



**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**PIEDMONT REGIONAL OFFICE**

Molly Joseph Ward  
Secretary of Natural Resources

4949A Cox Road, Glen Allen, Virginia 23060  
(804) 527-5020 Fax (804) 527-5106  
www.deq.virginia.gov

David K. Paylor  
Director

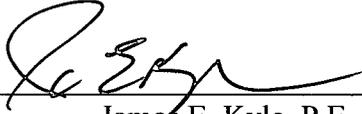
Michael P. Murphy  
Regional Director

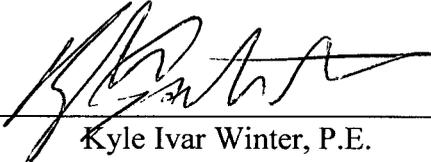
**STATEMENT OF LEGAL AND FACTUAL BASIS**

Philip Morris USA, Inc. – Park 500 Complex  
4100 Bermuda Hundred Road-Chester, Virginia  
Permit No. PRO50722

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Philip Morris USA Inc. has applied for a renewal Title V Operating Permit for its Park 500 Complex. The Department has reviewed the application and has prepared a draft Title V Operating Permit.

Permit Contact:  Date: 11/2/2015  
Alison Sinclair  
(804) 527-5155

Air Permit Manager:  Date: 11/2/2015  
James E. Kyle, P.E.

Deputy Regional Director:  Date: 11/3/15  
Kyle Ivar Winter, P.E.

## FACILITY INFORMATION

### Permittee

Philip Morris USA Inc.  
P.O. Box 26603  
Richmond, VA 23261

### Facility

Philip Morris USA Inc. – Park 500 Complex  
4100 Bermuda Hundred Road  
Chester, VA 23836-3245

County-Plant Identification Number 51-041-0081

**Facility Description:** NAICS 312230 - Tobacco manufacturing, including SIC 2141 Tobacco stemming and redrying, manufacture of reconstituted tobacco.

The Reconstituted Leaf (RL) process uses tobacco components that are blended and pulped to form a slurry which is dried in a series of dryers that form the pulp into a sheet. The sheet is cut and packed to be distributed to cigarette manufacturing facilities.

The Blended Leaf (BL) process grinds tobacco components and adds liquid to form a slurry. A tobacco sheet is formed on a dryer belt. The sheet is dried by natural gas fired dryers. The sheet is then cut and packed for distribution to cigarette manufacturing facilities.

## PERMITS

The facility is a Title V major source of Volatile Organic Compounds (VOC), Carbon Monoxide, (CO), and Nitrogen Oxides (NO<sub>x</sub>), and a PSD major source of NO<sub>x</sub>. This source is located in an attainment area for all pollutants.

The facility is permitted under several Minor NSR Permits issued on August 19, 2004; February 12, 2014; October 31, 2014; July 13, 2015; and July 30, 2015. In addition, the August 22, 1977 and September 13, 1977 *applications* for a permit issued on December 5, 1977 (for a coal boiler that is no longer on site) included equipment and controls proposed for two tobacco handling lines. The engineering analysis for that permit determined the controls on the tobacco handling equipment to be BACT but they were not included in that permit.

The original Title V permit became effective on January 1, 2005. It was set to expire on December 31, 2009. The source applied for a Title V renewal permit on June 29, 2009 and thus the application was timely and complete and was eligible for an application shield. The source subsequently submitted a revised Title V renewal permit application in February 2010, another in January 2013, and a third on December 30, 2014 and the application was found to be technically complete on December 30, 2014. Additionally, Philip Morris submitted a Title V permit modification application for recent changes at their facility on December 30, 2014.

## COMPLIANCE STATUS

A full compliance evaluation of this facility, including a site visit, has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

The fabric filters on the RL Receiving and Blending Equipment, RL Plant Line 1 and 2 Packers, and the BL Dry Ingredient Preparation Equipment are subject to Compliance Assurance Monitoring (CAM) and a CAM plan was submitted for those units.

The source is now considered an area source of HAP, however, up until mid-2014, before all coal boilers were removed, the generators on site that were subject to MACT Subpart ZZZZ (first compliance date June 15, 2007 and then upon start-up for subsequent units through July 2014) were located at a major source of HAP. The “once in, always in” rule still applies to those units. Since the facility is now an area source for HAP, applicability for new generators starting up will be as for units located at an area source for HAP.

Boilers BO0302; BO0501; and BO701; are subject to MACT, Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

## CHANGES TO THE PERMIT

Since the original issuance of this Federal Operating Permit on January 1, 2005, the following changes have taken place to the applicable requirements at this facility:

- 6/19/2006, 7/25/2011, 7/30/2015 – add CY0201 to Receiving and Blending but then remove it as it is an exempt cyclone, revise emission rates, remove reference to MACT, Subpart ZZZZ for emergency generators (reference was placed in cover letter to the most recent permit), update emission factors for generators and reduce allowable fuel sulfur content.
- 6/15/2007, 12/10/2007, 3/21/2008, 11/4/2009, 7/13/2015 – move the Blended Leaf plant to the Park 500 site, allow for the making of Product C, limit Product A to reduce methanol emissions, then subsequently remove reference to Product C because it was never utilized.
- 12/20/2010, 10/31/2014 – increase capacity of BO0501 for natural gas and LPG and update emission factors, remove Db requirements for residual oil.
- 7/30/2013, 2/12/2014 – install one new NG/DO boiler BO0701, convert BO0301 from coal/oil to BO0302 natural gas/oil, and allow for the use of rental boilers during the transition.
- 2/7/2014 – Issued State Operating Permit (SOP) for HCl emissions from BO0201 to reduce emissions to area-source levels. This SOP was rescinded in 2014 when the unit was permanently shut down (see below under “Permit revocations”).

Underlined dates above indicate the most recent permits to be included in the Title V renewal

Permit revocations:

March 10, 2014 – The permit for BO0301, dated August 23, 2004, was revoked and unit was shut down

July 7, 2014- The SOP for BO0201 was revoked when the unit was shut down. Although not explicitly stated in the shut down letter, the previous underlying NSR permit for the unit (December 5, 1977; amended June 26, 1981) which was not superseded by the SOP, was also revoked when the unit shut down.

