

## Virginia Acid Rain Operating Permit

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 5-80-360 through 9 VAC 5-80-700 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:	Appalachian Power Company dba AEP
Facility Name:	Appalachian Power Company – Glen Lyn Plant
Facility Location:	Routes 649 and 460, Giles County, Virginia
Registration No.:	20460
AIRS ID:	51-071-0002
Permit Number:	VA-20460

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Effective Date

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Expiration Date

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Robert G. Burnley	Signature Date
Director, Department of Environmental Quality	

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Permit Conditions, 31 pages  
Attachment: Phase II Acid Rain Permit

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## I. Facility Information

### Permittee

Appalachian Power Company dba AEP  
1 Riverside Plaza  
Columbus, OH 43215-2373

### Responsible Official

Mark A. Gray  
Manager, Environmental Services  
(614) 223-1270

### Acid Rain Designated Representative

Mr. John McManus  
Manager, Environmental Strategy and  
Compliance Planning  
(614) 223-1268

### Facility

Appalachian Power Company -  
Glen Lyn Plant  
Routes 649 and 460  
Giles County, Virginia

### Contact Person

Mr. Michael R. Robida  
Manager, Air Quality  
(614) 223-1260

**Registration Number: 20460**

**AIRS Identification Number: 51-071-0002**

**Facility Description:** SIC Code 4911 – The Glen Lyn plant is a coal-fired electric power generating facility which has been in existence since 1919. Currently, the facility has three radiant tube boilers: Boilers 51 and 52, constructed in 1944, which share a common stack and are considered one generating unit (Unit 5); and Unit 6, constructed in 1944, which has its own taller stack. All boilers are coal-fired, with #2 fuel oil used for start-up, shutdown and flame stabilization. The boilers also have the capability to burn used oil, ion exchange resins and metal cleaning fluid as supplemental fuels. The boilers generate steam to turn a turbine which is coupled to an electric generator. Associated emissions units include a coal storage area, with associated conveyors and weighing scales, and an ash handling system.

The plant is by definition a Title V major source due to potential emissions of criteria pollutants PM-10, sulfur dioxide, nitrogen oxides and carbon monoxide in excess of 100 tpy, potential emissions of hydrogen fluoride and hydrochloric acid in excess of 10 tpy, and potential emissions of total HAPs in excess of 25 tpy. It is located in an attainment area for criteria pollutants. The boilers all predate NSPS Subpart D and Da applicability. The facility is subject to the Title IV Acid Rain regulations (9 VAC 5 Chapter 80, Article 3) and is being issued a Phase II acid rain permit renewal effective January 1, 2003. No alternative operating scenarios have been requested.

## II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Fuel Burning Equipment</b>							
GL51	GL5	Combustion Engineering Model 30341	572 x 10 <sup>6</sup> BTU/hr input	American Standard, custom-built cold-side electrostatic precipitator	51ESP	Particulate	NA
GL52	GL5	Combustion Engineering Model 30341	572 x 10 <sup>6</sup> BTU/hr input	American Standard, custom-built cold-side electrostatic precipitator	52ESP	Particulate	NA
GL6	GL6	Babcock and Wilcox Radiant Tube Boiler Model RB-235	2040 x 10 <sup>6</sup> BTU/hr input	American Standard, custom-built cold-side electrostatic precipitator	6ESP	Particulate	NA
<b>Process A – Coal Handling</b>							
CH	NA	Conveyors, samplers, transfer stations, rail and truck facilities	600 tons coal/hr input	NA	NA	NA	NA

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Process B – Ash Handling</b>							
AH1A	NA	Ash silo	144,000 tons bottom ash and flyash/yr output	Allen-Sherman-Hoff B-60 cyclone	1A	Particulate	10/11/79
AH1A	NA	Ash silo	144,000 tons bottom ash and flyash/yr output	Flex Kleen 84CT54 baghouse filter	1B	Particulate	10/11/79
AH1A	NA	Ash silo	144,000 tons bottom ash and flyash/yr output	Nash Pump CL-2002 vacuum pump water trap silencer	1C	Particulate	10/11/79
AH1B	NA	Vacuum pumps, piping	144,000 tons bottom ash and flyash/yr output	NA	NA	NA	NA
AH2	NA	Pumps, piping, setting pond	80 tons bottom ash/day output	NA	NA	NA	NA

