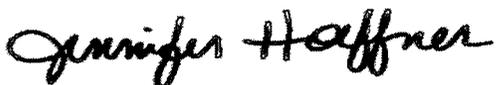


COMMONWEALTH OF VIRGINIA
Department of Environmental Quality
Piedmont Regional Office

STATEMENT OF LEGAL AND FACTUAL BASIS

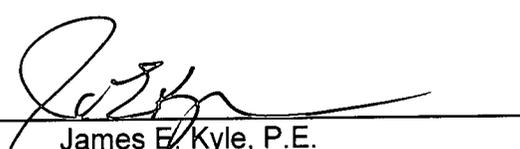
Hopewell Cogeneration Limited Partnership
Hopewell, Virginia
Permit No. PRO-50967

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, Hopewell Cogeneration Limited Partnership has applied for a renewal of the Title V Operating Permit for its Hopewell, Virginia facility. The Department has reviewed the application and has prepared a draft renewal Title V Operating Permit.

Engineer/Permit Contact: 

Date: 9/13/2016

Jennifer Hoeffner
(434) 582-6229

Air Permit Manager: 
James E. Kyle, P.E.

Date: 9/13/2016

Deputy Regional Director: 
Kyle Ivar Winter, P.E.

Date: 14 September 2016

FACILITY INFORMATION

Permittee

Hopewell Cogeneration Limited Partnership
1114 Hercules Road
Hopewell, Virginia 23860

Facility

Hopewell Cogeneration Facility
1114 Hercules Road
Hopewell, Virginia 23860

County-Plant Identification Number: 51- 670-00058

SOURCE DESCRIPTION

NAICS Code: 221112 – Electric Power Generation
SIC 4911 – Electrical Services

The Hopewell Cogeneration Facility is a 356.5 MW combined cycle turbine powered facility that produces electric power and steam to be utilized by nearby facilities. The facility operates three combustion turbines firing natural gas and no. 2 fuel oil, two auxiliary boilers firing natural gas and no. 2 fuel oil, two emergency generators firing no. 2 fuel oil and one diesel fire pump engine.

The Facility is a Title V major source of PM10, SO2, NOx and CO pollutants. This source is located in an attainment area for all pollutants, and is a PSD major source. The facility is currently permitted under the amended PSD Permit issued on December 18, 2008. The June 6, 1990 NSR permit for storage tank I3 was revoked on March 22, 2016. The current permit action is for the renewal of the Title V Operating Permit.

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.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility consist of the following:

Emisison Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
CT1	CT1-001	Combustion Turbine Type 11 N ABB Model BBHM300555	1143.6 MMBtu/hr- nat gas input; 1091.1 MMBtu/hr- No. 2 fuel oil input	I-99 Steam Injection	CT1	NOx	December 18, 2008
CT2	CT2-002	Combustion Turbine Type 11 N ABB Model BBHM300556	1143.6 MMBtu/hr- nat. gas input; 1091.1 MMBtu/hr- No. 2 fuel oil input	I-99 Steam Injection	CT1	NOx	December 18, 2008
CT3	CT3-003	Combustion Turbine Type 11 N ABB Model BBHM300564	1143.6 MMBtu/hr- nat. gas input; 1091.1 MMBtu/hr- No. 2 fuel oil input	I-99 Steam Injection	CT1	NOx	December 18, 2008
AB1	AB1-004	Auxiliary Boiler Babcock & Wilcox	229.0 MMBtu/hr- nat. gas input; 220.0 MMBtu/hr- No. 2 fuel oil input	I-99 Low NOx burner and I-99 Flue Gas Recirculation	AB1	NOx	December 18, 2008
AB2	AB2-005	Auxiliary Boiler Babcock & Wilcox	229.0 MMBtu/hr- nat. gas input; 220.0 MMBtu/hr- No. 2 fuel oil input	I-99 Low NOx burner and I-99 Flue Gas Recirculation	AB1	NOx	December 18, 2008
G1	G1-06	Emergency Generator Caterpillar	5.1 MMBtu/hr – No. 2 fuel oil input (1,500 kW)	-	-	-	December 18, 2008
G2	G1-06	Emergency Generator Caterpillar	5.1 MMBtu/hr – No. 2 fuel oil input (1,500 kW)	-	-	-	December 18, 2008
114	STFP1	Diesel Fire Pump Engine	320 hp	-	-	-	-

EMISSIONS INVENTORY

Emissions are summarized in the following tables.