May 6, 2015 – The permit for the RL Line 3, including dryers and packing equipment, issued on June 30, 2004, was revoked and the units were shut down.

All requirements associated with the above permits have been removed from the Title V permit.

**EMISSION UNITS**

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description – Manufacturer - Date of construction	Size / Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Fuel Burning Equipment – Site wide Support Boilers</b>							
BO0501	AE-38	Boiler 1 - Babcock & Wilcox boiler (1996)	143 MMBtu/hr #2 fuel oil	Multicyclone D.E.** = 90%  Flu gas recirculation	BICY0101	PM	10/31/14
			148.6 MMBtu/hr natural gas & LPG				
BO0302	AE-47a	Boiler 3 - Combustion Engineering (reconstructed 2014)	247 MMBtu/hr MCR * natural gas & #2 fuel oil	None	None	None	2/12/2014
BO0701	AE-D2	Boiler 5 - Cleaver Brooks boiler (2013)	155 MMBtu/hr natural gas	None	None	None	2/12/2014
			145 MMBtu/hr #2 fuel oil				
RB1, RB2, RB3	AE-R1 AE-R2 AE-R3	Temporary rental boilers (2013)	≤ 90 MMBtu/hr each natural gas	None	None	None	2/12/2014
<b>Fuel Burning Equipment – Generators and Emergency Equipment</b>							
024W1EG0 101	AE-I1	Wastewater treatment plant diesel generator (1981)	Electrical Power 1000 kW/hr (1,490 bhp)	None	None	None	07/30/2015
024W2EG0 101	AE-W7	Wastewater treatment plant diesel generator (1981)	Electrical Power 1000 kW/hr (1,490 bhp)	None	None	None	07/30/2015
B1EG0101	AE-71a	Boiler House emergency diesel generator (1975)	298 bhp (200 kW)	None	None	None	None
B1EG0102	AE-71b	Boiler House emergency diesel generator (1977)	387 bhp (260 kW)	None	None	None	None
FP0101	AE-FP1	Fire system emergency pump (2011)	237 bhp	None	None	None	None

Emission Unit ID	Stack ID	Emission Unit Description – Manufacturer - Date of construction	Size / Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Fuel Burning Equipment - BL Process Dryers</b>							
L4D1	3a, 4a, 6a, 10a, DSa	Products A&B Drying Line 4 (2007)	Main dryer - 9 dryer burners	33.3 MMBtu/hr total natural gas	None	None	07/13/2015
			Secondary dryer - 4 dryer burners	10.8 MMBtu/hr total natural gas	None	None	07/13/2015
L5D1	3b, 4b, 6b, 10b, DSb	Products A&B Drying Line 5 (2007)	Main dryer - 9 dryer burners	33.3 MMBtu/hr total natural gas	None	None	07/13/2015
			Secondary dryer - 4 dryer burners	10.8 MMBtu/hr total natural gas	None	None	07/13/2015
<b>Tobacco Processing Equipment - RL Plant</b>							
DC0401- DC0407; BW0401- BW0407	AE-77	Receiving and Blending Area (1980, 1995 and 2011)	0.00403 P5BB units/hr Total Tobacco	Two baghouse filters D.E. = 99%	L1BH0501 & L1BH0601	PM	07/30/2015
			0.00107 P5BB units/hr Class Tobacco (a subset of Total Tobacco)				
L1CY0101 L1CY0102 L2CY0101 L2CY0102	AE-01	Pulping (pneumatic transfer) cyclones (1974 and 1977)	20.67 (dry) P5FA units/hr	Four baghouse filters D.E. = 99%	L1BH0301 L1BH0302 L2BH0301 L2BH0302	PM	as proposed in the 8/22/1977 & 9/13/1977 applications
				Baghouse filter D.E. = 99%	BH0201Y	PM	None
CY0201	AE-RLY	RLY cyclone (2006)					

Emission Unit ID	Stack ID	Emission Unit Description – Manufacturer - Date of construction	Size / Rated Capacity	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
L1PP0101, L1PP0102 L1PP0201, L1PP0202	AE-11	Line 1 & 2 Packing (1974 and 1977)	53.77 (dry) P5FA units/hr	Baghouse filter D.E. = 99%	BH0701	PM	as proposed in the 8/22/1977 & 9/13/1977 applications.
L1DD0101 L1DT0101 L1DR0101	AE-08	Line 1 Tobacco Drying (1974)	4.05 tons/hr (dry) tobacco	Mechanical scrubber D.E. = 90% (PM) D.E. = 40% (VOC)	L1SC0101	PM VOC	as proposed in the 8/22/1977 & 9/13/1977 applications
	AE-09			Orifice scrubber D.E. = 90% (PM) D.E. = 40% (VOC)	L1SC0201	PM VOC	
	AE-10			Orifice scrubber D.E. = 90% (PM) D.E. = 40% (VOC)	L1SC0301	PM VOC	
L2DD0101 L2DT0101 L2DR0101	AE-22	Line 2 Tobacco Drying (1977)	4.05 tons/hr (dry) tobacco	Mechanical scrubber, D.E. = 90% (PM) D.E. = 40% (VOC)	L2SC0101	PM VOC	as proposed in the 8/22/1977 & 9/13/1977 applications
	AE-23			Orifice scrubber, D.E. = 90% (PM) D.E. = 40% (VOC)	L2SC0201	PM VOC	
	AE-26			Orifice scrubber D.E. = 90% (PM) D.E. = 40% (VOC)	L2SC0301	PM VOC	
L3TK4501	Fug vent inside bldg	2,400 gallon blending tank (1994)	740 gal/hr associated with dry flavor operation	None	None	None	8/19/04
L3MT0801	Fug vent inside bldg	2,400 gallon holding tank (1994)	740 gal/hr associated with dry flavor operation	None	None	None	8/19/04
L3TK4601	AS-83 vents inside bldg	Dry tobacco flavoring dump station (1994)	1,000 lbs/hr	Dust filter, D.E. = 99%	L3SF0301	PM	8/19/04
L3TK4901 L3TK4902	Fug	8,000 gallon (each) propylene glycol storage tanks (1994)	740 gal/hr associated with dry flavor operation	None	None	None	8/19/04

