



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

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David K. Paylor  
Director

Maria R. Nold  
Regional Director

Doug Domenech  
Secretary of Natural Resources

September 1, 2011

Mr. Roderick Shippey  
General Manager  
Anheuser-Busch Companies, Incorporated  
Williamsburg Brewery  
7801 Pocahontas Trail  
Williamsburg, Virginia 23185

Location: Williamsburg (James City County)

**Registration No.: 60152**

AFS Id. No.: 51-095-00010

Dear Mr. Shippey:

Attached is a permit to operate your brewery pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution. This permit incorporates provisions from the permits dated May 9, 2011, May 10, 2006, and April 7, 1988.

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

In evaluating the application and arriving at a final decision to issue this permit, the Department deemed the application complete on May 9, 2011 and solicited written public comments by placing a newspaper advertisement in The Daily Press on Sunday, July 17, 2011. The thirty day comment period (provided for in 9 VAC 5-80-270) expired on Tuesday, August 16, 2011 with no comments having been received in this office.

This approval to operate does not relieve Anheuser-Busch Companies, Incorporated of the responsibility to comply with all other local, state, and federal permit regulations.

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

Mr. Roderick Shippey  
Anheuser-Busch Companies, Incorporated  
September 1, 2011  
Page 2

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

David K. Paylor, Director  
Department of Environmental Quality  
PO Box 1105  
Richmond, VA 23218-1105

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Rule 2A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please contact Cindy Keltner by phone at (757) 518-2167 or by e-mail at [Cindy.Keltner@deq.virginia.gov](mailto:Cindy.Keltner@deq.virginia.gov).

Sincerely,



Troy D. Breathwaite  
Regional Air Permit Manager

TDB/CLK/60152\_011\_11\_TVsigamen\_cover letter.docx

Attachment: Permit

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



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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### Federal Operating Permit Article 1

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

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

Permittee Name:	Anheuser-Busch, Inc.
Facility Name:	Williamsburg Brewery
Facility Location:	7801 Pocahontas Trail Williamsburg, Virginia 23185
<b>Registration Number:</b>	<b>60152</b>
Permit Number:	TRO-60152

This permit includes the following programs:

**Federally Enforceable Requirements - Clean Air Act (Sections I through IX)**

**State Only Enforceable Requirements (Section XI) (Optional)**

**December 28, 2010**

Effective Date

**September 1, 2011**

Modification Date

**December 27, 2015**

Expiration Date

Maria R. Nold, Regional Director

Signature Date

## Table of Contents

<b>I. FACILITY INFORMATION</b> .....	<b>4</b>
<b>II. EMISSION UNITS</b> .....	<b>6</b>
<b>III. FUEL BURNING EQUIPMENT REQUIREMENTS – (UNIT REFERENCE NOS. 1, 2, 3, 4, AND 5)</b> .....	<b>11</b>
A. LIMITATIONS.....	11
B. MONITORING AND RECORDKEEPING.....	13
C. TESTING.....	15
D. REPORTING.....	15
<b>IV. PROCESS EQUIPMENT REQUIREMENTS – (UNIT REF. NOS. 21-23, 25-29)</b> .....	<b>16</b>
A. LIMITATIONS.....	16
B. MONITORING AND RECORDKEEPING.....	17
C. TESTING.....	17
<b>V. PROCESS EQUIPMENT REQUIREMENTS – (UNIT REF. NOS. 68, 71-73, 81, AND 151)</b> 18	
A. LIMITATIONS.....	18
B. MONITORING AND RECORDKEEPING.....	18
C. TESTING.....	19
<b>VI. PROCESS EQUIPMENT REQUIREMENTS – (UNIT REF. NO. 240)</b> .....	<b>21</b>
A. LIMITATIONS.....	21
1. THE BIOGAS FROM THE BERS PROCESS SHALL BE BURNED BY THE FLARE DURING STARTUP, SHUTDOWN, AND MALFUNCTION OF THE BOILERS (#4 AND/OR #5) OR BERS. THE FLARE SHALL BE EQUIPPED WITH AUTOMATIC GAS FLOW AND COMBUSTION CONTROL.....	21
<b>VII. FACILITY WIDE CONDITIONS</b> .....	<b>22</b>
A. LIMITATIONS.....	22
B. MONITORING AND RECORDKEEPING.....	22
C. TESTING.....	22
D. REPORTING.....	23
<b>VIII. INSIGNIFICANT EMISSION UNITS</b> .....	<b>24</b>
<b>IX. PERMIT SHIELD &amp; INAPPLICABLE REQUIREMENTS</b> .....	<b>28</b>
<b>X. GENERAL CONDITIONS</b> .....	<b>29</b>
A. FEDERAL ENFORCEABILITY.....	29
B. PERMIT EXPIRATION.....	29
C. RECORDKEEPING AND REPORTING.....	30
D. ANNUAL COMPLIANCE CERTIFICATION.....	31
E. PERMIT DEVIATION REPORTING.....	31
F. FAILURE/MALFUNCTION REPORTING.....	32
G. SEVERABILITY.....	32
H. DUTY TO COMPLY.....	32
I. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE.....	32
J. PERMIT MODIFICATION.....	32

K. PROPERTY RIGHTS .....	32
L. DUTY TO SUBMIT INFORMATION .....	33
M. DUTY TO PAY PERMIT FEES .....	33
N. FUGITIVE DUST EMISSION STANDARDS.....	33
O. STARTUP, SHUTDOWN, AND MALFUNCTION.....	34
P. ALTERNATIVE OPERATING SCENARIOS .....	34
Q. INSPECTION AND ENTRY REQUIREMENTS.....	34
R. REOPENING FOR CAUSE .....	34
S. PERMIT AVAILABILITY .....	35
T. TRANSFER OF PERMITS.....	35
U. MALFUNCTION AS AN AFFIRMATIVE DEFENSE.....	35
V. PERMIT REVOCATION OR TERMINATION FOR CAUSE.....	36
W. DUTY TO SUPPLEMENT OR CORRECT APPLICATION.....	36
X. STRATOSPHERIC OZONE PROTECTION .....	37
Y. ASBESTOS REQUIREMENTS.....	37
Z. ACCIDENTAL RELEASE PREVENTION.....	37
AA. CHANGES TO PERMITS FOR EMISSIONS TRADING .....	37
BB. EMISSIONS TRADING .....	37
<b>XI. STATE-ONLY ENFORCEABLE REQUIREMENTS.....</b>	<b>38</b>

