



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

SOUTHWEST REGIONAL OFFICE

355-A Deadmore Street, Abingdon, Virginia 24210

Phone (276) 676-4800 Fax (276) 676-4899

www.deq.virginia.gov

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Allen J. Newman, P.E.  
Regional Director

September 15, 2015

Mr. Barry H. Spry  
Environmental Compliance Manager  
Maxxim Shared Services, LLC  
5703 Crutchfield Drive  
Norton, Virginia 24273

Location: Dickenson County, Virginia  
Registration No.: 10804

Dear Mr. Spry:

Attached is a renewal Title V permit to operate your facility pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all conditions carefully.

This approval to operate does not relieve Dickenson-Russell Coal Company, LLC of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

Mr. David K. Paylor, Director  
Department of Environmental Quality  
P. O. Box 1105  
Richmond, VA 23218

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

Mr. Barry Spry  
September 15, 2015  
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The portable diesel generator (RICE-4) used to power mine ventilation may become subject to 9 VAC 5-80, Article 6 permitting as a stationary source when the unit has been on-site for more than 12 consecutive months. At that point, the unit will no longer meet the definition of a nonroad engine, and the need for an application for an Article 6 permit using Form 7 is expected.

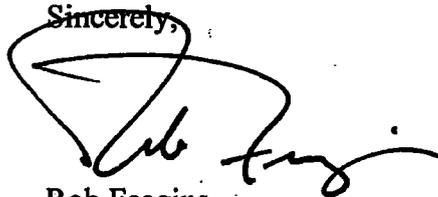
Links to pertinent federal regulations which contain applicable requirements for units at the facility are given below:

MACT ZZZZ, NSPS IIII, and NSPS JJJJ - <http://www.epa.gov/ttn/atw/icengines/>

Compliance with these regulations is required by the terms of this permit.

If you have any questions concerning this permit, please contact me at 276-676-4835.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Feagins', written over a large, stylized circular scribble.

Rob Feagins  
Air Permit Manager

GRF/ECM/10804VA-14.FNL.docx

Attachments: Permit  
NSPS Subparts Y

cc: Director, OAPP (electronic file submission)  
Manager, Data Analysis (electronic file submission)  
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III



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### Federal Operating Permit Article 1

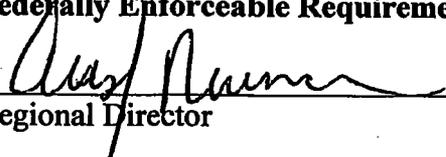
This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Dickenson-Russell Coal Company, LLC
Facility Name:	McClure River Preparation Plant
Facility Location:	2079 Herndon Road, McClure, Virginia
Registration Number:	10804
Permit Number:	SWRO10804
Effective Date:	September 15, 2015
Expiration Date:	September 14, 2020

This permit includes the following programs:

**Federally Enforceable Requirements - Clean Air Act (Pages 1 through 44)**

  
Regional Director

September 15, 2015  
Signature Date

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## **Facility Information**

**Permittee**  
Dickenson-Russell Coal Company, LLC  
P.O. Box 655  
Norton, Virginia 24273

**Responsible Official**  
Mr. Barry Spry  
Environmental Compliance Manager

**Facility**  
McClure River Preparation Plant  
2079 Herndon Road  
McClure, Virginia 24269

**Contact Person**  
Mr. Barry Spry  
Environmental Compliance Manager  
276-679-7030

**County-Plant Identification Number:** 51-051-00019

**Facility Description:** NAICS Code: 212111 – Bituminous Coal Cleaning Plants;  
NAICS Code: 212112 – Bituminous Coal Underground Mining

The facility cleans and dries coal prior to shipment by railcar and truck. The facility utilizes a thermal dryer to dry the coal cleaned by the wet preparation plant that includes froth flotation and vacuum filtration.

**Emission Units**

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled	Applicable Permit Date
1	---	Mine Raw Belt	1500 TPH	Wet suppression or equivalent	----	PM/PM-10	----
2	---	Mid-Vol Breaker	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
2A	---	Rotary Breaker	1500 TPH	Wet suppression or equivalent	----	PM/PM-10	----
2D	---	Mine Rock Bin	200 TPH	Wet suppression or equivalent	----	PM/PM-10	----
2E	---	Sample Belt	25 TPH	Wet suppression or equivalent	----	PM/PM-10	----
3	---	Mine Raw Transfer Belt	2300 TPH	Wet suppression or equivalent	----	PM/PM-10	----
4	---	Shakeout/Truck Dump	1500 TPH	Wet suppression or equivalent	----	PM/PM-10	----
5	---	Foreign Belt	1500 TPH	Wet suppression or equivalent	----	PM/PM-10	----
6	---	Foreign Breaker Building	1500 TPH	Wet suppression or equivalent	----	PM/PM-10	----
6A	---	Foreign Rock Chute	200 TPH	Wet suppression or equivalent	----	PM/PM-10	----
6B	---	Foreign Rock Bin	200 TPH	Wet suppression or equivalent	----	PM/PM-10	----
7	---	Foreign Raw Belt	1500 TPH	Wet suppression or equivalent	----	PM/PM-10	----
8	---	Plant Feed Belt	1400 TPH	Wet suppression or equivalent	----	PM/PM-10	----
10	---	Preparation Building	1400 TPH	Wet suppression or equivalent	----	PM/PM-10	----
11	---	Silo 1 Feed (Midds Storage) Belt	400 TPH	Wet suppression or equivalent	----	PM/PM-10	----
12	---	Dryer Fed Belt	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
13	13-1	Thermal Dryer - ENI Coal #10	411.3 TPH	Cyclone Wet Scrubber Mist Eliminator	13-1 13-2 13-3	PM,PM-10, SO <sub>2</sub>	04/02/1984
13A	13-1	Thermal Dryer – Coal	130 MMBtu/hr	Cyclone Wet Scrubber Mist Eliminator	13-1 13-2 13-3	PM,PM-10, SO <sub>2</sub>	04/02/1984

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled	Applicable Permit Date
13B	13-1	Thermal Dryer - Oil/Elect.	12 MMBtu/hr	Cyclone Wet Scrubber Mist Eliminator	13-1 13-2 13-3	PM,PM-10, SO <sub>2</sub>	04/02/1984
14	---	Refuse Belt 1	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
16	---	Refuse Belt 2	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
16B	---	Refuse Bin	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
17	---	Silo 2 Feed Belt	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
18	---	Silo 1	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
19	---	Silo 2	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
20	---	Foreign Clean Belt In (Chute)	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
22	---	Loadout Belt	1200 TPH	Wet suppression or equivalent	----	PM/PM-10	----
23	---	Loadout	1200 TPH	Wet suppression or equivalent	----	PM/PM-10	----
24	---	Dryer Bypass Chute	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
27	---	Roads	----	Wet suppression	----	PM/PM-10	----
28	---	Mine Clean Belt	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
28A	---	Top of Silo Transfer Belt	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
28B	---	Clean Coal Transfer Belt	800 TPH	Wet suppression or equivalent	----	PM/PM-10	----
29	---	Midds Collection Belt	400 TPH	Wet suppression or equivalent	----	PM/PM-10	----
48	---	Raw Storage Pile	3800 TPH	Wet suppression	----	PM/PM-10	----
49	---	Clean Storage Pile	3800 TPH	Wet suppression	----	PM/PM-10	----
50	---	Refuse Pile	800 TPH	Wet suppression	----	PM/PM-10	----
DMTB-1	---	42" Conveyor	1,800 TPH	Partial enclosure with wet suppression or wet material	----	PM/PM10	05/09/11 for Reg. No. 11690
DMTB-2	---	42" Conveyor	1,800 TPH	Partial enclosure with wet suppression or wet material	----	PM/PM10	05/09/11 for Reg. No. 11690