2014 Criteria Pollutant Actual Emissions

2014 Facility Wide Criteria Pollutant Emission in Tons/Year						
VOC	CO	SO ₂	PM	PM ₁₀	PM _{2.5}	NO _x
5.48	57.67	43.49	12.87	12.17	8.5	519.47

2014 Hazardous Air Pollutant Actual Emissions

Pollutant	2014 Facility Wide Hazardous Air Pollutant Emission in Tons/Yr
Ethyl benzene	0.13
Formaldehyde	3.09
Manganese compounds	0.02
Lead	0.19
Toluene	1.84
Xylene	0.27
Benzene	0.86
Methylene chloride	0.01
1,4-Dichlorobenzene	0.46
Acetaldehyde	0.18
Acrolein	0.03
Chlorobenzene	0.01
Chloroform	0.01
Hexane	0.10
Naphthalene	0.25
Xylenes	0.27

EMISSION UNIT APPLICABLE REQUIREMENTS– Emission Unit ID Nos. CT1, CT2, CT3, AB1, and AB2

Limitations

The applicable requirements from the December 18, 2008 PSD permit, conditions 3, 4, 5, 6, 13, 14, 15, 20, 21, 22, and 24, have been incorporated in the TV permit. The condition numbers referenced below refer to the TV permit. The requirements of NSPS Subpart GG and Db are listed in separate sections below.

Condition 1 requires nitrogen oxide emissions from the turbines be controlled by steam injection. (Condition 3 of PSD permit and BACT)

Condition 2 requires nitrogen oxide emissions from the boilers be controlled by boiler design and multi-stage low NO_x burners. (Condition 4 of PSD permit and BACT)

Condition 3 limits the fuels to be utilized by the turbines and boilers to distillate oil and natural gas. (Condition 13 of PSD permit and BACT)

Condition 4 requires sulfur dioxide (SO₂) emissions from the turbines and boilers be controlled by limiting the sulfur content of the distillate oil to 0.2%. (Condition 5 of PSD permit and BACT)

Condition 5 limits the amount of distillate oil and natural gas to be combusted by the turbines. (Condition 14 of PSD permit and BACT)

Condition 6 limits the amount of distillate oil and natural gas to be combusted by the boilers. (Condition 15 of PSD permit and BACT)

Condition 7 limits air pollutants on an hourly and annual basis from each of the turbines. (Condition 21 of PSD permit and BACT)

Condition 8 limits air pollutants on an hourly and annual basis from each of the boilers. (Condition 22 of PSD permit and BACT)

Condition 9 describes how air pollutants from the turbines and boilers are controlled. (Condition 6 of PSD permit)

Condition 10 requires the turbines and boilers be operated as required by the respective applicable New Source Performance Standards. (Condition 20 of PSD permit)

Condition 19 limits the opacity from the turbines. This condition was added to the TV permit because it is an applicable requirement. (9 VAC 5-50-290)

The following NSPS Subpart GG requirements apply to the turbines:

40 CFR 60.332(a)(1)- Limits nitrogen oxide emissions. Condition 13

40 CFR 60.332(b)- requires the turbines to comply with 40 CFR 60.332(a)(1).

40 CFR 60.333(a)- Limits sulfur dioxide emissions from the turbines. Condition 14

40 CFR 60.333(b)- Limits the sulfur content of any fuel to 0.8%. Condition 5 of 12/18/08 PSD Permit limits the sulfur content to 0.2% and has been incorporated as Condition 4 of the TV permit.

40 CFR 60.334(i)(1)- Requires determinations of sulfur and nitrogen content values of the fuel. Condition 15

40 CFR 60.335(b)(1)- Describes how testing must be conducted to determine compliance with the NO_x emission limit under 40 CFR 60.332. Condition 16 (Condition 24 of PSD permit)

40 CFR 60.335(b)(10)- Describes how fuel samples must be analyzed for the sulfur content. Condition 17

40 CFR 60.335(b)- Describes the required analytical methods for determining the nitrogen content and sulfur content of the fuels combusted. Condition 18

40 CFR 60.335(b)(10)- Describes the nitrogen oxides emission testing requirements. Condition 23 (Condition 8 of PSD permit)

The following NSPS Subpart Db requirements apply to the boilers:

40 CFR 60.42b(j)- Limits the sulfur content of oil to 0.5% and requires the limit be demonstrated by the described testing and monitoring. Condition 5 of 12/18/08 PSD Permit limits the sulfur content to 0.2% and has been incorporated as Condition 4 of the TV permit.