## I. Facility Information

### Permittee

Anheuser-Busch, Inc.  
One Busch Place  
St. Louis, Missouri 63118

### Responsible Official

Roderick Shippey  
General Manager

### Facility

Anheuser-Busch, Inc., Williamsburg Brewery  
7801 Pocahontas Trail  
Williamsburg, Virginia 23185

### Contact Person

Marisa M. Botta  
Environmental, Health & Safety Manager  
(757) 253-2135

**County-Plant Identification Number:** 51-095-00010

**Facility Description:** NAICS Code 312120 – Manufacturing of malt beverages and related byproducts including beer-condensed solids, dried grain, and distilled alcohol.

**Grain Unloading and Transfer Operations** - Grain is received by truck or railcar and transferred pneumatically to filter receivers, through hoppers to grain storage bins. On demand, grain is transferred to a second set of filter receivers and hoppers for cleaning, milling, and weighing. Filter receivers are also used to capture dust collected in baghouses during transfer operations.

**Alcohol Distillation Process** - The distillation process recovers alcohol from alcohol-containing brewery waste streams. Distilled alcohol product is recovered in the overhead stream from distillation columns. Distillation bottoms are sent to the evaporator system for further processing where beer-condensed solids are recovered.

**Defill Operations: Bottle and Can Crushing** - Off-specification bottles and cans are crushed and shredded to recover waste beer, aluminum, and glass. The defill process is fed by two waste streams: 1) process waste consisting of containers culled from the production process because of product quality requirements; and 2) case beer from offsite production, also with quality concerns. Process stream contains empty containers rejected prior to filling as well as those culled during filling and pasteurization which may be partially or completely filled. Cases for defill from offsite generally have bottles or cans full of beer.

**Diatomaceous Earth / Perlite Handling Operations** – Diatomaceous Earth (DE) / Perlite (PL) is received in bulk by railcar and transferred pneumatically to storage. DE/PL is then transferred for weighing and mixing with water to create a slurry for use as filter media in finishing operations.

**Fermentation and Aging Processes** - Strained and cooled beer wort is mixed with cultured yeast and allowed to ferment for several days, converting the wort to beer. The beer is then aged for several weeks in the presence of wood chips. The wood chips provide surface area to facilitate the aging process. Yeast is recovered and reused several times. Spent yeast is sent to distillation for alcohol recovery. The fermentation process generates CO<sub>2</sub> and ethanol; the CO<sub>2</sub> is recovered, purified and reused in downstream processes. The aged beer is then transferred to the finishing processes.

**Finishing Process** - The finishing process prepares aged beer for packaging. Finishing steps include removal of solid impurities by centrifuge, cooling and addition of silica gel to bind with unwanted proteins (chill proofing); settling and removal of formed solids (Schoene sludge); addition of water and CO<sub>2</sub> to meet product specifications; and filtering of the aged beer stream using diatomaceous earth (D.E.) as the filter media to remove any remaining undesirable constituents. Finished beer is then stored in the Filter Cellar Tanks for transfer to packaging. All tanks are maintained under CO<sub>2</sub> pressure to limit contact with air and to maintain desired carbonation.

**Packaging Operations** - Finished beer is packaged in cans, bottles, and kegs for distribution in commerce. Empty bottles are filled and capped by bottle fillers and then pasteurized using heated water. Coded bottle labels are then glued to each bottle. Bottles are then packed in cartons and cases. Similarly, cans are filled, closed with a lid, coded by printing a unique number on each can, and pasteurized prior to packing in cartons. Clean kegs from keg washing are filled with beer and coded with a printed label prior to storage under refrigeration; no pasteurization is performed on keg beer. Waste beer from filling operations is collected in the waste beer sump for transfer to alcohol distillation. Bottles and cans rejected because of quality requirements are sent to the defill operation. Returnable bottles and kegs are washed prior to sending to the filling lines.

**II. Emission Units**

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Fuel Burning Equipment</b>							
01	01	Natural gas/#6 oil-fired boiler, Babcock & Wilcox Type FM Burner No. CDC-28T	100 mmBTU/hr	-	-	-	5/9/11 PSD permit
02	02	Natural gas/#6 oil-fired boiler, Babcock & Wilcox Type FM Burner No. CDC-28T	100 mmBTU/hr	-	-	-	5/9/11 PSD permit
03	03	Natural gas/#6 oil-fired boiler, Babcock & Wilcox Type FM Burner No. CDC-28T	100 mmBTU/hr	-	-	-	5/9/11 PSD permit
04	04	Natural gas/#6 oil-fired boiler, Babcock & Wilcox Type FM Burner No. CDC-28T	98 mmBTU/hr	-	-	-	5/9/11 PSD Permit and 12/15/77 SAPCB letter
05	05	Natural gas/#6 oil-fired boiler, Babcock & Wilcox Type FM Burner No. CDC-28T	98 mmBTU/hr	-	-	-	5/9/11 PSD permit
<b>Grain Unloading and Handling System</b>							
21	21	A-Side Grain Unloading System consisting of pneumatic conveyor, filter receiver, hopper, and storage silos	35.0 tons of grain per hour	Baghouse, Mikro Pulaire 25-6-220	21	PM <sub>10</sub>	5/9/11 PSD Permit