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

### III. Fuel Burning Equipment Requirements – GL51, GL52 and GL6

#### A. Limitations

1. Particulate emissions from each boiler shall be controlled by an electrostatic precipitator. The electrostatic precipitator shall be provided with adequate access for inspection.  
(9 VAC 5-80-490 B & C and 9 VAC 5-170-160)
2. The approved fuels for the boilers are coal and distillate oil, or DEQ approved equivalent. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials, ASTM D396-78 “Standard Specification for Fuel Oils.” A change in the fuels may require a permit to modify and operate.  
(9 VAC 5-80-490 B & C and 9 VAC 5-170-160)

3. Emissions from the operation of boilers GL51 and GL52 (each) shall not exceed the limits specified below:

Total Suspended Particulate	0.1346 lbs/million BTU input
PM-10	0.1346 lbs/million BTU input
Sulfur Dioxide	2.64 lbs/million BTU input hourly emission limit
Nitrogen Oxides (as NO <sub>2</sub> )	*0.45 lbs/million BTU input as an annual average

\* The boilers are included in a system-wide averaging plan for nitrogen oxides. The nitrogen oxide limit for the boilers is only applicable if the system fails to meet the annual system-wide averaging plan or if the boilers are removed from the system-wide averaging plan.

(9 VAC 5-40-900 A 1, 9 VAC 5-40-930 A 1, 9 VAC 5-80-490 B & C, 40 CFR 76.5(a)(1) and 40 CFR 76.11)

4. Emissions from the operation of boiler GL6 shall not exceed the limits specified below:

Total Suspended Particulate	0.1346 lbs/million BTU input
PM-10	0.1346 lbs/million BTU input

Sulfur Dioxide	2.64 lbs/million BTU input hourly emission limit
Nitrogen Oxides (as NO <sub>2</sub> )	*0.46 lbs/million BTU input as an annual average

\* The boiler is included in a system-wide averaging plan for nitrogen oxides. The nitrogen oxide limit for the boiler is only applicable if the system fails to meet the annual system-wide averaging plan or if the boiler is removed from the system-wide averaging plan.

(9 VAC 5-40-900 A 1, 9 VAC 5-40-930 A 1, 9 VAC 5-80-490 B & C, 40 CFR 76.7(a)(2) and 40 CFR 76.11)

5. Visible emissions from each of the boiler stacks, GL5 and GL6, shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity.  
(9 VAC 5-40-80, 9 VAC 5-40-940 and 9 VAC 5-80-490 B & C)
6. Boiler emissions shall be controlled by proper operation and maintenance. Boiler operators shall be trained in the proper operation of all such equipment. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum.  
(9 VAC 5-80-490 B & C and 9 VAC 5-170-160)
7. Where an applicable requirement of the Clean Air Act, or of this permit, is more stringent than an applicable requirement from state or federal regulations promulgated under Title IV of the Clean Air Act, both provisions appear in this permit and both are enforceable by the Administrator of the U.S. Environmental Protection Agency.  
(40 CFR Part 70, Section 70.6(a)(1)(ii))
8. Emissions from emission units at the permitted facility may not exceed any allowances that the permitted facility holds under its Title IV acid rain permit, which is incorporated by reference into this permit as mentioned in paragraph 7 above.  
(40 CFR Part 70, Section 70.6(a)(4))
9. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to Title IV of the federal Clean Air Act or 9 VAC 5 Chapter 80, Article 3, provided that such increases do not require a permit revision under any other applicable requirement.  
(40 CFR Part 70, Section 70.6(a)(4)(i))

10. This facility may hold any number of allowances authorized by its acid rain permit. However, the source may not use these allowances as a defense to a non-compliance with any other applicable requirement.  
(40 CFR Part 70, Section 70.6(a)(4)(ii))
11. Any allowance authorized by this facility's acid rain permit shall be accounted for according to procedures established under 9 VAC 5 Chapter 80, Article 3 or under federal regulations pursuant to Title IV of the Clean Air Act.  
(40 CFR Part 70, Section 70.6(a)(4)(iii))
12. Nothing in this permit shall alter or affect the applicable requirements of the acid rain program pursuant to Title IV of the Clean Air Act.  
(40 CFR Part 70, Section 70.6(f)(3)(iii))

