



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

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[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Maria R. Nold  
Regional Director

October 27, 2014

Mr. Rodd Flagg  
Vice President  
Perdue Foods LLC - Accomac Complex  
22520 Lankford Highway  
Accomac, Virginia 23301

Location: Accomack County  
**Registration No.: 61685**  
AFS Id. No.: 51-001-00051

Dear Mr. Flagg:

Attached is a permit to operate your poultry processing facility 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 permit dated October 14, 2014.

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 July 10, 2014, and solicited written public comments by placing a newspaper advertisement in the Eastern Shore News newspaper on Wednesday, September 10, 2014. The thirty day comment period (provided for in 9 VAC 5-80-270) expired on Friday, October 10, 2014, with no comments having been received in this office.

This approval to operate does not relieve Perdue Foods LLC 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. Rodd Flagg  
Perdue Foods LLC - Accomac Complex  
October 27, 2014  
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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 Ms Yen Bao by phone at (757) 518-2195 or by e-mail at [yen.bao@deq.virginia.gov](mailto:yen.bao@deq.virginia.gov).

Sincerely,

Troy D. Breathwaite  
Regional Air Permits Manager

TDB/YTB/61685\_001\_14\_coverlet\_FOP\_T5new\_PerdueFoodsLLC\_AccomacComplex.doc

Attachment: Permit

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



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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:	Perdue Foods LLC
Facility Name:	Perdue Foods LLC - Accomac Complex
Facility Location:	22520 Lankford Highway Accomac, Virginia
Registration Number:	61685
Permit Number:	TRO-61685

This permit includes the following programs:

**Federally Enforceable Requirements - Clean Air Act (Pages 3 through 24)**  
**State Only Enforceable Requirements (Pages 25-26)**

**October 27, 2014**

Effective Date

**October 26, 2019**

Expiration Date

**October 27, 2014**

Maria R. Nold

Signature Date

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## **I. Facility Information**

### Permittee

Perdue Foods LLC  
22520 Lankford Highway  
Accomac, Virginia 23301

### Responsible Official

Rodd Flagg  
Vice President

### Facility

Perdue Foods LLC - Accomac Complex  
22520 Lankford Highway  
Accomac, Virginia 23301

### Contact Person

Randy Rhoades  
Environmental Manager  
(757) 787-5289

**County-Plant Identification Number:** 51-001-00051

### **Facility Description:**

NAICS 311615 – Poultry slaughtering and processing

The facility processes live poultry (27,000 birds/hr maximum rated capacity) into fresh poultry food products. Any by-products are sent out to other companies for rendering.

Emission equipment includes two boilers, an emergency generator, an ammonia refrigeration system, and a wastewater treatment plant. The latter has a lime silo with fabric filter. There are feather singers using LPG with a combined rated heat input capacity of 4.4 mmBtu/hour as listed under the Insignificant Activities section.

## 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>							
ES1	EP1	Cleaver Brooks Boiler CB600, #6 fuel oil-fired, manufactured before 1971 (MACT JJJJJ)	29 mmBtu/hr	-	-	-	10/14/2014 SOP
ES2	EP2	Cleaver Brooks Boiler CB600, #6 fuel oil-fired, manufactured before 1971 (MACT JJJJJ)	29 mmBtu/hr	-	-	-	10/14/2014 SOP
ES13	EP13	Diesel Emergency Generator, 2005 (MACT ZZZZ)	2,593 hp; 1,825 kW	-	-	-	10/14/2014 SOP
<b>Process Equipment</b>							
ES5	EP5	Ammonia Refrigeration System, compressor room air exhaust	-	-	-	-	10/14/2014 SOP
<b>Wastewater Treatment Plant</b>							
ES6	EP6	Bulk storage silo for dry lime	150 lbs/hr	Fabric Filter, C.P. Environmental-99-M57-405	CD6	PM	10/14/2014 SOP

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

### III. Fuel Burning Equipment Requirements – (Emission units ID# ES1, ES2, and ES13)

#### A. Limitations

1. **Fuel Burning Equipment Requirements – (ES1 and ES2) – Emission Limitations -** Particulate Matter (PM) emissions from Units ES1 and ES2, each, shall not exceed the following limits:

PM                      7.8 lbs/hr

The maximum allowable particulate emissions for each fuel burning equipment unit shall be the product of the rated capacity and the emission ratio. The maximum allowable emission ratio, E, in pounds of particulate per million Btu input, shall be determined by the following equation:

$$E = 1.0906H^{0.2594}, \text{ where H is the total capacity in millions of Btu per hour.}$$

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

2. **Fuel Burning Equipment Requirements – (ES1 and ES2) – Emission Limitations -** Sulfur Dioxide (SO<sub>2</sub>) emissions from Units ES1 and ES2, each, shall not exceed the following limits:

SO<sub>2</sub>                      76.6 lbs/hr

The emission rate in lbs/hr shall be determined by the following equation:

$$S = 2.64 K, \text{ where S = allowable emission of sulfur dioxide expressed in pounds per hour, and K = heat input at total capacity expressed in million Btu per hour.}$$

(9 VAC 5-40-930 A and 9 VAC 5-80-110)

3. **Fuel Burning Equipment Requirements – (ES1 and ES2) – Visible Emissions Limitations -** Visible emissions from each of the boilers ES1 and ES2 shall not exceed twenty percent (20%) opacity, except for one six-minute period in any one hour of not more than sixty percent (60%) opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). Failure to meet the requirements of this condition because of the presence of water vapor shall not be a violation of this condition.

(9 VAC 5-40-80, 9 VAC 5-80-110 and Condition 9 of 10/14/2014 SOP)

4. **Fuel Burning Equipment Requirements – (ES13) – Operating Limitations -** The emergency generator (ES13) meets the definition of an emergency stationary RICE as defined in 40 CFR 63.6675 and the operating hour limitations in 40 CFR 63.6640(f)(1)(i) to (iii). At the same time, it shall not operate more than 407 equivalent full load (prime power) operating hours per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months. (9 VAC 5-80-110, Condition 3 of 10/14/2014 SOP, and 40 CFR 63 Subpart ZZZZ)

5. **Fuel Burning Equipment Requirements – (ES13) – Fuel Limitations** - The approved fuel for the emergency generator (ES13) is diesel fuel. A change in the fuel may require a permit to modify and operate.  
(9 VAC 5-80-110 and Condition 4 of 10/14/2014 SOP)
6. **Fuel Burning Equipment Requirements – (ES13) – Fuel Specifications** - The diesel fuel shall meet ASTM D975 specifications for numbers 1 or 2 diesel fuel.  
Maximum sulfur content of the diesel fuel per shipment: 0.05 %  
(9 VAC 5-80-110 and Condition 5 of 10/14/2014 SOP)
7. **Fuel Burning Equipment Requirements – (ES1, ES2, and ES13) – Fuel Certifications** - The permittee shall obtain a certification from the fuel supplier with each shipment of residual oil or diesel fuel. Each fuel supplier certification shall include the following:
  - a. The name of the fuel supplier;
  - b. The date on which the oil/fuel was received;
  - c. The quantity of each type of oil/fuel delivered in the shipment;
  - d. A statement that the diesel fuel complies with the American Society for Testing and Materials specification D975 for numbers 1 or 2 diesel fuel;
  - e. A statement that the residual oil complies with the American Society for Testing and Materials specifications (ASTM D396) for numbers 4, 5, or 6 fuel oil; and
  - f. The sulfur content of the residual oil and diesel fuel.

