005(d) and (h) (conditions 4.3.16. and 4.3.13.), respectively, provide special instructions for conducting performance tests based on CEMS or sorbent trap monitoring systems, and for conducting emission tests for LEE qualification.
[40 C.F.R. §63.10007(d); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.22. To use the results of performance testing to determine compliance with the applicable emission limits in Table 2 to 40 C.F.R. 63 Subpart UUUUU, proceed as in 40 C.F.R. §§63.10007(e)(1) through (3).
[40 C.F.R. §63.10007(e); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.23. Upon request, you shall make available to the EPA Administrator such records as may be necessary to determine whether the performance tests have been done according to the requirements of 40 C.F.R. §63.10007.
[40 C.F.R. §63.10007(f); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.24. For a unit that uses a CEMS to measure SO_2 for initial compliance, the first 30 boiler operating day average emission rate obtained with certified CEMS after the applicable date in 40 C.F.R. §63.9984 (or, if applicable, prior to that date, as described in 40 C.F.R. §63.10005(b)(2)), expressed in units of the standard, is the initial performance test. Initial compliance is demonstrated if the results of the performance test meet the applicable SO_2 emission limit in Table 2 to 40 C.F.R. 63 Subpart UUUUU.
[40 C.F.R. §63.10011(c)(2); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.25. *Notification of performance test*. When you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 30 days before the performance test is scheduled to begin.
[40 C.F.R. 63.10030(d); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.3.26. If a performance test on a non-mercury LEE shows emissions in excess of 50 percent of the emission limit and if you choose to reapply for LEE status, you must conduct performance tests at the appropriate frequency given in section (c) through (e) of 40 C.F.R. §63.10006 for that pollutant until all performance tests over a consecutive 3-year period show compliance with the LEE criteria.
[40 C.F.R. §63.10006(h); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4. Recordkeeping Requirements

4.4.1. Records of the operating schedule and quantity and quality of fuel consumed shall be maintained on site for each fuel burning unit and made available to the Director or his duly authorized representative upon request. Such records shall include, but not be limited to the date and time of start-up and shutdown and for:

a. *Pipeline quality natural gas* – The quantity of fuel consumed on a monthly basis,

b. *Coal* – Ash and BTU analysis from daily as-fired fuel samples required per condition 4.1.5. and the quantity of fuel consumed on a daily basis.

Note: Compliance with the daily as-fired fuel sampling frequency required by 40 C.F.R. §60.49Da(b)(3) shall ensure compliance with the less stringent frequency requirement for each shipment specified in 45CSR§2A-7.1.a.4.

[45CSR§2-8.3.c.; 45CSR§2A-7.1.a.; 40 C.F.R. §60.49Da(b)(3); 45CSR16]

4.4.2. Records of monitored data established in the monitoring plan shall be maintained on site and shall be made available to the Director or his duly authorized representative upon request.
[45CSR§2-8.3.a.]

4.4.3. **Response to Excursions or Exceedances**

(1) Upon detecting an excursion or exceedance, the permittee shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable

(2) Determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process

[40 C.F.R. § 64.7(d); 45CSR§30-5.1.c.]

4.4.4. **General recordkeeping requirements for 40 C.F.R. Part 64 (CAM)**
The permittee shall comply with the recordkeeping requirements specified in permit conditions 3.4.1. and 3.4.2. The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to 40 C.F.R. §64.8 (4.2.8.) and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under 40 C.F.R. Part 64 (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).
[40 C.F.R. § 64.9(b); 45CSR§30-5.1.c.]

4.4.5. You must keep records according to paragraphs (1) and (2) of this condition.

(1) A copy of each notification and report that you submitted to comply with 40 C.F.R. 63 Subpart DDDDD, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in 40 C.F.R. §63.10(b)(2)(xiv).

(2) Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations as required in 40 C.F.R. §63.10(b)(2)(viii).

[40 C.F.R. §63.7555(a); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.4.6. You must maintain records of the calendar date, time, occurrence and duration of each startup and shutdown.
[40 C.F.R. §63.7555(i); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.4.7. You must maintain records of the type(s) and amount(s) of fuels used during each startup and shutdown.
[40 C.F.R. §63.7555(j); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.4.8. **Format and Retention of Records for 40 C.F.R. 63 Subparts DDDDD and UUUUU**

(a) Your records must be in a form suitable and readily available for expeditious review, according to 40 C.F.R. §63.10(b)(1).

(b) As specified in 40 C.F.R. §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record on site, or they must be accessible from on site (for example, through a computer network), for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 C.F.R. §63.10(b)(1). You can keep the records off site for the remaining 3 years.

[40 C.F.R. §§63.7560(a), (b), and (c); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

[40 C.F.R. §§63.10033(a), (b), and (c); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.9. You must keep records according to paragraphs (1) and (2) of this condition.

(1) A copy of each notification and report that you submitted to comply with 40 C.F.R. 63 Subpart UUUUU, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in 40 C.F.R. §63.10(b)(2)(xiv).

(2) Records of performance stack tests, fuel analyses, or other compliance demonstrations and performance evaluations, as required in 40 C.F.R. §63.10(b)(2)(viii).

[40 C.F.R. §63.10032(a); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.10. For each CEMS, you must keep records according to paragraphs (1) through (4) of this condition.

(1) Records described in § 63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in 40 C.F.R. §63.8(d)(3).

