



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

## 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: Birchwood Power Partners, L.P.  
Facility Name: Birchwood Power Facility  
Facility Location: 10900 Birchwood Drive  
King George, Virginia 22485

<u>Permit Number</u>	<u>Effective Date</u>	<u>Expiration Date</u>
NRO 40809	October 1, 2014	September 30, 2019

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Regional Director

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Signature Date

Permit consists of 52 pages.

Permit Conditions 1 to 159.

Table of Contents consists of 1 page.

Attachment A – Clean Air Interstate Rule (CAIR) Permit Application

Attachment B – Compliance Assurance Monitoring Plan (Boiler)

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## **Facility Information**

### **Permittee**

Birchwood Power Partners, L.P.  
10900 Birchwood Drive  
King George, Virginia 22485

### **Responsible Official**

Ms. Julie Caiafa  
Vice President on Behalf of GPSF Securities, Inc.

### **Facility**

Birchwood Power Facility  
10900 Birchwood Drive  
King George, Virginia 22485

### **Contact Person**

Carla S. Jones  
Environmental Manager  
(540) 775-6304

**Plant Identification Number:** 51-099-0012

### **Facility Description:**

SIC Code: 4931 – Electric power generation, transmission, or distribution

The Birchwood Power Facility consists of a pulverized bituminous coal-fired boiler which has a maximum rated heat input capacity of approximately 2,300 MMBtu per hour. The boiler's approved fuel is bituminous coal; Number 2 fuel oil may be used during start-ups, shutdowns and periods of flame instability. The steam generated by the boiler is directed through a steam turbine which drives an electric generator capable of producing about 240 megawatts (MW) net of electric power.

To abate the release of pollutants to the atmosphere, a number of air pollution control devices have been installed. A selective catalytic reduction system with ammonia injection is employed to reduce nitrogen oxide emissions. A combination of low sulfur coal and a flue gas desulfurization system, consisting of a dry lime scrubber, controls the amount of sulfur dioxide emissions. A high efficiency fabric filter baghouse minimizes the amount of both filterable and inhalable particulate matter emissions to the atmosphere.

To support the operation of the boiler and its air pollution control devices, the facility is comprised of various auxiliary systems, including a coal handling system (delivery, stockpiling, crushing, conveying, and storing), an ammonia handling system (storage and

delivery), a lime handling system (delivery, storage, and conveying), a flyash handling system (conveying and storage for reuse or off-site disposal) and a 200,000 gallon No. 2 fuel oil above ground storage tank.

**Emission Units**

Equipment to be operated consists of:

Emission Unit ID	Stack ID <sup>a</sup>	Emission Unit Description <sup>b</sup>	Size/Rated Capacity <sup>c</sup>	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date <sup>d</sup>
<b>Fuel Burning Equipment</b>							
1	1	ABB-CE Systems pulverized coal, wet bottom, tangentially fired boiler (approved fuel is bituminous coal. No. 2 fuel oil is used during start-ups, shutdowns and periods of flame instability)	2,300 MMBtu/hr	ABB-ES lime spray dryer	D1	SO <sub>2</sub>	8/23/93 (I) 2/16/94 (A) 3/17/94 (E)
				ABB-CE Systems/Siemens-KWU selective catalytic reduction (SCR) system	D2	NO <sub>x</sub>	11/27/95 (A) 7/19/96 (A) 7/7/00 (A) 08/10/01 (A)
				ABB-ES fabric filter baghouse	D3	PM-10 Lead	4/22/05 (A) 9/14/07 (A) 4/23/14 (A)
<b>Coal Processing Equipment</b>							
2	NA	Coal unloading via coal car tipping equipment and conveyors	2,800 tons/hr	Dust suppression (Chemicals or Water)	D4	PM-10	8/23/93 (I) 2/16/94 (A) 3/17/94 (E) 11/27/95 (A) 7/19/96 (A) 7/7/00 (A) 08/10/01 (A) 4/22/05 (A) 9/14/07 (A) 4/23/14 (A)

Emission Unit ID	Stack ID <sup>a</sup>	Emission Unit Description <sup>b</sup>	Size/Rated Capacity <sup>c</sup>	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date <sup>d</sup>
3	NA	Coal pile drop via conveyors	2,800 tons/hr	Dust suppression	D4	PM-10	Same as above
4	NA	Coal storage piles	34,000 tons	Dust suppression	D4	PM-10	Same as above
5	NA	Coal reclaiming via hoppers and covered conveyors	700 tons/hr	Proper operation and maintenance	--	PM-10	Same as above
6	NA	Coal crushing via crusher and covered conveyors	700 tons/hr	Proper operation and maintenance	--	PM-10	Same as above
7	NA	Coal bunkers for inside coal storage	4,300 tons	Two fabric filter dust collectors (vent to the building)	--	PM-10	Same as above
8	3	Flyash disposal system via covered conveyors and storage silo	19.2 tons/hr	Fabric filter dust collector (vents to the atmosphere)	D8	PM-10	Same as above
9	NA	Lime handling system - lime silo fill & storage	2.4 tons/hr	Proper operation and maintenance	--	PM-10	Same as above
<b>Reciprocating Internal Combustion Engines</b>							
13	4	Emergency Fire Pump Engine (Diesel Fuel)	305 HP	--	--	--	--
14	5	Emergency Generator (Diesel Fuel)	685 HP	--	--	--	4/22/05 (A) 9/14/07 (A) 4/23/14 (A)

Table Notes:

- <sup>a</sup> For "Stack ID" listed as NA or not applicable, any emissions are considered fugitive
- <sup>b</sup> Construction date for equipment sometime in and after 1994
- <sup>c</sup> The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.
- <sup>d</sup> For permit date information, I = issued (original) date, A = Amendment date, E = effective date (as a result of final EPA Environmental Appeals Board Decision).

## Fuel Burning Equipment Requirements – (Ref. No. 1)

1. **Limitations** – Particulate matter emissions from the boiler shall be controlled by a fabric filter baghouse system rated at 99.9% control efficiency. The baghouse shall be provided with adequate access for inspection. The baghouse may be bypassed when No. 2 distillate fuel oil is used for boiler start-ups and shutdowns. The baghouse may not be bypassed when coal is being combusted in the boiler except during start-ups.  
(9 VAC 5-80-110 and Condition 3 of the 04/23/14 amended PSD Permit)
2. **Limitations** – Sulfur dioxide (SO<sub>2</sub>) emissions from the boiler shall be controlled by a dry flue gas desulfurization (FGD) system consisting of a lime spray dryer system. The dry FGD system shall have a minimum SO<sub>2</sub> control efficiency of 90.0% on a thirty day rolling average while firing low sulfur coal (defined in Condition 8) and achieve the SO<sub>2</sub> emission limits in Condition 11.

Compliance with the control efficiency requirement is determined based on the average inlet and average outlet SO<sub>2</sub> emission rates for 30 successive boiler operating days. For the purposes of this condition and as referenced elsewhere in this permit, a “boiler operating day” is defined as a 24-hour period between 12:00 midnight and the following 12:00 midnight during which any fuel is combusted at any time in the boiler. It is not necessary for fuel to be combusted continuously for the entire 24-hour period. The dry FGD system shall be in operation at all times when the boiler is firing coal except during boiler start-ups and shutdowns. The dry FGD system shall be provided with adequate access for inspection.