## **B. Monitoring**

1. The facility shall install, certify, maintain, and operate continuous monitoring systems on each stack for sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), opacity, and carbon dioxide (CO<sub>2</sub>). These monitoring systems shall incorporate automated data acquisition and handling systems for measuring and recording:

SO<sub>2</sub> concentration (ppm);  
Volumetric gas flow (scfh);  
NO<sub>x</sub> concentration (ppm);  
O<sub>2</sub> or CO<sub>2</sub> concentration (%);  
SO<sub>2</sub> mass emissions (lb/hr);  
NO<sub>x</sub> emission rate (lb/mmBtu); and  
Opacity.

40 CFR Part 75 requires annual relative accuracy test audits (RATA) for each monitor or continuous monitoring system.

(40 CFR Part 75.10(a))

## **C. Recordkeeping**

1. Within 30 days after the end of each calendar quarter, the permittee shall:
  - a. Review the opacity emissions for each calendar quarter.
  - b. If greater than 5% of the 6-minute average measured opacity values during a calendar quarter exceed 20% opacity, the permittee shall demonstrate compliance with 9 VAC 5-40-80 and this permit in accordance with (c) and (d) of this condition, as appropriate.

- c. If more than 5% of the measured opacity values exceed 20%, the permittee shall, within 45 days of the review of a quarterly opacity data, submit a report to the director identifying:
  - (1) Steps taken to investigate the condition and operation of the control equipment;
  - (2) Responsive actions taken to correct any conditions identified as a result of the inspection to ensure proper operation of the unit and related control equipment;
  - (3) Any other actions taken or to be taken to maintain the unit or related control equipment.
- d. If the permittee submits two (2) consecutive reports pursuant to subsection (c) within the same calendar year, the permittee shall conduct a test pursuant to Section C within 90 days following submittal of the second consecutive report.

(9 VAC 5-40-80 and 9 VAC 5-80-490 B)

2. The permittee shall perform and maintain on-site records of analyses of composite samples collected as coal is loaded into the bunkers for use in the boilers. Samples shall be collected and analyzed daily. The automatic sampler shall operate according to approved ASTM specifications, and the fuel analysis shall be performed in accordance with approved ASTM methods. Each analysis shall include the following:
  - a. The date on which the coal was sampled,
  - b. The volume of coal from which the composite sample was collected,
  - c. The date on which the composite sample was analyzed,
  - d. The sulfur content of the coal, to be determined according to ASTM D4239-93 "Standard Test Method for Sulfur in the Analytical Sample of Coal and Coke Using High-Temperature Tube Furnace Combustion Methods" or a DEQ-approved equivalent method,
  - e. The ash content of the coal, to be determined according to ASTM D3174-89 "Standard Test Method for Ash in the Analytical Sample of Coal and Coke from Coal" or a DEQ-approved equivalent method, and
  - f. The heat content of the coal.

(9 VAC 5-80-490 F and 9 VAC 5-170-160)

3. The permittee shall obtain a certification, or alternative statement, from the fuel supplier covering each shipment of distillate oil. Each fuel supplier certification or alternative statement shall include the following:
  - a. The name of the fuel supplier,
  - b. The date on which the oil was received,
  - c. The volume of distillate oil delivered in the shipment,
  - d. A statement that the oil complies with the American Society for Testing and Materials specifications for fuel oil numbers 1 and 2, and
  - e. The sulfur content of the oil.

(9 VAC 5-80-490 F and 9 VAC 5-170-160)
4. 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, West Central Regional Office. These records shall include, but are not limited to:
  - a. The daily, monthly and annual throughput of coal (in tons) and distillate oil (in 1000 gallons) for each boiler. The annual throughput shall be calculated monthly as the sum of each consecutive twelve (12) month period.
  - b. The sulfur (lb/mmBTU), ash (%), and heat content (BTU/lb) of the coal combusted in each unit.
  - c. All daily as-fired coal analyses.
  - d. All fuel supplier certifications or alternative statements.
  - e. The certificate of representation for the designated representative.
  - f. All emissions monitoring information, copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program.
  - g. Copies of all documents used to complete the Acid Rain permit application and any other submission under the Acid Rain program or to demonstrate compliance with the requirements of the Acid Rain program.