(3) Request for alternatives to relative accuracy test for CEMS as required in 40 C.F.R. §63.8(f)(6)(i).

(4) Records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period.

[40 C.F.R. §63.10032(b); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.11. You must keep the records required in Table 7 to 40 C.F.R. 63 Subpart UUUUU (conditions 4.1.17., 4.3.13.(ii), 4.3.13.(iii), 4.3.13.(iv), 4.1.19., 4.1.20., and 4.1.21.) to show continuous compliance with each emission limit and operating limit that applies to you.
[40 C.F.R. §§63.10032(c) and 63.10021(h); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.12. For each EGU subject to an emission limit, you must also keep the records in paragraphs (1) and (3) of this condition.

(1) You must keep records of monthly fuel use by each EGU, including the type(s) of fuel and amount(s) used.

(3) For an EGU that qualifies as an LEE under 40 C.F.R. §63.10005(h), you must keep annual records that document that your emissions in the previous stack test(s) continue to qualify the unit for LEE status for an applicable pollutant, and document that there was no change in source operations including fuel composition and operation of air pollution control equipment that would cause emissions of the pollutant to increase within the past year.

[40 C.F.R. §§63.10032(d)(1) and (3); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.13. You must keep records of the occurrence and duration of each startup and/or shutdown.
[40 C.F.R. §§63.10032(f) and 63.10021(h); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.14. You must keep records of the occurrence and duration of each malfunction of an operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.
[40 C.F.R. §63.10032(g); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.15. You must keep records of actions taken during periods of malfunction to minimize emissions in accordance with 40 C.F.R. §63.10000(b) (condition 4.1.22.), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
[40 C.F.R. §63.10032(h); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.4.16. You must keep records of the type(s) and amount(s) of fuel used during each startup or shutdown.
[40 C.F.R. §§63.10032(i) and 63.10021(h); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5. Reporting Requirements

4.5.1. The permittee shall comply with the reporting requirements under 40 C.F.R. §60.51Da except that all required reports shall be certified to the USEPA Administrator and to the Department of Environmental Protection, Division of Air Quality Director in accordance with 40 C.F.R. §60.51Da(j).
[45CSR13/14 - Permit No. R13-1085/R14-7 Other Requirement (B)(1)(f)]

4.5.2. Compliance with the periodic exception reporting of permit condition 4.5.5. shall be demonstrated by quarterly reports in accordance with 40 C.F.R. §60.7(c).
[40 C.F.R. §60.7; 45CSR16]

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

a. The excess opacity period does not exceed thirty (30) minutes within any twenty-four (24) hour period; and,

b. Excess opacity does not exceed forty percent (40%).

[45CSR§2-9.3.a.]

4.5.4. Except as provided in permit condition 4.5.3. above, the owner or operator shall report to the Director by telephone, telefax, or e-mail any malfunction of CFB #1 or CFB #2 or their associated air pollution control equipment, which results in any excess particulate matter or excess opacity, by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Director within thirty (30) days providing the following information:

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

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

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

d. The maximum opacity measured or observed during the malfunction;

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

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

[45CSR§2-9.3.b.]

4.5.5. A periodic exception report shall be submitted to the Director, in a manner and at a frequency to be established by the Director.
[45CSR§2-8.3.b.]

4.5.6. **General reporting requirements for 40 C.F.R. Part 64 (CAM)**

(1) On and after the date specified in 40 C.F.R. §64.7(a) by which the permittee must use monitoring that meets the requirements of 40 C.F.R. 64, the permittee shall submit CAM monitoring reports with the quarterly excess emissions reports. A copy of the CAM monitoring reports generated within the semi-annual monitoring report period shall be included with the semi-annual monitoring report under permit condition 3.5.6. Incorporation by reference within the semi-annual monitoring report is not acceptable.

(2) A report for monitoring under 40 C.F.R. 64 shall include, at a minimum, the information required under permit condition 3.5.8. and the following information, as applicable:

(i) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

(ii) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

(iii) A description of the actions taken to implement a QIP during the reporting period as specified in 40 C.F.R. §64.8. Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

[40 C.F.R. §64.9(a); 45CSR§30-5.1.c.]

4.5.7. If you own or operate an existing unit designed to burn gas 1 subcategory, you must submit a signed statement in the Notification of Compliance Status report that indicates that you conducted a tune -up of the unit (condition 4.1.11.).
[40 C.F.R. §63.7530(d); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.8. You must include with the Notification of Compliance Status a signed certification that the energy assessment was completed according to Table 3 to 40 C.F.R. 63 Subpart DDDDD (condition 4.1.12.) and is an accurate depiction of your facility at the time of the assessment.
[40 C.F.R. §63.7530(e); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.9. **Notification of Compliance Status for 40 C.F.R. 63 Subpart DDDDD**. You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in 40 C.F.R. §63.7545(e).

(1) A description of the affected unit(s) including identification of which subcategories the unit is in, the design heat input capacity of the unit, a description of the add-on controls used on the unit to comply with this subpart, description of the fuel(s) burned, including whether the fuel(s) were a secondary material determined by you or the EPA through a petition process to be a non-waste under § 241.3 of this chapter, whether the fuel(s) were a secondary material processed from discarded non-hazardous secondary materials within the meaning of § 241.3 of this chapter, and justification for the selection of fuel(s) burned during the compliance demonstration

(6) A signed certification that you have met all applicable emission limits and work practice standards.