40 CFR 60.43b(f)- Limits opacity from the boilers. Condition 20

40 CFR 60.44b(a)- Limits nitrogen oxide emissions. Condition 22 of 12/18/08 PSD Permit limits the nitrogen oxide emissions to 0.1 lb/MMBtu and has been incorporated as Condition 8 of the TV permit.

40 CFR 60.44b(h)- Limits nitrogen oxide emissions at all times. Condition 11

40 CFR 60.44b(i)- Requires emission limits be based on a 30-day rolling average. Condition 12

Compliance Assurance Monitoring

Because the uncontrolled NO_x emissions are above major thresholds, the permit contains NO_x emission limits, and a steam injection system is used as a control device to comply with these limitations, the CAM requirements of 40 CFR 64 apply to the turbines for NO_x emissions. However, as previously determined, the CAM requirements are satisfied since the permit requires a continuous compliance determination method (a NO_x CEMS) to demonstrate compliance with the NO_x emission limits. CAM requirements of 40 CFR 64 do not apply to the boilers for NO_x emissions because the low NO_x burners used to control the NO_x emissions are not considered to be add-on control devices. The CAM requirements of 40 CFR 64 do not apply to the turbines or boilers for PM-10, SO₂, and CO emissions because the emission units do not have add-on control devices to achieve compliance with the associated emission limitations.

Monitoring and Recordkeeping

The applicable requirements from the December 18, 2008 PSD permit, conditions 7, 8, 9, 10, 11, 12, 19, and 25, have been incorporated in the TV permit. The conditions referenced below refer to the TV permit.

Conditions 22 and 29.e (visible emission observations and recordkeeping) for the turbines have been included in the proposed TV permit to satisfy Part 70 monitoring requirements for the opacity standards included in Condition 19 of the proposed TV permit. The visible emission observation condition replaced the previous TV permit condition III.D.3, which required opacity performance evaluations once per permit term.

Condition 25 allows COMS as an alternate method of compliance with VEE requirements for the turbines and boilers. (Condition 10 of PSD permit)

Condition 29 requires recordkeeping of continuous monitoring systems, fuel throughputs, operating status and VEO results. (Condition 25 of PSD permit)

The following NSPS Subpart GG requirements apply to the turbines:

40 CFR 60.334(b)- Describes alternate NO_x emissions monitoring requirements (CEMS for NO_x emissions). Condition 21 (Condition 7 of PSD permit)

40 CFR 60.334(b)- Requires a quality control program for the NO_x CEMS. Condition 27 (Condition 12 of PSD permit)

40 CFR 60.334(h)- Requires monitoring of the sulfur and nitrogen content of the fuel. Condition 28 (Condition 19 of PSD permit)

40 CFR 60.335- Requires performance evaluations of the continuous monitoring systems. Condition 26 (Condition 11 of PSD permit)

The following NSPS Subpart Db requirements apply to the boilers:

40 CFR 60, Subpart Db 60.46b- Requires performance evaluations of the continuous monitoring systems. Condition 26 (Condition 11 of PSD permit)

40 CFR 60, Subpart Db 60.48b(a)- Requires COMS for emissions from the boilers. Condition 24 (Condition 9 of PSD permit)

40 CFR 60, Subpart Db 60.48b(b)(1)- Requires CEMS for emissions from the boilers. Condition 23 (Condition 8 of PSD permit)

40 CFR 60, Subpart Db 60.48b- Requires a quality control program for the COMS and CEMS. Condition 27 (Condition 12 of PSD permit)

40 CFR 60, Subpart Db 60.48b(d)- Requires records of the amounts of each fuel combusted. Condition 30

40 CFR 60, Subpart Db 60.48b(d)- Requires opacity records. Condition 31

40 CFR 60, Subpart Db 60.48b(o)- Requires records be maintained for 2 years. Condition 32

40 CFR 60, Subpart Db 60.48b(r)- Requires records of fuel receipts. Condition 33

Testing

Condition 2 of the December 18, 2008 PSD permit requires the facility to be constructed to allow for emissions testing and has been incorporated as condition 34 of the TV permit.