22	22	Grain Transfer System for A-Side Milling and Weighing Operations consisting of pneumatic conveyor, filter receiver, hoppers, grain mills, and day storage bins	12.0 tons of grain per hour	Baghouse, Mikro Pulsaire 16-6-220	22	PM <sub>10</sub>	5/9/11 PSD Permit
23	23	Dust Collection Bin for A-Side Grain Handling and Milling and Weighing Operations consisting of pneumatic conveyor, filter receiver	0.05 tons of grain per hour	Baghouse, Mikro Pulsaire 80S-8-20	23	PM <sub>10</sub>	5/9/11 PSD Permit
25	25	B-Side Grain Unloading System consisting of pneumatic conveyor, filter receiver, hopper, and storage silos	60.0 tons of grain per hour	Baghouse, Buhler Miag ASFA 44/8, Type B-255	25	PM <sub>10</sub>	5/9/11 PSD Permit
26	26	Grain Transfer System A for B-Side Milling and Weighing Operations consisting of pneumatic conveyor, filter receiver, hoppers, grain mills, and day storage bins	10.0 tons of grain per hour	Baghouse, Buhler Miag ASFA 18/4, Type B-225	26	PM <sub>10</sub>	5/9/11 PSD Permit
27	27	Grain Transfer System B for B-Side Milling and Weighing Operations consisting of pneumatic conveyor, filter receiver, hoppers, and grain mills	10.0 tons of grain per hour	Baghouse, Buhler Miag ASFA 18/4, Type B-225	27	PM <sub>10</sub>	5/9/11 PSD Permit

28	28	Dust Collection Bin for B-Side Grain Handling Operations consisting of pneumatic conveyor and filter receiver	0.02 tons of grain per hour	Baghouse, Buhler Miag ASFA 44/8, Type B-255	28	PM <sub>10</sub>	5/9/11 PSD Permit
29	29	Dust Collection Bin for B-Side Milling and Weighing Operations consisting of pneumatic conveyor and filter receiver	0.05 tons of grain per hour	Baghouse, Buhler Miag PRF 100/8	29	PM <sub>10</sub>	5/9/11 PSD Permit
<b>Defill Operations: Bottle and Can Crushing</b>							
68	68	Bottle and Can Crushing for Process Operations consisting of can/bottle shredders/crushers	3,200 barrels of waste beer per hour				
<b>Diatomaceous Earth/Perlite Handling</b>							
71	71	Railcar Unloading to Diatomaceous Earth/Perlite Silo No. 1 consisting of pneumatic conveyor and storage bin	10.0 tons of Diatomaceous Earth/Perlite per hour	Baghouse, DCE Model DLMV 14/7F3	71	PM <sub>10</sub>	4/7/88 permit
72	72	Railcar Unloading to Diatomaceous Earth/Perlite Silo No. 2 consisting of pneumatic conveyor and storage bin	10.0 tons of Diatomaceous Earth/Perlite per hour	Baghouse, DCE Model DLMV 14/7F3	72	PM <sub>10</sub>	4/7/88 permit

73	73	Diatomaceous Earth/Perlite Transfer for Weighing and Slurry-making Process consisting of pneumatic transfer, filter receiver, weighing hopper, feeder, slurry tank, and mixer	5.0 tons of Diatomaceous Earth/Perlite per hour	Baghouse, DCE Model DLMV 15/15F3	73	PM <sub>10</sub>	4/7/88 permit
<b>Fermentation and Aging Process</b>							
81	81	Ammonia Refrigeration System	1,229.0 tons of refrigeration capacity	-	-	-	-
111B	111B	Yeast Production and Processing consisting of various yeast brinks	3,200 barrels of fermentation yeast	-	-	-	-
111C	111C	Alpha Fermentation Process consisting of various Alpha fermentation tanks	3.2 million barrels of aged beer	-	-	-	-
114A	114	Aging Process consisting of various chip aging tanks	3,200 barrels of aged beer	-	-	-	-
115	115	Wood Chip Washers	11 million barrels per year	-	-	-	-
<b>Finishing Process</b>							
131C	131C	Finishing Process consisting of Schoene processing and storage tanks	3,200 barrels of finished beer	-	-	-	-
131D	131D	Finishing Process consisting of filter cellar storage tanks	3,200 barrels of finished beer	-	-	-	-

Packaging Process							
141A	141A/B	Beer Packaging consisting of bottle filling lines	1,500 barrels of packaged bottle beer	-	-	-	
141B	141A/B	Beer Packaging consisting of can filling lines	3,100 barrels of packaged can beer	-	-	-	
151	-	Freon Refrigeration System consisting of various refrigeration units	1,222.0 tons of refrigeration capacity	-	-	-	
BERS System Flare							
240	240	Bio-Energy Recovery System (BERS) (includes flare and off gas filter system)	800 SCFM/hr	-	-	H <sub>2</sub> S	5/9/11 PSD Permit

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

### III. Fuel Burning Equipment Requirements – (Unit Reference Nos. 1, 2, 3, 4, and 5)

#### A. Limitations

1. The approved fuels for the three (3) boilers (Unit Ref. Nos. 1, 2, and 3) are natural gas and No. 6 fuel oil. Number 6 fuel oil is defined as fuel oil that meets the specifications for fuel oil number 6 under the American Society for Testing and Materials, ASTM D396-78 “Standard Specification for Fuel Oils.” The sulfur content of No. 6 oil fired in Unit 5 shall not exceed 1.0% by weight. The sulfur content of No. 6 fuel oil fired in Units 1, 2, and 3 shall not exceed 2.4% by weight. A change in the fuels may require a permit to modify and operate.  
(9 VAC 5-80-110)
2. The approved fuels for the two (2) boilers (Ref. No. 4 and 5) are natural gas, biogas, and No. 6 fuel oil. A change in the fuel may require a permit to modify and operate.  
(9 VAC 5-80-110, Condition 6 and 21 of the May 9, 2011 PSD permit)
3. The No. 6 Fuel oil and biogas shall meet the specifications below:  
Maximum sulfur content per shipment: 1.0 %  
BIOGAS shall meet the following specification:  
Maximum H<sub>2</sub>S by volume: 4,500 ppmv  
(9 VAC 5-80-110, Condition 7 and 22 of the May 9, 2011 PSD permit)
4. Anheuser-Busch, Inc. shall limit the operation of the boilers (Unit Ref. Nos. 1, 2, 3, 4, and 5) to no more than the BTU equivalent of four (4) units at any one time (398 MMBTU/hour) by a computer-controlled boiler operational system. The boilers shall be operated in accordance with the Anheuser-Busch, Inc. boiler operational plan dated October 28, 1991, and amended November 30, 1999, and September 9, 2003. Each boiler shall be equipped with a stay-warm system to allow the fifth boiler to be maintained on warm standby without it firing any fuel. During operation, emissions, as well as fuel firing and subsequent steam production shall not exceed the allowable emissions from four units combined. To ensure that there will not be any increase in emissions from the boilers above that allowed by this permit, the brewery shall comply with the following boiler operational plan:
  - a. Measure total fuel flow to all boilers currently firing on an hourly basis.
  - b. Totalize the hourly fuel flow rates by fuel (total natural gas in standard cubic feet and total residual fuel oil in gallons).
  - c. Apply the average BTU content of each fuel to the fuel totals to determine the current total BTU rate being fired. An average BTU content of 150,000 BTUs per gallon shall be used for No. 6 fuel oil (AP-42, Appendix A). An average BTU content of 1,050 BTUs per standard cubic foot shall be used for natural gas (AP-42, Appendix A).