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled	Applicable Permit Date
DMTB-3	---	42" Conveyor	1,800 TPH	Partial enclosure with wet suppression or wet material	----	PM/PM10	05/09/11 for Reg. No. 11690
DMTB-4	---	42" Conveyor	1,800 TPH	Partial enclosure with wet suppression or wet material	----	PM/PM10	05/09/11 for Reg. No. 11690
DMTB-5	---	43" Conveyor	1,500 TPH	Partial enclosure with wet suppression or wet material	----	PM/PM10	05/09/11 for Reg. No. 11690
DMTB-6	---	42" Conveyor	1,800 TPH	Partial enclosure with wet suppression or wet material	----	PM/PM10	05/09/11 for Reg. No. 11690
DMSCR-1	---	8' x 20' Vibrating Screen	1,800 TPH	Partial enclosure with wet suppression or wet material	----	PM/PM10	05/09/11 for Reg. No. 11690
2F	---	Conveyor Belt	200 TPH	Wet suppression or full enclosure	----	PM/PM-10	01/30/2015
2G	---	Steel Bin	200 TPH	Wet suppression	----	PM/PM-10	01/30/2015
16A	---	Refuse Belt 3	800 TPH	Wet suppression or full enclosure	----	PM/PM-10	01/30/2015
25	---	Dump Bin	800 TPH	Partial enclosure	----	PM/PM-10	01/30/2015
26	---	48" Conveyor	800 TPH	Wet suppression or full enclosure	----	PM/PM-10	01/30/2015
51	---	Midds Belt	300 TPH	Wet suppression or full enclosure	----	PM/PM-10	01/30/2015
52	---	Midds Bin	300 TPH	Wet suppression	----	PM/PM-10	01/30/2015
Misc	---	Miscellaneous (wet) coal processing equipment	----	Wet suppression	----	PM/PM-10	04/02/1984
RICE-2	---	Emergency SI RICE Office Mine Tracking Backup LPG	165 HP	----	---	----	----
RICE-3	---	Emergency SI RICE Hoist Backup,LPG-fired	183 HP	----	---	----	----
RICE-4	---	Portable Diesel Emergency CI RICE Mine Vent Generator	2695 HP	----	----	----	----

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled	Applicable Permit Date
SBDM1	---	Spraddle Branch Raw Coal Truck Loading	1000 T/hr	Wet suppression	----	PM/PM-10	01/30/15
SBDM2	---	Spraddle Branch Raw Coal Storage Pile	1000 T/hr	Wet suppression	----	PM/PM-10	01/30/15
SBDM3	---	Spraddle Branch Mine Ventilation System	----	Enclosure and wet conditions	----	PM/PM-10	01/30/15
SBDM4	---	Spraddle Branch Generac Model 05524 propane-fired emergency generator	32 Hp	----	----	----	01/30/15

\*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

### Thermal Dryer Requirements – Unit #13

1. **Thermal Dryer Requirements – Unit #13 - Limitations** - Particulate emissions from the thermal coal dryer shall be controlled by four Research-Cottrell, Inc., Flex-Kleen, Model Quad 82 cyclones, one American Air Filter, Type S Kinpactor (wet scrubber) and a mist eliminator. The cyclones and scrubber shall be provided with adequate access for inspection.  
(9 VAC 5-80-110 and Specific Condition 7 of April 2, 1984 permit)
2. **Thermal Dryer Requirements – Unit #13 - Limitations** - The approved fuel for the thermal coal dryer shall be coal. A change in the fuel may require a permit to modify and operate.  
(9 VAC 5-80-110 and Specific Condition 9 of April 2, 1984 permit)
3. **Thermal Dryer Requirements – Unit #13 - Limitations** - Hours of operation shall not exceed 240 days per year and 5760 hours per year. Annual hours of operation shall be determined on a consecutive 12-month basis.  
(9 VAC 5-80-110 and Specific Condition 4 of April 2, 1984 permit)
4. **Thermal Dryer Requirements – Unit #13 - Limitations** - Action must be taken by Dickenson-Russell Coal Company, LLC to continuously ensure that the general public is completely and effectively prohibited from those property locations on which the maximum concentrations of sulfur dioxide and particulate matter exceed the allowable PSD increment for those pollutants. Those measures specified in Pittston's letters dated April 11, 1979 and June 15, 1979, along with any other physical constraints (measures) are required, so that the required plant locations are made physically inaccessible to the public. The April 11, 1979, and June 15, 1979, letters from The Pittston Company Coal Group to the U.S. Environmental Protection Agency Region III are hereby incorporated by reference into this permit.  
(9 VAC 5-80-110 and Specific Condition 14 of April 2, 1984 permit)
5. **Thermal Dryer Requirements – Unit #13 - Limitations** - Visible emissions from the thermal dryer shall not exceed 20 percent opacity.  
(9 VAC 5-80-110, 9 VAC 5-50-410 Subpart Y, 40 CFR 60.252, and Specific Condition 12 of April 2, 1984 permit)
6. **Thermal Dryer Requirements – Unit #13 - Limitations** - Emissions from the operation of the thermal dryer shall not exceed the limits specified below:

Particulate Matter	0.031 gr/dscf	18 lbs/hr	52.1 tons/yr
Sulfur Dioxide		44.5 lbs/hr	128.1 tons/yr
Nitrogen Dioxide		67.5 lbs/hr	194.4 tons/yr

Annual emissions shall be determined on a consecutive 12-month basis.  
(9 VAC 5-80-110, 40 CFR 60.252 and Specific Condition 6 of April 2, 1984 permit)

7. **Thermal Dryer Requirements – Unit #13 - Monitoring** - The permittee shall install, calibrate, maintain and continuously operate the following:
- a. A monitoring device for the continuous measurement of the temperature of the gas at the exit of the thermal dryer. The monitoring device is to be certified by the manufacturer or authorized representative to be accurate within  $\pm 3^{\circ}$  Fahrenheit.
  - b. A monitoring device for the continuous measurement of the pressure loss through the venturi constriction of the control equipment. The monitoring device is to be certified by the manufacturer or authorized representative to be accurate within  $\pm 1$  inch water gage.
  - c. A monitoring device for the continuous measurement of the water supply pressure to the control equipment. The monitoring device is to be certified by the manufacturer or authorized representative to be accurate within  $\pm 5\%$  of design water supply pressure. The pressure sensor or tap must be located close to the water discharge point.

The monitoring devices listed in a, b, and c are to be recalibrated annually in accordance with procedures under §60.13(b).

(9 VAC 5-80-110, 9 VAC 5-50-410 Subpart Y, 40 CFR 60.253, and Specific Condition 11 and General Condition 5 of April 2, 1984 permit)

8. **Thermal Dryer Requirements – Unit #13 - Monitoring – Cyclones and Mist Eliminator:** An annual internal inspection shall be conducted on the cyclones and the mist eliminator by the permittee to ensure structural integrity.  
(9 VAC 5-80-110)

9. **Thermal Dryer Requirements – Unit #13 - Monitoring** - The permittee shall visually observe the thermal dryer exhaust at least once each consecutive 14-day period to determine if the unit has any visible emissions (does not include condensed water vapor/steam). If the thermal dryer is not in operation at the time of the observation the record made shall so indicate. If visible emissions are observed during these required observations, then a visible emissions evaluation (VEE) in accordance with 40 CFR 60 Appendix A, Method 9, shall be conducted. The VEE shall be conducted for a minimum of six (6) minutes. If any of the observations exceed 20 percent opacity, the VEE shall be conducted for a total of sixty (60) minutes. A Method 9 evaluation shall not be required if the visible emissions condition is corrected as expeditiously as possible such that no visible emissions exist; the emissions unit is operating at normal conditions; and the cause and corrective measures taken are recorded. The record of each visible emission observation shall be maintained, including any data required by 40 CFR 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable emissions requirement, the results of the observation and the name of the observer.  
(9 VAC 5-80-110 K)

10. **Thermal Dryer Requirements – Unit #13 - Monitoring** – The particulate matter collection efficiencies for the cyclones and the American Air Filter Kinpactor and Mist Eliminator are 90 percent and 99.8 percent, respectively.  
(9 VAC 5-80-110 and Specific Condition 15 of April 2, 1984 permit)
11. **Thermal Dryer Requirements – Unit #13 – Monitoring** - The dryer and venturi scrubber shall be operated according to design specifications and parameters specified in the permit application dated June 22, 1976, and any amendments thereto.  
(9 VAC 5-80-110 and Specific Conditions 5 and 8 of April 2, 1984 permit)
12. **Thermal Dryer Requirements – Unit #13 - Compliance Assurance Monitoring (CAM)**  
- The permittee shall monitor, operate, calibrate and maintain the scrubber monitoring devices according to the following:

Thermal Dryer (Unit #13) Compliance Assurance Monitoring Plan

	Indicator No. 1	Indicator No. 2	Indicator No. 3
I. Indicator	Exhaust Gas Temperature	Pressure Loss	Water Supply Pressure
A. Measurement Approach	Temperature measurement device	Differential pressure gauge	Pressure gauge
II. Indicator Range	An excursion is defined as an exhaust gas temperature exceeding 200°F	An excursion is defined as a pressure loss through the scrubber of less than 20 and greater than 50 inches water column	An excursion is defined as a water supply gauge pressure of less than 15 pounds per square inch
III. Performance Criteria			
A. Data Representativeness	The temperature measurement device monitors the temperature of the gas at the exit of the thermal dryer	The differential pressure gauge monitors the static pressures upstream and downstream of the scrubber's venturi throat	The water pressure gauge monitors water supply pressure to the scrubber. The gauge is to be located close to the water discharge point.
B. Verification of Operational Status	The monitoring device shall be installed and calibrated according to the manufacturer's or authorized representative's recommendations prior to the initial performance tests	The monitoring device shall be installed and calibrated according to the manufacturer's or authorized representative's recommendations prior to the initial performance tests	The monitoring device shall be installed and calibrated according to the manufacturer's or authorized representative's recommendations prior to the initial performance tests
C. QA/QC Practices and Criteria	The device is to be certified by the manufacturer to be accurate within $\pm 3^\circ$ Fahrenheit and calibrated annually based on manufacturer's or authorized representative's recommendations	The device is to be certified by the manufacturer to be accurate within $\pm 1$ inch water gage and calibrated annually based on manufacturer's or authorized representative's recommendations	The device is to be certified by the manufacturer to be accurate within $\pm 5\%$ of design water supply pressure and calibrated annually based on manufacturer's or authorized representative's recommendations
D. Monitoring Frequency	Measure continuously	Measure continuously	Measure continuously
E. Data Collection Procedures	Record continuously on a chart recorder	Record continuously on a chart recorder	Record continuously on a chart recorder
F. Averaging Period	None	None	None

(9 VAC 5-80-110 and 40 CFR 64)

13. **Thermal Dryer Requirements – Unit #13 - Compliance Assurance Monitoring (CAM) -**  
The permittee shall conduct the monitoring and fulfill the other obligations specified in 40 CFR 64.7 through 40 CFR 64.9.  
(9 VAC 5-80-110 E and 40 CFR 64.6 (c))
14. **Thermal Dryer Requirements – Unit #13 - Compliance Assurance Monitoring (CAM) -**  
At all times, the permittee shall maintain the monitoring equipment, including, but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.  
(9 VAC 5-80-110 E and 40 CFR 64.7 (b))
15. **Thermal Dryer Requirements – Unit #13 - Compliance Assurance Monitoring (CAM) -**  
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 thermal dryer is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of compliance assurance monitoring, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The permittee 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 inadequate maintenance or improper operation are not malfunctions.  
(9 VAC 5-80-110 E and 40 CFR 64.7 (c))
16. **Thermal Dryer Requirements – Unit #13 - Compliance Assurance Monitoring (CAM) -**  
Upon detecting an excursion or exceedance, the permittee shall restore operation of the thermal dryer (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 and 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, designated condition, or below the applicable emission limitation or standard, as applicable.  
(9 VAC 5-80-110 E and 40 CFR 64.7 (d)(1))
17. **Thermal Dryer Requirements – Unit #13 - Compliance Assurance Monitoring (CAM) -**  
Determination that acceptable procedures were used 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.  
(9 VAC 5-80-110 E and 40 CFR 64.7(d)(2))

18. **Thermal Dryer Requirements – Unit #13 - Compliance Assurance Monitoring (CAM)** - 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, Southwest Regional Office and, if necessary, submit a proposed modification to this 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.

(9 VAC 5-80-110 E and 40 CFR 64.7(e))

19. **Thermal Dryer Requirements – Unit #13 - Compliance Assurance Monitoring (CAM)** - If the number of exceedances or excursions exceeds 5 percent duration of the operating time for the thermal dryer for a semiannual reporting period, the permittee shall develop, implement and maintain a Quality Improvement Plan (QIP) in accordance with 40 CFR 64.8. If a QIP is required, the permittee shall have it available for inspection. The QIP initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the permittee shall modify the plan to include procedures for conducting one or more of the following, as appropriate:

- a. Improved preventative maintenance practices;
- b. Process operation changes;
- c. Appropriate improvements to control methods;
- d. Other steps appropriate to correct control performance; and
- e. More frequent or improved monitoring.

(9 VAC 5-80-110 E and 40 CFR 64.8(a) and (b))

20. **Thermal Dryer Requirements – Unit #13 - Recordkeeping** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:

- a. The annual amount of coal consumed by the thermal dryer, calculated monthly as the sum of each consecutive 12-month period.
- b. The annual production of dried coal, calculated monthly as the sum of each consecutive 12-month period.
- c. The annual hours and days of operation of the thermal dryer, calculated monthly as the sum of each consecutive 12-month period.

- d. The results of the annual calibration of the thermal dryer measurement devices as specified in Condition 7.
- e. The log of annual inspections for each cyclone and the mist eliminator.
- f. The log of visible emissions observations and the results of all VEEs for the thermal dryer as required in Condition 9.

These records shall be available on-site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50 and 9 VAC 5-80-110)

- 21. **Process Equipment Requirements - Unit #13 - Compliance Assurance Monitoring (CAM) Recordkeeping** - The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan (QIP) required pursuant to §64.8 and any activities undertaken to implement a quality improvement plan (QIP), and other supporting information required to be maintained under this part (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).  
(9 VAC 5-80-110 E and 40 CFR 64.9(b))
- 22. **Thermal Dryer Requirements – Unit #13 - Testing** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.  
(9 VAC 5-50-30 and 9 VAC 5-80-110)
- 23. **Thermal Dryer Requirements – Unit #13 - Testing** - A performance test shall be conducted once every five years, prior to and within six months of submittal of the Title V permit renewal application, for particulate matter, sulfur dioxide, and nitrogen oxides on the thermal dryer to determine compliance with the emission limits specified in Condition 6. The tests shall be conducted while the thermal dryer is in normal operation. Tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30 and the test methods and procedures contained in each applicable section or subpart listed in 9 VAC 5-50-410. The details of the tests are to be arranged with the Director, Southwest Regional Office. The permittee shall submit a test protocol at least thirty (30) days prior to testing. Two (2) copies of the test results shall be submitted to the Director, Southwest Regional Office within 45 days after test completion and shall conform to the test report format enclosed with this permit.  
(9 VAC 5-80-110)

**Emergency Engine Requirements – (Ref. Nos. RICE-2, RICE-3, RICE-4, SBDM4)**

24. **Process Equipment Requirements - (SBDM4) - Limitations** - The approved fuel for the Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility is propane. A change in the fuel may require a permit to modify and operate. (9 VAC 5-80-110 and Condition 16 of January 30, 2015 Permit)
25. **Process Equipment Requirements - (SBDM4) - Limitations** - The permittee shall operate and maintain the Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility according to the manufacturer's written instructions or procedures developed by the permittee that are approved by the engine manufacturer. In addition, the permittee may only change those settings that are permitted by the manufacturer and do not increase air emissions. (9 VAC 5-80-110, 9 VAC 5-80-1180, and Condition 14 of January 30, 2015 Permit)
26. **Process Equipment Requirements - (SBDM4) - Limitations** – The Generac engine-generator set (Ref. No. SBDM4) must be certified by the manufacturer to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. SI engines with maximum engine power less than or equal to 40 HP with a total displacement less than or equal to 1,000 cc that are rich burn engines using LPG may be certified by the manufacturer to the emission standards and other requirements for new nonroad SI engines in 40 CFR 90 or 1054, as appropriate. The permittee must comply with these emission standards over the entire life of the engine. (9 VAC 5-80-110, 40 CFR 60.4231(c), 40 CFR 60.4233(c), and 40 CFR 60.4234)
27. **Process Equipment Requirements - (SBDM4) - Limitations** – The permittee shall install a non-resettable hour meter upon startup of the Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility. (9 VAC 5-80-110 and 40 CFR 60.4237(c))
28. **Process Equipment Requirements - (SBDM4) - Limitations** - The Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility shall only be operated as follows:
- a. In situations where immediate action on the part of the facility is needed due to a failure or loss of electrical power service resulting from a failure of the primary power provider and the failure or loss of power service is beyond the reasonable control of the facility. Operation under these circumstances shall not exceed 500 hours per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
  - b. For the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness

testing of the unit is limited to 100 hours per year. These 100 hours shall be counted toward the 500 hours per year provided for emergency operation as defined in paragraph a. of this condition. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 month.