Fuel sampling and analysis, independent of that used for certification, as may be periodically required or conducted by DEQ may be used to determine compliance with the fuel specifications stipulated in Condition 6 above. Samples taken as required by this permit shall be analyzed in accordance with 1 VAC 30-45, Certification for Noncommercial Environmental Laboratories, or 1 VAC 30-46, Accreditation for Commercial Environmental Laboratories. Exceedance of these specifications may be considered credible evidence of the exceedance of emission limits.  
(9 VAC 5-80-110 and Condition 6 of 10/14/2014 SOP)

8. **Fuel Burning Equipment Requirements – (ES13) – Emission Limitations** - Emissions from the operation of the emergency generator ES13 shall not exceed the limits specified below:

Particulate Matter	0.48 lbs/hr
Sulfur Dioxide	0.86 lbs/hr
Nitrogen Oxides (as NO <sub>2</sub> )	52.90 lbs/hr
Carbon Monoxide	0.97 lbs/hr
Volatile Organic Compounds	0.97 lbs/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Condition numbers 4-7, 9 and 21.  
(9 VAC 5-80-110 and Condition 7 of 10/14/2014 SOP)

9. **Fuel Burning Equipment Requirements – (ES13) – Visible Emissions Limitations** -Visible emissions from the emergency generator stack (Unit ES13) shall not exceed five percent (5%) opacity except during one six-minute period in any one hour in which visible emissions shall not exceed twenty percent (20%) 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 and Condition 8 of 10/14/2014 SOP)
10. **Fuel Burning Equipment Requirements – (ES13) – Limitations – Operation and Maintenance Practice for Emergency Generator-** The permittee shall meet the following requirements for Unit ES13 as required by 40 CFR 63.6603(a) and Table 2d in 40 CFR 63 Subpart ZZZZ :
- a. Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
  - c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in accordance with 40 CFR 63.6625(i).

The permittee must operate and maintain Unit ES13 according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions (40 CFR 63.6625(e)).

The permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes (40 CFR 63.6625(h)).

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

11. **Fuel Burning Equipment Requirements – (ES1, ES2, and ES13) –Limitations – Maintenance/Operating Procedures** – At all times, including periods of start-up, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:
- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
  - b. Maintain an inventory of spare parts.
  - c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.

- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.  
(9 VAC 5-80-110 and Condition 19 of 10/14/2014 SOP)

12. **Fuel Burning Equipment Requirements – (ES1 and ES2) – Requirements by Reference -** Except where this permit is more restrictive than the applicable requirement, the boilers (ES1 and ES2) shall be operated in compliance with the requirements of 40 CFR 63 Subpart JJJJJJ.

**Note:** All applicable requirements of 40 CFR 63 Subpart JJJJJJ may not be specifically listed in this permit. The permittee should refer to the most recent version of the applicable regulation for additional or revised requirements not included in this permit.

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

13. **Fuel Burning Equipment Requirements – (ES13) – Requirements by Reference -** Except where this permit is more restrictive than the applicable requirement, the emergency generator (ES13) shall be operated in compliance with the requirements of 40 CFR 63 Subpart ZZZZ.

**Note:** All applicable requirements of 40 CFR 63 Subpart ZZZZ may not be specifically listed in this permit. The permittee should refer to the most recent version of the applicable regulation for additional or revised requirements not included in this permit.

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

14. **Fuel Burning Equipment Requirements – (ES1, ES2, and ES13) – Limitations – Violation of Ambient Air Quality Standard -** The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary, to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.

(9 VAC 5-80-110 and Condition 18 of 10/14/2014 SOP)

## **B. Monitoring**

15. **Fuel Burning Equipment Requirements – (ES1 and ES2) - Visible Emissions Observations-** The permittee shall check each boiler stack at least once each calendar week during daylight hours of operations for visible emissions for at least six minutes. If visible emissions are noted from any of the stacks, maintenance shall be performed on the boiler(s) to eliminate the visible emissions. If visible emissions continue after maintenance actions, a visible emissions evaluation (VEE) shall be immediately conducted on each stack for at least six minutes in accordance with Method 9 (40 CFR 60, Appendix A). If the VEE opacity average for either stack exceeds ten (10) percent, the VEE shall continue for one hour from initiation on each stack. If compliance is not demonstrated by this VEE, timely corrective action shall be taken to bring the boiler back to compliance. Results of observations and/or VEEs shall be recorded in the operation log. Records of observations shall include the following:

- a. The name of the observer,

- b. Date and time of the observation,
- c. An indication of presence or absence of visible emissions,
- d. Whether the emissions are representative of normal operation,
- e. If emissions are not representative of normal operation, the cause of the abnormal emissions,
- f. The duration of any visible emission incident, and any corrective action to eliminate visible emissions.
- g. If a VEE is conducted, records shall be in accordance with Method 9 (40 CFR 60, Appendix A).