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 5-80-490 F, 9 VAC 5-40-50 and 40 CFR Part 72.9(f))

5. The permittee shall maintain records of the required training including a statement of time, place and nature of training provided. The permittee shall have available good written operating procedures and a maintenance schedule for the boilers. These procedures shall be based on the manufacturer's recommendations, at minimum. All records required by this condition shall be kept on site and made available for inspection by the DEQ.  
(9 VAC 5-80-490 C & F and 9 VAC 5-170-160)

#### D. Testing

1. 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 5-40-30 and 9 VAC 5-80-490 E & F)
2. The permittee shall perform particulate emissions tests on each stack at least twice during the term of the permit. The first shall be performed within two (2) years of the effective date of the permit and the second shall be performed within two (2) years of the expiration date of the permit.

If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
NO <sub>x</sub>	EPA Method 7
SO <sub>2</sub>	EPA Method 6
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-490 E & F and 9 VAC 5-170-160)

#### E. Reporting

The permittee shall submit fuel quality reports to the Director, West Central Regional Office, within 30 days after the end of each calendar quarter. If no shipments of coal or distillate oil were received during the calendar quarter, the quarterly report shall consist of the dates included in the calendar quarter and a statement that no coal or oil was received during the calendar quarter. If coal or distillate oil was received during the calendar quarter, the reports shall include:

1. The dates included in the calendar quarter;
2. A quarterly summary of all daily as-fired coal analyses that includes the information specified in C.2. (Recordkeeping);
3. A copy of all fuel supplier certifications or alternative statements for all shipments of distillate oil received during the calendar quarter or a quarterly summary from each fuel supplier that includes the information specified in C.3. (Recordkeeping) for each shipment of distillate oil; and
4. A signed statement from the owner or operator of the facility that the fuel supplier certifications or alternative statements, or summaries of coal analyses and fuel supplier certifications, represent all of the coal and distillate oil burned or received at the facility.

(9 VAC 5-80-490 F and 9 VAC 5-170-160)

#### **IV. Process Equipment Requirements – CH (coal handling system)**

##### **A. Limitations**

1. Visible emissions from the coal handling process shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity.  
(9 VAC 5-40-80, 9 VAC 5-40-320 and 9 VAC 5-80-490 B & C)
2. Emissions from the coal handling process shall not exceed the limits specified below:

Total Suspended Particulate	71.2 lbs/hr
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PM-10	71.2 lbs/hr
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(9 VAC 5-40-260 and 9 VAC 5-80-490 B & C)

##### **B. Recordkeeping**

1. 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, West Central Regional Office. These records shall include, but are not limited to, the annual throughput of coal, calculated monthly as the sum of each consecutive twelve (12) month period.

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 5-80-490 C & F and 9 VAC 5-170-160)

##### **C. Testing**

1. 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 5-40-30 and 9 VAC 5-80-490 E & F)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-490 E & F and 9 VAC 5-170-160)

## V. Process Equipment Requirements – AH (ash handling system)

### A. Limitations

1. Particulate emissions from the ash silo AH1A shall be controlled by a cyclone, a baghouse filter and a vacuum pump water trap silencer. The cyclone, filter and vacuum pump shall be provided with adequate access for inspection.  
(9 VAC 5-80-490 B & C and 9 VAC 5-170-160)
2. Visible emissions from the ash handling system shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity.  
(9 VAC 5-40-80, 9 VAC 5-40-320 and 9 VAC 5-80-490 B & C)
3. The annual throughput of flyash to the dry system shall not exceed 144,000 tons, calculated monthly as the sum of each consecutive twelve (12) month period.  
(9 VAC 5-80-490 B & C and Condition 2 of 10/11/79 permit)
4. Emissions from the operation of the flyash handling system (dry system) stack shall not exceed the limits specified below:

Total Suspended Particulate	9.13 lbs/hr	40.0 tons/yr
PM-10	9.13 lbs/hr	40.0 tons/yr

(9 VAC 5-80-490 B & C and Condition 3 of 10/11/79 permit)

### B. Monitoring

The fabric filter shall be equipped with a device to continuously measure the differential pressure drop across the fabric filter. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times. An annual internal inspection shall be conducted on the cyclone by the permittee to insure structural integrity.