Emission Unit ID	Stack ID	Emission Unit Description – Manufacturer - Date of construction	Size / Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Tobacco Processing Equipment - BL Plant</b>							
AB Dry	2a	Products A&B Dry Ingredient Preparation (2007) – receiving area, screening & classifying, Hammer mills, Roller grinder Dry material storage (6 silos) (inside) Pneumatic transport Solid ingredient dump station (inside) Solid ingredient pneumatic transport (inside)	1.88 (dry) BLPE units/hr	Three baghouse filters - 0.005 gr/cf outlet	BH-2a, BH-2b, BH-2c	PM	07/13/2015
	2b			Three baghouse filters - 0.01 gr/cf outlet	BH-2d, BH-2e, BH-2f		
	2c						
	2d			Six dust socks (silos) - 0.05 gr/cf outlet	SDS1, SDS2, SDS3, SDS4, SDS5, SDS6		
AB Wet	Fug.	Products A&B Wet Ingredient Preparation - Process tanks (2007)	2000 gal/hr	None	None	None	07/13/2015
AB Slurry	Fug.	Products A&B Slurry Production - Process tanks (2007)	2150 gal/hr	None	None	None	07/13/2015
L4D1, L4D2	3a, 4a, 6a, 10a, DSa	Products A&B Drying Line 4 (see BL Process Dryers above for fuel-firing stacks) (2007)	0.66 (dry) BLPE units/hr	None	None	None	07/13/2015
L5D1, L5D2	3b, 4b, 6b, 10b, DSb	Products A&B Drying Line 5 (see BL Process Dryers above for fuel-firing stacks) (2007)	0.66 (dry) BLPE units/hr	None	None	None	07/14/2015
AB Pkg	Fug.	Products A&B Cutting, Cooling, and Packing Area Area (2007)	1.32 (dry) BLPE units/hr	None	None	None	07/13/2015

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

\*\* D.E.: Design Efficiency

**EMISSIONS INVENTORY**

A copy of the 2014 annual emission update is available from the Piedmont Regional Office. Emissions are summarized in the following tables.

**2014 Actual Emissions**

Facility Wide Criteria Pollutant Emissions in Tons/Year							
CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	VOC	Lead	NH <sub>3</sub> *
34.8	98.3	9.3	9.2	118.8	191.9	0.001	161.7

\* Ammonia is not a criteria pollutant but rather a precursor for PM<sub>2.5</sub> and emission data is collected by EPA

**2014 Facility Wide Hazardous Air Pollutant Emissions**

Pollutant**	Emissions in Tons/Year
Hydrochloric Acid	10.5
Methanol	7.6

\*\*HCl emissions for 2014 reflect the burning of coal for the first few months of that calendar year. Coal burning capability was removed in mid-2014 so future emission inventory reports will reflect the current “area source” status for HAP of the Park 500 Complex.

## **EMISSION UNIT APPLICABLE REQUIREMENTS - Fuel Burning Equipment - Boilers**

*Fuel Burning Equipment Requirements - Site Wide Support Boilers: BO0302, BO0501, BO0701, RB1, RB2, RB3, and BL Dryers L4D1, L4D2, L5D1, L5D2. These units are subject to minor NSR permitting under permits issued 10/31/2014, 2/12/2014, and 7/13/2015. Following are applicable requirements from the Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution:*

### Limitations

- Condition 2 of the 10/31/2014 NSR permit (Condition 1 of the Title V permit) requires FGR to control NO<sub>x</sub> emissions from BO0501. *This is a BACT requirement.*
- Condition 3 of the 10/31/2014 NSR permit (Condition 2 of the Title V permit) requires the use of low-sulfur fuel to control SO<sub>2</sub> from BO0501 and sets a limit on the sulfur content of the fuel. *This is a BACT requirement.*
- Condition 4 of the 10/31/2014 NSR permit (Condition 3 of the Title V permit) requires the use of a multicyclone to control PM from BO0501. *This is a BACT requirement.*
- Condition 2 of the 2/12/2014 NSR permit (Condition 4 of the Title V permit) requires NO<sub>x</sub>, VOC and CO emissions from BO0302, BO0701 and RB1, RB2 and RB3, to be controlled by advanced boiler combustion design and proper operation and maintenance. *This is a BACT requirement.*
- Condition 3 of the 2/12/2014 NSR permit (Condition 5 of the Title V permit) requires SO<sub>2</sub> and PM emissions from BO0302 and BO0701 to be controlled by the use of low sulfur distillate oil and natural gas. *This requirement ensures compliance with the BACT for SO<sub>2</sub>.*
- Condition 5 of the 10/31/2014 NSR permit (Condition 6 of the Title V permit) states the approved fuels for BO0501. *This limitation ensures that the BACT emission limitations are met.*
- Condition 6 of the 10/31/2014 NSR permit (Condition 7 of the Title V permit) limits the hourly and annual fuel throughputs to BO0501. *This limitation ensures that the BACT emission limitations are met.*
- Condition 7 of the 10/31/2014 NSR permit (Condition 8 of the Title V permit) details fuel specifications for the fuels through BO0501. *This limitation ensures that the BACT emission limitations are met.*
- Condition 5 of the 2/12/2014 NSR permit (Condition 9 of the Title V permit) states the approved fuels for BO0302 or BO0701. *This limitation ensures that the BACT emission limitations are met.*
- Condition 6 of the 2/12/2014 NSR permit (Condition 10 of the Title V permit) states the approved fuels for RB1, RB2 and RB3. *This limitation ensures that the BACT emission limitations are met.*
- Condition 7 of the 2/12/2014 NSR permit (Condition 11 of the Title V permit) limits the throughput of distillate oil to BO0302 and BO0701. *This limitation ensures that the BACT emission limitations are met.*
- Condition 8 of the 2/12/2014 NSR permit (Condition 12 of the Title V permit) limits the throughput of natural gas to RB1, RB2, and RB3. *This limitation ensures that the BACT emission limitations are met.*
- Condition 9 of the 2/12/2014 NSR permit (Condition 13 of the Title V permit) limits the total amount of fuel, based on heat input, through BO0302, BO0701, RB1, RB2, and RB3. *This limitation ensures that the BACT emission limitations are met.*
- Condition 10 of the 2/12/2014 NSR permit (Condition 14 of the Title V permit) details fuel specifications for the distillate oil through BO0302 and BO0701. *This limitation ensures that the BACT emission limitations are met.*
- Condition 11 of the 2/12/2014 NSR permit (Condition 15 of the Title V permit) requires the natural gas through BO0302 and BO0701 meets the NSPS definition of natural gas. *This limitation ensures that the BACT emission limitations are met and is a requirement of NSPS Subpart D<sub>b</sub>.*
- Condition 12 of the 2/12/2014 NSR permit and Condition 8 of the 10/31/2014 NSR permit (Condition 16 of the Title V permit) requires fuel certification for the distillate oil through BO0501, BO0302 and BO0701. *This limitation ensures that the BACT emission limitations are met and is a requirement of NSPS Subpart D<sub>b</sub>.*

