COMMONWEALTH of VIRGINIA

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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 9VAC5-80-50 through 9VAC5-80-300 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:	MW Manufacturers, Inc.
Facility Name:	MW Manufacturers, Inc.
Facility Location:	433 North Main Street Rocky Mount, VA 24151
Registration Number:	30386
Permit Number:	BRRO-30386

This permit includes the following programs:
Federally Enforceable Requirements - Clean Air Act (Pages 3 through 25)

DRAFT _____
Effective Date

DRAFT _____
Expiration Date

_____
Robert J. Weld, Regional Director

_____
Signature Date

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Facility Information

MW Manufacturers, Inc.
433 North Main Street
Rocky Mount, VA 24151

Responsible Official
Garth Harris
Plant Manager

Facility
MW Manufacturers, Inc.
433 North Main Street
Rocky Mount, VA 24151

Contact Person
Aaron Strauser
Manager – Technical Services
540/484-6521

County-Plant Identification Number: 51-067-0023

Facility Description: NAICS 321911 – manufacture of wood and vinyl windows and doors for new construction and replacement

This plant manufactures wood and vinyl clad windows and doors. The plant has been in existence at its current location since the 1940's. Processes include woodworking (milling and machining), wood preservation using a solvent-based product in a Dual Vacuum/Pressure (DVP) process, spray painting and glass sealing.

The wood/coal boiler is used for space heating purposes only. The boiler is subject to the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources (MACT 6J).

There are 2 emergency diesel generators. The generators are subject to the area source RICE[1] MACT (Subpart ZZZZ).

The facility is a Title V major source of VOC and SO_2. This source is located in an attainment area for all pollutants, and is a PSD minor source. The facility is currently permitted under a Minor NSR Permit initially issued on April 18, 1979; the permit document was last amended on x/x/14.

[1] Reciprocating Internal Combustion Engine

Emission Units

Equipment to be operated consists of:

Emission Unit ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device Description	Pollutant Controlled	Applicable Permit Document Date
Fuel Burning Equipment					
1	CNB Tri-Fuel Boiler Installed 1980	21.32 MMBtu/hr (coal) 17 MMBtu/hr (wood)	Custom Multicyclone	PM	x/x/14
1B	Fire Pump Engine – installed 1973	175 HP	none	n/a	--
1C	Lab Backup Generator - installed 1999	170 HP	none	n/a	--
Woodworking/Wood Preservation/Painting					
2	Dual Vacuum/Pressure (DVP) solvent-based wood preservation process		none	n/a	x/x/14
4	Wood Parts Priming - 3 spray coat primer units	unknown	none	n/a	x/x/14
5	Wood milling and machining	20,000,000 bdft/yr	2 Pneumafil Baghouses	PM	x/x/14
6	Paint Booth	2 gal/hr	Dry Filters	PM	x/x/14
GS	Glass Sealant application	varies	none	n/a	x/x/14

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

Fuel Burning Equipment Requirements – CNB Tri-Fuel Boiler (ID#1)

1. **Limitations (ID#1)** - Particulate emissions from the boiler shall be controlled by a multicyclone. (9VAC5-80-110 and Condition 3 of x/x/14 Permit document)

2. **Limitations (ID#1)** - The approved fuels for the boiler are coal and wood. A change in the fuels may require a permit to modify and operate.
(9VAC5-80-110 and Condition 11 of x/x/14 Permit document)

3. **Limitations (ID#1)** - The maximum sulfur content of the coal to be burned in the boiler shall not exceed 1 percent by weight per shipment.
(9VAC5-80-110 and Condition 12 of x/x/14 Permit document)

4. **Limitations (ID#1)** - Emissions from the operation of the boiler shall not exceed the limits specified below:

PM	2 lbs/hr	10 tons/yr
PM-10	2 lbs/hr	10 tons/yr
Sulfur Dioxide	56 lbs/hr	135 tons/yr
Volatile Organic Compounds	2.51 lbs/hr	11 tons/yr

(9VAC5-80-110 and Condition 13 of x/x/14 Permit document)

5. **Limitations (ID#1)** - Visible Emissions from the boiler stack shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity. This condition applies at all times except during startup, shutdown and malfunction.
(9VAC5-50-80, 9VAC5-80-110 and Condition 20 of x/x/14 Permit document)

6. **Monitoring (ID#1)** - At least one time per day when the boiler is in operation an observation of the presence of visible emissions from the boiler stack shall be made. The presence of visible emissions shall require the permittee to:

   a. Take timely corrective action such that the unit resumes operation with no visible emissions, or,

   b. Conduct a visible emission evaluation (VEE), in accordance with EPA Method 9 (reference 40CFR60 Appendix A) for a minimum of six minutes, to assure visible emissions from the boiler is 20 percent opacity or less. If any of the 15-second observations exceeds 20 percent opacity, the observation period shall continue for a total of sixty (60) minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the equipment resumes operation with visible emissions less than or equal to 20 percent opacity.