(9 VAC 5-80-490 E and 9 VAC 5-170-160)

**C. Recordkeeping**

1. 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, West Central Regional Office. These records shall include, but are not limited to, the annual throughput of ash and flyash, calculated monthly as the sum of each consecutive twelve (12) month period.

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 5-80-490 F and 9 VAC 5-170-160)

**D. Testing**

1. 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 5-40-30 and 9 VAC 5-80-490 E & F)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-490 E & F and 9 VAC 5-170-160)

## VI. Facility Wide Conditions

### A. Monitoring and Recordkeeping

1. Visible Emissions: Each emissions unit with a visible emissions requirement in this permit shall be observed visually at least once each calendar week in which the emissions unit operates. The visual observations shall be conducted using 40 CFR 60 Appendix A Method 22 techniques (condensed water vapor/steam is not a visible emission) for at least a brief time to only identify the presence of visible emissions, unless the unit is monitored by a 40 CFR 60 Appendix A continuous opacity monitor. Each emissions unit in the Method 22 technique observation having visible emissions shall be evaluated by conducting a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) for at least six (6) minutes, unless corrective action is taken that achieves no visible emissions. 40 CFR 60 Appendix A Method 9 requires the observer to have a Method 9 certification that is current at the time of the VEE. If any of these six (6) minute VEE averages exceed the unit's opacity limitation, a VEE shall be conducted on these emissions for at least 3 six minute periods (at least 18 minutes). All visible emission observations, VEE results, and corrective actions taken shall be recorded.  
(9 VAC 5-80-490 E)
2. Maintenance/Operating Procedures: The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, monitoring devices, and process 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.
  - 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 5-40-20 E and 9 VAC 5-80-490 E)

## VII. 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:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
Tank365	365,000 gallon fuel oil tank	9 VAC 5-80-720B	VOC	
Gas	Underground storage tank for gasoline	9 VAC 5-80-720B	VOC	
TP	Thaw Pit burners	9 VAC 5-80-720B	SO <sub>2</sub> , NO <sub>x</sub> , particulate, VOC	
GLP2500	Two - 2500 gallon tanks	9 VAC 5-80-720B	VOC	
GLP10,000	10,000 gallon fuel oil tank	9 VAC 5-80-720B	VOC	
GLP500	500,000 gallon fuel oil tank	9 VAC 5-80-720B	VOC	
Parts washers	Safety-Kleen Parts Washers	9 VAC 5-80-720B	VOC	

These insignificant 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 5-80-490 C, E and F.

### VIII. 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:

Citation	Title of Citation	Description of Applicability
40 CFR 60, Subpart D	Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971	Not applicable; constructed prior to August 17, 1971
40 CFR 60, Subpart Da	Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978	Not applicable; constructed prior to September 18, 1978

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 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 5-80-500 C)

## **IX. General Conditions**

### **A. 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 5-80-490 N)

### **B. 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 a timely and complete renewal application consistent with 9 VAC 5-80-430 has been submitted to the Department, by the owner, the right of the facility to operate shall be terminated upon permit expiration.

1. 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.
2. 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 3, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-510.
3. 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 5-80-430 for a renewal permit, except in compliance with a permit issued under Article 3, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-430 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 5-80-500, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-430 shall cease to apply if, subsequent to the completeness determination made pursuant to section 9 VAC 5-80-430 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 5-80-430 B, C & F, 9 VAC 5-80-490 D and 9 VAC 5-80-530 B)

### C. Recordkeeping and Reporting

1. 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.
  - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-490 F)

2. 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 5-80-490 F)

3. 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 5-80-430 G. Note that much of the recordkeeping required by this permit also serves as required periodic monitoring to determine emissions compliance and therefore needs to be addressed in the periodic reports. The details of the reports are to be arranged with the Director, West Central Regional Office. The reports 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 purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

- (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or
  - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. Reports: The Title V operating permit semi-annual reports shall be sent to the Director, West Central Regional Office.
- (9 VAC 5-80-490 F)

#### **D. 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 to 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. 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. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-430 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-490 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

This annual compliance certification shall be sent to the following addresses:

Director, West Central Regional Office  
Virginia DEQ  
3019 Peters Creek Road  
Roanoke, VA 24019

Clean Air Act Title V Compliance Certification (3AP00)  
U. S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

(9 VAC 5-80-490 K)

#### **E. Permit Deviation Reporting**

The permittee shall notify the Director, West Central Regional Office, within four (4) daytime business hours 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 occurrence, 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. The occurrence should also be reported in the next quarterly or semi-annual compliance monitoring report required by this permit.