(9 VAC 5-80-110 and Condition 11 of 10/14/2014 SOP)

16. **Fuel Burning Equipment Requirements – (ES1 and ES2) – Monitoring – Continuing Compliance Demonstration- Boiler Biennial Tune-Up** - The permittee must conduct a biennial performance tune-up of each of the boilers (ES1 and ES2) using the procedure in 40 CFR 63.11223(b), as summarized in Condition 18, and keep records as required in 40 CFR 63.11225(c) to demonstrate continuous compliance. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up.

(9 VAC 5-80-110 and 40 CFR 63.11223(a))

17. **Fuel Burning Equipment Requirements – (ES13) – Monitoring Device** – The permittee must install a non-resettable hour meter if one is not already installed (40 CFR 63.6625(f)).

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

### C. Testing

18. **Fuel Burning Equipment Requirements – (ES1 and ES2) – Boiler Biennial Tune-up**- The biennial tune-up of each of the boilers (ES1 and ES2) shall be conducted in accordance with 40 CFR 63.11223(b), as described below:
- a. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown, but you must inspect each burner at least once every 36 months).
  - b. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.
  - c. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly.
  - d. Optimize total emissions of carbon monoxide. This optimization should be consistent with the manufacturer's specifications, if available.
  - e. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer.

- f. Maintain onsite and submit, if requested by DEQ or EPA Region III, biennial report containing the following information:
    - i. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler.
    - ii. A description of any corrective actions taken as a part of the tune-up of the boiler.
    - iii. The type and amount of fuel used over the 12 months prior to the biennial tune-up of the boiler.
  - g. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.  
(9 VAC 5-80-110 and 40 CFR 63.11223(b))
19. **Fuel Burning Equipment Requirements – (ES1, ES2, and ES13) -Testing** - The permitted facility shall be modified so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.  
(9 VAC 5-80-110 and Condition 13 of 10/14/2014 SOP)
20. **Fuel Burning Equipment Requirements – (ES1, ES2, and ES13) -Testing** - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.  
(9 VAC 5-80-110)

#### **D. Recordkeeping**

21. **Fuel Burning Equipment Requirements – (ES1, ES2, and ES13) - Recordkeeping** -The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, TRO Regional Office. These records shall include, but are not limited to:
- a. Annual hours of operation of the emergency generator (ES13), calculated monthly as the sum of each consecutive 12-month period.
  - b. Annual throughput of each type of oil/fuel combusted in each of boilers ES1 and ES2, and the emergency generator ES13.
  - c. All fuel supplier certifications.
  - d. Records of visible emission observations, any corrective action taken, and any visible emissions evaluations (EPA Method 9) conducted.
  - e. Records of operation and maintenance practice for the emergency generator as required by Condition 10.
  - f. Records of scheduled and unscheduled maintenance, and operator training, as required by Condition 11.
  - g. Written operating procedures for the boilers and the emergency generator as required by Conditions 10 and 11.

- h. A copy of the Initial Notifications and Notifications of Compliance Status for the boilers (ES1 and ES2) submitted to EPA and DEQ to comply with MACT Subpart JJJJJ (40 CFR 63.11225(a) and (c)(1)).
- i. Records to document conformance with the required work practices, emission reduction measures, and management practices in accordance with 40 CFR 63.11225(c)(2) for each boiler (ES1 and ES2), including, but not limited to:
  - i. Tune-up records for each boiler: Identification of the boiler, date of tune-up, procedures used for tune-up, and the manufacturer's specifications for which the boiler was tuned, and
  - ii. Energy assessment report of each boiler.
- j. Records of the occurrence and duration of each malfunction of each boiler (ES1 and ES2) (40 CFR 63.11225(c)(4)).
- k. Records of corrective actions taken during periods of malfunction to minimize emissions and to restore the malfunctioning boiler(s) to its normal or usual manner of operation (40 CFR 63.11225(c)(5)).
- l. A copy of biennial compliance certification reports (40 CFR 63.11225(b)).