- d. Compare the total BTU rate currently being fired for all boilers on an hourly basis to the permitted allowable rate of 398 MMBTU/hour. The computer-controlled system will alarm any time the total boiler firing rate exceeds the 398 MMBTU/hour limit.
- e. The boiler firing rates will automatically be limited to the permit allowable. The brewery will fire no more than four boilers with the fifth boiler in warm standby while the computer-controlled system is not in operation.

(9 VAC 5-80-110 and Condition 4 of 5/9/11 PSD permit, and the Anheuser-Busch, Inc. boiler operational plan dated 10/28/91 and amended on 11/30/99)

- 5. Emissions from the operation of Unit Reference Nos. 1, 2, and 3 each shall not exceed the limits specified below:

PM-10	0.330 lbs/mmBTU
Sulfur Dioxide	264.0 lbs/hr

(9 VAC 5-80-110, 9 VAC 5-40-22, 9 VAC 5-40-900, and 9 VAC 5-40-930)

- 6. Emissions from the operation of Unit Reference No. 4 shall not exceed the limits specified below:

PM-10	0.332 lbs/mmBTU
Sulfur Dioxide	258.7 lbs/hr

(9 VAC 5-80-110, 9 VAC 5-40-900, and 9 VAC 5-40-930)

- 7. Emissions from the operation of Unit Reference No. 5 shall not exceed the limits specified below:

PM-10	15.5 lbs/hr
Sulfur Dioxide	105.6 lbs/hr

(9 VAC 5-80-110, 9 VAC 5-40-900, 9 VAC 5-40-930 and Condition 10 of 5/9/11 PSD permit)

- 8. Visible Emissions from the stacks of Unit Reference Nos. 1, 2, and 3 shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity. Visible Emissions from the stacks of Unit Reference Nos. 4 and 5 shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity.  
(9 VAC 5-40-80, 9 VAC 5-50-80 and 9 VAC 5-80-110)

- 9. Boiler emissions shall be controlled by proper operation and maintenance. Boiler operators shall be trained in the proper operation of all such equipment. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum.

(9 VAC 5-80-110)

10. The boilers shall be operated in accordance with the Anheuser-Busch, Inc., maintenance and operations procedures for burning No. 6 fuel oil in the boilers dated May 9, 1980, and revised on October 31, 1996, and September 9, 2003. All procedures shall be documented in an operations log and maintained on-site for the most recent two-year period. The permittee shall comply with the following maintenance and operations procedures when the boilers are fired on residual fuel oil during normal operation:

- a. The oil burner gun shall be changed daily. After removal from the boiler, each oil burner gun shall be disassembled and thoroughly cleaned prior to reuse.
- b. Using an automatic oxygen trim control, the boilers shall be operated at or just above the lowest oxygen (O<sub>2</sub>) concentration in the flue gas that will minimize the formation of non-combustibles in the boilers. A specific O<sub>2</sub> concentration is not stated because the O<sub>2</sub> concentration needed in the flue gases to meet this above-stated condition varies with the load on the boiler and with the individual boiler.
- c. Steam blowing of the flue gas passages inside the boiler (soot blowing) shall be conducted three (3) times per day at approximately eight (8) hour intervals.
- d. The permittee shall use temperature control to maintain the proper viscosity of the No. 6 fuel oil for firing.

(9 VAC 5-80-110, Condition 5, 5/9/11 PSD permit, and Anheuser-Busch, Inc., Maintenance and Operations Procedures for burning No. 6 fuel oil in the boilers dated May 9, 1980, and revised on October 31, 1996, and September 9, 2003)

11. Except where this permit is more restrictive than the applicable requirement, the boilers (Ref. Nos. 04 and 05) shall be operated in compliance with the requirements of 40 CFR 63, Subpart JJJJJJ when it becomes final and as amended.

(9 VAC 5-80-110, Condition 9 and 23 of 5/9/11 PSD Permit)

12. Visible Emissions from the boiler (Ref. Nos. 04 and 05) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-110, Condition 11 and 25 of 5/9/11 PSD Permit)

## **B. Monitoring and Recordkeeping**

1. The permittee shall monitor H<sub>2</sub>S concentration from the biogas feed to the boilers #4, #5 and the flare once during each calendar month. Fuel monitoring shall be conducted using a Dräger tuber. The results of the fuel monitoring shall be kept in a log and shall include date of sample and name of individual collecting the sample.

(9 VAC 5-80-110, Conditions 3 and 20 of 5/9/11 PSD Permit)

2. The permittee shall obtain a certification from the fuel supplier with each shipment of No. 6 fuel oil. Each fuel supplier certification shall include the following:

- a. The name of the fuel supplier,
- b. The date on which the No. 6 fuel oil was received,
- c. The volume of No. 6 fuel oil delivered in the shipment,
- d. A statement that the oil complies with the American Society for Testing and Materials specifications for fuel oil Number 6, and
- e. The sulfur content of the oil.

