



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

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## STATEMENT OF LEGAL AND FACTUAL BASIS

Hampton Roads Sanitation District - Chesapeake-Elizabeth WWTP  
5332 Shore Drive, Virginia Beach, Virginia  
Permit Number: TRO - 60431

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, the Hampton Roads Sanitation District has applied for a Title V Operating Permit for its wastewater treatment facility with sludge incinerators at 5332 Shore Drive, Virginia Beach, Virginia. The Department has reviewed the application and has prepared a draft Title V Operating Permit.

Permit Writer/Contact:

\_\_\_\_\_  
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Date: July 28, 2016

Regional Air Permits  
Manager:

\_\_\_\_\_  
Wayne H. Franklin

Date: July 28, 2016

Regional Director:

\_\_\_\_\_  
Maria R. Nold

Date: July 28, 2016

## I. FACILITY INFORMATION

### Permittee

Hampton Roads Sanitation District  
P.O. Box 5911  
Virginia Beach, Virginia 23471

### Responsible Official

Mr. Edward G. Henifin, P.E.  
General Manager

### Facility

Chesapeake-Elizabeth WWTP  
5332 Shore Drive  
Virginia Beach, Virginia

### Contact Person

Mr. Mark Feltner  
Environmental Scientist  
(757) 460-4254

County-Plant Identification Number: 51-810-00034

## A. SOURCE DESCRIPTION

NAICS Code: 221320 - Sewage Treatment Facilities  
NAICS Code: 562219 - Non-hazardous Waste Treatment and Disposal  
NAICS Code: 562213 - Solid waste combustors or incinerators, nonhazardous

The Hampton Roads Sanitation District (HRSD) is a political subdivision of the Commonwealth of Virginia and was established as a governmental instrument to provide for the public health and welfare by abating water pollution in the Hampton Roads area through the interception of wastewater outfalls and providing wastewater treatment plants. Each of the HRSD plant facilities meets the definition of a non-industrial Publicly Owned Treatment Works (POTW) as defined in 40 CFR 63, Subpart VVV. Eighty-five percent (85%) or more of their waste streams originate from residential areas and each treatment plant is rated at less than 50 million gallons per day. All of the HRSD treatment plants are interconnected for diverting wastewater flow to alternate treatment locations as the area's daily amount of generated wastewater flow varies along with the operational capabilities of each plant. Each HRSD facility has been evaluated based on its individual maximum design capacity, whereby no flows can be re-directed to any of the facilities in excess of their individual design capacities. The Chesapeake-Elizabeth Treatment Plant provides both primary and secondary municipal wastewater treatment mainly for the Virginia Beach clients in the Hampton Roads area. The Chesapeake-Elizabeth Treatment Plant is rated to treat a design maximum average dry weather flowrate of 24 million gallons per day (mgd) and sized to accommodate an instantaneous wet weather peak hour flowrate of 48 mgd. The facility's process units are grouped into four main functions: liquids management, solids handling, sludge incineration, and other combustion units.

The Chesapeake-Elizabeth Treatment Plant is a Title V major source for NO<sub>x</sub>, SO<sub>2</sub>, and CO and an area source for HAPs. The source is located in an attainment area for all pollutants. This HRSD facility is permitted under Minor NSR Permit that was issued on August 3, 1973.

In 2000, BASTE (Bay Area Sewage Treatment Emissions) modeling was conducted to estimate emissions of VOCs (including HAPs) for each of the HRSD treatment facilities. The modeling demonstrated that each of the facilities were minor sources for HAPs. Annual testing of HAPs is done at each plant. For each Title V renewal application, the highest HAP measured from the last five (5) years of available data is used to calculate the worst-case actual and potential HAP emissions. HRSD has not experienced any HAP concentrations high enough to trigger major HAP status for an individual treatment plant or via any flow diversions since the sampling began. Flow diversions that typically take place are in the two (2) to four (4) million gallons per day (MGD) range.

**Liquids management** - All of the unit processes that treat the received wastewater prior to discharge to the Chesapeake Bay. These unit processes include the headworks (grit removal), aerobic treatment, secondary clarification, chlorine contact basin and sodium bisulfate injection.