- c. If the engine-generator is operated and maintained according to the manufacturer's emission-related written instructions, the permittee must also meet the requirements of 40 CFR part 1068, subparts A-D, as applicable.
- d. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph b. of this section. Except as provided below, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
  - i. The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
  - ii. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region;
  - iii. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines;
  - iv. The power is provided only to the facility itself or to support the local transmission and distribution system; and
  - v. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(9 VAC 5-80-110, 40 CFR 60.4243(a), 40 CFR 60.4243(d), 9 VAC 5-80-1180, and Condition 15 of January 30, 2015 Permit)

29. **Process Equipment Requirements – RICE-2 and RICE-3 - Limitations - Visible emissions from the emergency engines RICE-2 and RICE-3 shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity.**  
(9 VAC 5-50-80 and 9 VAC 5-80-110)

30. **Process Equipment Requirements – SBDM4 - Limitations - Emissions from the operation of the Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility shall not exceed the limitations specified below:**

Carbon Monoxide

27.3 lb/hr

6.8 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 24, 25, 28, and 31.

(9 VAC 5-50-80, 9 VAC 5-80-1180, 9 VAC 5-50-260, and Condition 18 of January 30, 2015 Permit)

31. **Process Equipment Requirements – SBDM4 - Limitations - Visible emissions from the Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility shall not exceed 10 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.**  
(9 VAC 5-50-80, 9 VAC 5-80-110, and Condition 23 of January 30, 2015 Permit)

32. **Process Equipment Requirements – SBDM4 – Recordkeeping - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:**

- a. Instances where maintenance was conducted on the Generac engine-generator set (Ref. No. SBDM4) to demonstrate compliance.
- b. Notifications regarding the Generac engine-generator set (Ref. No. SBDM4) submitted to comply with 40 CFR 60, Subpart JJJJ.
- c. Documentation from the manufacturer of the Generac engine-generator set (Ref. No. SBDM4) that it is certified to meet the emission standards as required by 40 CFR part 90.
- d. The annual hours of operation of the Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility, calculated monthly as the sum of each consecutive 12-month period.

- e. Engine information including make, model, serial number, model year, maximum engine power (bhp), and engine displacement for the Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility.
- f. The manufacturer's written operating instructions or procedures developed by the owner/operator that are approved by the engine manufacturer for the Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility.
- g. Records of the reasons for operation for the Generac engine-generator set (Ref. No. SBDM4) located at the Spraddle Branch Deep Mine facility, including, but not limited to, the date, cause of operation, cause of the emergency and hours of emergency and non-emergency operation.

(9 VAC 5-80-110, 40 CFR 60.4243(a), 40 CFR 60.4245(a)-(b), 9 VAC 5-80-1180, and Condition 27 of January 30, 2015 Permit)

**Coal Processing Requirements - (Ref. Nos. 2F, 2G, 16A, 25, 26, 51, 52, SBDM1, SBDM2, and SBDM3)**

- 33. **Coal Processing Requirements - (Ref. No. 25) - Limitations** - Particulate emissions from truck unloading into the truck dump bin shall be controlled by partial enclosure, or equivalent. The enclosures shall be provided with adequate access for inspection.  
(9 VAC 5-80-110, 9 VAC 5-80-1180, and Condition 2 of January 30, 2015 Permit)
- 34. **Coal Processing Requirements - (Ref. Nos. 16A, 26, 51) - Limitations** - Particulate emissions from the transfer of coal onto and off the conveyor belts Ref. Nos. 16A, 26, 51, shall be controlled by full enclosure or wet suppression, or equivalent. The enclosures shall be provided with adequate access for inspection.  
(9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 3 of January 30, 2015 Permit)
- 35. **Coal Processing Requirements - (Ref. Nos. 2F and 2G) - Limitations** - Particulate emissions from the steel bin (Ref. No. 2G) and the belt conveyor (Ref. No. 2F) shall be controlled by wet suppression, or equivalent. The storage bin and conveyor shall be provided with adequate access for inspection.  
(9 VAC 5-50-260, 9 VAC 5-80-1180, 9 VAC 5-80-110 and Condition 4 of January 30, 2015 Permit)
- 36. **Coal Processing Requirements - (Ref. Nos. SBDM1 and SBDM2) - Limitations** - Particulate emissions from the raw coal open storage pile (Ref. No. SBDM2) and truck loading operation (Ref. No. SBDM1) located at the Spraddle Branch Deep Mine facility shall be controlled by wet suppression, or equivalent. The storage pile and truck loading operation shall be provided with adequate access for inspection.  
(9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-260, and Condition 5 of January 30, 2015 Permit)

37. **Coal Processing Requirements - (Ref. Nos. 25 & 26) - Limitations** - The yearly throughput of coal to the truck dump bin (Ref. No. 25) and the truck dump conveyor belt (Ref. No. 26) shall not exceed 2,304,000 tons, calculated monthly as the sum of each consecutive 12 month period.  
 (9 VAC 5-80-110, 9 VAC 5-80-1180, and Condition 8 of the January 30, 2015 Permit)
38. **Coal Processing Requirements - (Ref. Nos. 51 & 52) - Limitations** - The yearly throughput of coal to the middlings coal conveyor belt (Ref. No. 51) and the middlings coal bin (Ref. No. 52) shall not exceed 1,728,000 tons, calculated monthly as the sum of each consecutive twelve month period.  
 (9 VAC 5-80-110, 9 VAC 5-80-1180, and Condition 9 of the January 30, 2015 Permit)
39. **Coal Processing Requirements - (Ref. Nos. 2F and 2G) - Limitations** - The yearly throughput of coal to the steel bin (Ref. No. 2G) and the belt conveyor (Ref. No. 2F) shall not exceed 1,752,000 tons, calculated monthly as the sum of each consecutive twelve month period.  
 (9 VAC 5-80-110, 9 VAC 5-80-1180, and Condition 10 of the January 30, 2015 Permit)
40. **Coal Processing Requirements - (Ref. Nos. SBDM1 and SBDM2) - Limitations** - The yearly throughput of raw coal to the open storage pile (Ref. No. SBDM2) and truck loading operation (Ref. No. SBDM1) located at the Spraddle Branch Deep Mine facility shall not exceed 500,000 tons, calculated monthly as the sum of each consecutive 12-month period.  
 (9 VAC 5-80-110, 9 VAC 5-80-1180 and Condition 12 of the January 30, 2015 Permit)
41. **Coal Processing Requirements - (Ref. Nos. SBDM3) - Limitations** - The yearly consumption of mine safety dust to the Spraddle Branch Deep Mine facility shall not exceed 750 tons, calculated monthly as the sum of each consecutive 12-month period.  
 (9 VAC 5-80-110, 9 VAC 5-80-1180 and Condition 13 of the January 30, 2015 Permit)
42. **Coal Processing Requirements - (Ref. Nos. 2G, 2F, 25, 26, 51, and 52) - Limitations - Emissions** from the operation of the Reedy Ridge the truck dump bin, the truck dump conveyor belt, the middlings coal bin, middlings coal conveyor belt, the steel bin, and the belt conveyor (Ref. Nos. 25, 26, 51, 52, 2G, and 2F, respectively) shall not exceed the limitations specified below:

	PM		PM-10	
	lbs/hr	tons/yr	lbs/hr	tons/yr
Truck Dump Bin Loading (25)	3.12	8.99	0.17	0.48
Truck Dump Bin Unloading (25)	1.04	1.50	0.17	0.24
Truck Dump Conveyor Discharge (26)	1.04	1.50	0.17	0.24
Middlings Coal Conveyor (51)	0.39	1.12	0.06	0.18
Middlings Coal Bin (52)	0.78	2.25	0.13	0.36
Steel Bin (2G)	0.52	2.28	0.06	0.25
Belt Conveyor (2F)	0.26	1.14	0.03	0.12

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 33 - 35, 37 - 39, 44, 45, and 49.

(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 17 of the January 30, 2015 Permit)

43. **Coal Processing Requirements - (Ref. No. SBDM3) - Limitations** - Emissions from the operation of the Spraddle Branch Deep Mine ventilation system exhausts (Ref. No. SBDM3) shall not exceed the limitations specified below:

PM-10

0.4 lb/hr

0.6 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 40, 41 and 47.