(9 VAC 5-80-110 and Condition 8 of 5/9/11 PSD Permit)

3. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

- a. All fuel supplier certifications.
- b. Biogas monitoring device sampling log.
- c. Records of visible emissions evaluations as specified in Specific Condition III.C.3.
- d. Monitoring device observation log.
- e. Operational records for any computer-controlled boiler operational system alarms indicating exceedences of the permitted combined hourly heat input rate as specified in Specific Condition III.A.4. Each recorded alarm would indicate hourly combined fuel flow rates, combined hourly BTU heat input rates, and the dates/times of the alarm.
- f. Operational and maintenance log records for the boilers as specified in Specific Conditions III.A.4, and III.A.10.

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

(9 VAC 5-50-50, 9 VAC 5-80-110, and Condition 13 and 29 of the 5/9/11 PSD permit)

4. The permittee shall maintain records of the required training including statement of time, place and nature training provided. The permittee shall have available good written operating procedures and a maintenance schedule for the boilers. These procedures shall be based on good engineering judgment. All records required by this condition shall be kept on site and made available for inspection by the DEQ.

(9 VAC 5-80-110)

### C. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.  
(9 VAC 5-40-30, 9 VAC 5-50-30, and 9 VAC 5-80-110)
2. 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 5-80-490 E)
3. The permittee shall perform monthly checks for any visible emissions during operation of Unit Reference Nos. 1, 2, 3, 4, 5. The presence or absence of any visible emissions shall be noted in an operations log to be maintained on-site. If visible emissions are observed, the permittee shall observe the plume for a minimum of 18 minutes (3 six-minute intervals) for opacity. If the observed opacity is greater than 50% of the applicable standard in Condition III.A.8, the permittee shall perform a complete Method 9 evaluation (Reference 40 CFR 60, Appendix A) and note the results in the operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:
  - a. The cause of the abnormal emissions,
  - b. The duration of any visible emissions incident, and
  - c. Any corrective actions taken to eliminate visible emissions.(9 VAC 5-80-110, Condition 12, 25, and 28 of 5/9/11 PSD permit, and the Anheuser-Busch, Inc., Visible Emissions Compliance Plan dated August 31, 2000)

### D. Reporting

1. The permittee shall submit fuel quality reports to the Department of Environmental Quality, semi-annually. If no shipments of No. 6 fuel oil were received, the semi-annual report shall consist of a statement that no oil was received during the semi-annual period. If No. 6 fuel oil was received during the semi-annual period, the reports shall include:
  - a. The dates included in the semi-annual period;
  - b. A copy of all fuel supplier certifications for all shipments of No. 6 fuel oil received semi-annually or a semi-annual summary from each fuel supplier that includes the information specified in Condition III.B.2 for each shipment of residual oil; and,
  - c. A signed statement from the owner or operator of the facility that the fuel supplier certifications or summaries of fuel supplier certifications represent all of the distillate oil burned or received at the facility.(9 VAC 5-50-50 and 9 VAC 5-80-110)

#### IV. Process Equipment Requirements – (Unit Ref. Nos. 21-23, 25-29)

##### A. Limitations

1. Particulate emissions from Unit Ref. Nos. 21-23, and 25-29 shall be controlled by baghouses. The baghouses shall be provided with adequate access for inspection.  
(9 VAC 5-80-110 and Condition 15, 5/9/11 PSD permit)

2. Visible emissions from Unit Ref. Nos. 21-23, and 25-29 shall not exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30% opacity.  
(9 VAC 5-50-80, 9 VAC 5-80-110, and Condition 26 of 5/9/11 PSD permit)

3. Emissions from the operation of Unit Ref. No. 21 shall not exceed the limits specified below:

PM-10 44.7 lbs/hr

(9 VAC 5-80-110 and 9 VAC 5-40-260 C)

4. Emissions from the operation of Unit Ref. No. 22 shall not exceed the limits specified below:

PM-10 21.7 lbs/hr

(9 VAC 5-80-110 and 9 VAC 5-40-260 C)

5. Emissions from the operation of Unit Ref. No. 25 shall not exceed the limits specified below:

PM-10 63.7 lbs/hr

(9 VAC 5-80-110 and 9 VAC 5-40-260 C)

6. Emissions from the operation of Unit Ref. Nos. 26 and 27 each shall not exceed the limits specified below each:

PM-10 19.2 lbs/hr

(9 VAC 5-80-110 and 9 VAC 5-40-260 C)

**B. Monitoring and Recordkeeping**

1. Each baghouse shall be equipped with a device to continuously measure the differential pressure drop across the baghouse. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times. The pressure drop device shall be inspected monthly to ensure that the baghouse is in proper condition. Baghouse bags shall be replaced as necessary to maintain proper operation. All inspection records shall be maintained on-site for the most recent two-year period.

(9 VAC 5-80-110 and Condition 19 of 5/9/11 PSD permit)

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

- a. Records of visible emissions evaluations as specified in Specific Condition IV.C.3.

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

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

**C. Testing**

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9 VAC 5-50-30 and 9 VAC 5-80-110)

2. 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)

3. The permittee shall perform monthly checks for any visible particulate emissions during operation of Unit Reference Nos. 21-23, 25-29. The presence or absence of any visible emissions shall be noted in an operations log to be maintained on-site. If visible emissions are observed, the permittee shall also note the following in the operations log:

- a. The cause of the abnormal emissions,

- b. The duration of any visible emissions incident, and

- c. Any corrective actions taken to eliminate visible emissions.