(7) If you had a deviation from any emission limit, work practice standard, or operating limit, you must also submit a description of the deviation, the duration of the deviation, and the corrective action taken in the Notification of Compliance Status report.

(8) In addition to the information required in 40 C.F.R. §63.9(h)(2), your notification of compliance status must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

(i) "This facility complies with the required initial tune-up according to the procedures in 40 C.F.R. §63.7540(a)(10)(i) through (vi)." (condition 4.1.11.(i) through (vi))

(ii) "This facility has had an energy assessment performed according to 40 C.F.R. §63.7530(e)." (condition 4.1.12.)

The notification must be sent to the Director (and a copy to U.S. EPA) before the close of business on the 60th day following the completion of both the initial annual tune-up (condition 4.1.11.) and one-time energy assessment (condition 4.1.12.).

[40 C.F.R. §§ 63.7530(f), 63.7545(a), 63.7545(e)(1), (7), (8)(i) and (ii); 40 C.F.R. §§63.9(a)(4)(ii) and 63.9(h)(2)(ii); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.10. You must report each instance in which you did not meet each work practice standard in Table 3 to 40 C.F.R. 63 Subpart DDDDD that apply to you (conditions 4.1.11. and 4.1.12.). These instances are deviations from the work practice standards in 40 C.F.R. 63 Subpart DDDDD. These deviations must be reported according to the requirements in 40 C.F.R. §63.7550 (condition 4.5.11.).
[40 C.F.R. §63.7540(b); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.11. You must submit a Compliance report for 40 C.F.R. 63 Subpart DDDDD containing:

a. The information in §63.7550(c)(5)(i) through (iv) and (xiv), which is:

(i) Company and Facility name and address.

(ii) Process unit information, emissions limitations, and operating parameter limitations.

(iii) Date of report and beginning and ending dates of the reporting period.

(iv) The total operating time during the reporting period.

(xiv) Include the date of the most recent tune-up for each unit subject to only the requirement to conduct an annual tune-up according to 40 C.F.R. §63.7540(a)(10). Include the date of the most recent burner inspection if it was not done annually and was delayed until the next scheduled or unscheduled unit shutdown.

b. If there are no deviations from the requirements for work practice standards in Table 3 to 40 C.F.R. 63 Subpart DDDDD that apply to you (conditions 4.1.11. and 4.1.12.), a statement that there were no deviations from the work practice standards during the reporting period.

You must submit the report every year according to the requirements in 40 C.F.R. §63.7550(b), which are:

(1) The first compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in 40 C.F.R. §63.7495 (condition 4.1.10.) and ending on July 31 or January 31, whichever date is the first date that occurs at least 1 year after the compliance date that is specified for your source in 40 C.F.R. §63.7495 (condition 4.1.10.).

(2) The first annual compliance report must be postmarked or submitted no later than January 31.

(3) Each subsequent annual compliance report must cover the 1-year period from January 1 to December 31.

(4) Each subsequent annual compliance report must be postmarked or submitted no later than January 31.

You must submit all reports required by Table 9 of 40 C.F.R. 63 Subpart DDDDD electronically using CEDRI that is accessed through the EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to 40 C.F.R. 63 Subpart DDDDD is not available in CEDRI at the time that the report is due the report you must submit the report to the Administrator at the appropriate address listed in 40 C.F.R. §63.13. At the discretion of the Administrator, you must also submit these reports, to the Administrator in the format specified by the Administrator.

[40 C.F.R. §§63.7550(a), (b), and (c)(1); 40 C.F.R. §63.7550(h)(3); 45CSR34] (Auxiliary Boilers S009L and S009M) ***This requirement is subject to the compliance date in condition 4.1.10.***

4.5.12. **Notification of Compliance Status for 40 C.F.R. 63 Subpart UUUUU**. You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in 40 C.F.R. §§ 63.10030(e) and 63.9(h)(2)(ii). The Notification of Compliance Status report must contain all the information specified in paragraphs (1) through (7) of this condition, as applicable.

(1) A description of the affected source(s) including identification of which subcategory the source is in, the design capacity of the source, a description of the add-on controls used on the source, description of the fuel(s) burned, including whether the fuel(s) were determined by you or EPA through a petition process to be a non-waste under 40 C.F.R. 241.3, whether the fuel(s) were processed from discarded non-hazardous secondary materials within the meaning of 40 C.F.R. 241.3, and justification for the selection of fuel(s) burned during the performance test.

(2) Summary of the results of all performance tests and fuel analyses and calculations conducted to demonstrate initial compliance including all established operating limits.

(3) Identification of whether you plan to demonstrate compliance with each applicable emission limit through performance testing; fuel moisture analyses; performance testing with operating limits (e.g., use of PM CPMS); CEMS; or a sorbent trap monitoring system.

(4) Identification of whether you plan to demonstrate compliance by emissions averaging.

(5) A signed certification that you have met all applicable emission limits and work practice standards.

(6) If you had a deviation from any emission limit, work practice standard, or operating limit, you must also submit a brief description of the deviation, the duration of the deviation, emissions point identification, and the cause of the deviation in the Notification of Compliance Status report.