The permit does not require specific source tests. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

Reporting

The applicable requirements from the December 18, 2008 PSD permit, conditions 26 and 27, have been incorporated in the TV permit. The conditions referenced below refer to the TV permit.

Condition 35 includes performance evaluation, alternate method of demonstrating compliance, and performance test reporting requirements for the turbines and boilers. (Condition 27 of PSD permit)

The following NSPS Subpart GG requirements apply to the turbines:

40 CFR 60, Subpart GG 60.334(j)- Requires submittal of quarterly excess emission reports. Condition 38 (Condition 26 of PSD permit)

The following NSPS Subpart Db requirements apply to the boilers:

40 CFR 60, Subpart Db 60.49b(g), (i), and (w)- Requires records and submittal of semi-annual reports to demonstrate compliance with NO_x standards. Condition 36

40 CFR 60, Subpart Db 60.49b(j), (k), and (w)- Requires records and submittal of semi-annual reports to demonstrate compliance with SO_x standards. Condition 37

40 CFR 60, Subpart Db 60.49b(h)- Requires submittal of quarterly excess emission reports. Condition 38 (Condition 26 of PSD permit)

EMISSION UNIT APPLICABLE REQUIREMENTS– Emission Unit ID Nos. G1, G2, and I14

The applicable requirements from the December 18, 2008 PSD permit, conditions 16, 23, and 25d, have been incorporated in the TV permit. The condition numbers referenced below refer to the TV permit.

Condition 39 limits the operation of the generators (G1 & G2) and the fuel consumption. Because Subpart ZZZZ requires the generators be operated monthly for maintenance, language, "(for the purpose of generating electricity)", was added to clarify and allow this

requirement to be achieved as well as meet the requirement of Condition 39 without relaxing it. The permittee requested the condition be updated to remove the first two sentences. No further changes can be made without updating the underlying PSD permit. Review of the permit file (July 1, 1988 PSD permit) revealed that the units were permitted as "generators" for the purpose of emergency use as well as black start up. The application associated with the 1989 permit also describes the generators being utilized for emergency and black start up as well. (Condition 16 of PSD permit and BACT)

Condition 40 limits the air pollutant emissions (G1 & G2). (Condition 23 of PSD permit and BACT)

Condition 44 requires fuel throughput records (G1 & G2) and VEO results (G1, G2, & I14). (Condition 25.d of PSD permit)

Condition 41 limits the opacity from the emission units (G1, G2, & I14). This condition was added to the TV permit because it is an applicable requirement. (9 VAC 5-50-290 and 9 VAC 5-50-80)

Conditions 43 and 44.b (visible emission observations and recordkeeping) for the emission units (G1, G2, & I14) have been included in the proposed TV permit to satisfy Part 70 monitoring requirements for the opacity standards included in Condition 41 of the proposed TV permit.

Condition 42 includes emission unit (G1, G2, & I14) limitations, monitoring, reporting and recordkeeping requirements and is based on 40 CFR 63 Subpart ZZZZ requirements.

Compliance Assurance Monitoring

The CAM requirements of 40 CFR 64 do not apply to the emission units (G1, G2, & I14) emissions because the emission units do not have add-on control devices to achieve compliance with the associated emission limitations.

Streamlined/Obsolete Requirements

40 CFR 60.333(b) was not included because Condition 4 of the TV permit (Condition 5 of 12/18/08 PSD Permit) limits the sulfur content of fuel from the turbines to 0.2%, which is more stringent

40 CFR 60.42b(j) was not included because Condition 4 of the TV permit (Condition 5 of 12/18/08 PSD Permit) limits the sulfur content of oil from the boilers to 0.2%, which is more stringent.

The limitation condition III.A.21 of the March 27, 2009 Title V permit was removed because 40 CFR 60.334(e) is not applicable to the turbines since steam injection is used to control NOx emissions from the turbines.

The limitation condition III.A.24 of the March 27, 2009 Title V permit was removed because it is not an applicable federal requirement and it is not an applicable requirement as described by 9 VAC 5-80-60. The underlying PSD permit would need to be amended prior to incorporating this condition in the TV permit.