(9 VAC 5-80-110 and Condition 27 of 5/9/11 PSD permit, and the Anheuser-Busch, Inc., Visible Emissions Compliance Plan dated August 31, 2000)

## V. Process Equipment Requirements – (Unit Ref. Nos. 68, 71-73, 81, and 151)

### A. Limitations

1. Particulate emissions from Unit Ref. Nos. 71-73 shall be controlled by baghouses. The baghouses shall be provided with adequate access for inspection.  
(9 VAC 5-80-110)
2. The yearly throughput of bulk diatomaceous earth/perlite (Unit Ref. Nos. 71-73 combined) shall not exceed 7,200 tons per year calculated monthly as the sum of each consecutive 12-month period.  
(9 VAC 5-80-110 and Condition 4, 4/7/88 permit)
3. Visible emissions from Unit Ref. Nos. 71-73 shall not exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30% opacity.  
(9 VAC 5-50-80 and 9 VAC 5-80-110)
4. Emissions from the operation of Unit Ref. Nos. 71 and 72 each shall not exceed the limits specified below each:

PM-10

19.2 lbs/hr

(9 VAC 5-80-110 and 9 VAC 5-40-260 C)

5. Emissions from the operation of Unit Ref. No. 73 shall not exceed the limits specified below:

PM-10

12.1 lbs/hr

(9 VAC 5-80-110 and 9 VAC 5-40-260 C)

### B. Monitoring and Recordkeeping

1. Each baghouse shall be equipped with a device to continuously measure the differential pressure drop across the baghouse. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times. The device shall be inspected monthly to ensure that the baghouse is in proper condition. Baghouse bags shall be replaced as necessary. All inspection records shall be maintained on-site for the most recent two-year period.  
(9 VAC 5-80-110)
2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
  - a. Annual throughput of diatomaceous earth/perlite, calculated monthly as the sum of each consecutive twelve (12) month period.

b. Records of visible emissions evaluations as specified in Specific Condition V.C.3.

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

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

3. The permittee shall provide adequate training and certification for all air pollution control equipment operators and shall maintain records of such training on-site and available for inspection by the Department. Certification of training shall include, at a minimum, a statement of time, place, and nature of training provided.

(9 VAC 5-80-110 and General Condition 5, 4/7/88 permit)

4. The permittee shall develop, maintain, and have available to all operators good written operating procedures for all air pollution control equipment. A maintenance schedule for all such equipment shall be established and made available for review by the Department. Records of service and maintenance of all air pollution control equipment shall be maintained on-site for the most recent five (5) year period.

(9 VAC 5-80-110 and General Condition 6, 4/7/88 permit)

5. The permittee shall develop and maintain on-site a risk management plan for ammonia handling for Unit Ref. No. 81 in accordance with 40 CFR Part 68. The risk management plan shall be made available for inspection by the Department.

(9 VAC 5-80-110 and 40 CFR Part 68)

6. The permittee shall maintain and repair refrigeration equipment associated with Unit Ref. No. 151 in accordance with required practices for managing and recovering Class I and Class II refrigerants as specified in 40 CFR Parts 82.154, 82.156, 82.161, and 82.166. Any maintenance or repair of refrigeration equipment shall be performed by certified technicians.

(9 VAC 5-80-110 and 40 CFR 82.154, 82.156, 82.161, and 82.166)

**C. Testing**

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9 VAC 5-50-30 and 9 VAC 5-80-110)

2. 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)

3. The permittee shall perform monthly checks for any visible particulate emissions during operation of Unit Reference Nos. 71, 72, and 73. The presence or absence of any visible emissions shall be noted in an operations log to be maintained on-site. If visible emissions are observed, the permittee shall also note the following in the operations log:

- a. The cause of the abnormal emissions,

- b. The duration of any visible emissions incident, and
- c. Any corrective actions taken to eliminate visible emissions.  
(9 VAC 5-80-110 and Condition 10, 4/7/88 permit)

## VI. Process Equipment Requirements – (Unit Ref. No. 240)

### A. Limitations

1. The biogas from the BERS process shall be burned by the flare during startup, shutdown, and malfunction of the boilers (#4 and/or #5) or BERS. The flare shall be equipped with automatic gas flow and combustion control.

(9 VAC 5-80-110 and Condition 16 of the 5/9/11 PSD permit)

2. The off-gas from the ventilation of headspace of the equalization tank, reactors and other BERS process vessels shall be collected and routed to an off-gas filter.

(9 VAC 5-80-110 and Condition 17 of the 5/9/11 PSD permit)

3. Emissions from the operation of the flare shall not exceed the limits specified below:

Sulfur Dioxide	35.7 lbs/hr	15.7 tons/yr
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Nitrogen Oxides (as NO <sub>2</sub> )	2.5 lbs/hr	1.1 tons/yr
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Carbon Monoxide	13.3 lbs/hr	5.8 tons/yr
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Volatile Organic Compounds	5.0 lbs/hr	2.2 tons/yr
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(9 VAC 5-80-110, and Condition 24 of 5/9/11 PSD Permit)

## VII. Facility Wide Conditions

### A. Limitations

1. The permittee shall comply with the source registration requirements of 9 VAC 5-20-160 (A).  
(9 VAC 5-20-160 A)
2. Unless otherwise specified elsewhere in this permit, the permittee shall not permit to be discharged into the atmosphere visible emissions in excess of 20% opacity except for one six minute period per hour in which visible emissions shall not exceed 30% opacity.  
(9 VAC 5-50-80)
3. The permittee shall use reasonable precautions to prevent particulate matter and fugitive dust from becoming airborne as specified in 9 VAC 5-40-80 and 9 VAC 5-50-80.  
(9 VAC 5-80-110, 9 VAC 5-40-90, and 9 VAC 5-50-90)
4. The permittee shall file an annual emissions statement with the Department of Environmental Quality. The deadline for submitting the annual emissions statements shall be established by the Director, Tidewater Regional Office.  
(9 VAC 5-20-160 B)

### B. Monitoring and Recordkeeping

1. The permittee shall comply with the monitoring and recordkeeping provisions of 9 VAC 5-40-50 and 9 VAC 5-50-50 in order to demonstrate compliance with each of the limitations specified in this permit.  
(9 VAC 5-40-50 and 9 VAC 5-50-50)

### C. Testing

1. Unless otherwise specified elsewhere in this permit, the permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.  
(9 VAC 5-40-30, 9 VAC 5-50-30 and 9 VAC 5-80-110)
2. 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)

**D. Reporting**

1. If, for any reason, the permittee fails to comply with the emission limitations or other conditions specified in this permit, the permittee shall notify the Director, Tidewater Regional Office, in writing as soon as possible but no later than five (5) days after such conditions become known by the permittee.