(9 VAC 5-80-110, Condition 4 of the 04/23/14 amended PSD Permit, 40 CFR 60.43Da (a), 40 CFR 60.43Da (g), 40 CFR 60.48Da (b), 40 CFR 60.48Da (d), and 40 CFR 60.48Da (e))

3. **Limitations** – In conjunction with Condition 2, the permittee may use spent chemical metal cleaning water (generated on-site) as scrubber makeup water, provided that Conditions 1 and 2 are satisfied.  
(9 VAC 5-80-110 and Condition 45 of the 04/23/14 amended PSD Permit)
4. **Limitations** – Nitrogen oxide (NO<sub>x</sub>) emissions from the boiler shall be controlled by combustion technology and selective catalytic reduction (SCR) with ammonia injection. The SCR system shall be operated to achieve a nitrogen oxides emission rate of 0.10 lbs/MMBtu boiler heat input on a thirty day rolling average. The SCR system shall be in operation at all times of boiler operation except during boiler start-ups and shutdowns. The SCR system shall be provided with adequate access for inspection when the boiler is shut down.  
(9 VAC 5-80-110 and Condition 5 of the 04/23/14 amended PSD Permit)
5. **Limitations** – The SCR system for the boiler shall be designed and optimized as stated in Condition 4. In the event that nitrogen oxides emission rate exceeds 0.10 lbs/MMBtu on a

thirty day rolling average, the permittee shall do one or more of the following, as necessary:

- a. Maintain the ammonia-to-nitrogen oxide mole ratio at the design level, provided that no detrimental effect on equipment downstream of the SCR system occurs.
- b. Add catalyst as necessary to achieve nitrogen oxides emissions limit of 0.10 lbs/MMBtu on a thirty day rolling average to the extent that catalyst addition is limited by the SCR design catalyst bed volume.
- c. Replace catalyst as necessary to achieve a nitrogen oxides emissions limit of 0.10 lbs/MMBtu on a thirty day rolling average to the extent catalyst replacement need not exceed 50% of the SCR design catalyst bed volume within each 3-year operating period for this facility.

If none of the above alternatives proves effective in attaining or maintaining the emission limit of 0.10 lbs/MMBtu boiler heat input on a thirty day rolling average, then a maximum nitrogen oxides emission limit of 0.15 lbs/MMBtu boiler heat input on a thirty day rolling average must not be exceeded.

(9 VAC 5-80-110 and Condition 6 of the 04/23/14 amended PSD Permit)

6. **Limitations** – Carbon monoxide (CO) and volatile organic compound (VOC) emissions from the boiler shall be controlled by combustion technology.  
(9VAC 5-80-110 and Condition 7 of the 04/23/14 amended PSD Permit)
7. **Limitations** - The approved fuel for the boiler is low sulfur bituminous coal. No. 2 distillate fuel oil may be used during start-up, shutdowns, and periods of flame instability. Distillate fuel 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, "Standard Specification for Fuel Oils". A change in the fuel may require a permit to modify and operate.  
(9 VAC 5-80-110 and Condition 17 of the 04/23/14 amended PSD Permit)
8. **Limitations** - The maximum sulfur content of the coal to be burned in the boiler shall not exceed 1.2% by weight per shipment and 1.0% by weight on an annual average. "Shipment" is defined for this condition as a continuous, single delivery of fuels or blend of fuels from the same origin.  
(9 VAC 5-80-110 and Condition 18 of the 04/23/14 amended PSD Permit)
9. **Limitations** - The maximum sulfur content of the No. 2 fuel oil to be burned in the boiler during start-up and shutdown shall not exceed 0.30% by weight per shipment.  
(9 VAC 5-80-110 and Condition 19 of the 04/23/14 amended PSD Permit)
10. **Limitations** - The boiler shall consume no more than 783,406 tons of coal per year, calculated as the sum of each consecutive 12 month period.  
(9 VAC 5-80-110 and Condition 11 of the 04/23/14 amended PSD Permit)

11. **Limitations** – Emissions from the operation of the boiler shall not exceed the limits specified below:

	<u>lbs/MMBtu</u>	<u>lbs/hr</u>	<u>tons/yr</u>
Total Suspended Particulate (TSP)	0.020	44.0	192.7
PM-10	0.018	39.6	173.5
Sulfur Dioxide (SO <sub>2</sub> )	0.10	220.0	963.6
Nitrogen Oxides (NO <sub>x</sub> )	0.15	330.0	1445.4
Carbon Monoxide (CO)	0.20	440.0	1927.2
Volatile Organic Compounds (VOC)	0.01	22.0	96.4
Lead	$8.95 \times 10^{-5}$	0.2	0.9

Emission Limit Notes:

- a. Compliance with the “lb/MMBtu” and “lb/hr” emission limits for sulfur dioxide and nitrogen oxides are each determined on a 30-day rolling average basis. Compliance is determined by calculating the arithmetic average of all hourly emission rates for SO<sub>2</sub> and NO<sub>x</sub> for the 30 successive boiler operating days, except for data obtained during start-up, shutdown, and malfunction.
- b. Compliance with the “lb/MMBtu” and “lb/hour” emission limits for PM-10, Carbon Monoxide, and Volatile Organic Compounds are each determined by stack tests pursuant to Conditions 71 and 72.
- c. The “lb/MMBtu”, “lb/hr” and “tons/yr” emission limits for nitrogen oxides in this condition do not supersede the requirements contained in Conditions 3 and 5 of this permit for the facility to achieve maximum nitrogen oxides emissions of 0.10 lb/MMBtu, 220 lbs/hr (both on a 30-day rolling average) and 963.6 tons/yr. The higher values set in this permit condition represent worst-case nitrogen oxides emissions limits in the event of marginal performance or deterioration of the SCR system.

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 the annual emission limits may be determined as stated in Conditions 1 through 10.

(9 VAC 5-80-110, Condition 13 of 04/23/14 amended PSD Permit, 40 CFR 60.42Da (a),

40 CFR 60.43Da (a), 40 CFR 60.43Da (g), 40 CFR 60.44Da (a), 40 CFR 60.48Da (a), 40 CFR 60.48Da (b), 40 CFR 60.48Da (d), 40 CFR 60.48Da (e), and 40 CFR 60.48Da (f))

12. **Limitations** – Visible emissions from the boiler stack shall not exceed 10% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20% opacity. This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-80-110, 9 VAC 5-50-80, 40 CFR 60.42Da (b), and Condition 15 of 04/23/14 amended PSD Permit)
13. **Limitations** – Except where this permit is more restrictive than the applicable requirement, the boiler shall be operated in compliance with the requirements of 40 CFR Part 60, Subpart Da.  
(9 VAC 5-80-110, Condition 27 of 04/23/14 amended PSD Permit, and 40 CFR 60 Subpart Da)
14. **Limitations** – Except where this permit is more restrictive, the boiler shall be operated in compliance with the requirements of 40 CFR 63, Subpart UUUUU, no later than April 16, 2015.  
(9 VAC 5-80-110, 40 CFR 63.9984 (a), and 40 CFR 63 Subpart UUUUU)
15. **Limitations** – The permittee must comply with the applicable emission limits in Table 2 of 40 CFR 63 Subpart UUUUU, each applicable work practice standard in Table 3 of 40 CFR 63 Subpart UUUUU, and each applicable operating limit in Table 4 of 40 CFR 63 Subpart UUUUU, that applies to the boiler no later than April 16, 2015.  
(9 VAC 5-80-110 and 40 CFR 63.9991)
16. **Limitations** – The permittee shall meet the general compliance requirements in §63.10000 no later than April 16, 2015.  
(9 VAC 5-80-110 and 40 CFR 63.10000)
17. **Limitations** – No later than April 16, 2015, in response to an action to enforce the standards set forth in §63.9991 the permittee may assert an affirmative defense to a claim for civil penalties for exceedances of such standards that are caused by malfunction, as defined at 40 CFR 63.2. Appropriate penalties may be assessed, however, if the permittee fails to meet the burden of proving all of the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.  
(9 VAC 5-80-110 and 40 CFR 63.10001)
18. **Limitations** - The permitted facility shall be modified upon request by the DEQ to allow emissions testing using appropriate methods upon reasonable notice at any time.  
(9 VAC 5-80-110 and Condition 29 of the 04/23/14 amended PSD Permit)
19. **Limitations** - The particulate matter standards contained in this section’s Conditions 11 (“lb/MMBtu” and “lb/hr”) and 12 (“percent opacity”), the nitrogen oxides emission

standards contained in Conditions 4, 5, and 11 (“lb/MMBtu” and “lb/hr”), and the sulfur dioxide emission standards contained in Condition 2 (“control efficiency”) and Condition 11 (“lb/MMBtu” and “lb/hr”), apply at all times except during periods of start-up, shutdown, or malfunction.