(7) In addition to the information required in 40 C.F.R. §63.9(h)(2), your notification of compliance status must include the following:

(i) A summary of the results of the annual performance tests and documentation of any operating limits that were reestablished during this test, if applicable. If you are conducting stack tests once every 3 years consistent with 40 C.F.R. §63.10006(b), the date of the last three stack tests, a comparison of the emission level you achieved in the last three stack tests to the 50 percent emission limit threshold required in 40 C.F.R. §63.10006(i), and a statement as to whether there have been any operational changes since the last stack test that could increase emissions.

(ii) Certifications of compliance, as applicable, and must be signed by a responsible official stating:

(A) "This EGU complies with the requirements in §63.10021(a) to demonstrate continuous compliance." and

(B) "No secondary materials that are solid waste were combusted in any affected unit."

[40 C.F.R. §§ 63.10005(k), 63.10011(e), 63.10030(a), and 63.10030(e); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.13. You must report the results of performance tests and performance tune-ups within 60 days after the completion of the performance tests and performance tune-ups. The reports for all subsequent performance tests must include all applicable information required in 40 C.F.R. §63.10031 (permit conditions 4.5.16., 4.5.17., 4.5.18., 4.5.19.).
[40 C.F.R. §63.10006(j); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.14. You must submit the reports required under 40 C.F.R. §63.10031. CEMS data shall be submitted using EPA's Emissions Collection and Monitoring Plan System (ECMPS) Client Tool. Other data, including CEMS performance test detail reports, shall be submitted in the file format generated through use of EPA's Electronic Reporting Tool, the Compliance and Emissions Data Reporting Interface, or alternate electronic file format, all as provided for under 40 C.F.R. §63.10031 (conditions 4.5.16., 4.5.17., 4.5.18., 4.5.19.).
[40 C.F.R. §63.10021(f); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.15. You must report each instance in which you did not meet an applicable emissions limit or operating limit in Tables 2 and 3 to 40 C.F.R. 63 Subpart UUUUU or failed to conduct a required tune-up (conditions 4.1.16. through 4.1.21.). These instances are deviations from the requirements of 40 C.F.R. 63 Subpart UUUUU. These deviations must be reported according to 40 C.F.R. §63.10031 (condition 4.5.16.c.).
[40 C.F.R. §63.10021(g); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.16. You must submit a Compliance report for 40 C.F.R. 63 Subpart UUUUU containing:

a. Information required in 40 C.F.R. §§63.10031(c)(1) through (4), which is:

(1) The information required by the summary report located in 40 C.F.R. §63.10(e)(3)(vi).

(2) The total fuel use by each affected source subject to an emission limit, for each calendar month within the semiannual reporting period, including, but not limited to, a description of the fuel, whether the fuel has received a non-waste determination by EPA or your basis for concluding that the fuel is not a waste, and the total fuel usage amount with units of measure.

(3) Indicate whether you burned new types of fuel during the reporting period. If you did burn new types of fuel you must include the date of the performance test where that fuel was in use.

(4) Include the date of the most recent tune-up for each unit subject to the requirement to conduct a performance tune-up according to 40 C.F.R. §63.10021(e). Include the date of the most recent burner inspection if it was not done every 36 (or 48) months and was delayed until the next scheduled unit shutdown.

b. If there are no deviations from any emission limitation (emission limit and operating limit) that applies to you and there are no deviations from the requirements for work practice standards in Table 3 to 40 C.F.R. 63 Subpart UUUUU that apply to you, a statement that there were no deviations from the emission limitations and work practice standards during the reporting period. If there were no periods during which the CMSs, including continuous emissions monitoring system, and operating parameter monitoring systems, were out-of-control as specified in 40 C.F.R. §63.8(c)(7), a statement that there were no periods during which the CMSs were out-of-control during the reporting period; and

c. If you have a deviation from any emission limitation (emission limit and operating limit) or work practice standard during the reporting period, the report must contain the information in 40 C.F.R. §63.10031(d) (section d. of this condition). If there were periods during which the CMSs, including continuous emissions monitoring systems and continuous parameter monitoring systems, were out-of-control, as specified in 40 C.F.R. §63.8(c)(7), the report must contain the information in 40 C.F.R. §63.10031(e) (condition 4.5.18.).

d. For each excess emissions occurring at an affected source where you are using a CMS to comply with that emission limit or operating limit, you must include the information required in 40 C.F.R. §63.10(e)(3)(v) in the compliance report specified in section a. of this condition.

e. If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded.

You must submit the report semiannually according to the requirements in 40 C.F.R. §60.10031(b) (condition 4.5.17.).

[40 C.F.R. §63.10031(a), Table 8, Item #1; 40 C.F.R. §§63.10031(c)(1) through (4); 40 C.F.R. §63.10031(d); 40 C.F.R. §63.10031(g); 40 C.F.R. §63.10021(i); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.17. Unless the Administrator has approved a different schedule for submission of reports under 40 C.F.R. §63.10(a), you must submit each report by the date in Table 8 to 40 C.F.R. 63 Subpart UUUUU and according to the requirements in paragraphs (1) through (5) of this condition.

(1) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in 40 C.F.R. §63.9984 and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for your source in 40 C.F.R. §63.9984.

(2) The first compliance report must be postmarked or submitted electronically no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in 40 C.F.R. §63.9984.

(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent compliance report must be postmarked or submitted electronically no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) You may submit the first and subsequent compliance reports according to the dates in permit condition 3.5.6. instead of according to the dates in paragraphs (1) through (4) of this condition.