(9 VAC 5-80-110 and General Condition 10, 4/7/88 permit)

**VIII. 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)
11	No. 6 Fuel Oil Storage Tank	9 VAC 5-80-720 B	VOC	84,000 gallons
12	No. 6 Fuel Oil Storage Tank	9 VAC 5-80-720 B	VOC	84,000 gallons
13	No. 6 Fuel Oil Storage Tank	9 VAC 5-80-720 B	VOC	400,000 gallons
14	No. 6 Fuel Oil Storage Tank	9 VAC 5-80-720 B	VOC	1,000,000 gallons
24	Vacuum system No. 1 for Received Grain Building	9 VAC 5-80-720 B	PM-10	100 lbs/hr of grain dust
30	Vacuum system No. 2 for Received Grain Building	9 VAC 5-80-720 B	PM-10	100 lbs/hr of grain dust
56	Vacuum system for Dried Grains Building	9 VAC 5-80-720 B	PM-10	100 lbs/hr of grain dust
62	Distillation Feed Tank for Waste Beer and Spent Yeast Streams	9 VAC 5-80-720 B	VOC	25,000 gallons
63A	Distillation Day Tank for Recovered Alcohol	9 VAC 5-80-720 B	VOC	2,000 gallons
63B	Distillation Day Tank for Recovered Alcohol	9 VAC 5-80-720 B	VOC	2,000 gallons
64	Bonded Alcohol Distillation Tank	9 VAC 5-80-720 B	VOC	25,000 gallons
65	Distilled Alcohol Loadout	9 VAC 5-80-720 B	VOC	3,663 tons/year
66	Evaporator Feed Tank for Distillation Bottoms and Brewhouse waste streams	9 VAC 5-80-720 B	VOC	30,000 gallons
67	6-Effect Evaporator to Remove Water in Production of Beer-Condensed Solids	9 VAC 5-80-720 B	VOC	201 million gallons/year
83A	Lubricating Oil	9 VAC 5-80-	VOC	Less than 1,000 gallons

	Storage Containers	720 A		each
83B	Safety Kleen Parts Washing Units	9 VAC 5-80-720 B	VOC	30 gallon units
86	Waste Beer Collecting Sump	9 VAC 5-80-720 B	VOC	10,000 gallons
87	Waste Beer Storage Tank	9 VAC 5-80-720 B	VOC	25,000 gallons
88	Waste Water Influent Wells/Screens	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
91	Rice Cookers for Brewing Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
92	Mash Cookers for Brewing Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
93	Wort Straining for Brewing Process	9 VAC 5-80-720 B	VOC, Acetaldehyde	11 million barrels/year beer production
94	Spent Grain Handling Tanks for Brewing Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
95	Brew Holding Tanks for Brewing Process	9 VAC 5-80-720 B	VOC, Acetaldehyde	11 million barrels/year beer production
96	Brewkettles for Brewing Process	9 VAC 5-80-720 B	VOC, PM-10, Acetaldehyde	11 million barrels/year beer production
97	Hops Strainers for Brewing Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
98A	Wort Receivers for Brewing Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
98B	Trub Receiver for Brewing Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
99	Wort Aerators and Coolers for Brewing Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
100	Cold Wort Settling Tanks for Brewing Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
111A	Culture Fermenters for Yeast Production	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
111D	Alpha Tank Drop Receivers for Primary Aging	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
112	Activated Carbon Regeneration Systems for Purifying CO <sub>2</sub>	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
113	Wood Chip Cookers for Aging Process	9 VAC 5-80-720 B	None	11 million barrels/year beer production
114B	Krausen Holding Tanks for Secondary Aging	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production

116	Storage of Spent Wood Chips from Aging Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
117	Waste Alpha Yeast Storage Tanks for Aging Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
118	Waste Chip Yeast Storage Tank for Aging Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
119	Waste Chip Yeast Storage Tanks for Aging Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
120	Schoene Sludge Storage Tank for Finishing Process	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
131A	Schoene Decant Tanks for Finishing	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
131B	Schoene Receivers for Finishing	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
132	Diatomaceous Earth (DE)/Perlite (PL) Filtering System for Finishing Operations	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
133	Spent DE/PL Slurry Tank	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
134	Spent DE/PL Storage Dumpster	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
135	Alternate Chill Proofing System for Beer Finishing	9 VAC 5-80-720 B	PM-10	10,000 tons/year silica
141C	Keg Filling in Packaging Operations	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
142A/B	Can and Bottle Pasteurizers for Packaging Operation	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
143	Packaging Line Lubrication	9 VAC 5-80-720 B	VOC	900,000 lbs/year lubricant
144	Product Marking Using Ink Coders	9 VAC 5-80-720 B	VOC	9,000 lbs/year ink solvent
145	Use of Adhesives in	9 VAC 5-80-	VOC	1 million lbs/year of

	Bottle and Keg Label Application	720 B		<0.2 weight % VOC adhesive
146	Use of Hot-melt Glues in Carton Assembly	9 VAC 5-80-720 B	VOC	600,000 lbs/year glue
147	Washing of Returnable Bottles	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
148	Washing Returnable Beer Kegs	9 VAC 5-80-720 B	VOC	11 million barrels/year beer production
149	Emergency Diesel Engine Water Pump	9 VAC 5-80-720 C	VOC, NO <sub>x</sub> , PM-10, SO <sub>2</sub> , CO	380 horsepower
150A	Bulk Gypsum Silo	9 VAC 5-80-720 C	PM-10	20 tons/hour
150B	Bulk Gypsum Scale Hoppers	9 VAC 5-80-720 B	PM-10	1.1 tons/hour
160	Residuals Dust Collector System	9 VAC 5-80-720 B	PM-10	876 tons/year dust
170	Cooling Towers	9 VAC 5-80-720 B	PM-10	31.4 million gallons
180	Auto Lid sleeves	9 VAC 5-80-720 B	PM-10	11 million barrels/year beer production
190	Laser Coders	9 VAC 5-80-720 B	PM-10	11 million barrels/year beer production
200	Emergency Generator	9 VAC 5-80-720 B	VOC, NO <sub>x</sub> , PM-10, SO <sub>2</sub> , CO	200 kW
210	Bulk Glass Strap Remover/Shredder	9 VAC 5-80-720 B	PM-10	10 tons
220	Box Making	9 VAC 5-80-720 B	PM-10	20 tons
230	Silica Gel Unloading	9 VAC 5-80-720 B	PM-10	10 tons

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.