These records shall be available on site for inspection by the DEQ and shall be current for the most recent (5) years.  
(9 VAC 5-80-110, Condition 14 of 10/14/2014 SOP, and 40 CFR 63.11225(c))

## E. Reports

- 22. **Fuel Burning Equipment Requirements – (ES1 and ES2) – Reports – Boiler Biennial Compliance Certification Report** – The permittee must prepare biennial compliance certification reports in accordance with 40 CFR 63.11225(b)(1) and (2), and submit upon request to EPA Region III and Tidewater Regional Office. The first report shall be prepared by March 1, 2015, and subsequent reports shall be prepared by March 1 every other year.

(9 VAC 5-80-110 and 40 CFR 63.11225(b))

## IV. Wastewater Treatment Plant Requirements – (Emission unit ID# ES6)

### A. Limitations

23. **Wastewater Treatment Plant Requirements – (Lime Silo ES6) – Particulate Emissions Limitations** - No owner or other person shall cause or permit to be discharged into the atmosphere from any process unit any particulate emissions in excess of the limits in Table 4-4A of 9 VAC 5-40-260 (maximum allowable emission rate as a function of the process weight rate).

The total process weight rate for each individual process unit at a plant or premises shall be used for determining the maximum allowable emission rate of particulate that passes through a stack or stacks.

Unless otherwise specified, the allowable particulate mass emission rate shall be determined for individual units of equipment.

The particulate emission limit above the maximum process weight rate shall be determined by linear interpolation. For interpolation between two values on a process weight rate table the following equation should be used:

$$E = \left[ E_G - E_L \right] \left[ \frac{P - P_L}{P_G - P_L} \right] + E_L$$

where:

E = emission rate being calculated

E<sub>L</sub> = emission rate for P<sub>L</sub> as determined from the process weight rate table

E<sub>G</sub> = emission rate for P<sub>G</sub> as determined from the process weight rate table

P = process weight rate of the unit

P<sub>L</sub> = process weight rate in the process weight rate table which is closest to but less than the process weight rate of the unit

P<sub>G</sub> = process weight rate listed in the process weight rate table which is closes to but greater than the process weight rate of the unit

Where the nature of any process or design of any equipment is such as to permit more than one interpretation of a regulation, the interpretation that results in the minimum value for allowable emissions shall apply.

Interpolation of the data in 9 VAC 5-40-260 A (Table 4-4A) for process weight rates up to 60,000 lb/hr shall be accomplished by use of the following equation:

$$E = 4.10P^{0.67}$$

where:

E = emission rate in lb/hr

P = process weight rate in tons/hr

Interpolation and extrapolation of the data for process weight rates in excess of 60,000 lb/hr shall be accomplished by use of the following equation:

$$E = 55.0P^{0.11} - 40$$

where:

E = emission rate in lb/hr

P = process weight rate in tons/hr

(9 VAC 5-80-110, 9 VAC 5-40-260 A through D, and 9 VAC 5-40-22 C)

24. **Wastewater Treatment Plant Requirements – (Lime Silo ES6) – Visible Emission Limitations** - Visible emissions from the lime silo (EP6) shall not exceed twenty percent (20%) opacity, except for one six-minute period in any one hour of not more than thirty percent (30%) opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during periods of startup, shutdown, and malfunction.