(9 VAC 5-80-110, 9 VAC 5-50-20, and 40 CFR 60.48Da (a))

20. **Monitoring** - The fabric filter baghouse (PCID# D3) shall be equipped with a device to continuously measure pressure drop across the fabric filters.  
(9 VAC 5-80-110 and Condition 3 of the 04/23/14 amended PSD Permit)
21. **Monitoring** - The permittee shall monitor the fabric filter baghouse (PCID# D3) at the control room video terminal. Electronic monitoring shall include opacity, and the pressure drop across the fabric filter baghouse. If the monitoring system detects above normal opacity or above or below normal pressure drop, corrective action shall be taken.  
(9 VAC 5-80-110)
22. **Monitoring** - The permittee shall obtain a certification from the coal supplier with each shipment of coal. Each fuel supplier certification shall include the following:
  - a. The name of the fuel supplier,
  - b. The date on which the coal was received,
  - c. The amount of coal delivered in the shipment,
  - d. The ash content of the coal, and
  - e. The sulfur content of the coal from a proximate analysis.

(Condition 18 of the 04/23/14 amended PSD Permit and 9 VAC 5-80-110)
23. **Monitoring** - The permittee shall either sample and analyze the No. 2 fuel oil tank(s) to determine sulfur content by weight immediately after each shipment is added to the tank(s) or obtain a certification from the fuel supplier, including sampling and analysis representative of each shipment of No. 2 fuel oil. Each sampling analysis or fuel supplier certification shall include the following:
  - a. The name of the fuel supplier;
  - b. The date on which the distillate oil was received;
  - c. The volume of distillate oil delivered in the shipment;
  - d. The sulfur content of the distillate oil.

- e. Documentation of sampling of the oil indicating the location of the oil when the sample was drawn; and,
- f. The method used to determine the sulfur content of the oil.

Records of sampling results or fuel certifications shall be available on site for inspection by the DEQ and be kept current for the most current five-year period.  
(9 VAC 5-80-110 and Condition 19 of the 04/23/14 amended PSD Permit)

- 24. **Monitoring** - A device shall be installed and operated to measure and record the volumetric flow rate of the stack exhaust gas. It shall be maintained and calibrated in accordance with the manufacturer's specification. This device shall be performance tested in accordance with procedures approved by the DEQ.  
(9 VAC 5-80-110 and Condition 20 of the 04/23/14 amended PSD Permit)
- 25. **Monitoring** - The permittee shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the opacity of emissions discharged from the boiler to the atmosphere. Recordkeeping, data reduction and data reporting shall be in accordance with the general provisions of NSPS (40 CFR §§ 60.7 and 60.13) and with §60.49Da (a) of NSPS Subpart Da. The monitor shall be performance tested in accordance with the appropriate EPA Performance Specification listed in 40 CFR 60, Appendix B. All notification requirements are to be submitted to the DEQ. A quality assurance program, as approved by the DEQ, shall be established and implemented as part of this condition.  
(9 VAC 5-80-110, 40 CFR 60.49Da (a), Condition 20 of the 04/23/14 amended PSD Permit, and Condition 21 of the 04/23/14 amended PSD Permit)
- 26. **Monitoring** - The permittee shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring nitrogen oxides (NO<sub>x</sub>) emissions discharged from the boiler to the atmosphere.  
(40 CFR 60.49Da (c), Condition 22 of the 04/23/14 amended PSD Permit, and 9 VAC 5-80-110)
- 27. **Monitoring** - The permittee shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring sulfur dioxide (SO<sub>2</sub>) emissions as follows:
  - a. Sulfur dioxide emissions are monitored at both the inlet and outlet of the sulfur dioxide control device.
  - b. An “as fired” fuel monitoring system (upstream of coal pulverizers) meeting the requirements of Method 19 (40 CFR 60, Appendix A) may be used to determine potential sulfur dioxide emissions in place of a continuous sulfur dioxide emission monitor at the inlet to the sulfur dioxide control device as required in Condition 27.a of this section.

(9 VAC 5-80-110, 40 CFR 60.49Da (b), and Condition 23 of the 04/23/14 amended PSD Permit)

28. **Monitoring** - The permittee shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the oxygen or carbon dioxide content of the flue gases at the stack and upstream of the scrubber where sulfur dioxide or nitrogen oxides emissions are monitored.  
(40 CFR 60.49Da (d), Conditions 22 and 23 of the 04/23/14 amended PSD Permit, and 9 VAC 5-80-110)
29. **Monitoring** - All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the boiler are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of 40 CFR 60, Appendix B shall be used.  
(40 CFR 60.13 (f) and 9 VAC 5-80-110)
30. **Monitoring** - The continuous opacity monitoring system required by Condition 25 of this section shall be subject to the applicable provisions of 40 CFR 60.13. A quality assurance program, as approved by the DEQ, shall be established and implemented for this monitoring system. The opacity monitoring system shall be subject to the applicable provisions of 40 CFR 60.13 (b), (d), (e), (f), and (h).  
(40 CFR 60.13 (a), Conditions 21 and 26 of the 04/23/14 amended PSD Permit and 9 VAC 5-80-110)
31. **Monitoring** - The continuous monitoring systems required by Conditions 26, 27, and 28, shall be subject to the applicable provisions of 40 CFR 60.13 (b), (d), (e), (f) and (h) and 40 CFR 60 Appendix F, Quality Assurance Procedures.  
(40 CFR 60.13 (a), Conditions 21 and 26 of the 04/23/14 amended PSD Permit and 9 VAC 5-80-110)
32. **Monitoring** - The continuous monitoring systems under Conditions 25, 26, 27, and 28 shall be operated and data recorded during all periods of boiler operation including periods of start-up, shutdown, or malfunction, except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments. The continuous monitoring systems shall meet the minimum frequency of operation requirements as follows:
  - a. The continuous opacity monitoring system shall 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. This cycle of sampling, analyzing, and recording shall be considered a data point for the continuous opacity monitoring system.

- b. The continuous monitoring systems, other than the continuous opacity monitoring system, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. This cycle of sampling, analyzing, and recording shall be considered a data point for all continuous monitoring systems other than the continuous opacity monitoring system.

(40 CFR 60.49Da (e), 40 CFR 60.13 (e) and 9 VAC 5-80-110)

33. **Monitoring** - The continuous opacity monitoring system shall reduce all data to 6-minute averages. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. The NO<sub>x</sub> and SO<sub>2</sub> 1-hour averages shall be expressed in lbs/MMBtu boiler heat input and shall be used to calculate the average emission rates under 40 CFR 60.48Da. These 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this Condition. (40 CFR 60.49Da (g), 40 CFR 60.13 (h) and 9 VAC 5-80-110)

34. **Monitoring** - The continuous monitoring systems under Conditions 26, 27, and 28 shall obtain valid data for no less than 90 percent of the boiler operating hours in each calendar quarter, and shall obtain valid data for no less than 75 percent of the operating hours in 22 of every 30 successive boiler operating days. If this data requirement from the continuous monitoring systems under Conditions 26, 27, and 28 cannot be met with the existing monitoring systems then the permittee shall use the reference methods and procedures as specified in 40 CFR 60.49Da (h) or (j) or as approved by the DEQ. Note: this requirement is in lieu of the data availability requirement of 40 CFR 60.49Da (f). The SO<sub>2</sub> and NO<sub>x</sub> monitoring systems shall also meet the quality assurance requirements of 40 CFR 60, Appendix F. The opacity monitoring system shall be operated in accordance with 40 CFR 60.13 and other quality assurance procedures approved by the DEQ. (40 CFR 60.49Da (f), Condition 26 of the 04/23/14 of the amended PSD Permit and 9 VAC 5-80-110)

35. **Monitoring** - For the continuous monitoring systems under Conditions 26, 27, and 28, the permittee shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in 40 CFR 60 Appendix B. The continuous monitoring systems must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified. For continuous monitoring systems measuring opacity of emissions, the optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments except that for systems using automatic zero adjustments. The optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity. For the continuous opacity monitoring system, minimum procedures shall include 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. Such procedures shall provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photo detector assembly. (40 CFR 60.13 (d) and 9 VAC 5-80-110)