**IX. Permit Shield & Inapplicable Requirements**

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

Citation	Title of Citation	Description of Non-Applicability
none	none	None

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)

## **X. General Conditions**

### **A. Federal Enforceability**

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.  
(9 VAC 5-80-490 N)

### **B. Permit Expiration**

1. This permit has a fixed term of five years. The expiration date shall be the date five years from the effective date of the permit. Unless the owner submits a timely and complete renewal application to DEQ consistent with 9 VAC 5-80-430, the right of the facility to operate shall terminate upon permit expiration.
  - a. 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.
  - b. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 3, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-510.
  - c. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-430 for a renewal permit, except in compliance with a permit issued under Article 3, Part II of 9 VAC 5 Chapter 80.
  - d. If an applicant submits a timely and complete application under section 9 VAC 5-80-430 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-500, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
  - e. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-430 shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-430 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.  
(9 VAC 5-80-430 B, C and F, 9 VAC 5-80-490 D and 9 VAC 5-80-530 B)

### C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.  
(9 VAC 5-80-490 F)
2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
(9 VAC 5-80-490 F)
3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-430 G and shall include:
  - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 inclusive and July 1 to December 31 inclusive.
  - b. All deviations from permit requirements. For purposes of this permit, a deviation includes, 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." The time period included in the report.

(9 VAC 5-80-490 F )

#### **D. Annual Compliance Certification**

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-430 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. A description of the means for assessing or monitoring the compliance of the source with its emissions limitations, standards, and work practices.
3. The identification of each term or condition of the permit that is the basis of the certification.
4. Consistent with subsection 9 VAC 5-80-490 E, the method or methods used for determining the compliance status of the source at the time of certification and over the certification period.
5. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
6. The status of compliance with the terms and conditions of this permit for the certification period.
7. Such other facts as the permit may require to determine the compliance status of the source.
8. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3\_APD\_Permits@epa.gov

(9 VAC 5-80-490 K.5)

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

The permittee shall notify the Director, Tidewater Regional Office within four daytime business hours, after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit

deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VII.C.3. of this permit.

(9 VAC 5-80-490 F.2)

#### **F. Failure/Malfunction Reporting**

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after discovery, notify the Director, Tidewater Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14-days provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.

(9 VAC 5-20-180 C)

#### **G. Severability**

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-490 G.1)

#### **H. Duty to Comply**

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

(9 VAC 5-80-490 G.2)

#### **I. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-490 G.3)

#### **J. 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 5-80-490 G and L)(9 VAC 5-80-550 and 9 VAC 5-80-660)

#### **K. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.

(9 VAC 5-80-490 G.5)

#### **L. Duty to Submit Information**

1. The permittee shall furnish to the board, within a reasonable time, any information that the board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the board along with a claim of confidentiality.  
(9 VAC 5-80-490 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-430 G.9.  
(9 VAC 5-80-490 K.1)

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

The owner of any source for which a permit under 9 VAC 5-80-360 through 9 VAC 5-80-700 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 et seq. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.  
(9 VAC 5-80-490 H)

#### **N. Fugitive Dust Emission Standards**

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

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and

5. The prompt removal of spilled or traced dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-20 E, 9 VAC 5-50-90, and 9 VAC 5-50-50)

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

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions.

Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-40-20 E, and 9 VAC 5-50-20 E)

#### **P. Alternative Operating Scenarios**

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-500 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80 Article 3.

(9 VAC 5-80-490 J)

#### **Q. Inspection and Entry Requirements**

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

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

(9 VAC 5-80-490 K.2)

#### **R. 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 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-430 F.

1. The permit shall be reopened if the board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-490 D.

(9 VAC 5-80-490 L)

#### **S. Permit Availability**

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

(9 VAC 5-80-510 G )

#### **T. Transfer of Permits**

1. No person shall transfer a permit from one location to another or from one piece of equipment to another.  
(9 VAC 5-80-520)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-560.  
(9 VAC 5-80-520)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-560.  
(9 VAC 5-80-520)

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

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

- a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of 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 5-80-490 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.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.
  4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.  
(9 VAC 5-80-650)

#### **V. Permit Revocation or Termination for Cause**

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 3. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-490 G & L, 9 VAC 5-80-640 and 9 VAC 5-80-660)

#### **W. Duty to Supplement or Correct Application**

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-430 E)

## **X. Stratospheric Ozone Protection**

If the permittee handles or emits one or more Class I or II substance subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(40 CFR Part 82, Subparts A - F)

## **Y. Asbestos Requirements**

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145); Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).  
(9 VAC 5-60-70 and 9 VAC 5-80-490 A)

## **Z. Accidental Release Prevention**

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.  
(40 CFR Part 68)

## **AA. Changes to Permits for Emissions Trading**

No permit revision shall be required, under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.  
(9 VAC 5-80-490 I)

## **BB. Emissions Trading**

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

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

## **XI. State-Only Enforceable Requirements**

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

- a. Odor - 9 VAC 5 Chapter 40, Article 2 and 9 VAC 5 Chapter 50, Article 2.
- b. State toxics rule - 9 VAC 5 Chapter 40, Article 3 and 9 VAC 5 Chapter 50, Article 3.  
(9 VAC 5-80-110 N and 9 VAC 5-80-300)