(9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-260, and Condition 19 of the January 30, 2015 Permit)

44. **Coal Processing Requirements - (Ref. Nos. 2G & 2F) - Limitations** - Visible emissions from the steel bin (Ref. No. 2G) and the belt conveyor (Ref. No. 2F) shall not exceed 10 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-110, 9 VAC 5-50-80, 9 VAC 5-50-410, and Condition 20 of the January 30, 2015 Permit)

45. **Coal Processing Requirements - (Ref. Nos. 16A, 25, 26, 51, 52) - Limitations** - Visible emissions from all coal processing and handling equipment not specifically identified in Condition 44, shall not exceed 20 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-110, 9 VAC 5-50-80, 9 VAC 5-50-410, and Condition 24 of the January 30, 2015 Permit)

46. **Coal Processing Requirements - (Ref. Nos. SBDM1 and SBDM2) - Limitations** - Visible emissions from the Spraddle Branch Deep Mine raw coal open storage pile (Ref. No. SBDM2) and truck loading operation (Ref. No. SBDM1) shall not exceed 20 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-260, and Condition 21 of the January 30, 2015 Permit)

47. **Coal Processing Requirements - (Ref. No. SBDM3) - Limitations - Visible emissions** from each Spraddle Branch Deep Mine ventilation system exhaust (Ref. No. SBDM 3) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-260, and Condition 22 of the January 30, 2015 Permit)

48. **Coal Processing Requirements - (Ref. Nos. 2F, 2G, 25, 26, 51, and 52) - Recordkeeping -** The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:

- a. The yearly throughput of coal to the truck dump bin and the truck dump conveyor belt (Ref. Nos. 25 and 26), calculated monthly as the sum of each consecutive 12-month period.
- b. The yearly throughput of coal to the middlings coal conveyor belt and the middlings coal bin (Ref. Nos. 51 and 52), calculated monthly as the sum of each consecutive 12-month period.
- c. The yearly throughput of coal to the steel bin and the belt conveyor (Ref. Nos. 2G and 2F), calculated monthly as the sum of each consecutive 12-month period.
- d. Results of VEE performance tests.
- e. A logbook for NSPS equipment subject to Subpart Y after April 28, 2008, as detailed in Condition 49 of this permit.

These records shall be available on-site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 27 of the January 30, 2015 Permit)

49. **Coal Processing Requirements - (Ref. Nos. 2F and 2G) - Recordkeeping -** The permittee shall maintain in a logbook (written or electronic) on-site in accordance with 40 CFR 60.258 (a) and make it available upon request. The logbook shall record the following for all affected facilities subject to NSPS Subpart Y after May 27, 2009, the steel bin (Ref. No. 2G) and the belt conveyor (Ref. No. 2F):

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

- b. The date and time of periodic coal preparation and processing plant visual observations, noting those sources with visible emissions along with corrective actions taken to reduce visible emissions. Results from the actions shall be noted.
- c. The amount of raw coal processed each calendar month, as detailed in Condition 39 of this permit.
- d. Monthly certification that the dust suppressant systems were operational when any coal was processed and that manufacturer's recommendations were followed for all control systems. Any variance from the manufacturer's recommendations shall be noted.  
(9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-410, and Condition 32 of the January 30, 2015 Permit)

**50. Coal Processing Requirements - (Ref. Nos. 2G, and 2F) - Reports** – Reports shall be provided to the Director, Southwest Regional Office, in accordance with 40 CFR 60.258(b) and (c) for the steel bin (Ref. No. 2G), and the belt conveyor (Ref. No. 2F) as follows:

- a. Semiannual period reports of all 6-minute average opacities that exceed the applicable standard.
- b. Results of initial and successive performance tests within 45 days after test completion.
- c. Report the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of 40 CFR 60.8. The permittee who elects to comply with the reduced performance testing provisions of 40 CFR 60.255(c) or (d) shall include in the performance test report identification of each affected facility that will be subject to the reduced testing. The permittee electing to comply with 40 CFR 60.255(d) shall also include information which demonstrates that the control devices are identical.
- d. Within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with this subpart, the permittee shall submit a summary copy to:

U.S. Environmental Protection Agency  
Energy Strategies Group  
109 TW Alexander DR  
Mail code: D243-01  
RTP, NC 27711.

(9 VAC 5-80-110, 9 VAC 50-80-1180, 9 VAC 5-50-410, and Condition 33 of the January 30, 2015 Permit)

**51. Coal Processing Requirements - (Ref. Nos. 2F and 2G) - Testing** - The permittee shall repeat performance tests (VEEs) on the steel bin (Ref. No. 2G), and the belt conveyor (Ref. No. 2F) in accordance with 40 CFR 60.257 (a)(1), as follows:

- a. If any 6-minute average opacity reading in the most recent performance test exceeds half the applicable opacity limit, a new performance test shall be conducted within 90 operating days of the date that the previous performance test was required to be completed.
- b. Performance testing shall be repeated within 12 months of the date that the previous performance test was required to be completed, if the six-minute averages from the previous test were equal to or less than half the applicable opacity standard.  
(9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-410, 40 CFR 60.255(b), and Condition 31 of the January 30, 2015 Permit)

**52. Process Equipment Requirements - (Ref. Nos. 2F and 2G) - Testing -** As an alternative to meeting the requirements in Condition 51 of this section, an owner or operator of an affected facility that commenced construction, reconstruction, or modification after April 28, 2008, may elect to comply with the requirements in paragraph (f)(1), (f)(2), or (g) of 40 CFR 60.255, as described in paragraphs a, b, or c below:

- a. Monitor visible emissions from each affected facility according to the requirements in paragraphs (f)(1)(i) through (iii) of 40 CFR 60.255.
  - i. Conduct one daily 15-second observation each operating day for each affected facility (during normal operation) when the coal preparation and processing plant is in operation. Each observation must be recorded as either visible emissions observed or no visible emissions observed. Each observer determining the presence of visible emissions must meet the training requirements specified in §2.3 of Method 22 of appendix A-7 of 40 CFR Part 60. If visible emissions are observed during any 15-second observation, the owner or operator must adjust the operation of the affected facility and demonstrate within 24 hours that no visible emissions are observed from the affected facility. If visible emissions are observed, a Method 9, of appendix A-4 of 40 CFR Part 60, performance test must be conducted within 45 operating days.
  - ii. Conduct monthly visual observations of all process and control equipment. If any deficiencies are observed, the necessary maintenance must be performed as expeditiously as possible.
  - iii. Conduct a performance test using Method 9 of appendix A-4 of 40 CFR Part 60 at least once every 5 calendar years for each affected facility.
- b. Prepare a written site-specific monitoring plan for a digital opacity compliance system for approval by the Administrator or delegated authority. The plan shall require observations of at least one digital image every 15 seconds for 10-minute periods (during normal operation) every operating day. An approvable monitoring plan must include a demonstration that the occurrences of visible emissions are not in excess of 5 percent of the observation period. For reference purposes in preparing the monitoring plan, see OAQPS "Determination of Visible Emission Opacity from Stationary Sources

Using Computer-Based Photographic Analysis Systems.” This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Group (D243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods. The monitoring plan approved by the Administrator or delegated authority shall be implemented by the owner or operator.

- c. Install, operate, and maintain a continuous opacity monitoring system (COMS). Each COMS used to comply with provisions of this subpart must be installed, calibrated, maintained, and continuously operated according to the requirements below:
- i. The COMS must meet Performance Specification 1 in 40 CFR part 60, appendix B.
  - ii. The COMS must comply with the following quality assurance requirements:
    - (a) The owner or operator must automatically (intrinsic to the opacity monitor) check the zero and upscale (span) calibration drifts at least once daily. For particular COMS, the acceptable range of zero and upscale calibration materials is as defined in the applicable version of Performance Specification 1 in 40 CFR part 60, appendix B.
    - (b) The owner or operator must adjust the zero and span whenever the 24-hour zero drift or 24-hour span drift exceeds 4 percent opacity. The COMS must allow for the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified. The optical surfaces exposed to the effluent gases must be cleaned prior to performing the zero and span drift adjustments, except for systems using automatic zero adjustments. For systems using automatic zero adjustments, the optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.
    - (c) The owner or operator must apply a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. All procedures applied must provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photodetector assembly.
    - (d) Except during periods of system breakdowns, repairs, calibration checks, and zero and span adjustments, the COMS must be in continuous operation and must complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

- (e) The owner or operator must reduce all data from the COMS to 6-minute averages. Six-minute opacity averages must be calculated from 36 or more data points equally spaced over each 6-minute period. Data recorded during periods of system breakdowns, repairs, calibration checks, and zero and span adjustments must not be included in the data averages. An arithmetic or integrated average of all data may be used.