36. **Monitoring** - For the continuous flow monitoring system under Condition 24, the permittee shall check the zero and span calibration drifts at least once daily in accordance with the manufacturer's recommendation. The zero and span shall at a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds the manufacturer's recommended drift. The continuous flow monitoring system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified. (40 CFR 60.13 (d) and 9 VAC 5-80-110)
37. **Monitoring** - The span value for the continuous opacity monitoring system shall be between 60 and 80 percent. The span value for the nitrogen oxides continuous monitoring system shall be 200 ppm. The span value for the sulfur dioxide continuous monitoring system at the inlet to the sulfur dioxide control device shall be 125 percent of the maximum estimated hourly potential emissions of the fuel fired, and the outlet of the sulfur dioxide control device shall be 400 ppm. (40 CFR 60. 49Da (i), DEQ letter dated July 31, 1996, EPA letter dated July 24, 1996 and 9 VAC 5-80-110 and EPA e-mail letter dated March 14, 2007)
38. **Monitoring** - The SCR system (PCID# D2) shall be equipped with a device to continuously monitor and record the amount of ammonia injected in the boiler exhaust gas stream. The device shall be maintained and calibrated by the permittee such that it is in proper working order at all times. (9 VAC 5-80-110 and Condition 5 of the 04/23/14 amended PSD Permit)
39. **Monitoring** – The permittee shall install and maintain instrumentation necessary to determine compliance during on-site inspection by agency personnel. This instrumentation should indicate and record the following, at minimum:
- a. The hourly heat input of the boiler in MMBtu/hour;
  - b. The thirty day rolling average SO<sub>2</sub> emission rate, in lbs/MMBtu and lbs/hour, on a daily basis;
  - c. The thirty day rolling average SO<sub>2</sub> removal rate, expressed as a percent, on a daily basis; and
  - d. The thirty day rolling average NO<sub>x</sub> emissions rate in lbs/MMBtu and lbs/hour on a daily basis.

These data shall be kept on file for the most recent five year period and made available to the DEQ upon request.

(9 VAC 5-80-110 and Condition 24 of the 04/23/14 amended PSD Permit)

40. **Monitoring** - The continuous monitoring data generated by the opacity monitoring system may, at the discretion of the board, be used as evidence of violation of the applicable emission standards. This data shall be kept on file and made available to the DEQ upon request.  
(9 VAC 5-80-110 and Condition 25 of the 04/23/14 amended PSD Permit)
41. **Monitoring** – The permittee must conduct the subsequent performance tests and tune-ups in accordance with §63.10006.  
(9 VAC 5-80-110 and 40 CFR 63.10006)
42. **Monitoring** – The permittee shall meet the monitoring, installation, operation, and maintenance requirements in accordance with §63.10010.  
(9 VAC 5-80-110 and 40 CFR 63.10010)
43. **Monitoring** – The permittee must demonstrate initial compliance with the applicable emission limitations of Table 2 from 40 CFR 63 Subpart UUUUU, and each applicable work practice standard of Tables 3 and 4 from 40 CFR 63 Subpart UUUUU in accordance with §63.10011.  
(9 VAC 5-80-110 and 40 CFR 63.10011)
44. **Monitoring** – The permittee shall meet the applicable testing and initial compliance requirements of §63.10005, §63.10006, §63.10007, §63.10008, §63.10010, and §63.10011, by the applicable dates specified in Subpart UUUUU.  
(9 VAC 5-80-110 and 40 CFR 63 Subpart UUUUU)
45. **Monitoring** – The permittee shall meet the applicable continuous compliance requirements of §63.10020, §63.10021, §63.10022, and §63.10023.  
(9 VAC 5-80-110 and 40 CFR 63 Subpart UUUUU)
46. **Compliance Assurance Monitoring (CAM)** - The permittee shall conduct monitoring as specified in the Compliance Assurance Monitoring (CAM) Plan (Attachment B).  
(9 VAC 5-80-110 and 40 CFR 64.6(c))
47. **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))
48. **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))

49. **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 boiler 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))

50. **Compliance Assurance Monitoring (CAM)** – Upon detecting an excursion or exceedance, the permittee shall restore operation of the boiler (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 range, 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))

51. **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))

52. **Compliance Assurance Monitoring (CAM)** – If the number of exceedances or excursions associated with CAM plan monitoring exceeds five percent duration of the operating time for the boiler 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))

53. **Compliance Assurance Monitoring (CAM)** – 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 QIP, and other supporting information required to be maintained under 40 CFR 64 (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))

54. **Recordkeeping** - The continuous monitoring data generated by the continuous opacity monitoring system may, at the discretion of the DEQ, be used as evidence of violation of the applicable emission standards. This data shall be kept on file and made available to agency personnel upon request.

(9 VAC 5-80-110 and Condition 25 of the 04/23/14 amended PSD Permit)

55. **Recordkeeping** - For sulfur dioxide and nitrogen oxide emissions, the permittee shall maintain the following information:

- a. The average sulfur dioxide and nitrogen oxide emission rates (lbs/million Btu) for each 30 successive boiler operating days, reasons for non-compliance with the emission standards, and description of corrective actions taken.
- b. The percent reduction of the potential combustion concentration of sulfur dioxide for each 30 successive boiler operating days, reasons for non-compliance with the standard, and description of corrective actions taken.
- c. Identification of the boiler operating days for which pollutant or diluent data have not been obtained by an approved method for at least 75 percent of the hours of operation, justification for not obtaining sufficient data, and description of corrective action taken.
- d. Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, malfunction, or

other reasons, and justification for excluding data for reasons other than startup, shutdown, or malfunction.

- e. Identification of the "F" - factor used for calculations, method of determination, and type of fuel combusted.
- f. Identification of times when hourly averages have been obtained based on manual sampling methods.
- g. Identification of the times when the pollutant concentration exceeded the full span of the continuous monitoring system.
- h. Description of any modifications to the continuous monitoring system which could affect the ability of the continuous monitoring system to comply with Performance Specifications 2 or 3.

(9 VAC 5-80-110, 40 CFR 60.51Da (b), and Conditions 22 and 23 of the 04/23/14 amended PSD Permit)

56. **Recordkeeping** - The permittee shall maintain all data (reduced to hourly averages) recorded by the continuous monitoring system for measuring the volumetric flow rate of the boiler exhaust gas.

(9 VAC 5-80-110 F)

57. **Recordkeeping** - If the minimum quantity of data as required by Condition 34 of this section cannot be met with a continuous monitoring system, but supplemental data in accordance with Condition 34 of this section is used to meet the minimum quantity of data, the permittee shall maintain records of this data and the methods used to obtain such data.

(9 VAC 5-80-110, 40 CFR 60.51Da, and Conditions 22 and 23 of the 04/23/14 amended PSD Permit)

58. **Recordkeeping** -The permittee shall maintain the following information, if the minimum quantity of emission data as required by Condition 34 of this section is not obtained for any 30 successive boiler operating days:

- a. The number of hourly averages available for outlet emission rates ( $n_o$ ) and inlet emission rates ( $n_i$ ) as applicable.
- b. The standard deviation of hourly averages for outlet emission rates ( $s_o$ ) and inlet emission rates ( $s_i$ ) as applicable.
- c. The lower confidence limit for the mean outlet emission rate ( $E_o^*$ ) and the upper confidence limit for the mean inlet emission rate ( $E_i^*$ ) as applicable.
- d. The applicable potential combustion concentration.

- e. The ratio of the upper confidence limit for the mean outlet emission rate ( $E_o^*$ ) and the allowable emission rate ( $E_{std}$ ) as applicable.

(9 VAC 5-80-110, 40 CFR 60.51Da (c), and Conditions 22 and 23 of the 04/23/14 amended PSD Permit)

59. **Recordkeeping** - For any periods for which opacity, sulfur dioxide or nitrogen oxides emissions data are not available, the permittee shall maintain records indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability.

(9 VAC 5-80-110, 40 CFR 60.51Da (f), and Conditions 22 and 23 of the 04/23/14 amended PSD Permit)

60. **Recordkeeping** - The permittee shall maintain a file in a permanent form suitable for inspection of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements, all continuous monitoring system performance evaluations, all continuous monitoring system or monitoring device calibration, span and drift checks, other required and non-required periodic audits, adjustments and maintenance performed on these systems or devices. The measurements shall be retained for a minimum of five years.