The recordkeeping condition III.C.7 of the March 27, 2009 Title V permit was removed since the same requirement is in the General Conditions 67 and 70 of the permit.

The recordkeeping condition III.C.8 of the March 27, 2009 Title V permit was removed since the same requirement is in the Fuel Equipment Requirement Condition 29 and the Facility Wide Conditions 62 and 63 of the permit.

The testing condition III.D.2 of the March 27, 2009 Title V permit was removed since the same requirement is in the Facility Wide Condition 51 of the permit.

The testing condition III.D.4 of the March 27, 2009 Title V permit was removed because there are multiple conditions (Facility Wide Condition 51 and Fuel Equipment Requirement Conditions 24, 25, and 26) in the permit that meet this requirement.

The reporting condition III.E.2 of the March 27, 2009 Title V permit was removed because the quarterly submittal of fuel quality reports is not required by 9 VAC 550-50 and the remaining fuel limitations, monitoring, recordkeeping and reporting requirements are adequate in demonstrating compliance with the fuel specification requirements of the permit.

The limitation and recordkeeping conditions IV.A.1-5 and B.1 were removed because the June 6, 1990 NSR permit for emission unit I3 was revoked on March 22, 2016 and it has become an insignificant emission unit.

The source shutdown condition V.A.1 of the March 27, 2009 Title V permit was removed since the same requirement is in the General Condition 80 of the permit.

The minimization of VOCs condition V.A.7 of the March 27, 2009 Title V permit was removed since the facility does not have emission sources that are applicable to this requirement.

The particulate matter condition V.A.8 of the March 27, 2009 Title V permit was removed since the same requirement is in the General Condition 79 of the permit.

The odorous emission conditions V.A.9 and 10 of the March 27, 2009 Title V permit were removed because the facility does not have emission sources that are applicable to this requirement and the facility has not had any odor violations.

The duty to comply condition V.A.12 of the March 27, 2009 Title V permit was removed since the same requirement is in the General Conditions 72, 74, and 96 of the permit.

The reporting condition V.A.13 of the March 27, 2009 Title V permit was removed since the same requirement is in the General Condition 70 of the permit.

The monitoring condition V.B.1 of the March 27, 2009 Title V permit was removed since the same requirement is in Fuel Equipment Requirement Condition 26 of the permit.

The monitoring condition V.B.2 of the March 27, 2009 Title V permit was removed since the same requirement is in Fuel Equipment Requirement Condition 27 of the permit.

The records condition V.C.1 of the March 27, 2009 Title V permit was removed since the same requirement is in Fuel Equipment Requirement Condition 29 and Facility Wide Condition 49 of

the permit.

The operating procedures condition V.C.2 of the March 27, 2009 Title V permit was removed since the same requirement is in Facility Wide Condition 47 of the permit.

The malfunction condition V.C.3 of the March 27, 2009 Title V permit was removed since the same requirement is in the General Condition 67 of the permit.

The recordkeeping condition V.C.4 of the March 27, 2009 Title V permit was removed since the same requirement is in Fuel Equipment Requirements Condition 29 and Facility Wide Condition 49 of the permit.

The duty to submit information condition V.C.5 of the March 27, 2009 Title V permit was removed since the same requirement is in the General Condition 76 of the permit.

The revocation condition V.E.2 of the March 27, 2009 Title V permit was removed since the same requirement is in the General Conditions 71, 72, and 92 of the permit.

The operation condition V.E.3 of the March 27, 2009 Title V permit was removed since the requirements are in the General Conditions 71, 72, 74 and 92 of the permit.

The duty to submit information condition V.E.6 of the March 27, 2009 Title V permit was removed since the requirements are in the General Conditions 76, 77, and 78 of the permit.

The revocation condition 29 of the December 18, 2008 permit was not included since the same requirement is in the General Conditions 71, 72 and 92 of the permit.

The severability condition 30 of the December 18, 2008 permit was not included since the same requirement is in the General Condition 72 of the permit.

The right of entry condition 31 of the December 18, 2008 permit was not included since the same requirement is in the General Condition 82 of the permit.

The malfunction condition 33 of the December 18, 2008 permit was not included since the same requirement is in the General Conditions 67-70 of the permit.

