



NRO-005-10

# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

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Secretary of Natural Resources

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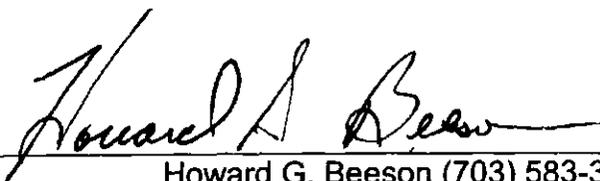
Thomas A. Faha  
Regional Director

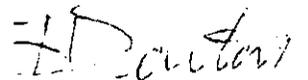
COMMONWEALTH OF VIRGINIA  
Department of Environmental Quality  
Northern Regional Office

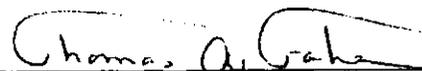
### STATEMENT OF LEGAL AND FACTUAL BASIS

Glen-Gery Corporation  
Capitol Plant – Manassas, Virginia  
Permit No. (NVRO-70244)

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, Glen-Gery Corporation has applied for a Title V Operating Permit for its Glen-Gery Capitol Plant located in Manassas, Virginia. The Department has reviewed the application and has prepared a Title V Operating Permit.

  
Date: 1/6/2010  
Howard G. Beeson (703) 583-3969

  
Date: 01/10/10  
Terry H. Darton

  
Date: 01-12-10  
Tom A. Faha

Event	Date	Initials
Code PRD	1/20/10	HGB
Scanned		
QC		

## FACILITY INFORMATION

### Permittee

Glen-Gery Corporation  
P.O. Box 340  
Shoemakersville, PA 19555

### Facility

Glen-Gery Corporation-Capitol Plant  
9905 Godwin Drive  
Manassas, VA 20108-0953

Air Facility System Number (AFS): 51- 683-00003

## SOURCE DESCRIPTION

NAICS Code: 327121 – Brick and Structural Clay Manufacturing

The facility manufactures brick products utilizing shale and clay mined on site. The materials are processed through a crusher, grinding mill and screening before being extruded and prepared for firing. The bricks are routed through one of five dryers before entering one of three natural gas-fired kilns.

The facility is a Title V major source of hydrogen fluoride, a hazardous air pollutant. This source is located in an area, which is nonattainment for ozone and PM<sub>2.5</sub>, and attainment for all remaining criteria pollutants. The facility is a minor source for both the nonattainment and PSD federal new source review programs. The facility has been in operation since 1956 and was issued a new source review permit November 24, 2000 for the installation of a Shapes Natural Gas-fired Dryer and a Shapes Natural Gas-fired Kiln. The November 24, 2000 permit was amended on January 30, 2001 to allow the Shapes Natural Gas-fired Dryer and a Shapes Natural Gas-fired Kiln to be constructed with separate exhaust stacks rather than the single combined stack as originally permitted. At the time of this NSR permit issuance, the source's Title V permit had more than three years left in its life span, therefore, a minor modification to the Title V permit was issued on August 18, 2003.

The facility was issued a permit exemption on July 3, 2001 to replace the Hoffman model 55B primary separator and a Hoffman model SHC-38-84 fabric filter sand booth with a UAS Dust Hog Model FJH-24-3 cartridge dust collector and add a UAS Dust Hog Model FJH-16-4 to the sand mixer and dumping station. The new system for the sand booth has a greater efficiency than the old system and the dust from the previously uncontrolled sand mixer and the sand dumping station will be controlled by the new

system. Because of these factors the change is not considered to be a modification as defined at 9 VAC 5-80-1110.

Additionally, on February 22, 2006 the facility requested a federally enforceable permit to limit brick production to less than ten tons per hour. Therefore, a State Operating Permit (SOP) was issued on May 12, 2006 which limited brick production to 9.9 tons per hour for each of the two tunnel kilns (K-1 and K-2) which allowed the facility to be exempt from the MACT requirements of 40 CFR 63, Subpart JJJJJ.

On June 19, 2006, the May 12, 2006 SOP was reissued as a minor amendment. This correction was necessary to revise the particulate emissions from the two Allied kilns. The original calculation used a kiln capacity of 16.7 tons/hr rather than the 9.9 tons/hr as required in the SOP. This correction lowered the allowable particulate emission rate.

### **COMPLIANCE STATUS**

A full compliance site evaluation of this facility is conducted bi-annually with the last inspection conducted in November 2008. Based on this compliance evaluation, no compliance issues or alleged violations were identified during this site inspection or during the review of any submitted documents since the last full compliance evaluation was conducted.

**EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION**

The emissions units at this facility consist of the following :

Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
Open air fugitives	Raw material storage piles	—	—	—	—	—
Open air fugitives	McClanahan Super Black Diamond 24" x 48" Crusher, Model No. 2448 (Mfg. 1979)	300 tons/hr	—	—	—	—
Enclosed in Bldg.	Grinding and Screening	55 tons/hr	—	—	—	—
04	Sand booth	1 ton/hr	UAS Dust Hog Model FJH-24-3	F-4	TSP, PM <sub>10</sub>	Exemption letter dated July 3, 2001
—	Sand mixing and dumping	—	UAS Dust Hog Model FJH-16-4	—	TSP, PM <sub>10</sub>	Exemption letter dated July 3, 2001
05 (K-1-1)	Allied Engineering Natural Gas Fired Kiln	9.9 tons/hr	—	—	—	5/12/2006 SOP issued to limit brick production condition 5 amended 6/19/06

Glen-Gery Corporation-Capitol Plant  
 Permit Number: NRO70244  
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Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
06 (K-2-1)	Allied Engineering Natural Gas Fired Kiln	9.9 tons/hr	—	—	—	5/12/2006 SOP issued to limit brick production condition 5 amended 6/19/06
20 (D-5)	Shapes Natural Gas Fired Dryer	0.57 tons/hr	Low NO <sub>x</sub> Burner	—	NO <sub>2</sub>	11/24/00; pages 4,5 & 9 were superseded on 1/30/01
22 (SK-1)	Shapes Natural Gas Fired Dryer	0.27 tons/hr	Low NO <sub>x</sub> Burner	—	NO <sub>2</sub>	11/24/00; pages 4,5 & 9 were superseded on 1/30/01

**EMISSIONS INVENTORY**

A copy of the 2008 annual emission update is attached. Emissions are summarized in the following tables.

**Table 1 -- 2008 Actual Criteria Air Pollution Emissions**

Emission Unit	2008 Criteria Pollutant Emission in Tons/Year						
	VOC	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	
01 - Storage	--	--	--	1.81	0.27	--	--
02 - Crusher	--	--	--	1.12	0.323	--	--
03 - Grinding & Screening	--	--	--	1.099	0.031	--	--
04 - Sand booth	--	--	--	0.207	0.207	--	--
05 (K-1) - Kiln #1	0.00	0.00	0.00	0.00	0.00	0.00	0.00
06 (K-2) - Kiln #2	0.15216	9.3198	0.60864	0.081786	0.02853	3.4236	
20 (D-5) - Shapes Dryer	0.00	0.00	0.00	0.00	0.00	0.00	
22 (SK-1) - Shapes Kiln	0.00	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL</b>	<b>0.15216</b>	<b>9.3198</b>	<b>0.60864</b>	<b>4.317786</b>	<b>0.85953</b>	<b>3.4236</b>	

**Table 2 - 2008 Actual Hazardous Air Pollutant Emissions**

Pollutant	2008 Hazardous Air Pollutant Emission in Tons/Yr
HF	5.17344
HCl	1.56915
<b>TOTAL</b>	<b>6.74259</b>

## **EMISSION UNIT APPLICABLE REQUIREMENTS – Allied Kilns (K-1 and K-2)**

### Limitations

The following applicable limitations are State BACT requirements from the conditions of the NSR permit issued on November 24, 2000 with amendments of the NSR permit issued on January 30, 2001 and the amended State Operating Permit (SOP) issued on June 19, 2006.

- Condition III.A.1 Limits process to no more than 9.9 tons of fired brick per hour for each Allied Kiln calculated monthly as the sum of each consecutive twelve month period. This condition is taken from Condition 2 of the amended SOP issued June 19, 2006.
- Condition III.A.2 Limits visible emissions from the Allied Kiln process not to exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60% opacity. This condition is taken from Condition 6 of the amended SOP issued June 19, 2006.
- Condition III.A.3 Limits emissions from the operation of each of the Allied Kiln processes not to exceed the specified limits below:
- |                                      |             |
|--------------------------------------|-------------|
| 1. Particulate Matter (PM10)         | 16.0 lbs/hr |
| 2. Sulfur Dioxide (SO <sub>2</sub> ) | 32.9 lbs/hr |
- This condition is taken from Condition 5 of the amended SOP issued June 19, 2006 and is calculated from the production rate times the allowable emissions designated at 9 VAC 5-40-270 and 9 VAC 5-40-280B. Exceedance of the production limits shall be considered credible evidence of the exceedance of emission limits.