(9 VAC 5-80-110, 40 CFR 60.255(f) and (g))

53. **Coal Processing Requirements – (Ref. No. SBDM3) – Testing** - The permittee shall visually observe each active underground coal mine vent shaft exhaust at least once each calendar quarter to determine the presence of visible emissions while operating (does not include condensed water vapor/steam). If during the observation, visible emissions are observed that appear to be greater than 10 percent opacity, a visible emission evaluation (VEE) shall be conducted in accordance with 40 CFR 60, Appendix A, EPA Method 9. The VEE shall be conducted for a minimum of six (6) minutes. If any of the observations exceed 20 percent opacity, the VEE shall be conducted for a total of sixty (60) minutes. A Method 9 VEE shall not be required if the visible emission condition is corrected as expeditiously as possible such that visible emissions do not exceed 10 percent opacity; the coal mine is operating at normal conditions; and, the cause and corrective measures taken are recorded. A record of each visible emissions observation shall be maintained, including, at a minimum, the date, time, identification of the vent shaft exhaust, the applicable emission requirement, the results of the observation and the name of the observer.

(9 VAC 5-80-110)

### **Coal Processing Requirements – Deep Mine 41 (DMTB1 – DMTB6, and DMSCR-1)**

54. **Process Equipment Requirements - (Ref. Nos. DMTB1 – DMTB6, and DMSCR-1) - Limitations** - Particulate emissions from all screens, conveyor belts and conveyor transfers located at the Deep Mine 41 facility shall be controlled by partial enclosure and either wet suppression or the processing of wet coal. The wet suppression and enclosure systems shall be provided with adequate access for inspection.

(9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-260, and Condition 2 of the May 9, 2011 Permit for Reg. No. 11690)

55. **Process Equipment Requirements - (Ref. No. DMTB1) - Limitations** - The annual throughput of raw coal to conveyor belt DMTB1 located at the Deep Mine 41 facility shall not exceed 4,000,000 tons per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

(9 VAC 5-80-110, 9 VAC 5-80-1180, and Condition 4 of the May 9, 2011 Permit for Reg. No. 11690)

56. **Process Equipment Requirements - (Ref. Nos. DMTB1 – DMTB6, and DMSCR-1) - Limitations** - Emissions from the operation of the coal processing and conveying equipment located at the Deep Mine 41 facility shall not exceed the limits specified below:

Particulate Matter	1.44 lb/hr	1.60 tons/yr
PM-10	0.77 lb/hr	0.85 ton/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in condition numbers 54, 55, and 68.

(9 VAC 5-80-110, 9 VAC 5-80-1180 and 9 VAC 5-50-260, and Condition 5 of the May 9, 2011 Permit for Reg. No. 11690)

57. **Process Equipment Requirements - (Ref. Nos. DMTB1 – DMTB6) - Limitations** - Visible emissions from each conveyor belt (DMTB-1 – DMTB-6) located at the Deep Mine 41 facility shall not exceed 20 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown or malfunction.
- (9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-260, 9 VAC 5-50-400 and Condition 6 of the May 9, 2011 Permit for Reg. No. 11690)

58. **Process Equipment Requirements - (Ref. No. DMSCR-1) - Limitations** - Visible emissions from the screen DMSCR-1 located at the Deep Mine 41 facility shall not exceed 10 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown or malfunction.
- (9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-260, 9 VAC 5-50-400 and Condition 7 of the May 9, 2011 Permit for Reg. No. 11690)

59. **Process Equipment Requirements - (Ref. No. DMSCR-1) - Reporting** - The permittee shall provide reports to the Director, Southwest Regional Office on a semiannual basis of all 6-minute average opacities that exceed the applicable standard for the screen DMSCR-1 located at the Deep Mine 41 facility. After July 1, 2011, within 60 days after completing each VEE, the permittee shall submit a summary copy to:

United State Environmental Protection Agency  
 Energy Strategies Group  
 109 TW Alexander DR  
 Mail code: D243-01  
 RTP, NC 27711

(9 VAC 5-80-110, 9 VAC 5-50-50, 9 VAC 5-50-400, 40 CFR 60.258(d), and Condition 9 of the May 9, 2011 Permit for Reg. No. 11690)

60. **Process Equipment Requirements - (Ref. Nos. DMTB1 – DMTB6 and DMSCR-1) - Recordkeeping** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:
- a. Annual throughput of raw coal to conveyor belt DMTB1 located at the Deep Mine 41 facility, calculated monthly as the sum of each consecutive 12-month period.
  - b. Scheduled and unscheduled maintenance and operator training.
  - c. Results of all visible emission evaluations.
  - d. A written or electronic log book (for the affected equipment constructed after April 28, 2008) as required by 40 CFR 60.258(a), to include, but not limited to: manufacturers' recommended maintenance procedures for process and control equipment, the amount and type of coal processed, the amount of chemical stabilizer or water purchased and the operational status of dust suppressant systems.

These records shall be available on-site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110, 9 VAC 5-50-400, 40 CFR 60.258(a), 9 VAC 5-80-1180, and Condition 12 of the May 9, 2011 Permit for Reg. No. 11690)

61. **Process Equipment Requirements - (Ref. No. DMSCR-1) - Testing** – Except as provided for in 40 CFR 60.255(f) and (g), the permittee shall repeat the visible emission evaluation required by 40 CFR 60.255(b) on the screen DMSCR-1 located at the Deep Mine 41 facility. A visible emission evaluation (VEE) in accordance with 40 CFR Part 60, Appendix A, Method 9, shall be conducted by the permittee on the screen. Each test shall consist of ten sets of 24 consecutive observations (at 15 second intervals) to yield a six minute average. If, during the initial 30 minutes of the observation, all of the 6-minute average opacity readings are less than or equal to half the applicable opacity limit, then the observation period may be reduced from 1 hour to 30 minutes. The details of the tests are to be arranged with the Director, Southwest Regional Office. The VEEs will be conducted according to the following schedule:

- a. Within 90 operating days of the date that the previous performance test was required to be completed if any six minute average opacity reading in the most recent VEE exceeds half the applicable opacity limit; or
- b. Within 12 calendar months of the date that the previous VEE was required to be completed if all 6-minute average opacity readings in the most recent performance test are equal to or less than half the applicable opacity limit.

(9 VAC 5-50-30, 9 VAC 5-80-110, 9 VAC 5-80-1180, 9 VAC 5-50-400, 40 CFR 60.255(b), and Condition 11 of the May 9, 2011 Permit for Reg. No. 11690)

**62. Process Equipment Requirements - (Ref. No. DMSCR-1) - Testing -** As an alternative to meeting the requirements in Condition 61 of this section, an owner or operator of an affected facility that commenced construction, reconstruction, or modification after April 28, 2008, may elect to comply with the requirements in paragraph (f)(1), (f)(2), or (g) of 40 CFR 60.255, as described in paragraphs a, b, or c below:

- a. Monitor visible emissions from each affected facility according to the requirements in paragraphs (f)(1)(i) through (iii) of 40 CFR 60.255.
  - i. Conduct one daily 15-second observation each operating day for each affected facility (during normal operation) when the coal preparation and processing plant is in operation. Each observation must be recorded as either visible emissions observed or no visible emissions observed. Each observer determining the presence of visible emissions must meet the training requirements specified in §2.3 of Method 22 of appendix A-7 of 40 CFR Part 60. If visible emissions are observed during any 15-second observation, the owner or operator must adjust the operation of the affected facility and demonstrate within 24 hours that no visible emissions are observed from the affected facility. If visible emissions are observed, a Method 9, of appendix A-4 of 40 CFR Part 60, performance test must be conducted within 45 operating days.
  - ii. Conduct monthly visual observations of all process and control equipment. If any deficiencies are observed, the necessary maintenance must be performed as expeditiously as possible.
  - iii. Conduct a performance test using Method 9 of appendix A-4 of 40 CFR Part 60 at least once every 5 calendar years for each affected facility.
- b. Prepare a written site-specific monitoring plan for a digital opacity compliance system for approval by the Administrator or delegated authority. The plan shall require observations of at least one digital image every 15 seconds for 10-minute periods (during normal operation) every operating day. An approvable monitoring plan must include a demonstration that the occurrences of visible emissions are not in excess of 5 percent of the observation period. For reference purposes in preparing the monitoring plan, see OAQPS "Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems." This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Group (D243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods. The monitoring plan approved by the Administrator or delegated authority shall be implemented by the owner or operator.
- c. Install, operate, and maintain a continuous opacity monitoring system (COMS). Each COMS used to comply with provisions of this subpart must be installed, calibrated, maintained, and continuously operated according to the requirements below:

- i. The COMS must meet Performance Specification 1 in 40 CFR part 60, appendix B.
  - ii. The COMS must comply with the following quality assurance requirements:
    - (a) The owner or operator must automatically (intrinsic to the opacity monitor) check the zero and upscale (span) calibration drifts at least once daily. For particular COMS, the acceptable range of zero and upscale calibration materials is as defined in the applicable version of Performance Specification 1 in 40 CFR part 60, appendix B.
    - (b) The owner or operator must adjust the zero and span whenever the 24-hour zero drift or 24-hour span drift exceeds 4 percent opacity. The COMS must allow for the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified. The optical surfaces exposed to the effluent gases must be cleaned prior to performing the zero and span drift adjustments, except for systems using automatic zero adjustments. For systems using automatic zero adjustments, the optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.
    - (c) The owner or operator must apply a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. All procedures applied must provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photodetector assembly.
    - (d) Except during periods of system breakdowns, repairs, calibration checks, and zero and span adjustments, the COMS must be in continuous operation and must complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.
    - (e) The owner or operator must reduce all data from the COMS to 6-minute averages. Six-minute opacity averages must be calculated from 36 or more data points equally spaced over each 6-minute period. Data recorded during periods of system breakdowns, repairs, calibration checks, and zero and span adjustments must not be included in the data averages. An arithmetic or integrated average of all data may be used.
- (9 VAC 5-80-110, 40 CFR 60.255(f) and (g))

**Underground Coal Mine Requirements – Unit ID: Deep Mine 41**

63. **Underground Coal Mine Exhaust Requirements – Deep Mine 41 – Limitations** - The permittee shall not cause or permit to be discharged into the atmosphere from the underground coal mine any particulate matter emissions in excess of the limits calculated using the following equation:

$$E = 55.0 P^{0.11} - 40,$$

Where:

E = emission rate in pounds per hour, and

P = process weight rate in tons per hour.

The process weight rate for continuous or long-run steady-state process operations is the total process weight for the entire period of continuous operation or for a typical portion of it, divided by the number of hours of such period or portion of it.  
(9 VAC 5-40-260 D and 9 VAC 5-80-110)

64. **Underground Coal Mine Exhaust Requirements – Deep Mine 41 – Limitations** - Visible emissions from underground coal mine vent shaft exhausts shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.  
(9 VAC 5-50-80 and 9 VAC 5-80-110)
65. **Underground Coal Mine Exhaust Requirements – Deep Mine 41 – Monitoring** - The permittee shall visually observe each active underground coal mine vent shaft exhaust at least once each calendar quarter to determine the presence of visible emissions while operating (does not include condensed water vapor/steam). If during the observation, visible emissions are observed that appear to be greater than 10 percent opacity, a visible emission evaluation (VEE) shall be conducted in accordance with 40 CFR 60, Appendix A, EPA Method 9. The VEE shall be conducted for a minimum of six (6) minutes. If any of the observations exceed 20 percent opacity, the VEE shall be conducted for a total of sixty (60) minutes. A Method 9 VEE shall not be required if the visible emission condition is corrected as expeditiously as possible such that visible emissions do not exceed 10 percent opacity; the coal mine is operating at normal conditions; and, the cause and corrective measures taken are recorded. A record of each visible emissions observation shall be maintained, including, at a minimum, the date, time, identification of the vent shaft exhaust, the applicable emission requirement, the results of the observation and the name of the observer.  
(9 VAC 5-80-110)

66. **Underground Coal Mine Exhaust Requirements – Deep Mine 41 – Recordkeeping -**  
The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:
- a. Hourly and annual production rate of raw coal in tons per hour from the underground coal mine. Hourly production shall be averaged using monthly production figures divided by monthly hours of operation. Annual production shall be calculated monthly as the sum of each consecutive 12-month period.
  - b. Each visual observation and the results of each VEE for underground coal mine vent shafts as required in Condition 65.

These records shall be available on-site for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-50-50 and 9 VAC 5-80-110)

67. **Underground Coal Mine Exhaust Requirements – Deep Mine 41 – Testing -** If testing is conducted for compliance with emissions in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.  
(9 VAC 5-80-110)

### **Facility Wide Conditions**

68. **Facility Wide Conditions - Limitations -** Fugitive emission controls shall include the following, or equivalent, as a minimum:
- a. Dust from stockpiling, material handling, crushers, screens, load-outs, and traffic areas, shall be controlled by wet suppression or equivalent (as approved by the DEQ). The wet suppression spray systems shall be operated at optimum design, and shall be provided with adequate access for inspection.
  - b. All material being stockpiled shall be kept adequately moist to control dust during storage and handling or covered at all times to minimize emissions.
  - c. Dust from haul roads and traffic areas shall be controlled by the application of asphalt, water, suitable chemicals, or equivalent methods approved by the DEQ.
  - d. Reasonable precautions shall be taken to prevent deposition of dirt on public roads and subsequent dust emissions. Dirt, product, or raw material spilled or tracked onto paved surfaces shall be promptly removed to prevent particulate matter from becoming airborne.

- e. Volatile organic compounds shall not be intentionally spilled, discarded to sewers, stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution control practices for minimizing emissions.

(9 VAC 5-80-1180, 9 VAC 5-50-260, 9 VAC 5-80-110, Condition 3 of the May 9, 2011 Permit for Reg. No. 11690, and Condition 6 of the January 30, 2015 Permit)

69. **Facility Wide Conditions - Limitations** - Visible emissions from all coal processing and conveying equipment, coal storage systems, and coal transfer and loading systems constructed before April 28, 2008 shall not be 20 percent or greater opacity.  
(9 VAC 5-80-110 and 40 CFR 60.254)

70. **Facility Wide Conditions - Limitations** - Unless otherwise specified in this permit, the permittee shall operate all equipment that is subject to 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS) in compliance with NSPS, Subpart Y, Standards of Performance for Coal Preparation Plants.  
(9 VAC 5-80-110, 9 VAC 5-50-410, Condition 8 of the May 9, 2011 Permit for Reg. No. 11690, and Condition 26 of the January 30, 2015 Permit)

71. **Facility Wide Conditions - Limitations** - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to the air pollution control equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on-site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-80-110, 9 VAC 5-50-20 E, Condition 16 of the May 9, 2011 Permit for Reg. No. 11690, and Condition 38 of the January 30, 2015 Permit)

72. **Facility Wide Conditions - Limitations** - The permittee shall furnish notification to the Director, Southwest Regional Office of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which results in excess emissions for more than one hour, at least 24 hours prior to the shutdown. The notification

shall include, but is not limited to, the following information:

- a. Identification of the air pollution control equipment to be taken out of service, as well as its location, and registration number;
- b. The expected length of time that the air pollution control equipment will be out of service;
- c. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period;
- d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.

(9 VAC 5-80-110, 9 VAC 5-20-180 B, Condition 18 of the May 9, 2011 Permit for Reg. No. 11690, and Condition 29 of the January 30, 2015 Permit)

**73. Facility Wide Conditions - Testing** – All coal processing, conveying, storage, transfer and loading systems, excluding the thermal dryer and underground coal mine exhausts, shall be visually observed at least once each calendar week to determine which operating units have visible emissions (does not include condensed water vapor/steam). If visible emissions are observed during these weekly observations, visible emissions evaluations (VEE) in accordance with 40 CFR 60 Appendix A, Method 9, shall be conducted on those units with visible emissions. The VEE shall be conducted for a minimum of six (6) minutes. If any of the observations exceed those limitations corresponding to the equipment as specified above, the VEE shall be conducted for a total of sixty (60) minutes. A Method 9 evaluation shall not be required if the visible emissions condition is corrected as expeditiously as possible such that no visible emissions exist; the emissions unit is operating at normal conditions; and the cause and corrective measures taken are recorded. The record of each visible emission observation shall be maintained, including any data required by 40 CFR 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable emissions requirement, the results of the observation and the name of the observer.