**Solids Handling** - Unit processes that treat liquid treatment by-product streams before disposal. These unit processes include grit handling, raw and secondary scum holding tank/concentrator, and gravity thickeners. Dewatering centrifuges, biosolids screw conveyors, ash storage/disposal, interceptor grit unloading.

**Sludge incineration** - Two (2) identical multi-hearth incinerators are used to dispose of dewatered solids from the solids handling sections. Each incinerator has seven hearths, a dedicated induced-draft fan and an air-pollution control train consisting of a precooler, venture, and an impingement scrubber. The incinerators use either natural gas or fuel oil to supplement combustion.

**Other Combustion Units** - Two (2) emergency electrical generators, an administrative building heater boiler, hot water heater and small portable space heaters. HRSD is not enrolled in the emergency load response program (ELRP) and does not participate in ISO-declared emergencies. The electrical generators are used only for the occurrence of normal power lost, maintenance, and readiness testing as is allowed for emergency engines in 40 CFR 63 (MACT), Subpart ZZZZ. The 17 hp propane-fired emergency generator was previously listed in the Title V permit as an insignificant emissions unit; however, because of its applicability to 40 CFR 63, Subpart ZZZZ, the generator is considered to be a significant emissions unit.

North Carolina is an affected state.

## II. COMPLIANCE STATUS

A full compliance evaluation of this facility, including a site visit on 7/30/14, 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 air requirements at this time.

### III. EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility consist of the following:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	Pollutant Controlled	Applicable Permit Date
<b>Incinerators (SSI Units)</b>						
I-1 I-2	2a 2b	Multi-hearth Sewage Sludge incinerators (natural gas or distillate oil as backup), 1973	16 burners at 2.7 MMBtu/hr for each SSI unit. 36 dry tons/day (sludge) per SSI	Pre-cooler with Venturi scrubber followed by impingement (tray) scrubber (water only). Air Pol & Sly Inc. Model 375-Slylimpjet, 2002	PM/PM-10 (Odor)	08/03/73
<b>Liquids Management</b>						
L-1	3a 3b 3c 3d	Liquids Management, 1966	24 mgd (dry) (wastewater)	Two stage packed tower scrubber (water plus NaOCl and/or NaOH). Daniel Mechanical, Inc. Model Club 4450 (3a & 3b) 1998. DEI (3c & 3d) 2005	(Odor)	N/A (State Only)
<b>Emergency Generators</b>						
G-1	1	Plant diesel-fired engine emergency generator, 1966 <i>40 CFR 63, Subpart ZZZZ</i>	26.1 MMBtu/hr (3,080 kW)	N/A	N/A	N/A
ISU-E-1	---	Wastewater disinfection system propane-fired engine emergency generator, 2005 <i>40 CFR 63, Subpart ZZZZ</i>	0.043 MMBtu/hr (17 HP) 2 cylinder engine	N/A	N/A	N/A
<b>Solids Handling</b>						
S-1	4	Solids Handling, 1973	24 mgd (dry) (wastewater)	Single stage packed tower scrubber (water plus NaOCl and/or NaOH or O <sub>3</sub> /OH) Croll-Reynolds, Model 108T-6H, 1986	(Odor)	N/A (State Only)
<b>Gasoline Dispensing</b>						
ISU-T-24	---	Gasoline UST <i>40 CFR 63, Subpart CCCCCC</i>	1,000 gallons	N/A	N/A	N/A

\*The Size/Rated capacities in the above table is provided for informational purposes only, and are not an applicable requirement.

#### IV. EMISSIONS INVENTORY

The 2015 annual emissions are summarized in the following two (2) tables below:

<b>2015 Criteria Pollutant Emissions in Tons/Year</b>					
<b>Emission Unit</b>	<b>VOC</b>	<b>CO</b>	<b>SO<sub>2</sub></b>	<b>PM<sub>10</sub></b>	<b>NO<sub>x</sub></b>
Incinerators I-1 & I-2	5.06	92.44	143.13	0.40	14.91
Emergency Generator G-1	0.04	0.41	0.02	0.04	1.54
Liquids/Solids Management	7.04	---	---	---	---
<b>Total</b>	<b>12.14</b>	<b>92.85</b>	<b>143.15</b>	<b>0.44</b>	<b>16.45</b>