- Condition 9 of the 10/31/2014 NSR permit (Condition 17 of the Title V permit) limits the hourly emissions from BO0501 when burning natural gas. *This limitation is based on BACT*
- Condition 10 of the 10/31/2014 NSR permit (Condition 18 of the Title V permit) includes hourly emission limits for BO0501 when burning LP gas. *This limitation is based on BACT*
- Condition 11 of the 10/31/2014 NSR permit (Condition 19 of the Title V permit) includes hourly emission limits for BO0501 when burning distillate oil, including a NO<sub>x</sub> emission limit of 0.2 lbs/mmBtu which is the NSPS D<sub>b</sub> emission standard when firing natural gas and distillate oil. *This limitation is based on BACT and NSPS, Subpart D<sub>b</sub>*
- Condition 12 of the 10/31/2014 NSR permit (Condition 20 of the Title V permit) includes annual emission limits for BO0501. *These limitations are based on BACT and, for NO<sub>x</sub>, NSPS, Subpart D<sub>b</sub>*
- Condition 14 of the 2/12/2014 NSR permit (Condition 21 of the Title V permit) limits NO<sub>x</sub> emissions from BO0302 and BO0701 to the NSPS D<sub>b</sub> standard of 0.2 lb/MMBtu. Compliance will be based on CEMS. *This limitation is based on standards and monitoring requirements from NSPS, Subpart D<sub>b</sub>*
- Condition 15 of the 2/12/2014 NSR permit (Condition 22 of the Title V permit) limits the hourly emissions from BO0302, BO0701, RB1, RB2, and RB3. *These emission limits reflect BACT requirements*
- Condition 16 of the 2/12/2014 NSR permit (Condition 23 of the Title V permit) limits annual emissions from BO0301, BO0701, RB1, RB2, and RB3. *These emission limits reflect BACT requirements.*
- Condition 13 of the 10/31/2014 NSR permit (Condition 24 of the Title V permit) contains a visible emission limit of 20/27 percent opacity for boiler BO0501. *This is part of the required particulate standard as per NSPS, Subpart D<sub>b</sub>, Part 40, Part 60 43<sub>b</sub>(f).*
- Condition 17 of the 2/12/2014 NSR permit (Condition 25 of the Title V permit) limits visible emissions from BO0302, BO0701, RB1, RB2, and RB3 to 10 percent opacity. *This is a BACT requirement*
- Condition 5 of the 7/13/2015 NSR permit (Condition 26 of the Title V permit) restricts the approved fuel for the BL Dryers (L4D1, L4D2, L5D1, L5D2) to natural gas. *This requirement ensures compliance with the BACT emission limits.*
- Condition 6 of the 7/13/2015 NSR permit (Condition 27 of the Title V permit) limits the annual throughput of fuel to the BL Dryers (L4D1, L4D2, L5D1, L5D2). *This is a BACT requirement as an enforceable limit on a BACT emission rate.*
- Condition 12 of the 7/13/2015 NSR permit (Condition 28 of the Title V permit) limits hourly and annual emissions from the BL Dryers (L4D1, L4D2, L5D1, L5D2). *These emission limits reflect BACT requirements.*

Monitoring (Note: Boiler BO0501 is not subject to CAM because it has a NO<sub>x</sub> CEM)

- Condition 16 of the 10/31/2014 NSR permit (Condition 29 of the Title V permit) requires a NO<sub>x</sub> CEM and diluent monitor for BO0501 to show compliance with the NO<sub>x</sub> short term emission standards for BO0501. *This is a requirement of NSPS, Subpart D<sub>b</sub> and fulfills the periodic monitoring requirement for NO<sub>x</sub>. The monitor shall be maintained as per NSPS, Subpart D<sub>b</sub>*
- Condition 17 of the 10/31/2014 NSR permit (Condition 30 of the Title V permit) details data availability and quality assurance for the NO<sub>x</sub> CEM. *These requirements are based on NSPS Subpart D<sub>b</sub> and 40 CFR Part 60 Appendix F.*
- Condition 18 of the 10/31/2014 NSR permit (Condition 31 of the Title V permit) describes how data from the CEM can be used as evidence of violation of NO<sub>x</sub> standards. *This allowance is from 40 CFR 60.11(g) a.k.a. the "Credible Evidence Rule."*
- Condition 18 of the 2/12/2014 NSR permit (Condition 32 of the Title V permit) requires CEMs for NO<sub>x</sub> for BO0302 and BO0701. *These requirements are based on NSPS, Subpart D<sub>b</sub>*

- Condition 20 of the 2/12/2014 NSR permit (Condition 33 of the Title V permit) requires a quality control program meeting the requirements of 40 CFR 60.13 and Appendix B or equivalent. *This requirement is based on NSPS, Subpart D<sub>b</sub>.*
- Condition 4 of the 10/31/2014 NSR permit (Condition 34 of the Title V permit) requires an annual inspection of the multicyclone to ensure structural integrity. *This requirement ensures that the BACT emission limits are met.*