### Monitoring and Recordkeeping

- Condition III.B Lists the minimal records to be maintained in order to demonstrate compliance with the permit. This condition is taken from Condition 7 of the amended SOP issued June 19, 2006.

### Testing

The permit does not require source tests. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard. The permit also includes a listing of acceptable EPA test methods for the various pollutants.

**EMISSION UNIT APPLICABLE REQUIREMENTS – Shapes Kiln and Shapes Dryer  
(SK-1 and D-5)**

Limitations

- Condition IV.A.1 Limits process to no more than 2,365 tons of fired brick per year calculated monthly as the sum of each consecutive twelve (12) month period. This condition is taken from Condition 5 of the November 24, 2000 NSR permit.
- Condition IV.A.2 Authorizes the use of natural gas as the fuel for the units and that a change in the fuel may require a permit to modify and operate. This condition is taken from Condition 6 of the November 24, 2000 NSR permit.
- Condition IV.A.3 Limits visible emissions from the stacks to 10% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20% opacity as determined by EPA Method 9. This condition applies at all times except during startup, shutdown, and malfunction. This condition is taken from Condition 8 of the amended NSR permit issued January 30, 2001.
- Condition IV.A.4 Limits emissions from the operation to not exceed the limits specified below:
- |                       |             |              |
|-----------------------|-------------|--------------|
| 1. PM-10              | 0.53 lbs/hr | 1.17 tons/yr |
| 2. Particulate Matter | 0.63 lbs/hr | 1.37 tons/yr |
| 3. Nitrogen Dioxide   | 0.25 lbs/hr | 0.53 tons/yr |
| 4. Carbon Monoxide    | 0.83 lbs/hr | 1.81 tons/yr |
- 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. This condition is taken from Condition 7 of the November 24, 2000 NSR permit.
- Condition IV.A.9 States that the NO<sub>x</sub> emissions shall be controlled with low NO<sub>x</sub> burners.

Monitoring and Recordkeeping

- Condition IV.B Lists the minimal records to be maintained in order to

demonstrate compliance with the permit. This condition is taken from Condition 9 of the NSR issued November 24, 2000

### Testing

#### Condition IV.C

The permit does not require source tests. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard. The permit also includes a listing of acceptable EPA test methods for the various pollutants. This condition is taken from Condition 3 of the amended NSR permit issued January 30, 2001.

### **PROCESS EQUIPMENT APPLICABLE REQUIREMENTS – McClanahan Crusher (02), Grinders/screening/storage/manufacturing (03), and Sand Booth (04)**

### Limitations

Description of emission limitations from the Virginia Administrative Code that were not in previous permits:

- |                  |   |
|------------------|---|
| Condition V.A.1  | Limits visible emissions from each of these sources not to exceed 20% opacity except for one six-minute period in any one-hour in which visible emissions shall not exceed 60% opacity. This condition is required by 9 VAC 5-40-80 and 9 VAC 9-80-110. |
| Condition V.A.2  | Limits PM-10 emissions from the McClanahan Crusher to 40 lbs/hr. This condition is required by 9 VAC 5-40-270. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits.                           |
| Condition V.A.3  | Limits PM-10 emissions from the grinding and screening operations to 40 lbs/hr. This condition is required by 9 VAC 5-40-270. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits.            |
| Condition V.A. 4 | Limits the PM-10 emissions from the sand booth to 4.14 lbs/hr. This condition is required by 9 VAC 5-40-270. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits.                             |

Monitoring and Recordkeeping

Condition V.B Requires that the permittee monitor the pressure gauge on the sand booth filter. This condition is required by 9 VAC 5-80-110E.

Testing

Condition V.C The permit does not require source tests. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard. The permit also includes a listing of acceptable EPA test methods for the various pollutants. This condition is required by 9 VAC 5-40-30 and 9 VAC 5-80-110.

**FACILITY WIDE CONDITIONS**

Limitations

Condition VI.A Limits visible emissions and fugitive dust/emissions for the facility. These conditions establish requirements to minimize fugitive emissions, and clarify those visible emission standards which apply to all operations at the facility except the Shapes Dryer and Shuttle Kiln. The visible emission requirements of 9 VAC 5-50-80 apply to the Shapes Dryer and Shuttle Kiln. This condition is required by 9 VAC 5-40-80, 9 VAC 5-80-110, Condition 8 of the amended NSR permit issued January 30, 2001 and was included in the amended Title V permit issued on August 18, 2003.