(9 VAC 5-80-490 F)

#### **F. 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, notify the Director, West Central Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks 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 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. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, West Central Regional Office.

1. The emission units that have continuous monitors subject to 9 VAC 5-40-50 C are not subject to the two week written notification.
2. The emission units subject to the reporting and the procedural requirements of 9 VAC 5-40-50 C are listed below:
  - a. GL51
  - b. GL52
  - c. GL6

3. Each owner required to install a continuous monitoring system subject to 9 VAC 5-40-41 shall submit a written report of excess emissions (as defined in the applicable emission standard) to the board for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter and 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.
4. All emission units not subject to 9 VAC 5-40-50 C must make written reports within two weeks of the malfunction occurrence.

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

#### **G. Startup, Shutdown, and Malfunction**

At all times, including periods of startup, shutdown, 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 5-40-20 E)

#### **H. Malfunction as an Affirmative Defense**

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph 2 are met.

2. 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 malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
  - d. For malfunctions that occurred for one hour or more, the permittee submitted to the Board by the deadlines described in **Failure/Malfunction Reporting** above, a notice and written statement containing a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notice fulfills the requirement of 9 VAC 5-80-490 F.2.b to report promptly deviations from permit requirements.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.

(9 VAC 5-80-650)

#### **I. 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:

1. 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;
2. 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;

3. 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 other similar operations;
4. 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
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90)

#### **J. 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 5-80-490 G)

#### **K. 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 grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

(9 VAC 5-80-490 G)

#### **L. 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 5-80-490 G)

#### **M. Permit Action for Cause**

This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-490 L, 9 VAC 5-80-640 and 9 VAC 5-80-660. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

(9 VAC 5-80-490 G)

## **N. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-490 G)

## **O. Duty to Submit Information**

1. 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 5-80-490 G)
2. 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 5-80-430 G and 9 VAC 5-80-490 K.  
(9 VAC 5-80-430 G and 9 VAC 5-80-490 K)

## **P. Duty to Pay Permit Fees**

The owner of any source for which a permit under 9 VAC 5-80-360 through 9 VAC 5-80-700 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. 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.  
(9 VAC 5-80-490 H and 9 VAC 5-80-340 C)

## **Q. 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 5-80-500 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 3.  
(9 VAC 5-80-490 J)

## **R. 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:

1. 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.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-490 K)

#### **S. 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 5-80-430 F.

1. 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.
2. 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.
3. 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 5-80-490 D.

(9 VAC 5-80-490 L)

#### **T. 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 5-80-510 E)

#### **U. Transfer of Permits**

1. 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.
2. 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 5-80-560.
3. 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 5-80-560.

(9 VAC 5-80-520)

#### **V. 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 3. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-660)

#### **W. 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 5-80-430 E)

#### **X. 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)

**Y. 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 under 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

**Z. 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 5-80-490 I)

**AA. 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:

1. All terms and conditions required under 9 VAC 5-80-490, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-500 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-360 through 9 VAC 5-80-700.

(9 VAC 5-80-490 I)

**X. Acid Rain Affected Unit Allocations**

The Phase II acid rain permit for this facility, issued pursuant to 9 VAC 5 Chapter 80, Article 3 (9 VAC 5-80-360 et seq.), effective January 1, 2003 and expiring on December 31, 2007, is incorporated by reference into this permit. A copy of that acid rain permit is attached.

## **PHASE II ACID RAIN PERMIT**

This permit supersedes your Phase II Acid Rain permits approved on December 12, 1997, December 16, 1998, June 22, 2001 and May 6, 2002.