(9 VAC 5-80-110, 40 CFR 60.7 (f), 40 CFR 60.51Da (d), and Conditions 22 and 23 of the 04/23/14 amended PSD Permit)

61. **Recordkeeping** - The permittee shall maintain a file in a permanent form suitable for inspection of all records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the boiler, any malfunction of the air pollution control equipment and any periods during which a continuous monitoring system or monitoring device is inoperative.

(40 CFR 60.7 (b) and 9 VAC 5-80-110 F)

62. **Recordkeeping** - The permittee shall maintain the following records regarding proper operation and maintenance of the boiler:

- a. Electronic files of the measured stack opacity and baghouse pressure drop.
- b. Summary information on the number, duration, and cause of any excursions and the corrective actions taken.
- c. Summary information on the number, duration, and cause for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks).

All records required by this condition shall be kept on site and made available for inspection by the DEQ for a period of five years.

(9 VAC 5-80-110)

63. **Recordkeeping** - The permittee shall maintain records of each replacement or addition of catalyst in the SCR system. In addition, the permittee shall maintain records of the amount of ammonia injected in the boiler exhaust stream in terms of pounds per hour.  
(Condition 33 of the 04/23/14 amended PSD Permit and 9 VAC 5-80-110)
64. **Recordkeeping** - The permittee shall maintain records of the data measured by instrumentation required by Condition 39.  
(Condition 24 of the 04/23/14 amended PSD Permit and 9 VAC 5-80-110)
65. **Recordkeeping** - The permittee shall maintain records of fuel supplier certifications for each shipment of coal and oil (or alternatively for oil, results of the sampling and analysis), containing the information in Conditions 22 and 23, respectively.  
(Conditions 18 and 19 of 04/23/14 of amended PSD permit and 9 VAC 5-80-110)
66. **Recordkeeping** - The permittee shall maintain records of the monthly and annual throughput of coal (in tons) and oil (in gallons) for the boiler. The annual throughput of each fuel shall be calculated as the sum of each consecutive 12 month period.  
(9 VAC 5-80-110)
67. **Recordkeeping** - The permittee shall maintain records of all performance testing that is required by this permit.  
(9 VAC 5-80-110)
68. **Recordkeeping** - The content and format of the records required by the permit shall be arranged with the DEQ. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five years.  
(Condition 34 of the 04/23/14 of amended PSD Permit and 9 VAC 5-80-110 F)
69. **Recordkeeping** – The permittee must meet the applicable recordkeeping requirements of §63.10032 and §63.10033.  
(9 VAC 5-80-110 and 40 CFR 63 Subpart UUUUU)
70. **Testing** - The CEMS reference method testing required in the appropriate EPA Performance Specification listed in 40 CFR 60, Appendix B shall be used to conduct the performance tests for the SO<sub>2</sub>, SO<sub>2</sub> removal efficiency and NO<sub>x</sub> standards when requested by the DEQ. Upon request by the DEQ, performance evaluations of the opacity monitor shall be conducted in accordance with 9 VAC 5-50-30. The DEQ shall be furnished with two copies of the report of the performance evaluations within sixty days of the evaluation.  
(9 VAC 5-80-110 and Condition 28 of the 04/23/14 amended PSD Permit)
71. **Testing** - Stack tests for the new or modified sources shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30 and 9 VAC 5-60-30 and the test methods and procedures contained in each applicable section or subpart listed 9 VAC 5-50-410 and 9

VAC 5-60-70. Opacity tests shall be conducted in accordance with 40 CFR, Part 60, Appendix A, Method 9. The details of emission tests are to be arranged with the DEQ. (9 VAC 5-80-110 and Condition 29 of the 04/23/14 amended PSD Permit)

72. **Testing** - As a component of the periodic monitoring plan, once every other year (biennially), the permittee shall conduct stack emission tests for VOC and CO to ensure compliance with the emission limits stated in Condition 11. The details of the emission test are to be arranged with the DEQ. The permittee shall submit to the DEQ a protocol 30 days prior to the test date.  
(9 VAC 5-80-110 E)
73. **Testing** – If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with the procedures approved by the DEQ.  
(9 VAC 5-80-110)
74. **Testing** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the DEQ, test ports will be provided at the appropriate locations. Upon request from the DEQ, the permittee shall conduct performance tests in accordance with DEQ approved procedures. The permittee shall provide safe sampling platforms, safe access to sampling platforms, and utilities for sampling and testing equipment. Performance tests shall be conducted under such conditions that are representative of the performance of the affected facility. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test.  
(40 CFR 60.8 (c and e), Condition 29 of the 04/23/14 of amended PSD Permit, 9 VAC 5-50-30 and 9 VAC 5-80-110)
75. **Testing** – The permittee must meet the applicable performance testing requirements of §63.10007 and Table 5 to 40 CFR 63 Subpart UUUUU.  
(9 VAC 5-80-110, 40 CFR 63.10007, and Table 5 to 40 CFR 63 Subpart UUUUU)
76. **Reporting** - The permittee shall submit calendar quarterly reports containing information specified herein to the DEQ, postmarked by the 30th day following the end of each calendar quarter. Each quarterly report shall contain, at a minimum, the dates included in the calendar quarter and the following information:
- a. Summary of the fuel supplier certifications for each shipment of coal received during the calendar quarter, containing the information in Condition 22.
  - b. Summary of fuel supplier certifications or results of fuel sampling and analysis for each shipment of No. 2 distillate fuel oil received during the calendar quarter, containing the information in Condition 23. Additionally, the permittee shall submit a signed statement certifying that the reported shipments of No. 2 distillate fuel oil received are representative of all of the No. 2 fuel oil burned at the facility. If no shipments of No. 2

distillate fuel oil were received during the calendar quarter, the quarterly report shall include a statement that no oil was received during the calendar quarter.

- c. For sulfur dioxide and nitrogen oxides, the following information is reported for each boiler operating day:
  - i. Calendar date
  - ii. The average sulfur dioxide and nitrogen oxide emission rates (lb/MMBtu) for each 30-day period in the quarter, reasons for non-compliance with the emissions standards, and description of corrective actions taken.
  - iii. The percent reduction of the potential combustion concentration of sulfur dioxide for each 30 successive boiler operating days ending with the last 30-day period in the quarter, reasons for non-compliance with the standard, and description of corrective actions taken.
  - iv. Identification of the boiler operating days for which pollutant or diluent data have not been obtained by an approved method for at least 75 percent of the hours of operation, justification for not obtaining sufficient data, and description of corrective actions taken.
  - v. Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, malfunction (NO<sub>x</sub> only), emergency conditions (SO<sub>2</sub> only), or other reasons, and justification for excluding data for reasons other than startup, shutdown, malfunction, or emergency conditions.
  - vi. Identification of the "F" - factor used for calculations, method of determination, and type of fuel combusted.
  - vii. Identification of times when hourly averages have been obtained based on manual sampling methods.
  - viii. Identification of the times when the pollutant concentration exceeded the full span of the continuous monitoring system.
  - ix. Description of any modifications to the continuous monitoring system which could affect the ability of the continuous monitoring system to comply with Performance Specifications 2 or 3.
- d. If the minimum quantity of emission data as required by Condition 33 is not obtained for any 30 successive boiler operating days, the following information is reported for that 30-day period:
  - i. The number of hourly averages available for outlet emission rates (n<sub>o</sub>) and inlet emission rates (n<sub>i</sub>) as applicable.