#### Recordkeeping and Reporting

- Condition 19 of the 10/31/2014 NSR permit and Condition 25 of the 2/12/2014 NSR permit (Conditions 35 and 36 of the Title V permit) list the records that must be kept to demonstrate compliance for BO0501, BO0302, BO0701, and RB1, RB2, and RB3. *These requirements are based on NSPS, Subpart D<sub>b</sub>; NSPS, Subpart D<sub>c</sub>; and 9 VAC 5-50-50 and ensure that the source can demonstrate compliance with applicable throughputs, emissions, monitoring, and testing requirements for the boilers.*
- Condition 19a of the 7/13/2015 NSR permit (Condition 37 of the Title V permit) requires records of amount of fuel to the BL Dryers (L4D1, L4D2, L5D1, L5D2). *This requirement ensures the source can demonstrate compliance with applicable throughputs and emissions for the dryers.*
- Condition 26 of the 2/12/2014 NSR permit (Condition 38 of the Title V permit) requires initial notification to EPA of startup for RB1, RB2, and RB3. *These requirements are based on NSPS, Subparts D<sub>c</sub>.*
- Condition 20 of the 10/31/2014 NSR permit and Condition 24 of the 2/12/2014 NSR permit (Condition 39 of the Title V permit) requires the submission of quarterly excess emission reports to the DEQ regional office for the boilers subject to NSPS, Subpart D<sub>b</sub>. *This requirement is based on 40 CFR 60.49<sub>b</sub>(h) and (i).*
- Condition 21 of the 10/31/2014 NSR permit (Condition 40 of the Title V permit) requires the submission of semiannual fuel quality reports for BO0501. *This requirement is based on 40 CFR 60.49<sub>b</sub>(j).*

#### Testing

- Condition 15 of the 10/31/2014 NSR permit (Condition 41 of the Title V permit) allows that DEQ may request additional VEEs for BO0501. *This requirement is based on 9 VAC 5-50-30.G.*

#### Requirements by Reference

- Condition 42 of the Title V permit cites federal requirements (NSPS and MACT) for BO0501, BO0201, BO0302, BO0701, RB1, RB2, and RB3. *This is a requirement by reference for requirements not cited elsewhere in the permit.*
- Condition 43 of the Title V permit requires MACT Subpart JJJJJJ equipment to be operated in compliance with that subpart. *This is a requirement by reference.*
- Condition 13 of the 2/12/2014 NSR permit and Condition 14 of the 10/31/2014 NSR permit (Condition 44 of the Title V permit) requires equipment subject to NSPS Subpart, D<sub>b</sub> and NSPS, Subpart D<sub>c</sub> to be in compliance with each subpart. *This is a requirement by reference.*

#### Streamlined or Obsolete Conditions

- Condition 8 of the 10/31/14 permit and Condition 12 of the 2/12/14 permit were both fuel certification requirements so they were streamlined into Condition 16 of the Title V permit
- Condition 20 of the 10/31/2014 NSR permit and Condition 24 of the 2/12/2014 NSR permit both require submission of excess emission reports for the respective boilers that are subject to NSPS, Subpart D<sub>b</sub>. These conditions were streamlined into Condition 40 of the Title V permit.
- Condition 4 of the 2/12/2014 NSR permit required that the dual fuel boilers (BO0302 and BO0701) not start up until the coal/oil boiler (BO0301) was shut down. BO0301 has been shut down so this condition is obsolete.
- Condition 19 of the 2/12/2014 NSR permit required performance evaluations on the CEMS for BO0302 and BO0701 to be conducted in accordance with 40 CFR Part 60, Appendix B. This requirement, based on NSPS, Subpart D<sub>b</sub>, has been fulfilled.

- Condition 22 of the 2/12/2014 NSR permit required NO<sub>x</sub> performance tests for BO0302 and BO0701 to show compliance with the NSPS D<sub>b</sub> NO<sub>x</sub> standard of 0.2 lbs/MMBtu. This requirement, based on NSPS, Subpart D<sub>b</sub>, has been fulfilled.
- Condition 23 of the 2/12/2014 permit required a VEE on BO0302 and BO0701. This requirement based on NSPS, Subpart D<sub>b</sub>, has been fulfilled.
- Condition 27 of the 2/12/2014 NSR permit states that the permit for BO0302 and BO0701 would be invalidated if a program of continuous modification of the steam production plant did not take place within 18 months of the issuance date of the permit. The modification is complete so this condition is obsolete.
- Condition 26 of the 2/12/2014 NSR permit required initial notification of construction, startup, and performance evaluations for BO0302 and BO0701. These requirements have been fulfilled.

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

- 9 VAC 5-50-20E: Special provisions for new and modified sources – compliance -proper operation and maintenance
- 9 VAC 5-50-50: Special provisions for new and modified sources – notification, records, and reporting
- 9 VAC 5-50-260: Standards for stationary sources - BACT
- 9 VAC 5-50-290: Standards for visible emissions
- 9 VAC 5-40-400: EPA Standards of Performance for New Stationary Sources

#### **EMISSION UNIT APPLICABLE REQUIREMENTS – Fuel Burning Equipment – Generators and Emergency Equipment**

*Fuel Burning Equipment Requirements – Emergency Generators and Emergency Equipment: 024W1EG0101, 024W2EG0101, B1EG0101, B1EG0102, FP0101 The Wastewater Treatment Plant emergency generators are subject to minor NSR permitting and are included in a minor NSR permit dated 7/30/2015. The boiler house emergency diesel generators (B1EG0101, B1EG0102) and the fire system emergency pump (FP0101) are exempt from permitting but may have applicable requirements from federal regulations. Following are applicable requirements from the Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution.*