The malfunction reporting condition 34 of the December 18, 2008 permit was not included since the same requirement is in the General Conditions 67-70 of the permit.

The source shutdown condition 36 of the December 18, 2008 permit was not included since the same requirement is in the General Conditions 67-70 and 80 of the permit.

The transfer of ownership condition 37 of the December 18, 2008 permit was not included since the same requirement is in the General Condition 86 of the permit.

The permit copy condition 38 of the December 18, 2008 permit was not included since the same requirement is in the General Condition 85 of the permit.

The permit approval general condition 39 of the December 18, 2008 permit was not included since the requirement is in General Conditions 71, 72, 74, and 92 of the permit.

The information requests general condition 40 of the December 18, 2008 permit was not included since the requirement is in General Conditions 76, 77 and 78 of the permit.

The Clean Air Interstate Rule (CAIR) requirements condition IX.A of the March 27, 2009 Title V permit was removed because the rule has been replaced with the Cross State Air Pollution Control Rule.

FACILITY-WIDE CONDITIONS

Conditions 50 and 51 of the Title V permit require the use of appropriate and approved test methods if testing is conducted. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

The applicable requirements from the December 18, 2008 PSD permit, conditions 17, 18, 25e, 28, 32, and 35, have been incorporated in the TV permit. The condition numbers referenced below refer to the TV permit.

Condition 45 requires the fuel to meet the described specifications. (Condition 17 of PSD permit and BACT)

Condition 46 requires the facility to meet the described toxic pollutant regulations (Condition 35 of PSD permit)

Condition 47 requires the minimization of emissions. (Condition 32 of PSD permit)

Conditions 48 and 49 require fuel certification records. (40 CFR 60, Subpart Db 60.49b, Conditions 18 and 25.e of PSD permit)

Condition 52 requires the permittee to report noncompliance. (Condition 28 of PSD permit)

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 580-110 that apply to all Federal-operating permitted 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.

Comments on General Conditions

56. 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 application(s) 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".

This general condition cites the Articles that follow:

Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80. Federal Operating Permits for

Stationary Sources

This general condition cites the sections that follow:

- 9 VAC 5-80-80. Application
- 9 VAC 5-80-140. Permit Shield
- 9 VAC 5-80-150. Action on Permit Applications

67. 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.

In order for emission units to be relieved from the requirement to make a written report in 14 days the emission units must have continuous monitors meeting the requirements of 9 VAC 5-50-410 or 9 VAC 5-40-41.

This general condition cites the sections that follow:

- 9 VAC 5-40-50. Notification, Records and Reporting
- 9 VAC 5-50-50. Notification, Records and Reporting

74. 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
- 9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas

88. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition 81 and General Condition 90. For further explanation see the comments on general condition 90.

This general condition cites the sections that follow:

- 9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction

9 VAC 5-80-110. Permit Content

95. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.151.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

This general condition contains citations from the Code of Federal Regulations as follows:
 40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.

40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.

40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

This general condition cites the regulatory sections that follow:

9 VAC 5-60-70. Designated Emissions Standards

9 VAC 5-80-110. Permit Content

STATE ONLY APPLICABLE REQUIREMENTS

No state only applicable requirements apply to this facility.

FUTURE APPLICABLE REQUIREMENTS

No future applicable requirements have been identified for this facility.

INAPPLICABLE REQUIREMENTS

Citation	Title of Citation	Description of Applicability
9 VAC 5-40-900 (Rule 4-8)	Particulate Matter Standard for Fuel Burning Equipment	This standard does not apply to stationary internal combustion engines, which include the combustion turbines and emergency generators. The auxiliary boilers are subject to NSPS Subpart Db, which has more stringent PM emissions limits.
9 VAC 5-40-930 (Rule 4-8)	Sulfur Dioxide Standard for Fuel Burning Equipment	This standard does not apply to stationary internal combustion engines, which include the combustion turbines and emergency generators. The auxiliary boilers are subject to NSPS Subpart Db, which has more stringent SO ₂ emissions limits.
40 CFR 60, Subpart Kb	Volatile Organic Liquid Storage Vessels Standards	This Subpart does not apply to the distillate oil storage tanks because the fuel has a maximum true vapor pressure of less than 3.5 kPa.