- ii. The standard deviation of hourly averages for outlet emission rates ( $s_o$ ) and inlet emission rates ( $s_i$ ) as applicable.
  - iii. The lower confidence limit for the mean outlet emission rate ( $E_o^*$ ) and the upper confidence limit for the mean inlet emission rate ( $E_i^*$ ) as applicable.
  - iv. The applicable potential combustion concentration.
  - v. The ratio of the upper confidence limit for the mean outlet emission rate ( $E_o^*$ ) and the allowable emission rate ( $E_{std}$ ) as applicable.
  - vi. Whether or not unavoidable errors were cause for not meeting minimum data requirements.
- e. For any periods for which opacity, sulfur dioxide or nitrogen oxides emissions data are not available, the owner or operator of the affected facility shall submit a signed statement indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability.
- f. The permittee shall submit a signed statement indicating whether:
- i. The required continuous monitoring system calibration, span, and drift checks or other periodic audits have or have not been performed as specified.
  - ii. The data used to show compliance was or was not obtained in accordance with approved methods and procedures of this permit and is representative of plant performance.
  - iii. The minimum data requirements have or have not been met, or the minimum data requirements have not been met for errors that were unavoidable.
  - iv. Compliance with the standards has or has not been achieved during the reporting period.
- g. For the sulfur dioxide, nitrogen oxides and opacity continuous monitoring systems, compliance status for obtaining valid data for no less than 90 percent of boiler operating hours in each calendar quarter.
- h. For the opacity monitoring system, the quarterly report shall include excess emission and monitoring system downtime reports and/or summaries in accordance with 40 CFR 60.7 (c & d). Excess opacity emissions are defined as all six-minute periods for which the average opacity exceeds the operational limit specified in Condition 12, excluding periods of start-up, shutdown and malfunction.

- i. For the SCR system operations, the quarterly report shall include each replacement or addition of SCR catalyst and a summary of ammonia injection rates (hourly averages).
- j. Yearly fuel throughputs for each fuel, calculated monthly as the sum of each consecutive twelve month period.

(40 CFR 60.7 (c & d), 40 CFR 60.51Da (b through i), Conditions 18, 19 and 33 of the 04/23/14 of amended PSD Permit and 9 VAC 5-80-110)

77. **Reporting - Notification for Control Equipment Maintenance** - The permittee shall furnish notification to the DEQ of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which may result in excess emissions for more than one hour, at least twenty-four 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; and
- d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.

(9 VAC 5-20-180 B and Condition 31 of the 04/23/14 amended PSD Permit)

78. **Reporting** – The permittee must submit the applicable notifications and reports in accordance with §63.10030, and §63.10031.

(9 VAC 5-80-110 and 40 CFR 63 Subpart UUUUU)

## Coal Processing Equipment Requirements – (Ref. Nos. 2 through 9)

79. **Limitations** – Particulate matter (PM and PM-10) emissions from the coal and lime handling operations shall be controlled through the proper operation and maintenance of the coal handling systems described below:
- a. Rail car coal unloading and coal transfer operations to the coal storage pile shall be controlled by wet suppression or a DEQ approved chemical suppression applied at the coal unloading building and tunnel beneath the building;
  - b. All coal conveyor belts shall be equipped with hoods, or located in tunnels or buildings that serve as total enclosures;
  - c. Wet suppression or chemical suppression shall be applied to the active and reserve coal storage piles as necessary to minimize emissions. In addition, unloading of coal to the storage piles shall be via a radial stacker;
  - d. Coal transfer points (e.g., belt conveyor to belt conveyor coal transfer) shall be equipped with a total enclosure, or located inside buildings that serve as total enclosures;
  - e. Coal bins located beneath the coal storage piles shall be equipped with three fabric filters that vent to the reclamation tunnel;
  - f. The coal crusher/pulverizer shall be equipped with a fabric filter that vents to the atmosphere, and located in a building that serves as a total enclosure; and
  - g. The tripper deck (i.e., equipment used to transfer coal from the conveyor belt to the boiler coal storage bunkers) shall be equipped with a fabric filter that vents inside the tripper deck room, and located in a building that serves as a total enclosure.
  - h. The material transfer operations to the lime storage silo shall be equipped with a fabric filter.

The fabric filters, conveyor hoods, total enclosures, and wet/chemical suppression systems shall be maintained and operated as required to minimize the loss of fuel and lime at all times. The fabric filters, conveyor hoods, total enclosures and wet suppression systems shall be provided with adequate access for inspection.

(9 VAC 5-80-110 and Condition 8 of the 04/23/14 amended PSD Permit)

80. **Limitations** – Particulate matter (PM and PM10) emissions from the material transfer operations to the flyash storage silo shall be controlled by fabric filters. The fabric filters shall be provided with adequate access for inspection.
- (9 VAC 5-80-110 and Condition 9 of the 04/23/14 amended PSD Permit)

81. **Limitations** – Fugitive dust emissions from the operation of the coal, and lime storage and handling systems shall not exceed the limitations specified below:

	<u>lbs/hr</u>	<u>tons/yr</u>
Total Suspended Particulate (TSP)	1.8	3.6
PM-10	1.4	3.0

Hourly emission limits are estimated on a twenty-four hour averaged basis. These emissions are derived from the estimated overall emission contribution and are included for emission inventory purposes. Compliance shall be determined as stated in Conditions 79 and 82.

(9 VAC 5-80-110 and Condition 14 of the 04/23/14 amended PSD Permit)

82. **Limitations** - Visible emissions from all fabric filters (except those on the boiler) shall not exceed 5% opacity.  
(9 VAC 5-80-110, 40 CFR 60.254 (a), and Condition 16 of the 04/23/14 amended PSD Permit)
83. **Limitations** - Visible emissions from the coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal (Ref. 2, 3, and 4) shall not exceed 20 percent opacity.  
(9 VAC 5-80-110 and 40 CFR 60.254 (a))
84. **Limitations** - Except where this permit is more restrictive, the permittee shall meet all applicable requirements of 40 CFR Part 60, Subpart Y.  
(9 VAC 5-80-110, Condition 27 of 04/23/14 amended PSD Permit, and 40 CFR 60 Subpart Y)
85. **Compliance Assurance Monitoring** - The permittee shall conduct monitoring as specified in the Compliance Assurance Monitoring (CAM) Plan (Attachment C).  
(9 VAC 5-80-110 and 40 CFR 64.6(c))
86. **Compliance Assurance Monitoring** – 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))
87. **Compliance Assurance Monitoring** – 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))

88. **Compliance Assurance Monitoring** – 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 boiler 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))
89. **Compliance Assurance Monitoring** – Upon detecting an excursion or exceedance, the permittee shall restore operation of the flyash silo (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 range, designated condition, or below the applicable emission limitation or standard, as applicable.  
(9 VAC 5-80-110 E (Article 1) and 40 CFR 64.7 (d)(1))
90. **Compliance Assurance Monitoring** – 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 (Article 1) and 40 CFR 64.7 (d)(2))
91. **Compliance Assurance Monitoring** – If the number of exceedances or excursions associated with CAM plan monitoring exceeds five 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 (Article 1) and 40 CFR 64.8 (a) and (b))

92. **Compliance Assurance Monitoring** – 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 QIP, and other supporting information required to be maintained under 40 CFR 64 (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))

93. **Monitoring** – All emissions units (Ref. Nos. 2 through 9) shall be observed visually, during operation for all conveyors, transfer points and crushers, and during operation or shut down for the coal piles, for at least a brief time period, at least once each calendar week to determine which operating emissions units have any visible emissions (does not include condensed water vapor/steam). During each emission check, and at any other time, each emissions unit having any “visible emissions” shall be evaluated for the source of the problem and correction of the visible emission condition shall be made. A record of the date, time, observer, cause, and corrective measures taken shall be made. If no visible emissions were observed, a record of the date, time, and observer shall be made. These records shall be maintained on site for at least five years.

(9 VAC 5-80-110)

94. **Recordkeeping** – The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the DEQ. These records shall include, but are not limited to:

- a. Records of visible emission observations as required in Condition 93.
- b. Inspection records as required by the fabric filter Compliance Assurance Monitoring (CAM) Plan (Attachment C) in Condition 85. These records shall include, but are not limited to:
  - i. Visible emissions observation records for each fabric filter including date, time, and name of qualified person performing each observation;
  - ii. Monthly and annual inspection logs, which include bag filter condition; and

iii. Records of all excursions, including date, time and corrective actions taken.

These records shall be kept onsite in paper copy or electronic format unless DEQ approves another format. These records shall be available for submittal to the DEQ, or for onsite review by DEQ. All records shall be kept for at least five years.  
(9 VAC 5-80-110)

95. **Testing** – If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with the procedures approved by the DEQ.

(9 VAC 5-80-110)

96. **Testing** – The permitted facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. This includes constructing the facility such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and providing stack or duct that is free from cyclonic flow. Test ports shall be provided when requested in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix B).