Issued to: Glen Lyn  
Operated by: Appalachian Power Company dba American Electric Power  
Location: Giles County  
Registration No: 20460  
AFS ID No: 51-071-0002  
ORIS code: 3776  
Effective: January 1, 2003  
Expires: December 31, 2007

### **Acid Rain Permit Contents**

1. Statement of Basis.
2. SO<sub>2</sub> allowances allocated under this permit and NO<sub>x</sub> requirements for each affected unit.
3. Additional requirements or conditions, and any comments, notes and justifications regarding permit decisions and changes made to the permit application forms during the review process.
4. The permit application submitted for this source, including the attached NO<sub>x</sub> compliance plan and NO<sub>x</sub> averaging plan.

### **Permit Approval**

Approved on: January 24, 2003.

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Robert G. Burnley  
Director

Permit consists of 6 pages, as well as the attached permit application (4 pages), the attached NO<sub>x</sub> compliance plan (2 pages) and the attached NO<sub>x</sub> averaging plan (4 pages).

**1. Statement of Basis.** (9 VAC 5-80-490 B.2)

Statutory and Regulatory Authorities: In accordance with the Air Pollution Control Law of Virginia ' 10.1-1308 and ' 10.1-1322, the Environmental Protection Agency (EPA) Final Full Approval of the Operating Permits Program (Titles IV and V) published in the Federal Register December 4, 2001, Volume 66, Number 233, Rules and Regulations, Pages 62961-62967 and effective November 30, 2001, and Title 40, Code of Federal Regulations ' ' 72.1 through 76.16, the Commonwealth of Virginia Department of Environmental Quality issues this permit pursuant to 9 VAC 5 Chapter 80, Article 3 of the Virginia Regulations for the Control and Abatement of Air Pollution (Acid Rain Operating Permits).

**2. SO<sub>2</sub> Allowance Allocations and NO<sub>x</sub> Requirements for affected units.** (9 VAC 5-80-490 A.4)

		2003	2004	2005	2006	2007
<b>Unit 6</b>	SO <sub>2</sub> allowances, under Table 2, 40 CFR Part 73. (tons)	5,533 (See 3.B)	5,533 (See 3.B)	5,533 (See 3.B)	5,533 (See 3.B)	5,533 (See 3.B)
	NO <sub>x</sub> limit	<p>Pursuant to 40 CFR 76.11, the Commonwealth of Virginia Department of Environmental Quality approves a NO<sub>x</sub> emission averaging plan for unit 6, effective for calendar year 2003 through calendar year 2006. Under the plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of 0.70 lb/mmBtu. In addition, this unit shall not have an annual heat input greater than 5,930,000 mmBtu.</p> <p>Under the plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they been operated, during the same period of time, under the applicable emissions limitations under 40 CFR §§76.5, 76.6, or 76.7, except that for early election units, the applicable emission limitations shall be under §76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR §76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit.</p> <p>In accordance with 40 CFR 72.40(b)(2), approval of the averaging plan shall be final only when all permitting authorities in Indiana, Kentucky, Ohio and West Virginia have also approved this averaging plan.</p> <p>In addition to the described NO<sub>x</sub> compliance plan, this unit shall comply with all other applicable requirements of 40 CFR Part 76 including the duty to reapply for a NO<sub>x</sub> compliance plan, and requirements covering excess emissions.</p>				

		2003	2004	2005	2006	2007
<b>Unit 51</b>	SO <sub>2</sub> allowances, under Table 2, 40 CFR Part 73. (tons)	1,152 (See 3.B)	1,152 (See 3.B)	1,152 (See 3.B)	1,152 (See 3.B)	1,152 (See 3.B)
	NO <sub>x</sub> limit	<p>Pursuant to 40 CFR 76.11, the Commonwealth of Virginia Department of Environmental Quality approves a NO<sub>x</sub> emission averaging plan for unit 51, effective for calendar year 2003 through calendar year 2006. Under the plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of 0.47 lb/mmBtu. In addition, this unit shall not have an annual heat input greater than 1,581,500 mmBtu.</p> <p>Under the plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they been operated, during the same period of time, under the applicable emissions limitations under 40 CFR §§76.5, 76.6, or 76.7, except that for early election units, the applicable emission limitations shall be under §76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR §76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit.</p> <p>In accordance with 40 CFR 72.40(b)(2), approval of the averaging plan shall be final only when all permitting authorities in Indiana, Kentucky, Ohio and West Virginia have also approved this averaging plan.</p> <p>Notwithstanding the averaging plan described above, if this unit exceeds its applicable NO<sub>x</sub> emission limitation under 40 CFR §76.8 (early election) of 0.45 lb/mmBtu for tangentially fired boilers, the early election plan for this unit shall be terminated in accordance with 40 CFR §76.8(e), and the unit shall meet, beginning on the effective date of the termination, the applicable NO<sub>x</sub> emission limitation under 40 CFR §76.7. Such termination shall not terminate the averaging plan described above.</p> <p>In addition to the described NO<sub>x</sub> compliance plan, this unit shall comply with all other applicable requirements of 40 CFR Part 76 including the duty to reapply for a NO<sub>x</sub> compliance plan, and requirements covering excess emissions.</p>				