Citation	Title of Citation	Description of Applicability
40 CFR 60, Subpart IIII	Stationary Compression Ignition Internal Combustion Engines Standards	This Subpart does not apply to the emergency generators because they were constructed before July 11, 2005.
40 CFR 60, Subpart KKKK	Standards of Performance for Stationary Combustion Turbines	This Subpart does not apply to the combustion turbines since the construction of these units commenced before February 18, 2005.
40 CFR 63, Subpart YYYY	National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines	This Subpart does not apply to the combustion turbines since they are considered existing units and are exempt pursuant to 40 CFR 63.6090(b)(4)
40 CFR 63, Subpart JJJJJ	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, Institutional Boilers Area Sources	This Subpart does not apply to the boilers because they are gas-fired boilers (40 CFR 63 11195(e)) as defined by the Subpart
9 VAC 5-40-5220 (Rule 4-37)	VOC Standards for Petroleum Liquid Storage and Transfer Operations	This standard does not apply to the fuel oil storage tanks because it is not applicable to units storing petroleum liquids with a vapor pressure less than 1.5 pounds per square inch.

GREENHOUSE GAS (GHG) REQUIREMENTS

The permittee has identified the facility as being a major source of GHG emissions and applicable to the reporting provisions of 40 CFR Part 98, Mandatory Reporting of Greenhouse Gases. However, the requirements of Part 98 promulgated under the Clean Air Act section 114(a)(1) and 208 are not included as part of the definition of “applicable requirement” as defined by 40 CFR 71.2. Therefore, there are currently no applicable requirements for the facility specific to GHG.

COMPLIANCE PLAN

Not applicable.

INSIGNIFICANT EMISSION UNITS

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 580-110.

Insignificant emission units include the following:

Emission Unit No	Emission Unit Description	Citation (9 VAC_)	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
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Emission Unit No	Emission Unit Description	Citation (9 VAC_)	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
I1	Fuel Oil Tank No 1	5-80-720 B.2.	VOC	1,250,000 gallons
I2	Fuel Oil Tank No. 2	5-80-720 B 2	VOC	1,250,000 gallons
I3	Fuel Oil Tank No. 3	5-80-720 B.2	VOC	1,250,000 gallons
I4	Diesel Generator Fuel Oil Tank	5-80-720 B.2.	VOC	15,000 gallons
I5	Diesel Tank for Fire Pump	5-80-720 B 2	VOC	200 gallons
I6	Propane Bottles	5-80-720 B 2.	N/A	Six 100 lb bottles
I7	Natural Gas Piping	5-80-720 B 2	VOC	N/A
I8	Fuel Oil Piping Fugitives	5-80-720 B 2	VOC	N/A
I9	Paved Roads	5-80-720 B.1.	PM	N/A
I10	Oil/Water Separator	5-80-720 B.2.	VOC	< 500 gallons
I11	Used Oil Tank	5-80-720 C 3	VOC	< 264 gallons
I12	Fuel Loading/ Unloading Areas	5-80-720 B.2.	VOC	N/A

¹The citation criteria for insignificant activities are as follows:

- 9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application
- 9 VAC 5-80-720 B - Insignificant due to emission levels
- 9 VAC 5-80-720 C - Insignificant due to size or production rate

CROSS STATE AIR POLLUTION RULE (CSAPR)

On January 1, 2015, CSAPR took effect and replaced the Clean Air Interstate Rule. The applicable requirements of CSAPR have been incorporated in the TV permit(Conditions 100-109). The conditions that are in the TV permit are based on the template from EPA's May 13, 2015 Title V Permit Guidance and Template for Cross-State Air Pollution Rule Memorandum. The applicable requirements include the TR NO_x Annual Trading Program (40 CFR Part 97, Subpart AAAAA), the TR NO_x Ozone Season Trading Program (40 CFR Part 97, Subpart BBBB), and the TR SO₂ Group 1 Trading Program (40 CFR Part 97, Subpart CCCCC).

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

PUBLIC PARTICIPATION

The proposed permit was placed on public notice in the Hopewell News from

August 9, 2016 to September 8, 2016. The permit was concurrently reviewed by EPA. On September 12, 2016, a comment was received from EPA. The comment was addressed. No additional comments were received during the Public Comment period.