<b>2015 Hazardous Air Pollutant Emissions in Tons/Year</b>	
<b>Pollutant</b>	<b>Tons/yr</b>
Total HAPs	2.29

#### V. EMISSION UNIT APPLICABLE REQUIREMENTS - Incinerators (I-1 and I-2)

##### A. Limitations

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

9 VAC 5-80-110	Permit Content
9 VAC 5-50-260	Standards for Stationary Sources
9 VAC 5-50-80	Standards for Visible Emissions
9 VAC 5-60-70	Designation of Emission Standards (Mercury)
9 VAC 5-40-750	Standards for Particulate Matter (Incinerators)
9 VAC 5-40: Article 55	Emission Standards for Sewage Sludge Incineration Units

The following Federal Regulations that have specific emission requirements have been determined to be applicable:

40 CFR 61, Subpart E	NESHAP - Mercury
40 CFR 60, Subpart M	NSPS - Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units (as referenced by 9 VAC 5-40: Article 55)

Also see NSR permit issued 08/03/1973.

The Virginia new source standards for opacity (9 VAC 5-50-80) were not promulgated until 08/09/75 - some two (2) years after the 08/03/1973 permit was issued. The introduction to the new source standards (9 VAC 5-50-10) specify that the standards apply to all new source activity that has been conducted after March 17, 1972. The new source opacity standards, 20% with no more than one six-minute period not to exceed 30%, are the resultant values from the permit and Regulations that should be used for compliance.

The facility plans to comply with the Sewage Sludge Incinerator Unit requirements (9 VAC 5-40: Article 55) by way of annual stack testing and parametric monitoring.

**B. Monitoring**

The following Virginia Administrative Codes have specific monitoring requirements determined to be applicable:

- 9 VAC 5-80-110 Permit Content
- 9 VAC 5-40: Article 55 Emission Standards for Sewage Sludge Incineration Units

The following Federal Regulations have specific monitoring requirements determined to be applicable:

- 40 CFR 60 Subpart MMMM NSPS - Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units (as referenced by 9 VAC 5-40: Article 55)

Also see NSR permit issued 08/03/1973.

**C. Compliance, Performance Testing, and Setting Operating Limits**

The following Virginia Administrative Codes have specific testing requirements determined to be applicable:

- 9 VAC 5-80-110 Permit Content

The following Federal Regulations have specific testing requirements determined to be applicable:

- 40 CFR 61 Subpart E NESHAP - Mercury

Subpart E, 61.53(d) and 61.54 requires an annual test for mercury (by means of an incinerator stack test performed using Method 101A of 40 CFR 61, Appendix B; or the sludge must be tested for mercury levels using Method 105 of 40 CFR 61, Appendix B) if mercury emissions exceed 1,600 grams per 24-hour period. The source conducted mercury testing during the first Title V permit cycle (June 2000) and used Method 29 for 40 CFR 503 stack emissions compliance and emissions were 17 grams/day (near 1/200 of standard). During the second permit cycle, the source tested biosolids fed to the multi-hearth furnaces using SW-846 Method 7471A. The mercury emissions from the sludge samples were determined to be in compliance using equivalent equations to those listed in 40 CFR 61.54. The source is required to test the sludge for mercury under 40 CFR 503 every 60 days. Since all past mercury test results have been very low and with the 40 CFR 503 requirement of a continuing mercury sludge test requirement of every 60 days, **no** additional 40 CFR 61, Subpart E mercury compliance testing was required for this Title V renewal permit. Subpart E testing will be reviewed again at the next renewal.