Monitoring and Recordkeeping

Condition VI.B.1 The permit establishes a requirement to conduct visible emissions monitoring to ensure compliance with the visible emissions standard for each significant emissions unit and for plant-wide fugitive sources. The monitoring involves conducting daily Method 22-like visible emissions observations to provide an indication of the presence or absence of visible emissions. The absence of visible emissions clearly demonstrates compliance with the visible emissions standard. The presence of visible emissions will require the permittee to take corrective action to correct any equipment or control devices which are not operating

properly. If corrective action does not eliminate the visible emissions, the permittee is required to conduct an opacity test in accordance with EPA Method 9 (CFR 60, Appendix A) to determine if the visible emissions exceed the allowable standard. It is worth noting that the presence of visible emissions does not necessarily correspond to a violation of the standard. This condition is required by 9 VAC 5-80-110E.

- Condition VI.B.2 The permittee is required to maintain a log of these daily visible emission observations and specific items are specified to be included in this log. This condition is required by 9 VAC 9-80-110E.
- Condition VI.B.3 This condition sets out circumstances in which the daily visible emission observations may be reduced in intensity. This condition is required by 9 VAC 5-80-110E.
- Condition VI.B.4 The permit establishes requirements for the permittee to maintain all emission and operating parameters necessary to support of actual emissions calculations, and to maintain records of all visible emission observations and any Method 9 tests. The records must be maintained on site for the most recent five years. This condition is required by 9 VAC 5-80-110E.

### Testing

- Condition VI.C The permit does not require any testing to demonstrate compliance with the facility-wide conditions other than the required Method 9 tests in the event that visible emissions are observed. The Department and EPA have the authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard. This condition is required by 9 VAC 5-80-110.

### Reporting

- Condition VI.D The permit establishes reporting in accordance with the permit deviation and failure/malfunction reporting requirements of the Virginia Regulations in the event that opacity excursions are observed. The proposed permit also requires the permittee to provide copies of Method 9 test results to the Department. This condition is required by 9 VAC 9-80-110.

## **STREAMLINED REQUIREMENTS**

- Condition 10      The NSR permit dated November 24, 2000 pages 4, 5 and 9 were superseded with the January 30, 2001 and therefore has not been included. This condition dealt with initial visible emissions evaluation for the Shapes Dryer and Shuttle Kiln. The initial testing has been completed and that condition is not included in this permit.
- Condition 11      The NSR permit dated November 24, 2000 required initial notifications of the construction, actual start-up and the anticipated date of performance tests of the Shapes Dryer and Shuttle Kiln. These dates have been submitted to the Department.
- Condition 13      The NSR permit dated November 24, 2000 set out conditions in which the permit would be invalidated due to construction limitations. The units have been constructed within the framework of that condition the condition is not included in the permit.

## **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.

### Permit Expiration

- Condition IX.B      This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.2-604 and §10.1-1185 of the Code of Virginia, and the "Department of Environmental Quality Agency Policy Statement No. 2-2003".

This general condition cites the Article that follows:  
Article 1, 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

### Failure/Malfunction Reporting

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

This general condition cites the sections that follow:

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

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

### Permit Modification

Condition IX.J 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

### Malfunction as an Affirmative Defense

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

This general condition cites the sections that follow:  
9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction  
9 VAC 5-80-110. Permit Content

### Y. 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 a citation from the Code of Federal Regulations that follows:

40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.  
40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.  
40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

This general condition cites the regulatory sections that follow:  
9 VAC 5-60-70. Designated Emissions Standards  
9 VAC 5-80-110. Permit Content

### **STATE ONLY APPLICABLE REQUIREMENTS**

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

9 VAC 5-60-300, et. seq. (formerly 9 VAC 5-50-160 et. seq.), *Toxic Pollutants*. The construction of the Shapes Dryer and Shuttle Kiln is not applicable to 112 (g) because the potential to emit (PTE) of what's being constructed is less than 10 tpy for a single HAP or 25 tpy for multiple HAP's.