[40 C.F.R. §§63.10031(b)(1) through (5); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.18. You must report all deviations as defined in 40 C.F.R. 63 Subpart UUUUU in the semiannual monitoring report required by condition 3.5.6. If an affected source submits a compliance report pursuant to Table 8 to 40 C.F.R. 63 Subpart UUUUU (condition 4.5.16.) along with, or as part of, the semiannual monitoring report required by condition 3.5.6., and the compliance report includes all required information concerning deviations from any emission limit, operating limit, or work practice requirement in 40 C.F.R. 63 Subpart UUUUU, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. Submission of a compliance report does not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.
[40 C.F.R. §63.10031(e); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.19. As of January 1, 2012, and within 60 days after the date of completing each performance test, you must submit the results of the performance tests required by 40 C.F.R. 63 Subpart UUUUU according to 40 C.F.R. §63.10031(f).

(1) Within 60 days after the date of completing each CEMS (SO_2, PM, HCl, HF, and Hg) performance evaluation test, as defined in 40 C.F.R. §63.2 and required by 40 C.F.R. 63 Subpart UUUUU, you must submit the relative accuracy test audit (RATA) data (or, for PM CEMS, RCA and RRA data) required by 40 C.F.R. 63 Subpart UUUUU according to 40 C.F.R. §63.10031(f)(1).

(3) Reports for an SO_2 CEMS, a Hg CEMS or sorbent trap monitoring system, an HCl or HF CEMS, and any supporting monitors for such systems (such as a diluent or moisture monitor) shall be submitted using the ECMPS Client Tool, as provided for in Appendices A and B to 40 C.F.R. 63 Subpart UUUUU and 40 C.F.R. §63.10021(f) (condition 4.5.14.).

(4) Submit the compliance reports required under paragraphs (c) and (d) of 40 C.F.R. §63.10031 (conditions 4.5.16.a.(1) through (4), and 4.5.16.d., respectively) and the notification of compliance status required under 40 C.F.R. §63.10030(e) (condition 4.5.12.) electronically according to 40 C.F.R. §63.10031(f)(4).

(5) All reports required by 40 C.F.R. 63 Subpart UUUUU not subject to the requirements in paragraphs (f)(1) through (4) of 40 C.F.R. §63.10031 (sub-conditions (1), (3), and (4) of this condition) must be sent to the Administrator at the appropriate address listed in 40 C.F.R. §63.13. If acceptable to both the Administrator and the owner or operator of a source, these reports may be submitted on electronic media. The Administrator retains the right to require submittal of reports subject to paragraphs (f)(1), (2), and (3) of 40 C.F.R. §63.10031 in paper format.

[40 C.F.R. §§ 63.10031(f), 63.10031(f)(1), 63.10031(f)(3), 63.10031(f)(4), 63.10031(f)(5); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.5.20. You must submit all of the notifications in 40 C.F.R. §63.7(b) and §63.7(c), and §63.8 (e), by the dates specified.
[40 C.F.R. §§ 63.10030(a); 45CSR34] (CFB Boilers S009J and S009K) ***This requirement is subject to the compliance date in condition 4.1.14.***

4.6. Compliance Plan

4.6.1. There is no compliance plan since a responsible official certified compliance with all applicable requirements in the renewal application for this Title V operating permit.

5.0 Fuel, Limestone, and Ash Handling [emission point IDs: *Vent 1* through *Vent 11*, and *Fugitive Emission 1* through *Fugitive Emission 16*]

5.1. Limitations and Standards

5.1.1. Coal/coal refuse and limestone handling/storage facilities shall consist of the following, and particulate emissions shall be controlled as specified with maximum particulate emissions not to exceed the following:

	Type/Identity of Particulate Matter Control Equipment	Particulate Emission Limitation for Control Equipment Discharge lb/hr
Coal/Gob Receiving Hoppers (Truck)	Enclosure and Water/Chemical Dust Suppression System	
Coal/Gob Receiving Hopper (Emergency Use)	Minimize Drop Height	
Elevating Transfer Conveyor No. 1, Two Fuel Silos, Reversible Silo Feed Conveyor, Hopper Transfer Conveyor, and Transfer Points	Enclosure and Evacuation to Baghouse	0.0002
Elevating (Tripper) Conveyor No. 2 (top), Two Fuel Day Bins, and Transfer Points	Enclosure and Evacuation to Baghouse	0.0002
Mill Collecting Conveyor, Elevating Conveyor No. 2 base	Enclosure and Evacuation to Baghouse	0.0002
Two Coal/Gob Crushers (Grinding Mill, Hammer Mill), Emergency Fuel Feed Conveyor, Weigh Belt Conveyor	Enclosure and Evacuation to Baghouse	0.099
One 1,160 Ton Limestone Storage Silo	Baghouse	0.014
Limestone Truck Unloading Hopper	Enclosure and Evacuation to Baghouse	0.027
One Limestone Day Bin	Baghouse	0.005

[45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(4)]

5.1.2. Visible Emissions from coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal (*Vents 1-5*) shall not exceed twenty (20) percent opacity except during periods of startup, shutdown, or malfunction.
[40 C.F.R. §§ 60.254(a) and 60.11(c); 45CSR16]

5.1.3. At all times, including periods of startup, shutdown, and malfunction, any affected facility [*coal processing and conveying equipment* as defined in 40 C.F.R. 60 Subpart Y] including associated air pollution control equipment shall, to the extent practicable, be maintained and operated in a manner consistent with good air pollution control practice for minimizing emissions. Determination that acceptable operating and maintenance procedures are being used, will be based on information available to the Secretary which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
[40 C.F.R. §60.11(d); 45CSR16]