Recently, the facility began preliminary stack testing to demonstrate compliance with the requirements of 9 VAC 5-40: Article 55 (Emission Standards for Sewage Sludge Incineration Units) which incorporates 40 CFR 60, Subpart MMMM. According to 9 VAC 5-40-8280, SSI units shall achieve final compliance no later than March 21, 2016. On April 10, 2015 the source performed emissions stack testing on SSI Unit I-1 to assess compliance with the emissions limits specified in DEQ Chapter 40, Article 55. As part of the testing, mercury was sampled using Method 29 procedures and the sample runs were compared to the Article 55 Hg emission standard of 0.28 mg/dscm. Results of the mercury testing are shown in the table below:

Year	Total Hg Emissions (mg/dscm)
2015	0.087

Previous Title V permits have required stack testing for PM on an incinerator unit when it exceeded a feed rate of 25-dry tons/day. The second incinerator would be tested if the testing results on the first unit were above 0.11 grains/dscf. This was all in an effort to ensure compliance with the 1973 permitted emission limit of 0.10 grains/dscf for PM. With the 9 VAC Chapter 40, Article 55 applicability and a PM emission limit of 80 mg/dscm (0.035 grains/dscf), it is not likely that the 1973 permit limit would ever be exceeded. Article 55 requires annual stack testing, which can become less frequent if testing results show continued compliance with the requirements of 40 CFR 60.5204(a)(3). Any change in the treatment process requires a new performance test, as per 40 CFR 60.5205(a)(2).



9 VAC 5-40-80 Standards for Visible Emissions

MACT Subpart ZZZZ states that, as of January 2015, subject units shall burn fuel meeting the requirements as specified in 40 CFR 63.6604(b), which limits sulfur content to 15 ppm. This fuel sulfur limit has been placed in the permit.

**B. Monitoring**

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

9 VAC 5-80-110 Permit Content

**C. Recordkeeping**

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

9 VAC 5-80-110 Permit Content

**D. Testing**

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

9 VAC 5-80-110 Permit Content

**E. MACT Subpart ZZZZ**

The following Federal Regulations that have specific requirements have been determined to be applicable:

40 CFR 63 Subpart ZZZZ MACT - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

The emergency electrical generator G-1 and ISU-E-1 engines are each subject to the requirements of 40 CFR 63, Subpart ZZZZ listed above. However, the 3,080 kW emergency electrical generator G-1 diesel-fired engine is not subject to 40 CFR 60 (NSPS), Subpart IIII regulatory requirements since the engine does not meet the applicability dates in §60.4200 (a)(1) through (4) of the NSPS. The 17 horsepower (BHP) propane-fired engine used by the emergency electrical generator ISU-E-1 for the wastewater disinfection system is not subject to 40 CFR 60, Subpart JJJJ regulatory requirements since the engine does not meet the applicability dates in §60.4230 (a)(1) through (6) of the NSPS.

During this renewal process of the Title V FOP, revisions were made to the permit conditions involving the existing G-1 and ISU-E-1 stationary emergency electrical generators that were affected by the resulting vacatur of the emergency demand response provisions in MACT, Subpart ZZZZ (paragraph §63.6640(f)(2)(ii)-(iii)).

**VIII. EMISSION UNIT APPLICABLE REQUIREMENTS - Gasoline Dispensing (T-24)**

**A. MACT Subpart CCCCC**

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

9 VAC 5-80-110 Permit Content

The following Federal Regulations that have specific requirements have been determined to be applicable:

40 CFR 63 Subpart CCCCC MACT - National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities.

## **IX. EMISSION UNIT APPLICABLE REQUIREMENTS - USTs (T-18 and T-22)**

### **A. Recordkeeping**

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

9 VAC 5-80-110                      Permit Content

The following Federal Regulations that have specific recordkeeping requirements have been determined to be applicable:

40 CFR 60 Subpart Kb              Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984

## **X. STREAMLINED REQUIREMENTS**

The following conditions in the minor NSR permit dated August 3, 1973 have been streamlined out of the Title V permit:

- Condition 1                      Progress reports for construction of incinerators were submitted until operations began. No further reporting is required.
- Condition 2                      Stack testing of new incinerators was accomplished after operations began.
- Condition 3                      Notifications of proposed stack testing was accomplished.
- Condition 4.1                      Section XII of the Title V permit lists State-Only Enforcement issues. Odor is not only an issue for the incinerators but the entire facility (liquids management, solids handling, etc.). The source is complying with Article 5-2 for BACT on odor control for the incinerators by using the scrubber system to control PM on the incinerators. The monitoring of the incinerator scrubber system is a way to also monitor odor control for the incinerators. If PM emissions are minimized, odor is expected to be minimized.
- Conditions 77 - 80:              The Malfunction as an Affirmative Defense conditions listed in the Title V FOP have been removed as startup, shut down, and malfunction opacity exclusion listed in 9VAC5-40-20 A.4 cannot be included in any Title V FOP. This portion of the regulation is not part of Virginia's federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9VAC5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