(9 VAC 5-80-110)

## **Reciprocating Internal Combustion Engines (RICE) – (Ref. Nos. 13 and 14)**

97. **Limitation** – The emergency stationary RICE (Ref. 14) shall not operate more than 500 hours per year.  
(9 VAC 5-80-110 and Condition 12 of the 04/23/14 amended PSD Permit)
98. **Limitations** – Except where this permit is more restrictive, the emergency stationary RICE (Ref. 13 and 14) shall be operated in compliance with the requirements of 40 CFR 63, Subpart ZZZZ.  
(9 VAC 5-80-110 and 40 CFR 63 Subpart ZZZZ)
99. **Limitations** – The emergency stationary RICE (Ref. 13 and 14) must be operated in accordance with the following:
- a. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this condition, is prohibited.
  - b. The permittee may operate the emergency stationary RICE 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 such units is limited to 100 hours per year. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.
  - c. The permittee may operate the emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this condition, as

long as the power provided by the financial arrangement is limited to emergency power.

(9 VAC 5-80-110 and 40 CFR 63.6640(f))

100. **Limitations** – The CI engines (Ref. 13 and 14) shall each comply with the maintenance requirements specified in sections 4 (a) through (c) of Table 2d to Subpart ZZZZ:

- a. Change oil and filter every 500 hours of operation or annually, whichever comes first, or at an extended frequency if utilizing an oil analysis program as described in §63.6625(i);
- b. Inspect air cleaner every 1000 hours of operation or annually, whichever comes first; and
- c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first.

(9 VAC 5-80-110 and 40 CFR 63, Subpart ZZZZ)

101. **Limitations** – During periods of startup the permittee must minimize the time spent at idle for each of the emergency generators (Ref. 13 and 14) and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

(9 VAC 5-80-110, 40 CFR 63.6625 (h), and 40 CFR 63 Subpart ZZZZ)

102. **Limitations** –The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Condition 100. The oil analysis must be performed at the same frequency specified for changing the oil in Condition 100. The analysis program shall at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the permittee is not required to change the oil. If any of the limits are exceeded, the permittee shall change the oil within 2 business days of receiving the results of the analysis; if the emergency generator is not in operation when the results of the analysis are received, the permittee shall change the oil within 2 business days or before commencing operation, whichever is later. The permittee shall keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the emergency generator. The analysis program must be part of the maintenance plan for the emergency generator.

(9 VAC 5-80-110, 40 CFR 63.6625 (i) and 40 CFR 63.6625 (j))

103. **Limitations** - Beginning January 1, 2015, if the emergency stationary RICE (Ref. 14) operates, or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in Condition 99.c, the permittee must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for non-road diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.  
(9 VAC 5-80-110 and 40 CFR 63.6604 (b))
104. **Monitoring** – The permittee shall install non-resettable hour meters on each of the emergency stationary RICE (Ref. 13 and 14) if one is not already installed. The hour meters shall be provided with adequate access for inspection.  
(9 VAC 5-80-110 and 40 CFR 63.6625 (f))
105. **Monitoring** – The permittee shall operate and maintain each of the emergency stationary RICE (Ref. 13 and 14) according to the manufacturer's emission-related written instructions or develop its own maintenance plan which must provide to the extent practicable for the maintenance and operation of the emergency stationary RICE (Ref. 13 and 14) in a manner consistent with good air pollution control practice for minimizing emissions.  
(9 VAC 5-80-110, and 40 CFR 63.6625 (e))
106. **Monitoring** - The permittee shall continually comply with the work practice standards in Condition 100 by:
- a. Operating and maintaining each emergency stationary RICE (Ref. 13 and 14) according to the manufacturer's emission-related operation and maintenance instructions; or
  - b. Develop and follow its own maintenance plan which must provide to the extent practicable for the maintenance and operation of each emergency stationary RICE (Ref. 13 and 14) in a manner consistent with good air pollution control practice for minimizing emissions.
- (9 VAC 5-80-110, 40 CFR 63.6640(a) and Table 6 of 40 CFR 63 Subpart ZZZZ)
107. **Monitoring** – Beginning January 1, 2015, the permittee shall obtain a certification from the fuel supplier with each shipment of diesel fuel for the emergency stationary RICE (Ref. 14) in accordance with Condition 103. Each fuel supplier certification shall include the following:

- a. The name of the fuel supplier;
- b. The date on which the diesel fuel was received;
- c. The volume of diesel fuel delivered in the shipment;
- d. A statement that the diesel fuel complies with the ASTM specifications D975 for diesel fuel; and
- e. The sulfur content of the diesel fuel.

Fuel sampling and analysis, independent of that used for certification, as may be periodically required or conducted by DEQ may be used to determine compliance with the fuel specifications stipulated in Condition 103.  
(9 VAC 5-80-110)

108. **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 DEQ. These records shall include, but are not limited to:

- a. Records of the maintenance conducted on each emergency stationary RICE (Ref. 13 and 14) in order to demonstrate that each engine is operated and maintained according to its own maintenance plan required by Condition 106.
- b. Records of the hours of operation of each emergency stationary RICE (Ref. 13 and 14) that are recorded on a non-resettable hour meters. The permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency, and how many hours are spent for non-emergency operation. If an engine is used for demand response operation, the permittee must keep records of the notification of the emergency situation, and the time each engine was operated as part of demand response. For the emergency stationary RICE (Ref. 14), the permittee shall record a monthly summary table for showing the hours of operation and the reason for operation, as well as the annual hours of operation, calculated monthly as the sum of each consecutive 12-month period.
- c. Beginning January 1, 2015, the permittee must keep records of all fuel supplier certifications as required by Condition 107 if applicable.

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

(9 VAC 5-80-110, Condition 33 of the 04/23/14 amended PSD Permit, and 40 CFR 63.6655)

109. **Testing** – If testing is conducted 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)

110. **Reporting** - If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Condition 100, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

(9 VAC 5-80-110 and Footnote 2 of Table 2d of 40 CFR 63 Subpart ZZZZ)

## Facility Wide Conditions

111. **Limitations** - Fugitive dust emissions from frequently traveled facility access roads shall be controlled by paving. Fugitive dust emissions from all paved facility roads shall be controlled through frequent sweeping or roadway washing. Fugitive dust emissions from unpaved roads shall be controlled by wet suppression or approved alternatives as necessary. If operating mechanical sweepers, water shall be used to suppress dust during sweeper operation. Material spilled or tracked onto paved surfaces shall be promptly removed to prevent dust from becoming airborne.  
(9 VAC 5-80-110 and Condition 10 of the 04/23/14 amended PSD Permit)
112. **Limitations** - A physical barrier shall be installed and maintained at the facility property line to prevent public access.  
(9 VAC 5-80-110 and Condition 30 of the 04/23/14 amended PSD Permit)
113. **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 DEQ. These records shall include, but are not limited to monthly wet suppression logs for the unpaved roads. These records shall be available for inspection by the DEQ and shall be current for the most recent five years. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.  
(9 VAC 5-80-110)

**STATE ONLY APPLICABLE REQUIREMENTS**

114. **Limitations** – Emissions from the operation of the boiler shall not exceed the limits specified below:

	<u>lbs/hr</u>	<u>tons/yr</u>
Antimony	$1.8 \times 10^{-2}$	$7.1 \times 10^{-3}$
Arsenic	$1.4 \times 10^{-1}$	$1.6 \times 10^{-1}$
Beryllium	$2.0 \times 10^{-2}$	$8.2 \times 10^{-3}$
Cadmium	$1.8 \times 10^{-2}$	$2.0 \times 10^{-2}$
Chloride (as HCl gas)	$1.2 \times 10^0$	$5.5 \times 10^0$
Chromium	$3.9 \times 10^{-1}$	$1.3 \times 10^{-1}$
Cobalt	$1.0 \times 10^{-1}$	$3.9 \times 10^{-2}$
Fluoride (as HF)	$1.8 \times 10^0$	$7.5 \times 10^0$
Formaldehyde	$1.1 \times 10^{-1}$	$9.4 \times 10^{-2}$
Manganese	$7.5 \times 10^{-1}$	$1.9 \times 10^{-1}$
Mercury	$7.8 \times 10^{-3}$	$3.3 \times 10^{-2}$
Nickel	$3.2 \times 10^{-1}$	$1.1 \times 10^{-1}$
Polycyclic Organic Matter	$6.4 \times 10^{-3}$	$2.3 \times 10^{-2}$
Selenium	$1.3 \times 10^0$	$5.1 \times 10^{-1}$

The hourly emission limits set for the toxic pollutants are based on the higher emissions resulting from two different scenarios, namely, boiler start-up (coal and oil firing with no controls) and boiler operating at 100% load with full air pollution control equipment in operation at design specifications. Annual limits are based on boiler operating at 100% load with full air pollution control equipment in operation at design specifications. Compliance with the hourly and annual toxic pollutant emission limits will be based on meeting the coal throughput limit in Condition 10 and required use of emissions control equipment specified in Conditions 1 and 6.