(9 VAC 5-50-80, 9 VAC 5-80-110 and Condition 10 of 10/14/2014 SOP)

## **B. Monitoring**

25. **Wastewater Treatment Plant Requirements – (Lime Silo ES6) – Monitoring** - The permittee shall perform a determination of the process weight rate emission standard listed in Table 4-4A of 9 VAC 5-40-260 for Emission Unit ES6 either annually (within 12 calendar months of the last determination) or each time the process weight rate changes, whichever occurs first.  
(9 VAC 5-80-110 E)
26. **Wastewater Treatment Plant Requirements – (Lime Silo ES6) – Visible Emissions Observations** – The permittee shall check the lime silo stack (Unit ES6) during each loading event in daylight hours of operations for visible emissions for at least six minutes. If visible emissions are noted from the stack, maintenance shall be performed on the silo and fabric filter to eliminate the visible emissions. If visible emissions continue after maintenance actions, a visible emissions evaluation (VEE) shall be immediately conducted on the stack for at least six minutes in accordance with Method 9 (40 CFR 60, Appendix A). If the VEE opacity average for either stack exceeds ten (10) percent, the VEE shall continue for one hour from initiation on each stack. If compliance is not demonstrated by this VEE, timely corrective action shall be taken to bring the boiler back to compliance. Results of observations and/or VEEs shall be recorded in the operation log. Records of observations shall include the following:
- The name of the observer,
  - Date and time of the observation,
  - An indication of presence or absence of visible emissions,
  - Whether the emissions are representative of normal operation,

- e. If emissions are not representative of normal operation, the cause of the abnormal emissions,
- f. The duration of any visible emission incident, and any corrective action to eliminate visible emissions.
- g. If a VEE is conducted, records shall be in accordance with Method 9 (40 CFR 60, Appendix A).

(9 VAC 5-80-110 and Condition 12 of 10/14/2014 SOP)

### **C. Testing**

27. **Wastewater Treatment Plant Requirements – (Lime Silo ES6) – Testing** - The permitted facility shall be modified 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 5-80-110 and Condition 13 of 10/14/2014 SOP)

28. **Wastewater Treatment Plant Requirements – (Lime Silo ES6) – Testing** -If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.

(9 VAC 5-80-110)

### **D. Recordkeeping**

29. **Wastewater Treatment Plant Requirements – (Lime Silo ES6) – Recordkeeping** – The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

- a. Annual or subsequent process weight rate emission limit determinations; and,
- b. Records of visual emission observations, any corrective action taken, and any visible emissions evaluations (EPA Method 9) conducted.

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)

## V. Insignificant Emission Units

30. **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)
ES3, ES4, and three others	Five (5) feather singers using LPG, 4.4 mmBtu/hr combined	9 VAC 5-80-720 B	PM/PM-10, NOx	
P-6	No. 6 fuel oil storage tank, 20,000-gal AST	9 VAC 5-80-720 B	VOC	
G-1	Diesel fuel storage tank, 15,000-gal AST	9 VAC 5-80-720 B	VOC	
G-2	Motor oil storage tank, 1,000-gal AST	9 VAC 5-80-720 B	VOC	
G-3	Used oil storage tank, 2,000-gal AST	9 VAC 5-80-720 B	VOC	
G-4	Hydraulic oil storage tank, 550-gal AST	9 VAC 5-80-720 B	VOC	
W-3	Diesel fuel storage tank, 1,250-gal AST	9 VAC 5-80-720 B	VOC	

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

## VI. Permit Shield & Inapplicable Requirements

31. **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 Applicability
40 CFR 60 Subpart Dc	Standards of Performance for Small Industrial- Commercial-Institutional Steam generating Units	Units ES1 and ES2 were installed prior to 6/9/1989, the applicability date of the NSPS.
40 CFR 60 Subpart IIII	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (CI ICE)	This subpart applies to new CI ICE that was ordered after July 11, 2005, and manufactured after April 1, 2006; or CI ICE that was modified or reconstructed after July 11, 2005. Unit ES13 at the facility was ordered and manufactured earlier in 2005 (original permit date 3/15/05).