- Condition X.A      This condition limits the emissions of Hydrogen Fluoride (hydrofluoric acid) from the Shapes shuttle kiln (SK-1). This condition is required by the Virginia Administrative Codes 9 VAC 5-50-320.
- Condition X. B      This condition requires that the method for determining HF emissions will be the "Pyrohydrolysis Method for Fluorine Determination in Clays and Fired Ceramics" (Split Brick Method) as delineated in the National Brick Research Center's document of June 1998. This condition also specifies the frequency of sampling and the method of calculation in determining the emission factor to be used in reporting the annual emission of HF. This method was authorized in a letter from DEQ dated September 12, 2002.
- Condition X.C      This condition establishes the types of onsite records required to be maintained by the facility in connection with these state only requirements.

**FUTURE APPLICABLE REQUIREMENTS**

Prior to the 40 CFR 63, Subpart JJJJJ being vacated and prior to the applicability date, Glen-Gery elected to have a federally enforceable State Operating Permit issued limiting the brick production from each of the two Allied Tunnel Kilns to 9.9 tons of fired bricks/hour, calculated on a twelve-month rolling average for each of the kilns. This limitation would keep the facility below the applicability limit for the MACT in Subpart JJJJJ per 40 CFR 63.8390(d). This limitation remains in place at this time and would therefore exempt the facility from the requirements of the Subpart JJJJJ requirements should/when they are reinstated.

**INAPPLICABLE REQUIREMENTS**

Citation	Title of Citation	Description of Applicability
40 CFR 60, Subpart 000	Standards of Performance for Nonmetallic Minerals Processing Plants	The rule establishes particulate and opacity standards for affected units constructed, reconstructed, or modified after August 31, 1983. The Plant is not applicable since it has been in operation since 1956,

		and no modifications or reconstructions have occurred subjecting the facility to the NSPS.
40 CFR 60, Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984	The rule establishes standards for VOC emissions from affected storage tanks with a storage capacity equal to or greater than 40 cubic meters (10,567 gal). The storage tanks at the Plant are not applicable because the storage capacity of each tank is less than 40 cubic meters (10,567 gallons).
9 VAC 5-40, Part II, Article 14	Emission Standards for Sand and Gravel Processing Operations and Stone Quarrying and Processing Operations	The rule establishes requirements for stone quarrying operations, and applies to activities including crushers, conveyors, screens, transfer points, discharge points, and storage piles. These standards are not applicable to sources located in Air Quality Control Region 7 (e.g. Northern Virginia). Requirements for sources in AQCR 7 are established in 9 VAC Chapter 40, Part II, Article 4.
9 VAC 5-40 Part II, Article 37	Emission Standards for Petroleum Liquid Storage and Transfer Operations	The rule establishes standards for VOC emissions associated with petroleum liquid storage and transfer operations. These standards are not applicable to the tanks at the Plant because they are below the exemption thresholds of the rule for size and/or monthly throughput

		capacity.
40 CFR 63, Subpart JJJJJ	National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing	This subpart establishes national emission limitations for hazardous air pollutants (HAP) emitted from brick and structural clay products (BSCP) manufacturing facilities. Maximum Achievable Control Technology Standards (MACT) for brick and structural clay products manufacturing, under 40 CFR 63, Subpart JJJJJ and 9 VAC 5 Chapter 60 was promulgated on May 16, 2003, but was vacated on June 18, 2007. The Plant had a federally enforceable production limit in place prior to the May 16, 2006 effective date of this subpart and was therefore not applicable to the requirements of Subpart JJJJJ.

The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A.4 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedance during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedance during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

**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:**

Emission Unit ID.	Emission Unit Description	Citation <sup>1</sup>	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
Quarry	Quarry Operations	9 VAC 5-80-720 B.1	Particulate Matter, PM <sub>10</sub>	—
Pug Water System <sup>2</sup>	One natural gas fired boiler	9 VAC 5-720 C.2.a	Criteria pollutants	1.68 MMBtu/hr
V	Dryers 1-4 (Waste heat from kilns provide heat. No auxiliary burners)	9 VAC 5-80-720 B.2	VOC	—
AST-2	One 1,000 gallon gasoline AST	9 VAC 5-80-720 B.2	VOC	—

<sup>1</sup>The citation criteria for insignificant activities are as follows:

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

<sup>2</sup>This equipment is currently not in use and has had the fuel line disconnected. However, since the equipment has not been permanently removed, the facility has the ability to reactivate this equipment by reattaching the fuel line. It therefore must remain on the equipment list.

**CONFIDENTIAL INFORMATION**

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

**PUBLIC PARTICIPATION**

The proposed permit public notice was placed on in the News and Messenger on November 23, 2009 and the public notice period ended on December 24, 2009. There were no comments from the public or EPA Region III.