   The permittee shall maintain an observation log to demonstrate compliance. The logs shall include the date and time of the observations, whether or not there were visible emissions, the results of all

VEEs, any necessary corrective action, and the name of the observer. If the unit has not been operated, it shall be noted in the log book.
(9VAC5-80-110)

7. **Monitoring (ID#1)** - An annual internal inspection shall be conducted on the Custom Multicyclone by the permittee to ensure structural integrity.
(9VAC5-80-110)

8. **Recordkeeping (ID#1)** - 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 Blue Ridge Regional Office. These records shall include, but are not limited to:

   a. Coal shipments purchased, indicating sulfur content per shipment.

   b. Annual amount of wood and coal burned calculated monthly as the sum of each consecutive 12-month period.

   c. Annual emission calculation for SO2 calculated monthly as the sum of each consecutive 12-month period using emission factors and appropriate methodology (i.e. documented assumptions and justification) to demonstrate compliance with the annual emission limit.

   d. Results of all observations and inspections as required in Conditions 6 and 7 of this permit.

   These records shall be available on site for inspection by the DEQ and shall be current for the most recent (5) years.
   (9VAC5-50-50, 9VAC5-80-110 and Condition 24h and i of x/x/14 Permit document)

Area Source Boiler MACT (Subpart 6J) requirements (ID#1)

9. No later than the date specified in 40 CFR §63.1196 the boiler (ID#1) shall comply with the Standards specified in 40 CFR §63.11201.
(9VAC5-80-110 and 40CFR63.11201)

10. No later than the date specified in 40 CFR §63.1196 the boiler (ID#1) shall comply with the General Requirements specified in 40 CFR §63.11205.
(9VAC5-80-110 and 40CFR63.11205)

11. No later than the date specified in 40 CFR §63.1196 the boiler (ID#1) shall comply with the Initial Compliance Requirements specified in 40 CFR §63.11210.
(9VAC5-80-110 and 40CFR63.11210)

12. No later than the date specified in 40 CFR §63.1196 the boiler (ID#1) shall demonstrate initial compliance with emission limits as specified in 40 CFR §63.11211.
(9VAC5-80-110 and 40CFR63.11211)

13. No later than the date specified in 40 CFR §63.1196 the boiler (ID#1) shall demonstrate initial compliance with work practice standard, emission reduction measures, and management practice as specified in 40 CFR §63.11214.
(9VAC5-80-110 and 40CFR63.11214)

14. No later than the date specified in 40 CFR §63.1196 the boiler (ID#1) shall implement continuous compliance requirements as specified in 40 CFR §63.11220, 40 CFR §63.11221, 40 CFR §63.11222, 40 CFR §63.11223 and 40 CFR §63.11224.
(9VAC5-80-110, 40CFR63.11220, 40CFR63.11221, 40CFR63.11222, 40CFR63.11223 and 40CFR63.11224)

15. No later than the date specified in 40 CFR §63.1196 the boiler (ID#1) shall comply with the notification, reporting, and recordkeeping requirements as specified in 40 CFR §63.11225.
(9VAC5-80-110 and 40CFR63.11225)

16. No later than the date specified in 40 CFR §63.1196 the boiler (ID#1) shall comply with the General Provisions as specified in 40 CFR §63.11235.
(9VAC5-80-110 and 40CFR63.11235)

Fuel Burning Equipment Requirements – Emergency Generators (ID#1B and 1C)

17. **Limitations (ID#1B and 1C) -** The approved fuel for the emergency generators is #2 fuel oil. A change in the fuel may require a permit to modify and operate.
(9VAC5-80-110)

18. **Limitations (ID#1B and 1C) -** Visible emissions from either emergency generator stack shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity.
(9 VAC 5-80-110 and 9 VAC 5-50-80)

19. **Monitoring and Recordkeeping (ID#1B and 1C) -** At least one time per month when the emergency generators are in operation (i.e. routine testing) an observation of the presence of visible emissions from the stack shall be made. The presence of visible emissions shall require the permittee to:

    a. Take timely corrective action such that the unit resumes operation with no visible emissions, or,

    b. Conduct a visible emission evaluation (VEE), in accordance with EPA Method 9 (reference 40 CFR 60 Appendix A) for a minimum of six minutes, to assure visible emissions from the affected unit are 5 percent opacity or less. If any of the 15-second observations exceeds 5 percent opacity, the observation period shall continue for a total of sixty (60) minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the equipment resumes operation with visible emissions less than or equal to 20 percent opacity.