5.1.4. Ash transfer, storage and loading facilities shall consist of the following and particulate emissions from the entire system shall be controlled as specified with maximum particulate emissions not to exceed the following:

	Type/Identity of Particulate Matter Control Equipment	Particulate Emission Limitation for Control Equipment Discharge lb/hr
Pneumatic System for Collected Flyash and Bottom Ash Handling, One 1300 Ton Ash Silo, Vacuum Blowers	Enclosure and Evacuation to Baghouse	0.028
Fully Sealed Mechanical System for Bottom Ash/Cooler Rejects, One 85 Ton Bottom Ash Silo	Baghouse	0.028
Flyash Transport (Silo Vent)	Baghouse	0.184
Wet Ash Loadout (Flyash and Bottom Ash)	Rotary dustless (wet) unloaders shall thoroughly wet ash prior to loading and handling. Ash loadout(s) shall be fully enclosed and evacuated to an ash silo baghouse during all ash loading.	

[45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(5)]

5.1.5. There shall be no open stockpiling or storage of coal or coal refuse at the permitted facility.
[45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(8)]

5.1.6. All trucks delivering coal or coal refuse and trucks removing ash from the plant shall be fully covered or enclosed.
[45CSR13/14 - Permit No. R13-1085/R14-7 Specific Requirement (A)(9)]

5.2. Monitoring Requirements

5.2.1. Reserved.

5.3. Testing Requirements

5.3.1. In order to demonstrate compliance with the opacity limitation in condition 5.1.2., the permittee shall conduct visible emission evaluations as follows for "affected facility" *Baghouse Vents (Vents 1-5):*

a. A visible emissions evaluation shall be conducted for each affected facility at least once every consecutive 12-month period in accordance with 40 C.F.R. Part 60 Appendix A, Method 9, or as provided in 40 C.F.R. §60.11. This annual evaluation shall consist of a minimum of 24 consecutive observations for each affected facility.
[45CSR§30-5.1.c.]

b. Each emissions unit with a visible emissions limit contained in this permit section shall be observed visually by a trained Method 22 observer at least each calendar week during periods of normal facility operation for a sufficient time interval to determine if the unit has any visible emissions. If visible emissions from any of the emissions units are observed during these weekly observations, or at any

other time, that appear to exceed 50 percent of the allowable visible emission requirement for the emission unit, visible emissions evaluations in accordance with 40 C.F.R. Part 60 Appendix A, Method 9 shall be conducted as soon as practicable, but no later than one (1) month from the time of the observation. A Method 9 evaluation shall not be required under this sub-section (5.3.1.b.) if the visible emissions condition is corrected within 24 hours; the emissions unit is operating at normal operating conditions; and, the cause and corrective measures taken are recorded.
[45CSR§30-5.1.c.]

c. If the initial, or any subsequent, visible emissions evaluation indicates visible emissions in excess of 50 percent of the allowable visible emissions requirement for a given emission unit, a visible emissions evaluation shall be performed for that unit at least once every consecutive 14-day period in accordance with 40 C.F.R. Part 60 Appendix A, Method 9. If subsequent visible emissions evaluations indicate visible emissions less than or equal to 50 percent of the allowable visible emissions requirement for the emission unit for 3 consecutive evaluation periods, the emission unit may comply with the visible emissions testing requirements of sub-section 5.3.1.b. above, in lieu of those established in this condition.
[45CSR§30-5.1.c.]

Note: The term "Affected Facility" used in this permit means any of the following (NSPS or non-NSPS):
(1) Coal Processing and conveying equipment (including breakers and crushers)
(2) Coal Storage Systems.
(3) Coal Transfer and Loading Systems.

5.4. Recordkeeping Requirements

5.4.1. A record of each visible emissions observation shall be maintained on site, including any data required by 40 C.F.R. Part 60 Appendix A, Method 9. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable visible emissions requirement, the results of the observation, and the name of the observer. Records shall state any maintenance or corrective actions taken as a result of the weekly inspections, and the times the fugitive dust control system(s) are inoperable and any corrective actions taken.
[45CSR§30-5.1.c.]

5.5. Reporting Requirements

5.5.1. Reserved.

5.6. Compliance Plan

5.6.1. There is no compliance plan since a responsible official certified compliance with all applicable requirements in the renewal application for this Title V operating permit.

Appendix A

CAIR Permit Application

CAIR Permit Application

Page 1

For sources subject to the Clean Air Interstate Rule Trading Programs under 45CSR39, 45CSR40 and 45CSR41, the West Virginia Department of Environmental Protection, Division of Air Quality has prepared this CAIR Permit Application. Please refer to sections 21 and 22 of 45CSR39, 45CSR40 and 45CSR41, as applicable.

This submission is: ☑ **New** ☐ **Revised**

STEP 1
Identify the source by plant name, and ORIS or facility code

Plant Name	West Virginia ID Number	ORIS/Facility Code
Morgantown Energy Associates	03-54-061-00027	10743

STEP 2
Enter the unit ID# for each CAIR unit and indicate to which CAIR programs each unit is subject (by placing an "X" in the column)

Unit ID#	NO_X Annual	NO_X Ozone Season	SO_2 Annual
CFB1	X	X	X
CFB2	X	X	X

STEP 3
Read the standard requirements and the certification, enter the name of the CAIR designated representative, and sign and date

Standard Requirements

(a) Permit Requirements.