#### Limitations

- Condition 5 of the 7/30/2015 NSR permit (Condition 45 of the Title V permit) states the approved fuel for the emergency generators (024W1EG0101 and 024W1EG0101) as distillate oil. *This requirement helps to establish the appropriate applicable requirements for the units, i e , emission limits.*
- Condition 6 of the 7/30/2015 NSR permit (Condition 46 of the Title V permit) limits the throughput of distillate oil to the emergency generators 024W1EG0101 and 024W1EG0101. *This requirement is an enforceable limit on the units to achieve compliance with the BACT emission limits.*
- Condition 7 of the 7/30/2015 NSR permit (Condition 47 of the Title V permit) limits the sulfur content of the distillate oil combusted in 024W1EG0101 and 024W1EG0101 to 0.0015%. *This requirement is an enforceable limit on the units to achieve compliance with the BACT emission limits.*
- Condition 8 of the 7/30/2015 NSR permit (Condition 48 of the Title V permit) requires fuel certification for sulfur content for the distillate oil combusted in 024W1EG0101 and 024W1EG0101. *This requirement is used to show compliance with the fuel specifications in Condition 50 of the Title V permit, and thus BACT.*
- Condition 10 of the 7/30/2015 NSR permit (Condition 49 of the Title V permit) sets emission limits for 024W1EG0101 and 024W1EG0101. *This is a BACT requirement.*
- Condition 12 of the 7/30/2015 NSR permit (Condition 50 of the Title V permit) sets a visible emission limit on 024W1EG0101 and 024W1EG0101 of 20 percent opacity. *This requirement is based on the standard for visible emissions in 9 VAC 5-50-80, which is BACT for these units.*

### Monitoring

- Condition 51 of the Title V permit requires a log of monthly visible emission monitoring and/or a Method 9 VEE to show compliance with the visible emission limit. *This requirement fulfills the Part 70 periodic monitoring requirements.*

### Recordkeeping

- Condition 14 of the 7/30/2015 NSR permit (Condition 52 of the Title V permit) lists recordkeeping requirements for 024W1EG0101 and 024W1EG0101. *This requirement establishes compliance with BACT emission limits through fuel monitoring records.*

### Requirements by Reference

- Condition 53 of the Title V permit requires that FP0101 is operated in compliance with MACT Subpart ZZZZ. *This is a requirement by reference*
- Condition 54 of the Title V permit requires that FP0101 is operated in compliance with NSPS Subpart IIII. *This is a requirement by reference.*
- Condition 55 of the Title V permit cites the Federal Requirements (MACT Subpart ZZZZ and NSPS IIII) for the emergency generators and emergency fire pump (024W1EG0101, 024W2EG0101; B1EG0101, B1EG0102, FP0101). *The bases for these requirements are from the applicable federal regulations. DEQ has not accepted delegation to enforce NSPS, Subpart IIII or MACT, Subpart ZZZZ, so there are no related limitations in any underlying minor NSR permit. The applicable requirements are referenced in the Title V permit. CAM is not required for B1EG0101, B1EG0102, and FP0101 since they are subject to federal requirements promulgated after November 15, 1990, which contain monitoring requirements which provide a reasonable assurance of compliance.*

### Streamlined or Obsolete Conditions

- None

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-50-260: Standards of Performance for Stationary Sources - BACT

9 VAC 5-50-290: Standards of Performance for Stationary Sources - Standards for visible emissions

### **EMISSION UNIT APPLICABLE REQUIREMENTS – Tobacco Processing Equipment – RL Plant**

*Tobacco Processing Equipment – RL Plant: Receiving and Blending Area (DC0401 to DC0407, BW0401 to BW0407, DC0301 to DC0306, DC0207, BW0301 to BW0307, HM0201 to HM0204, HM0101, BC0301, SP0101, and SP0102), Pulping (L1CY0101, CY0201, L1CY0102, L2CY0101, L2CY0102), Line 1 and Line 2 Tobacco Drying (L1DD0101, L1DT0101, L1DR0101 and L2DD0101, L2DT0101, L2DR0101), and Line 1 and Line 2 Packing (L1PP0101 & L1PP0102, L1PP0201 & L1PP0202); Dry Tobacco Flavoring Operation - Dry Flavoring Dump Station (L3TK4601), Blending and Holding Tanks (L3TK4501, L3MT0801) and two propylene glycol storage tanks (TK4901 & TK4902). These units are included in the 8/19/2004 NSR permit, and the 7/30/2015 NSR permit. Following are applicable requirements from the Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution:*

### Limitations

- Condition 2 of the 7/30/2015 NSR permit (Condition 56 of the Title V permit) requires particulate matter from the Receiving and Blending Area to be controlled by baghouses. *This is a BACT requirement.*
- The application for the 12/5/1977 permit (Conditions 57 through 59 of the Title V permit) proposed that particulate matter from the Pulping Area; Line 1 and 2 tobacco Drying Lines; and Line 1 and 2 Packing Area would be controlled by baghouses and wet scrubbers. The permit (which only included a coal boiler and has

since been revoked for shut down of that coal unit) did not include this equipment but the engineering analysis declared the proposed controls to be BACT *These are BACT requirements*

- Condition 3 of the 8/19/04 NSR permit (Condition 60 of the Title V permit) requires a fabric filter (baghouse) for the control of particulate matter for the Dry Flavoring Dump Station. *This is a BACT requirement*
- Condition 4 of the 7/30/2015 NSR permit (Condition 61 of the Title V permit) limits the throughput of tobacco processing units to the Receiving and Blending Area. *Although not designated as BACT in the NSR permit, this throughput limit provides an enforceable means to limit annual emissions which represent BACT.*
- Condition 5 of the 8/19/04 NSR permit (Condition 62 of the Title V permit) limits the throughput of dry flavoring to the Dry Flavoring Dump Station. *Although not designated as BACT in the NSR permit, this throughput limit provides an enforceable means to limit annual HAP emissions which represent BACT.*
- Condition 6 of the 8/19/04 NSR permit (Condition 63 of the Title V permit) limits throughput of propylene glycol to the Dry Tobacco Flavoring Operation. *This limitation appeared in the original 1994 permit and was revised in 2004 to clarify that this was limiting the open blending and holding tanks, not the ethylene glycol storage tanks. It is presumed that this condition is a limitation on VOC emissions; however no calculations can be found to corroborate this. The VOC limitation in Condition 7 of the 8/19/04 NSR permit is based on BACT, so this condition would appear to provide an enforceable limit on a BACT emission limitation*
- Condition 11 of the 7/30/2015 NSR permit (Condition 64 of the Title V permit) limits emissions of Particulate Matter and VOC from the Receiving and Blending Area. *This is a BACT requirement.*
- Condition 7 of the 8/19/04 NSR permit (Condition 65 of the Title V permit) limits emissions of Particulate Matter and VOC from the Dry Tobacco Flavoring Operation. *This is a BACT requirement.*
- Condition 66 of the Title V permit limits visible emissions from the Pulping, Line 1 and Line 2 Tobacco Drying, Line 1 and Line 2 Packing. *This requirement is based on 9 VAC 5-50-80 which is the standard for visible emissions from a new or modified source.*
- Condition 13 of the 7/30/2015 NSR permit (Condition 67 of the Title V permit) limits visible emissions from the Receiving and Blending equipment. *This is a BACT requirement.*
- Condition 8 of the 8/19/04 NSR permit (Condition 68 of the Title V permit) limits visible emissions from the Dry Flavoring Dump Station fabric filter (baghouse). *Although 9 VAC 5-50-80 is cited as the basis for this condition in the NSR permit, that standard is the 20%/30% opacity standard for new or modified sources. More likely, this 5% opacity limit is a BACT requirement.*