    The permittee shall maintain an observation log to demonstrate compliance. The logs shall include the date and time of the observations, whether or not there were visible emissions, the results of all

VEEs, any necessary corrective action, and the name of the observer. If the unit has not been operated, it shall be noted in the log book.
(9VAC5-80-110)

MACT ZZZZ requirements (ID#1B and 1C)

20. Each emergency generator shall comply with the General Requirements of 40CFR63 Subpart ZZZZ §63.6605(a) and (b).
(9VAC5-80-110 and 40CFR63.6605)

21. Each emergency generator shall comply with the monitoring, installation, collection, operation and maintenance requirements of 40CFR63 Subpart ZZZZ §63.6625(e)(3), (f) and (h).
(9VAC5-80-110 and 40CFR63.6625)

22. Each emergency generator shall demonstrate continuous compliance with the emission limitations, operating limitation and other requirements as specified in 40CFR63 Subpart ZZZZ §63.6640, Table 2d, Section 4 according to methods specified in Table 6, Section 9.
(9VAC5-80-110 and 40CFR63.6640)

23. Each emergency generator shall be operated in accordance with the requirements of 40CFR63 Subpart ZZZZ §63.6640(f) (1) through (4).
(9VAC5-80-110 and 40CFR63.6640)

24. Each emergency generator shall comply with the record keeping requirements of 40CFR63 Subpart ZZZZ §63.6655 and §63.6660.
(9VAC5-80-110 40CFR63.6655 and 40CFR63.6660)

Process Equipment Requirements – DVP Process (ID#2)

25. **Limitations (ID#2) -** Emissions from the operation of the DVP Process shall not exceed the limits specified below:

    Volatile Organic Compounds 125 tons/yr

    (9VAC5-80-110 and Condition 15 of x/x/14 Permit document)

26. **Recordkeeping (ID#2) -** The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Blue Ridge Regional Office. These records shall include, but are not limited to:

    a. A monthly and annual material balance of VOC (in tons) from the solvent-based wood preservative Dual Vacuum/Pressure process. The mass balance shall include all VOC-containing materials used and shall assume that 100% of the VOC content is emitted to atmosphere. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. The consecutive 12-month period sum 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.

b. Material Safety Data Sheets (MSDS) or Certified Product Data Sheets (CPDS) for the preservatives and solvents, used at the facility. VOC content for the material shall be determined using EPA test methods.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9VAC5-50-50, 9VAC5-80-110 and Condition 24a and j of x/x/14 Permit document)

Process Equipment Requirements – Wood Parts Priming (ID#4)

27. **Limitations (ID#4)** - Emissions from the operation of the water-based frame priming system shall not exceed the limits specified below:

Volatile Organic Compounds	23.7 tons/yr

(9VAC5-80-110 and Condition 16 of x/x/14 Permit document)

28. **Limitations (ID#4)** - Emissions from the operation of the water-based frame priming system while applying enamel shall not exceed the limits specified below:

Volatile Organic Compounds	4.2 tons/yr

(9VAC5-80-110 and Condition 17 of x/x/14 Permit document)

29. **Recordkeeping (ID#4)** - 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 Blue Ridge Regional Office. These records shall include, but are not limited to:

a. A monthly and annual material balance of VOC (in tons) from water-based frame primer usage. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. The consecutive 12-month period sum 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.

b. A monthly and annual material balance of VOC (in tons) from water-based enamel usage. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. The consecutive 12-month period sum 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.

c. Material Safety Data Sheets (MSDS) or Certified Product Data Sheets (CPDS) for the paints used at the facility. VOC content for the material shall be determined using EPA test methods.