(1) The CAIR designated representative of each CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) required to have a Title V operating permit and each CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable) required to have a Title V operating permit at the source shall:

(i) Submit to the Secretary a complete CAIR permit application under 45CSR§39-22, 45CSR§40-22 and 45CSR§41-22 (as applicable) in accordance with the deadlines specified in 45CSR§39-21, 45CSR§40-21 and 45CSR§41-21 (as applicable); and

(ii) Submit in a timely manner any supplemental information that the Secretary determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

(2) The owners and operators of each CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) required to have a Title V operating permit and each CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable) required to have a Title V operating permit at the source shall have a CAIR permit issued by the Secretary under sections 20 through 24 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) for the source and operate the source and the unit in compliance with such CAIR permit.

(3) Except as provided in sections 80 through 88 of 45CSR39, 45CSR40 and 45CSR41, the owners and operators of a CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) that is not otherwise required to have a Title V operating permit and each CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable) that is not otherwise required to have a Title V operating permit are not required to submit a CAIR permit application and to have a CAIR permit, under sections 20 through 24 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) for such CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) and such CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable).

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Plant Name: Morgantown Energy Associates

STEP 3, continued

(b) Monitoring, reporting and recordkeeping requirements.

(1) The owners and operators and the CAIR designated representative, of each CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) and each CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable) at the source shall comply with the monitoring, reporting and recordkeeping requirements of sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable).

(2) The emissions measurements recorded and reported in accordance with sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) shall be used to determine compliance by each CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) with the CAIR NO_X Annual emissions limitation, CAIR NO_X Ozone Season emissions limitation and CAIR SO_2 emissions limitation (as applicable) under 45CSR§39-6.3, 45CSR§40-6.3 and 45CSR§41-6.3 (as applicable).

(c) Nitrogen oxides annual emissions requirements.

(1) As of the allowance transfer deadline for the 2009 control period and each control period thereafter, the owners and operators of each CAIR NO_X Annual source and each CAIR NO_X Annual unit at the source shall hold, in the source's compliance account, CAIR NO_X Annual allowances available for compliance deductions for the control period under 45CSR§39-54.1 in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_X Annual units at the source, as determined in accordance with sections 70 through 75 of 45CSR39.

(2) A CAIR NO_X Annual unit shall be subject to the requirements under 45CSR§39-6.3.a for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under subdivisions 70.2.a, 70.2.b, or 70.2.e of 45CSR39, and for each control period thereafter.

(3) A CAIR NO_X Annual allowance shall not be deducted, for compliance with the requirements under 45CSR§39-6.3.a, for the control period in a calendar year before the year for which the CAIR NO_X Annual allowance was allocated.

(4) CAIR NO_X Annual allowances shall be held in, deducted from, or transferred into or among CAIR NO_X Allowance Tracking System accounts in accordance with sections 50 through 62, and 80 through 88 of 45CSR39.

(5) A CAIR NO_X Annual allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_X Annual Trading Program. No provision of the CAIR NO_X Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 45CSR§39-5 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR NO_X Annual allowance does not constitute a property right.

(7) Upon recordation by the Administrator under sections 40 through 62, and 80 through 88 of 45CSR39, every allocation, transfer, or deduction of a CAIR NO_X Annual allowance to or from a CAIR NO_X Annual source's compliance account is incorporated automatically in any CAIR permit of the source.

(d) Nitrogen oxides ozone season emissions requirements.

(1) As of the allowance transfer deadline for the 2009 ozone season and each ozone season thereafter, the owners and operators of each CAIR NO_X Ozone Season source and each CAIR NO_X Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_X Ozone Season allowances available for compliance deductions for the ozone season under 45CSR§40-54.1 in an amount not less than the tons of total nitrogen oxides emissions for the ozone season from all CAIR NO_X Ozone Season units at the source, as determined in accordance with sections 70 through 75 of 45CSR40.

(2) A CAIR NO_X Ozone Season unit shall be subject to the requirements under 45CSR§40-6.3.a for the ozone season starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under subdivisions 70.2.a, 70.2.b, 70.2.c or 70.2.g of 45CSR40 and for each ozone season thereafter.

(3) A CAIR NO_X Ozone Season allowance shall not be deducted, for compliance with the requirements under 45CSR§40-6.3.a, for an ozone season in a calendar year before the year for which the CAIR NO_X Ozone Season allowance was allocated.

(4) CAIR NO_X Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO_X Ozone Season Allowance Tracking System accounts in accordance with sections 50 through 62, and 80 through 88 of 45CSR40.

(5) A CAIR NO_X Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_X Ozone Season Trading Program. No provision of the CAIR NO_X Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 45CSR§40-5 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR NO_X Ozone Season allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subdivision 43.3, sections 51 through 57, 60 through 62, and 80 through 88 of 45CSR40, every allocation, transfer, or deduction of a CAIR NO_X Ozone Season allowance to or from a CAIR NO_X Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

(e) Sulfur dioxide annual emission requirements.

(1) As of the allowance transfer deadline for the 2010 control period and each control period thereafter, the owners and operators of each CAIR SO_2 source and each CAIR SO_2 unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO_2 allowances available for compliance deductions for the control period, as determined in accordance with subsections 54.1 and 54.2 of 45CSR§41 in an amount not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO_2 units at the source, as determined in accordance with sections 70 through 75 of 45CSR41.