#### Monitoring

- Condition 3 of the 7/30/2015 NSR permit and Condition 3 of the 8/19/2004 NSR permit (Condition 69 of the Title V permit) requires the fabric filters controlling emissions from the Blending and Receiving Area and Dry Flavor Dump Station to be equipped with differential pressure gauges *This requirement ensures that the control equipment is working properly and the equipment is in compliance with BACT limitations.*
- Condition 70 of the Title V permit requires the control equipment (fabric filters and wet scrubbers) for the Pulping Area, Line 1 and Line 2 tobacco Drying and Line 1 and Line 2 Packing Area to have adequate access for inspection and to be operating when the process equipment is operating. *This fulfills the Part 70 monitoring requirements.*
- Condition 71 of the Title V permit requires a monthly visible emission check for the Receiving and Blending Area, Pulping, Tobacco Drying Lines, and Packing Lines. *This fulfills the Part 70 monitoring requirements.*
- Condition 72 of the Title V permit requires a monthly visible emission check for the Dry Flavoring Dump Station. *This fulfills the Part 70 monitoring requirements*
- Conditions 73 through 80 of the Title V permit include CAM requirements for the fabric filters controlling the RL Receiving and Blending Area, and the Line 1 and Line 2 Packers. *This fulfills the CAM requirements of 40 CFR Part 64*

### Recordkeeping

- Condition 9 of the 8/19/2004 NSR permit and Condition 14 of the 7/30/2015 NSR permit (Condition 81 of the Title V permit) require records to be kept of throughputs of tobacco, propylene glycol, dry flavor ingredients and results of visible emissions checks. *This requirement demonstrates compliance with BACT emission limits and other standards.*

### Streamlined or Obsolete Conditions

Condition 9 of the 8/19/2004 permit and Condition 14 of the 7/30/2015 permit were both recordkeeping requirements for equipment at the RL Plant. They were streamlined into one Title V condition, Condition 82.

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

- 9 VAC 5-40-260: Emission Standards for General Process Operations-Standards for particulate matter (AQCR 1-6)
- 9 VAC 5-50-260: Standards of Performance for Stationary Sources-Standard for stationary sources - BACT
- 9 VAC 5-50-290: Standards of Performance for Stationary Sources - Standards for visible emissions

### **EMISSION UNIT APPLICABLE REQUIREMENTS – Tobacco Processing Equipment – BL Plant**

*Dry Ingredient Preparation (AB Dry); Products A&B Wet Ingredient Preparation (AB Wet), Products A&B Slurry Production (AB Slurry); Products A&B Drying Lines 4 and 5 (L4D1, L4D2, L5D1, L5D2); Products A&B Cooling, Cutting and Packing Area (AB Pkg); These requirements come from a minor NSR permit dated 7/13/2015 for the Blended Leaf (BL) Plant. Fuel requirements for the BL Drying Lines can be found in Conditions 26-28 of the Title V permit. Following are applicable requirements from the Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution:*

- Condition 2 of the 7/13/2015 NSR permit (Condition 82 of the Title V permit) requires particulate matter emissions to be controlled by fabric filters. *This is a BACT requirement*
- Condition 3 of the NSR 7/13/2015 permit (Condition 83 of the Title V permit) requires particulate matter emissions from the storage silos to be controlled by dust socks. *This is a BACT requirement.*
- Condition 7 of the 7/13/2015 NSR permit (Condition 84 of the Title V permit) limits the throughput of BLPE units to each process area. *Although not designated as BACT in the NSR permit, this throughput limit provides an enforceable means to limit annual emissions, which represent BACT*
- Condition 8 of the 7/13/2015 NSR permit (Condition 85 of the Title V permit) limits production of BLPA units of Product A. *Production of Product A is limited in order to limit methanol emissions from the process dryers to below major levels BLPA units are a subset of BLPE units which are for products A or B. Although not designated as BACT in the NSR permit, this throughput limit provides an enforceable means to limit annual emissions which represent BACT.*
- Conditions 9 and 10 of the 7/13/2015 NSR permit (Condition 86 and 87 of the Title V permit) limit the throughput of liquid materials to the processing of products A and B. *Although not designated as BACT in the NSR permit, these throughput limits provide an enforceable means to limit annual emissions which represent BACT.*
- Conditions 11 through 13 of the 7/13/2015 NSR permit (Condition 88 through Condition 90 of the Title V permit) limit pollutant emissions from several of the BL processes. *Emissions from the Line 4 and Line 5 Dryers (Condition 12 of the 7/13/2015 NSR permit) were split. CO and NOx emissions from fuel combustion were placed in Condition 28 of the Title V permit. PM, PM-10, PM-2.5 and VOC emissions result from a combination of fuel combustion and tobacco throughput and can be found in Condition 89 of the Title V permit. This is a BACT requirement*
- Condition 15 of the 7/13/2015 NSR permit (Condition 91 of the Title V permit) limits emissions from the entire BL portion of the facility. *This is a BACT requirement There is facility-wide limitation on VOC increases in order to demonstrate non-applicability to PSD permitting This is found in Condition 107 of the Title V permit.*

- Condition 16 of the 7/13/2015 NSR permit (Condition 92 of the Title V permit) limits visible emissions from the fabric filter stacks to 10 percent opacity. *This is a BACT requirement.*