		2003	2004	2005	2006	2007
<b>Unit 52</b>	SO <sub>2</sub> allowances, under Table 2, 40 CFR Part 73. (tons)	1,113 (See 3.B)	1,113 (See 3.B)	1,113 (See 3.B)	1,113 (See 3.B)	1,113 (See 3.B)
	NO <sub>x</sub> limit	<p>Pursuant to 40 CFR 76.11, the Commonwealth of Virginia Department of Environmental Quality approves a NO<sub>x</sub> emission averaging plan for unit 52, effective for calendar year 2003 through calendar year 2006. Under the plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of 0.47 lb/mmBtu. In addition, this unit shall not have an annual heat input greater than 1,581,500 mmBtu.</p> <p>Under the plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they been operated, during the same period of time, under the applicable emissions limitations under 40 CFR §§76.5, 76.6, or 76.7, except that for early election units, the applicable emission limitations shall be under §76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR §76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit.</p> <p>In accordance with 40 CFR 72.40(b)(2), approval of the averaging plan shall be final only when all permitting authorities in Indiana, Kentucky, Ohio and West Virginia have also approved this averaging plan.</p> <p>Notwithstanding the averaging plan described above, if this unit exceeds its applicable NO<sub>x</sub> emission limitation under 40 CFR §76.8 (early election) of 0.45 lb/mmBtu for tangentially fired boilers, the early election plan for this unit shall be terminated in accordance with 40 CFR §76.8(e), and the unit shall meet, beginning on the effective date of the termination, the applicable NO<sub>x</sub> emission limitation under 40 CFR §76.7. Such termination shall not terminate the averaging plan described above.</p> <p>In addition to the described NO<sub>x</sub> compliance plan, this unit shall comply with all other applicable requirements of 40 CFR Part 76 including the duty to reapply for a NO<sub>x</sub> compliance plan, and requirements covering excess emissions.</p>				

**3. Additional Requirements, Notes, and Comments**

A. Additional Requirements:

Appalachian Power Company dba American Electric Power shall submit a complete permit application that includes all of the information required under 40 CFR §§72.21 and 72.31 and includes a complete NO<sub>x</sub> compliance plan in accordance with 40 CFR §76.9(c) at least 6 months, but no earlier than 18 months, prior to the date of expiration of the existing Phase II Acid Rain permit. EPA forms shall be used.  
(9 VAC 5-80-430 C.5)

B. Notes:

SO<sub>2</sub> allowances may be acquired from other sources in addition to those allocated by U.S. EPA. No revision to this permit is necessary in order for the owners and operators of this unit to hold additional allowances recorded in accordance with 40 CFR Part 73. The owners and operators of this unit remain obligated to hold sufficient allowances to account for SO<sub>2</sub> emissions from this unit in accordance with 40 CFR 72.9(c)(1).  
(9 VAC 5-80-420 C.1 and H.1 and 9 VAC 5-80-490 O)

C. Comments:

Appalachian Power Company dba American Electric Power may include Units 51 and 52 in a NO<sub>x</sub> averaging plan only if the applicable emission limitation under 40 CFR 76.7(a)(1), of 0.40 lb/mmBtu of heat input for tangentially fired boilers is used for this unit in determining compliance with such a plan.  
(9 VAC 5-80-420 D)

**4. Phase II Acid Rain Permit Application.** The attached permit application is incorporated into the Phase II Acid Rain permit by reference, including the attached NO<sub>x</sub> Compliance Plan and attached NO<sub>x</sub> Averaging Plan. The owners and operators of the source shall comply with the standard requirements and special provisions set forth in the application.