(9 VAC 5-80-110 and Condition 48 of 04/23/14 amended PSD Permit)

### Insignificant Emission Units

115. **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)
12	200,000 gallon aboveground storage tank (AST) (distillate oil)	9 VAC 5-80-720 B	VOC	--
15	Parts Cleaner	9 VAC 5-80-720 B	VOC	--
18	Oil/Water Separator	9 VAC 5-80-720 B	VOC	--
19	Cooling Tower	9 VAC 5-80-720 A	--	--
20	10,000 gallon AST (lubricating oil)	9 VAC 5-80-720 B	VOC	--
21	500 gallon AST (diesel)	9 VAC 5-80-720 B	VOC	--
22	5,000 gallon AST (diesel)	9 VAC 5-80-720 B	VOC	--
23	500 gallon AST (waste oil)	9 VAC 5-80-720 B	VOC	--
25	500 gallon AST (diesel)	9 VAC 5-80-720 B	VOC	--
26	500 gallon AST (gasoline)	9 VAC 5-80-720 B	VOC	--

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

116. 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 that have been specifically identified as being not applicable to this permitted facility:

<b>Citation</b>	<b>Title of Citation</b>	<b>Description of Inapplicability</b>
40 CFR 55	Outer Continental Shelf Air Regulations	Facility not located in an area subject to the regulation.
40 CFR 57	Primary nonferrous smelter orders	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart B	Adoption of State Plans	Regulation does not contain any source specific requirements.
40 CFR 60, Subpart C	Emission Guidelines	Facility does not contain equipment subject to an Emission Guideline.
40 CFR 60, Subpart D	Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971	Any facility covered under Subpart Da is not covered under Subpart D
40 CFR 60, Subpart Db	NSPS for Industrial-Commercial Institutional Steam Generating Units	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Dc	NSPS for Small Industrial-Commercial Institutional Steam Generating Units	Facility does not contain emissions unit or belong to source category to which this regulation applies
40 CFR 60, Subparts E through Ka	NSPS	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	Liquid stored in 200,000-gallon AST has a maximum true vapor pressure less than 3.5 kPa
40 CFR 60, Subparts L through W	NSPS	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Y §60.252 and §60.253	NSPS for Standards of Performance for Coal Preparation and Processing Plants: Standards for Thermal Dryers and Pneumatic Coal-Cleaning Equipment	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Y §60.255(b) through (h)	NSPS for Standards of Performance for Coal Preparation and Processing Plants: Performance Tests and Other Compliance Requirements	The emission units that this regulation applies are constructed before April 28, 2008.

<b>Citation</b>	<b>Title of Citation</b>	<b>Description of Inapplicability</b>
40 CFR 60, Subpart Y §60.256	NSPS for Standards of Performance for Coal Preparation and Processing Plants: Continuous Monitoring Requirements	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Y §60.258 (b) and (c)	NSPS for Standards of Performance for Coal Preparation and Processing Plants: Reporting and Recordkeeping	Facility was constructed before April 28, 2008 and the affected equipment has not been reconstructed or modified since
40 CFR 60, Subparts X through OOOO	NSPS	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61 Subparts A through FF	NESHAP	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 62	State Plans for Designated Facilities and Pollutants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63 Subparts A through YYYY	NESHAP for Source Categories	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subparts AAAAA through TTTTT	NESHAP for Source Categories	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subparts VVVVV through HHHHHH	NESHAP for Source Categories	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 72	Acid Rain Program	Facility is an independent power producer with a power purchase agreement entered prior to Nov 15, 1990, and therefore is exempt from Title IV regulations
40 CFR 73	Sulfur Dioxide Allowance System	Facility is an independent power producer with a power purchase agreement entered prior to Nov 15, 1990, and therefore is exempt from Title IV regulations
40 CFR 75	Continuous Emission Monitoring	Facility is an independent power producer with a power purchase agreement entered prior to Nov 15, 1990, and therefore is exempt from Title IV regulations
40 CFR 76	Acid Rain NO <sub>x</sub> Emission Program	Facility is an independent power producer with a power purchase agreement entered prior to Nov 15, 1990, and therefore is exempt from Title IV regulations
40 CFR 77	Excess Emissions	Facility is an independent power producer with a power purchase agreement entered prior to Nov 15, 1990 and therefore is exempt from Title IV regulations
40 CFR 78	Appeal Procedures for Acid Rain Program	Facility is an independent power producer with a power purchase agreement entered prior to Nov 15, 1990 and therefore is exempt from Title IV regulations
9 VAC 5 Chapter 40	Existing Stationary Sources	Facility was constructed after March 17, 1972.
Rule 5-6	Standards of Performance for Regulated Medical Waste	Facility does not contain emissions unit or belong to

Citation	Title of Citation	Description of Inapplicability
	Incinerators	source category to which this regulation applies.
Rule 6-1	Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants	This regulation does not contain any source specific requirements.

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 5-80-140)

## General Conditions

117. **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)
118. **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)
119. **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)
120. **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)
121. **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)
122. **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)
123. **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)

124. **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.
- f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

125. **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)

126. **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 purposes 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 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)

127. **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. 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 5-80-80 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.
- g. One copy of the annual compliance certification shall be sent to EPA at the following address: R3\_APD\_Permits@epa.gov

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

128. **Permit Deviation Reporting** – The permittee shall notify the DEQ, 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 General Condition 126 of this permit.  
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

**129. 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 DEQ 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 DEQ.

- a. 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.
- b. 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 two MWCUs (Ref. Nos. 1 and 2).

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

**130. Failure/Malfunction Reporting** – Each owner required to install a continuous monitoring system 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 quarterly. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter. 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 and 9 VAC 5-50-50)

131. **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)
132. **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 5-80-110 G.2)
133. **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)
134. **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 5-80-1790, 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)

135. **Property Rights** – The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)
136. **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)
137. **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)
138. **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. 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 5-80-110 H and 9 VAC 5-80-340 C)
139. **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 other 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 5-40-90 and 9 VAC 5-50-90)

140. **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 5-50-20 E and 9 VAC 5-40-20 E)

141. **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)

142. **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)

143. **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.

- 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)

144. **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)

145. **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)

146. **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)

147. **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)

148. **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 149 are met.

149. **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)

150. **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)

151. **Malfunction as an Affirmative Defense** – The provisions of Conditions 148 through 150 are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.  
(9 VAC 5-80-250)

152. **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 of the grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-190 C and 9 VAC 5-80-260)

153. **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)

154. **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)

155. **Asbestos Requirements** – The permittee shall comply with the requirements of National Emissions Statements 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 61.150).  
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

156. **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)

157. **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)

158. **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)

## **Clean Air Interstate Rule (CAIR) Permit**

159. **Clean Air Interstate Rule (CAIR) Permit** - The permittee shall comply with all applicable CAIR requirements (9 VAC 5-140-1010 *et seq.*, 9 VAC 5-140-2010 *et seq.*, 9 VAC 5-140-3010 *et seq.*, 9 VAC 5-140-5010 *et seq.*, and 40 CFR Part 96) by the compliance date in the respective Part of 9 VAC 5 Chapter 140, as contained in the CAIR Permit. The CAIR Permit is attached to this document and expires upon expiration of this permit.

(9 VAC 5-80-110, 40 CFR Part 96, and 9 VAC 5 Chapter 140)