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 (i) 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)

## VII. General Conditions

32. **General Conditions - Federal Enforceability**- All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.  
 (9 VAC 5-80-110 N)
33. **General Conditions - Permit Expiration**- This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.  
 (9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
34. **General Conditions - Permit Expiration**- The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.  
 (9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)

35. **General Conditions - Permit Expiration-** If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
36. **General Conditions - Permit Expiration-**No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
37. **General Conditions - Permit Expiration-**If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
38. **General Conditions - Permit Expiration-**The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
39. **General Conditions -Recordkeeping and Reporting -** All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
- a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.
- (9 VAC 5-80-110 F)
40. **General Conditions -Recordkeeping and Reporting -** Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
(9 VAC 5-80-110 F)

41. **General Conditions -Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
  - b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
    - i. Exceedance of emissions limitations or operational restrictions;
    - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
    - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
  - c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”  
(9 VAC 5-80-110 F)
42. **General Conditions - 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 for the period ending December 31. 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. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the certification. The time period to be addressed is January 1 to December 31.
  - b. The identification of each term or condition of the permit that is the basis of the certification.
  - c. The compliance status.
  - d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
  - e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
  - f. Such other facts as the permit may require to determine the compliance status of the source.

- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

[R3\\_APD\\_Permits@epa.gov](mailto:R3_APD_Permits@epa.gov)

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

43. **General Conditions - 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 Condition 41 of this permit.  
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)
44. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Tidewater Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. 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)
45. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.  
(9 VAC 5-80-110 G.1)
46. **General Conditions - 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 ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.  
(9 VAC 5-80-110 G.2)
47. **General Conditions - Need to Halt or Reduce Activity not a Defense** -It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
(9 VAC 5-80-110 G.3)

48. **General Conditions - 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 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.  
(9 VAC 5-80-190 and 9 VAC 5-80-260)
49. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)
50. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
51. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)
52. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9 VAC 5-80-2310 through 9 VAC 5-80-2350. 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. The amount of the annual permit maintenance fee shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9 VAC 5-80-2340, adjusted annually by the change in the Consumer Price Index.  
(9 VAC 5-80-110 H, 9 VAC 5-80-340 C, and 9 VAC 5-80-2340 B)
53. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:
- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
  - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
  - d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
  - e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.  
(9 VAC 5-40-90 and 9 VAC 5-50-90)
54. **General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.  
(9 VAC 5-50-20 E and 9 VAC 5-40-20 E)
55. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.  
(9 VAC 5-80-110 J)
56. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:
- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
  - b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
  - d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.  
(9 VAC 5-80-110 K.2)

57. **General Conditions - Reopening For Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F. The conditions for reopening a permit are as follows:
- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
  - c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.  
(9 VAC 5-80-110 L)
58. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.  
(9 VAC 5-80-150 E)
59. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)
60. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
61. **General Conditions - Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
62. **General Conditions - Malfunction as an Affirmative Defense** - A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of Condition 63 are met.  
(9 VAC 5-80-250)
63. **General Conditions - Malfunction as an Affirmative Defense** - The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
- a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

- b. The permitted facility was at the time being properly operated.
  - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
  - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.  
(9 VAC 5-80-250)
64. **General Conditions - Malfunction as an Affirmative Defense** - In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.  
(9 VAC 5-80-250)
65. **General Conditions - Malfunction as an Affirmative Defense** - The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.  
(9 VAC 5-80-250)
66. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-190 C and 9 VAC 5-80-260)
67. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-80 E)
68. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(40 CFR Part 82, Subparts A-F)

69. **General Condition – 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 5-80-110 A.1)
70. **General Condition - 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)
71. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. (9 VAC 5-80-110 I)
72. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
  - a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
  - b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
  - c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300. (9 VAC 5-80-110 I)