#### Monitoring

- Conditions 2 and 3 of the 7/13/2015 NSR permit (Conditions 93 and 94 of the Title V permit) require the fabric filters and dust socks to be operating when the processes they control are operating. *This is a BACT requirement.*
- Condition 95 of the Title V permit requires monthly visible emission observations from the fabric filters and dust socks. *This requirement fulfills the Part 70 monitoring requirements*
- Conditions 96 through 103 of the Title V permit require CAM on the fabric filters controlling the AB dry emissions. *This fulfills the CAM requirements of 40 CFR Part 64*

#### Recordkeeping

- Condition 19 of the 7/13/2015 NSR permit (Condition 104 of the Title V permit) requires the keeping of throughput records, production records, visible emission observations, stack-test records, MSDS for liquid materials and scheduled and unscheduled maintenance and operator training. *This requirement demonstrates compliance with BACT emission limits and other standards*

#### Testing

- Condition 18 of the 7/13/2015 NSR permit (Condition 105 of the Title V permit) allows for additional stack testing on the dryer stack to be requested by DEQ. *This requirement is based on 9 VAC 5-80-1200 and will demonstrate compliance with the emission limits*

#### Streamlined or Obsolete Conditions

None

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-50-260: Standards of Performance for Stationary Sources-Standard for stationary sources

9 VAC 5-50-280: Standards of Performance for Stationary Sources - Standard for major stationary sources (prevention of significant deterioration areas)

9 VAC 5-50-290: Standards of Performance for Stationary Sources - Standards for visible emissions

#### **EMISSION UNIT APPLICABLE REQUIREMENTS – Facility Wide Requirements**

*Following are applicable requirements from the Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution:*

#### Limitations

- Condition 4 of the 7/13/2015 NSR permit (Condition 106 of the Title V permit) requires that VOC emissions from the facility be minimized by proper work practice standards which include proper disposal, storage and handling of material containing VOC. *This requirement is based on 9 VAC 5-50-20.F*
- Condition 14 of the 7/13/2015 NSR permit (Condition 107 of the Title V permit) requires the facility to demonstrate that all VOC emission increases at the RL and BL portions of the Park 500 Complex netted out to no more than 35 tons/yr. *This requirement is based on 9 VAC 5-80-1785 B in order to demonstrate that a significant emission increase has not occurred.*

#### Monitoring and Recordkeeping

- Condition 3 of Section E of the VOC RACT Order dated 3/26/1997; Condition 19 of the 7/13/2015 NSR permit; Condition 14 of the 7/30/2015 NSR permit; Condition 25 of the 2/12/2014 NSR Permit; and Condition 19 of the 10/31/2014 NSR permit (Condition 108 of the Title V permit) specify the required records that should be

maintained to show compliance with the VOC limits imposed on the facility as well as general recordkeeping requirements. *This requirement is based on RACT and BACT and 9 VAC 5-80-1785 which requires sources to keep records of the applicability test used to determine the source was not subject to a PSD major modification, as well as track whether actual emissions exceed the baseline emissions by a significant amount. General recordkeeping requirements include keeping records of scheduled and unscheduled maintenance on equipment, operator training, and results of stack tests and other performance evaluations.*

#### Testing

- Condition 4 of the 8/19/2004 NSR permit, Condition 17 of the 07/13/2015 NSR permit, Condition 9 of the 7/30/2015 NSR permit and Condition 21 of the 2/12/2014 NSR permit (Condition 109 of the Title V permit) requires that the facility be constructed to allow for emission testing and monitoring. *This requirement is based on 9 VAC 5-50-30.F.*

#### Streamlined or Obsolete Conditions

None

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-50-20: Special Provisions for New and Modified Stationary Sources, Compliance

9 VAC 5-50-30: Special Provisions for New and Modified Stationary Source, Performance Testing

9 VAC 5-50-260: Standards of Performance for Stationary Sources-Standard for stationary sources, BACT

#### **INSIGNIFICANT EMISSION UNITS**

Condition 110 of the Title V permit lists the insignificant emission units identified at this facility. The insignificant emission units are presumed to be in compliance with all requirements of the 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.

#### **INAPPLICABLE REQUIREMENTS**

Condition 111 of the Title V permit lists those requirements that are not applicable to the facility.

The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A 3 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "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."

CO<sub>2</sub>-e emissions are below permitting levels for the Greenhouse Gas Tailoring Rule under PSD regulations.

#### **GENERAL CONDITIONS**

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110, that apply to all Federal operating permit sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions, including those caused by upsets, within one business day.

## Comments on General Conditions

### 113. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit applications has been delegated to the Regions as allowed by §§2.2-604 and §10.1-1185 of the *Code of Virginia*, and the “Department of Environmental Quality Agency Policy Statement No. 2-09.”

### 117. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

### 121. Permit Modification

This general condition cites the sections that follow:

9 VAC 5-80-50.	Applicability, Federal Operating Permit For Stationary Sources
9 VAC 5-80-190.	Changes to Permits
9 VAC 5-80-260.	Enforcement
9 VAC 5-80-1100.	Applicability, Permits for New and Modified Stationary Sources
9 VAC-5-80-1605.	Applicability, Permits for Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas

### 132. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in section 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition 132 and General Condition 117. For further explanation see the comments on General Condition 117.

### 136. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

## STATE ONLY APPLICABLE REQUIREMENTS

The following Virginia Administrative Codes have specific requirements only enforceable by the State and have not been included in the Federal Operating Permit:

- 9 VAC 5-40-20.A.3 Compliance (with opacity standards except during startup, shutdown, and malfunction);
- 9 VAC 5-50-310, Odorous Emissions
- 9 VAC 5-60-320, Toxic Pollutants

## FUTURE APPLICABLE REQUIREMENTS

None

#### **COMPLIANCE PLAN**

There is no compliance plan for this facility.

#### **CONFIDENTIAL INFORMATION**

The permittee submitted a showing for confidentiality but the underlying NSR permits do not contain confidential information. A non-confidential permit application was submitted and all portions of the Title V application are suitable for public review.

#### **PUBLIC PARTICIPATION**

A public notice ran in Style Weekly on September 16, 2015. The 30-day state public comment period expired on October 16, 2015 and the 45-day EPA concurrent comment period expired on November 2, 2015. No comments were received from the EPA or the public.