(9 VAC 5-80-110)

**74. Facility Wide Conditions - Testing** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9 VAC 5-50-30, 9 VAC 5-80-110, General Condition 4 of the April 2, 1984 permit, and Condition 25 of the January 30, 2015 Permit)

**75. Facility Wide Conditions - Testing** - If testing is conducted for compliance with emissions in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.

(9 VAC 5-80-110)

## Insignificant Emission Units

76. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

<b>Emission Unit No.</b>	<b>Emission Unit Description</b>	<b>Citation</b>	<b>Pollutant(s) Emitted (9 VAC 5-80-720B)</b>	<b>Rated Capacity (9 VAC 5-80-720C)</b>
30	Tank MR-1A (diesel)		VOC	
31	Tank MR-1B (motor oil)		VOC	
32	Tank MR-1C (hydraulic oil)		VOC	
33	Tank MR-1D (gear oil)		VOC	
36	Tank MR-2C (kerosene)		VOC	
37	Tank MR-3A (alcohol)		VOC	
38	Tank MR-3B (gasoline)		VOC	
40	Tank MR-4A (diesel)		VOC	
41	Tank MR-4 (kerosene)		VOC	
42	Tank MR-5A (hydraulic oil)		VOC	
43	Tank MR-5B (motor oil)		VOC	
44	Tank MR-5C (diesel)		VOC	
47	Wastewater Treatment Plant		VOC	
48	Parts Washer		VOC	
54	Tank #1 Loadout (salt)		VOC	
55	Tank #2 Loadout (salt)		VOC	
56	Tank #3 Loadout (glycol)		VOC	

<b>Emission Unit No.</b>	<b>Emission Unit Description</b>	<b>Citation</b>	<b>Pollutant(s) Emitted (9 VAC 5-80-720B)</b>	<b>Rated Capacity (9 VAC 5-80-720C)</b>
57	Tank #4 Loadout (salt)		VOC	
58	Tank #5 Loadout (salt)		VOC	
DB-1	Rock Dust Bin		PM10	

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

### Permit Shield & Inapplicable Requirements

77. **Permit Shield & Inapplicable Requirements** - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

<b>Citation</b>	<b>Title of Citation</b>	<b>Description of Applicability</b>
40 CFR 60.254(c)	Standard for coal processing and conveying equipment, coal storage systems, transfer and loading systems, and open storage piles	Applies to designated equipment constructed after May 27, 2009 – does not apply to Reedy Ridge units RRSB-1 and RRRC-1 (these units were never installed)
Conditions 7, 11, 17, 27, 28, 32, 33, and 34 of the minor NSR permit issued January 30, 2015	Expired permit conditions (or expired portions thereof)	These permit conditions contain portions which expired when the company chose not to install Reedy Ridge equipment RRSB-1 (stacker belt) and RRRC-1 (raw coal open storage) within an 18-month timeframe

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution

Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9 VAC 5-80-140)

## General Conditions

78. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.  
(9 VAC 5-80-110 N)
79. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
80. **General Conditions - Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
81. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
82. **General Conditions - Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
83. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

84. **General Conditions - Permit Expiration** - The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
85. **General Conditions -Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
- a. The date, place as defined in the 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 such analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.
  - g. The occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.  
(9 VAC 5-20-180 J, 9 VAC 5-80-110 F, Condition 17 of May 11, 2009 Permit for Reg. No. 11690, and Condition 39 of January 30, 2015 Permit)
86. **General Conditions -Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. 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.  
(9 VAC 5-80-110 F)
87. **General Conditions -Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31;

- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
- i. Exceedance of emissions limitations or operational restrictions;
  - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
  - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

**88. General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;
- e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and

- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3\_APD\_Permits@epa.gov

(9 VAC 5-80-110 K.5)

89. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Director, Southwest Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition 87 of this permit.  
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)
90. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Southwest Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Southwest Regional Office.  
(9 VAC 5-20-180 C, Conditions 30 and 40 of January 30, 2015 Permit, and Condition 18 of May 9, 2011 Permit for Reg. No. 11690)
91. **General Conditions - Failure/Malfunction Reporting** - The emission units that have continuous monitors subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not subject to the 14 day written notification.  
(9 VAC 5-20-180 C, 9 VAC 5-40-50, and 9 VAC 5-50-50)

92. **General Conditions - Failure/Malfunction Reporting** - The emission units subject to the reporting and the procedure requirements of 9 VAC 5-40-50 C and the procedures of 9 VAC 5-50-50 C are listed below:

Thermal coal dryer (Unit #13).

(9 VAC 5-20-180 C, 9 VAC 5-40-50, and 9 VAC 5-50-50)

93. **General Conditions - Failure/Malfunction Reporting** - Each owner required to install a continuous monitoring system (CMS) or monitoring device subject to 9 VAC 5-40-41 or 9 VAC 5-50-410 shall submit a written report of excess emissions (as defined in the applicable subpart in 9 VAC 5-50-410) and either a monitoring systems performance report or a summary report form, or both, to the board semiannually. All semi-annual reports shall be postmarked by the 30th day following the end of each calendar semi-annual period (June 30th and January 30th). All reports shall include the following information:

- a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h) or 9 VAC 5-40-41 B.6, any conversion factors used, and the date and time of commencement and completion of each period of excess emissions;
- b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted;
- c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
- d. When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated in the report.

All malfunctions of emission units not subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C require written reports within 14 days of the discovery of the malfunction.  
(9 VAC 5-20-180 C, 9 VAC 5-40-50, and 9 VAC 5-50-50)

94. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.  
(9 VAC 5-80-110 G.1)

95. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.  
(9 VAC 5-80-110 G.2)
96. **General Conditions - Need to Halt or Reduce Activity not a Defense** - 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.  
(9 VAC 5-80-110 G.3)
97. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.  
(9 VAC 5-80-190 and 9 VAC 5-80-260)
98. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)
99. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board 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 Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
100. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)
101. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9 VAC 5-80-2310 through 9 VAC 5-80-2350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. The amount of the annual permit maintenance fee

shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9 VAC 5-80-2340, adjusted annually by the change in the Consumer Price Index.  
(9 VAC 5-80-110 H, 9 VAC 5-80-340 C and 9 VAC 5-80-2340 B)

**102. General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
- b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
- d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-50-90)

**103. General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E)

104. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.  
(9 VAC 5-80-110 J)

105. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
- c. Inspect at reasonable times 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 for the purpose of assuring compliance with the permit or applicable requirements.  
(9 VAC 5-80-110 K.2 and Condition 37 of January 30, 2015 permit)

106. **General Conditions - Reopening For Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 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 9 VAC 5-80-80 F. The conditions for reopening a permit are as follows:

- a. The permit shall be reopened if the Board or the administrator 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.
- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

107. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

108. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.

(9 VAC 5-80-160 and Condition 42 of January 30, 2015 permit)

109. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160 and Condition 42 of January 30, 2015 Permit)

110. **General Conditions - Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

111. **General Conditions - Malfunction as an Affirmative Defense** - A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements stated in Condition 112 are met.

(9 VAC 5-80-250)

112. **General Conditions - Malfunction as an Affirmative Defense** - The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

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

- d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.  
(9 VAC 5-80-250)
113. **General Conditions - Malfunction as an Affirmative Defense** - In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.  
(9 VAC 5-80-250)
114. **General Conditions - Malfunction as an Affirmative Defense** - The provisions of Conditions 112-113 are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.  
(9 VAC 5-80-250)
115. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-190 C, 9 VAC 5-80-260, and Condition 36 of January 30, 2015 permit)
116. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-80 E)
117. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(40 CFR Part 82, Subparts A-F)

- 118. General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150). (9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)
- 119. General Conditions - Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68. (40 CFR Part 68)
- 120. General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. (9 VAC 5-80-110 I)
- 121. General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
  - b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
  - c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300. (9 VAC 5-80-110 I)
- 122. General Conditions – Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated. (9 VAC 5-20-180 I, 9 VAC 5-80-1180, and Condition 41 of January 30, 2015 permit)