## VIII. 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. (9 VAC 5-80-110 and 9 VAC 5-80-300)

73. **State-Only Enforceable Requirements – Odor Emission Standards** – The facility is subject to the Emission Standards for Odor in 9 VAC 5-40-130 et seq. (Rule 4-2), and the Standards of Performance for Odorous Emissions in 9 VAC 5-50-130 et seq. (Rule 5-2). (9 VAC 5-80-110 N, 9 VAC 5-80-300, and Condition 23 of 10/14/2014 SOP)
74. **State-Only Enforceable Requirements –Wastewater Treatment Plant – Operating Procedures-** The permittee shall operate the wastewater treatment plant, monitor required parameters at specified frequencies, and maintain the odor control systems in accordance with the latest approved version of the Odor Control and Monitoring Plan. The permittee shall notify DEQ within 48 hours of any changes to the plan. Changes to the plan shall be approved by the DEQ. (9 VAC 5-80-110 N, 9 VAC 5-80-300, and Condition 24 of 10/14/2014 SOP)
75. **State-Only Enforceable Requirements – Wastewater Treatment Plant – Lagoons Not in Service-** Wastewater lagoons utilized in standby or supporting roles will be monitored and odors managed as outlined in the latest approved version of the Odor Control and Monitoring Plan. (9 VAC 5-80-110 N, 9 VAC 5-80-300, and Condition 25 of 10/14/2014 SOP)
76. **State-Only Enforceable Requirements – Emergency Odor Response Plan** – The permittee shall implement the Emergency Odor Response Plan in accordance with the latest approved version of the Odor Control and Monitoring Plan. The permittee shall notify DEQ within 48 hours of any changes to the plan. Changes to the plan shall be approved by the DEQ. (9 VAC 5-80-110 N, 9 VAC 5-80-300, and Condition 26 of 10/14/2014 SOP)
77. **State-Only Enforceable Requirements – Implementation of Emergency Odor Response Plan** – In the event that the odor control equipment fails or malfunctions in such a manner that causes excess odor, the permittee shall promptly implement the Emergency Odor Response Plan. (9 VAC 5-80-110 N, 9 VAC 5-80-300, and Condition 27 of 10/14/2014 SOP)
78. **State-Only Enforceable Requirements – Operating and Training Procedures** – Wastewater treatment plant emissions shall be controlled by proper operation and maintenance of the facilities and associated odor control systems. All personnel operating any portion of the odor control system 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, and a review and familiarization of the latest approved Odor Control and Monitoring Plan, at minimum. The permittee shall maintain records of the required training including a statement of time, place, and nature of training provided. The facility shall have available good written operating procedures and a maintenance schedule for the odor control equipment and associated air pollution control equipment. These procedures shall be based on the manufacturer’s written recommendations, at minimum. All records required by this condition shall be kept onsite and made available for inspection by DEQ. (9 VAC 5-80-110 N, 9 VAC 5-80-300, and Condition 28 of 10/14/2014 SOP)

79. **State-Only Enforceable Requirements – Notification for Complaint Investigations –**

In the event that the Department of Environmental Quality notifies the permittee of an odor complaint, the permittee shall investigate the complaint in accordance with the Odor Control and Monitoring Plan, and inform the DEQ Tidewater Regional Office as to the results of its complaint investigation. The permittee's initial response to the DEQ shall be provided by telephone, e-mail, or facsimile transmission no later than eight (8) business hours following the receipt of DEQ notification.

In the event that the permittee receives an odor complaint, the permittee shall initiate the complaint investigation in accordance with the Odor Control and Monitoring Plan within one (1) hour of receipt. The permittee shall inform the DEQ Tidewater Regional Office, by telephone, e-mail, or facsimile transmission, of the complaint and the initial results of the complaint investigation no later than eight (8) business hours following the receipt of the complaint.

In addition, the permittee shall provide the DEQ Tidewater Regional Office by mail, e-mail, or facsimile transmission, with a complete written report within five (5) business days after the completion of the investigation. The written report shall address each applicable line item of the Accomac Odor Complaint Form. The Accomac Odor Complaint Form shall be the form that is provided in the latest approved Odor Control and Monitoring Plan for the facility.

(9 VAC 5-80-110 N, 9 VAC 5-80-300, and Condition 29 of 10/14/2014 SOP)

80. **State-Only Enforceable Requirements – On-site Records –** The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Tidewater Regional Office. These records shall include, but are not limited to:

- a. Records and monitoring results as required by the latest approved Odor Control and Monitoring Plan, including the Daily Environmental Inspection, Off-site Odor checks, Odor Complaint Investigations, and any Emergency Odor Response Plan implementations.
- b. Records of scheduled and unscheduled maintenance.
- c. Records of operator training.

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

(9 VAC 5-80-110 N, 9 VAC 5-80-300, and Condition 30 of 10/14/2014 SOP)