(2) A CAIR SO_2 unit shall be subject to the requirements under 45CSR§41-6.3.a for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under subdivisions 70.2.a, 70.2.b, or 70.2.e of 45CSR41 and for each control period thereafter.

(3) A CAIR SO_2 allowance shall not be deducted, for compliance with the requirements under 45CSR§41-6.3.a, for a control period in a calendar year before the year for which the CAIR SO_2 allowance was allocated.

(4) CAIR SO_2 allowances shall be held in, deducted from, or transferred into or among CAIR SO_2 Allowance Tracking System accounts in accordance with sections 51through 62, and 80 through 88 of 45CSR41.

(5) A CAIR SO_2 allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO_2 Trading Program. No provision of the CAIR SO_2 Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 45CSR§41-5 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR SO_2 allowance does not constitute a property right.

(7) Upon recordation by the Administrator under sections 51 through 57, 60 through 62, and 80 through 88 of 45CSR41, every allocation, transfer, or deduction of a CAIR SO_2 allowance to or from a CAIR SO_2 source's compliance account is incorporated automatically in any CAIR permit of the source.

Morgantown Energy Associates
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(f) Excess emissions requirements.

(1) If a CAIR NO_X Annual source emits nitrogen oxides during any control period in excess of the CAIR NO_X Annual emissions limitation, then:

(i) The owners and operators of the source and each CAIR NO_X Annual unit at the source shall surrender the CAIR NO_X Annual allowances required for deduction under 45CSR§39-54.4.a and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or West Virginia Code §22-5-1 et seq; and

(ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 45CSR39, the Clean Air Act, and West Virginia Code §22-5-1 et seq.

(2) If a CAIR NO_X Ozone Season source emits nitrogen oxides during any ozone season in excess of the CAIR NO_X Ozone Season emissions limitation, then:

(i) The owners and operators of the source and each CAIR NO_X Ozone Season unit at the source shall surrender the CAIR NO_X Ozone Season allowances required for deduction under 45CSR§40-54.4.a and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or West Virginia Code §22-5-1 et seq; and

(ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 45CSR40, the Clean Air Act, and West Virginia Code §22-5-1 et seq.

(3) If a CAIR SO_2 source emits sulfur dioxide during any control period in excess of the CAIR SO_2 emissions limitation, then:

(i) The owners and operators of the source and each CAIR SO_2 unit at the source shall surrender the CAIR SO_2 allowances required for deduction under 45CSR§41-54.4.a and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or West Virginia Code §22-5-1 et seq; and

(ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 45CSR41, the Clean Air Act, and West Virginia Code §22-5-1 et seq.

(g) Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of a CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) and each CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable) at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Secretary or the Administrator.

(i) The certificate of representation under 45CSR§39-13, 45CSR§40-13 and 45CSR§41-13 (as applicable) for the CAIR designated representative for the source and each CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable) at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 45CSR§39-13, 45CSR§40-13 and 45CSR§41-13 (as applicable) changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable), provided that to the extent that sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_X Annual Trading Program, CAIR NO_X Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable).

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO_X Annual Trading Program, CAIR NO_X Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable) or to demonstrate compliance with the requirements of the CAIR NO_X Annual Trading Program, CAIR NO_X Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) and each CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable) at the source shall submit the reports required under the CAIR NO_X Annual Trading Program, CAIR NO_X Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable) including those under sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable).

(h) Liability.

(1) Each CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) and each NO_X unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable) shall meet the requirements of the CAIR NO_X Annual Trading Program, CAIR NO_X Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable).

(2) Any provision of the CAIR NO_X Annual Trading Program, CAIR NO_X Ozone Season Trading Program or CAIR SO_2 Trading Program (as applicable) that applies to a CAIR NO_X Annual source, CAIR NO_X Ozone Season source or CAIR SO_2 source (as applicable) or the CAIR designated representative of a CAIR NO_X Annual source, CAIR NO_X Ozone Season source or CAIR SO_2 source (as applicable) shall also apply to the owners and operators of such source and of the CAIR NO_X Annual units, CAIR NO_X Ozone Season units or CAIR SO_2 units (as applicable) at the source.

(3) Any provision of the CAIR NO_X Annual Trading Program, CAIR NO_X Ozone Season Trading Program or CAIR SO_2 Trading Program (as applicable) that applies to a CAIR NO_X Annual unit, CAIR SO_2 unit or CAIR NO_X Ozone Season unit (as applicable) or the CAIR designated representative of a CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit or CAIR SO_2 unit (as applicable) shall also apply to the owners and operators of such unit.

(i) Effect on Other Authorities.

No provision of the CAIR NO_X Annual Trading Program, CAIR NO_X Ozone Season Trading Program and CAIR SO_2 Trading Program (as applicable), a CAIR permit application, a CAIR permit, or an exemption under 45CSR§39-5, 45CSR§40-5, or 45CSR§41-5 (as applicable) shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_X Annual source, CAIR NO_X Ozone Season source and CAIR SO_2 source (as applicable) or CAIR NO_X Annual unit, CAIR NO_X Ozone Season unit and CAIR SO_2 unit (as applicable) from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

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Certification

I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

CAIR Designated Representative	Jesse R Locklar, Jr.	
Signature	Jesse R. Locklar, Jr.	Date 6/21/07