The following conditions in 40 CFR 61, Subpart E have been streamlined out of the Title V FOP:

- Para 61.63 (d)(2)(i) & 61.54(a)(2)    Initial testing of existing source. Source conducted this testing as required in the 1970's.
- Para 61.55(a)                      Monitoring. Not required as source has no emissions at the specified level to require more testing.

The PM emission limit of 0.14 grains/dscf from Condition 4.iii of NSR permit issued 08/03/73 has been streamlined out of the Title V permit. The 9 VAC Chapter 40, Article 55 PM limit of 80 mg/dscm, which is equivalent to 0.035 grains/dscf, coupled with the testing and monitoring requirements of Article 55, ensures that the 1973 permit limit cannot be exceeded.

40 CFR Part 64 (CAM) conditions have been streamlined out of the Title V FOP based on the following:

The implementation of certain federal NSPS and NESHAP rules or emission limitations in the Clean Air Act can exclude the requirement for Compliance Assurance Monitoring (CAM). The exemptions from CAM are granted on the basis of monitoring requirements in those NSPS and NESHAP rules or emission limitations being inherently sufficient to provide assurance of compliance without the additional need of CAM. Accordingly, Section 111 (NSPS) and 112 (NESHAP) rules in the Clean Air Act that have been promulgated after 11/15/1990 do not require the addition of CAM requirements. As such, CAM is not necessary for this FOP due to the emission limitations and monitoring requirements contained in 40 CFR Part 60, Subpart M - *Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units* (finalized on 2/22/2016) being sufficient to provide assurance of compliance. This subpart establishes emission guidelines and compliance schedules for the control of emissions from SSI units and was developed in accordance with sections 111(d) and 129 of the Clean Air Act and subpart B of this part. The provisions of Subpart M have been implemented through 9VAC5-40-8370 of 9VAC5 Chapter 40, Part II, Article 55 (Rule 4-55).

The following requirements from 9 VAC 5-40: Article 55 (Emission Standards for Sewage Sludge Incineration Units) have been streamlined into the Title V FOP:

- |                  |   |
|------------------|---|
| 9VAC5-40-8220B   | The 9 VAC Chapter 40, Article 55 PM limit of 80 mg/dscm (equivalent to 0.35 grains/dscf) ensures that the 1973 permit limit of 0.14 grains/dscf cannot be exceeded.   |
| 9 VAC 5-40-8230  | Standard for Visible Emissions - states the provisions of Article 1 (9 VAC 5-40-60 et. Seq.) shall apply. Article 1 has visible emission limits of 20%/60%. The Title V permit currently limits visible emissions to 20%/30%. The more stringent limitation will remain in the FOP. |
| 9 VAC 5-40-8240A | Standard for Fugitive Dust/Emissions - 9 VAC 5-40-90 is covered by Title V General Condition 78.  |
| 9 VAC 5-40-8250  | Standard for Odor - already covered in the State-Only Enforceable Section of Title V FOP.   |
| 9 VAC 5-40-8260  | Standard for Toxic Pollutants - already covered in the State-Only Enforceable Section of Title V FOP.   |

The following condition in 40 CFR 63, Subpart ZZZZ has been streamlined into the Title V FOP:

- |                   |   |
|-------------------|---|
| 40 CFR 63.6604(b) | Emergency compression ignition stationary RICE units must meet the fuel requirements in 40 CFR 80.510(b) which limits the sulfur content to 15 ppm beginning January 1, 2015. This MACT ZZZZ fuel requirement is referenced in Condition 42 of the Title V FOP. |
|-------------------|---|

## **XI. GENERAL CONDITIONS**

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating 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.

a. Conditions 58 - 63: 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. 3-2006”.

This general condition cite(s) the Article(s) that follow(s):

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

Condition 69: 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 (2) 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 (4) daytime business hours of discovery of the malfunction.

This general condition cites the sections that follow:

9 VAC 5-40-41	Emissions Monitoring Procedures for Existing Sources
9 VAC 5-40-50	Notification, Records and Reporting
9 VAC 5-50-50	Notification, Records and Reporting

Condition 73: 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 5-80-1790	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

Condition 94: Asbestos Requirements

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

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

## XII. STATE ONLY APPLICABLE REQUIREMENTS

The following Virginia Administrative Codes have specific requirements only enforceable by the State and have been identified as applicable by the applicant:

9 VAC 5-40-290        Existing Source Standards for Hydrogen Sulfide  
9 VAC 5-60-220        Existing Source Standards for Toxics  
9 VAC 5-40-140        Existing Source Standards for Odor  
9 VAC 5-50-140        New Source Standards for Odor  
9 VAC 5-60-320        New Source Standards for Toxics

## XIII. INAPPLICABLE REQUIREMENTS

Citation	Title of Citation	Description of Applicability
From 40 CFR 60 Subpart O*	NSPS for Sewage Treatment Plants	Incinerator that charges more than 2,205 lb/day of municipal sewage sludge (dry basis)
40 CFR 61 Subpart C	NESHAPS for Beryllium	Incineration of Beryllium wastes
40 CFR 63 Subpart VVV	NESHAPS for POTWs	New and reconstructed major HAPs POTWs
40 CFR 60 Subpart IIII	NSPS for Stationary CI ICEs	G-1 Generator engine pre-dates NSPS IIII applicability for CI RICEs
40 CFR 60 Subpart JJJJ	NSPS for Stationary SI ICEs	ISU-E-1 Generator engine pre-dates NSPS JJJJ applicability for SI RICEs
9 VAC 5 Chapter 40, Article 8	Emission Standards for Fuel Burning Equipment	Standards for PM and SO <sub>2</sub> for fuel burning equipment
9 VAC 5 Chapter 40, Article 4	Emission Standards for General Process Operations	Standards for PM from any process unit and SO <sub>2</sub> standard for combustion equipment
There are no applicable GHG permitting requirements.		

\* A review of the historical documentation for the Chesapeake-Elizabeth POTW plant (letter dated May 7, 1999, from the law firm of McGuire, Woods, Battle, and Boothe) showed the sludge incinerators to have commenced construction prior to the NSPS Subpart O effective date of June 11, 1973 and thus were not subject to the NSPS.

#### **XIV. 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 5-80-110.

Insignificant emission units include the following:

<b>Emission Unit No.</b>	<b>Emission Unit Description</b>	<b>Citation</b>	<b>Pollutant(s) Emitted (9 VAC 5-80-720 B)</b>	<b>Rated Capacity (9 VAC 5-80-720 C)</b>
ISU-CB-16a	Admin. Bldg. Heating Boiler (NG)	5-80-720 C.2.a	N/A	0.25 MMBtu/hr
ISU-CB-16b	Admin. Bldg. Water Heater (NG)	5-80-720 C.2.a	N/A	0.2 MMBtu/hr
ISU-T-23	Liquids Management diesel UST	5-80-720 B.2	VOC	500 gallons
ISU-T-20	Solids Handling kerosene AST	5-80-720 B.2	VOC	275 gallons
ISU-T-22	Liquids Management diesel UST	5-80-720 B.2	VOC	20,000 gallons
ISU-T-18	Solids Handling distillate oil UST	5-80-720 B.2	VOC	20,000 gallons

The citation criteria for insignificant activities are as follows:  
 9 VAC 5-80-720 B - Insignificant due to emission levels  
 9 VAC 5-80-720 C - Insignificant due to size or production rate

#### **XV. CONFIDENTIAL INFORMATION**

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

#### **XVI. PUBLIC PARTICIPATION**

The proposed permit will be placed on public notice in the Virginian-Pilot newspaper from **Thursday, June 9, 2016** to **Monday, July 11, 2016**.

Draft and proposed permit sent to affected state (NC) on **Friday, June 24, 2016**.

Draft and proposed permit sent to EPA on **Wednesday, June 8, 2016**.