In the event that a water-based frame primer or enamel MSDS or CPDS lists "emitted VOC", that number will be used to determine the VOC throughput of that particular product.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9VAC5-50-50, 9VAC5-80-110 and Condition 24b,c and j of x/x/14 Permit document)

Process Equipment Requirements – Wood Milling and Machining (ID#5)

30. **Limitations (ID#5)** - Particulate emissions from the wood dust handling systems shall be controlled by baghouses. The baghouses shall be provided with adequate access for inspection and shall be in operation when the wood dust handling systems are operating. The baghouses shall be provided with adequate access for inspection.
(9VAC5-80-110 and Condition 4 of x/x/14 Permit document)

31. **Limitations (ID#5)** - All subsequent transfer of the collected material from the baghouses shall be controlled by a baghouse or a completely enclosed transfer system.
(9VAC5-80-110 and Condition 8 of x/x/14 Permit document)

32. **Limitations (ID#5)** - The annual throughput of cut stock lumber shall not exceed 20.0 x 10^6 board feet, calculated monthly as the sum of each consecutive 12-month period.
(9VAC5-80-110 and Condition 10 of x/x/14 Permit document)

33. **Limitations (ID#5)** - Emissions from the operation of the wood working equipment/wood dust handling system shall not exceed the limits specified below:

PM	0.01	gr/dscf	10	tons/year
PM-10	0.01	gr/dscf	10	tons/year

(9VAC5-80-110 and Condition 14 of x/x/14 Permit document)

34. **Limitations (ID#5)** - Visible emissions from the baghouses shall not exceed 5 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A), except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity. This condition applies at all times except during startup, shutdown and malfunction.
(9VAC5-50-80, 9VAC5-80-110 and Condition 21 of x/x/14 Permit document)

35. **Monitoring (ID#5)** - The baghouses shall be equipped with devices to continuously measure the differential pressure drop through the baghouse. Each monitoring device shall be installed, maintained, calibrated, and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the baghouse is operating.
(9VAC5-80-110 and Condition 5 of x/x/14 Permit document)

36. **Recordkeeping (ID#5)** - 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 Blue Ridge Regional Office. These records shall include, but are not limited to:

    a. Monthly and annual throughput of cut stock lumber in board feet. Annual throughput shall be calculated monthly as the sum of each consecutive 12-month period.

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

    (9VAC5-50-50, 9VAC5-80-110 and Condition 24g of x/x/14 Permit document)

Compliance Assurance Monitoring (CAM) (ID#5)

37. **CAM (ID#5) –** The permittee shall implement a Compliance Assurance Monitoring (CAM) Plan to monitor the fabric filters controlling particulate from the wood milling and machining operation in accordance with the following table. Each monitor shall be approved, and in compliance with 40 CFR 64.3(b) or (d).

	Indicator 1
Indicator	Visible Emissions
Measurement Approach	Observation of each fabric filter to determine the presence or absence of visible emissions from the exhaust or structure
Indicator Range	An excursion is defined as any observed visible emissions.
	Performance Criteria
Data Representativeness	Measurements are made at the emission point.
Verification of Operational Status	Not applicable.
QA/QC Practices and Criteria	The observer will be trained in Method 22 procedures.
Monitoring Frequency	Daily. Daily observation is not required for any unit that has no venting to the outside air during that day.
Data Collection Procedures	All daily observations (or notation that a fabric filter did not vent to the outside air on a given date) will be recorded in a logbook at the facility. All excursions will be documented and reported.
Averaging Period	Not applicable

    Changes pertaining to the information in this condition shall not be implemented prior to approval by the DEQ. Changes may require public participation according to the requirements of 9VAC5-80-230.
    (9VAC5-80-110 E and 40CFR64.6(c))

38. **CAM (ID#5) –** The permittee shall conduct monitoring and fulfill the other obligations specified in 40CFR64.7 through 40 CFR 64.9.
    (9VAC5-80-110 E and 40CFR64.6(c))

39. **CAM (ID#5) –** Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the fabric filters are operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of compliance assurance monitoring, including data averages and calculations, or fulfilling a minimum data available requirement, if applicable. The permittee shall use all of the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by inadequate maintenance or improper operation are not malfunctions.
(9VAC5-80-110 E and 40CFR64.7(c))

40. **CAM (ID#5) -** Upon detecting an excursion or exceedance, the permittee shall restore operation of the fabric filter(s) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup and shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator, designated condition, or below the applicable emission limitation or standard, as applicable.
(9VAC5-80-110 E and 40CFR64.7 (d)(1))

41. **CAM (ID#5) -** Determination that acceptable procedures were used in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.
(9VAC5-80-110 E and 40CFR64.7(d)(2))

42. **CAM (ID#5) -** If the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly (in accordance with Condition 73) notify the Blue Ridge Regional Office and, if necessary, submit a proposed modification to this permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.
(9VAC5-80-110 E and 40CFR64.7(e))

43. **CAM (ID#5) -** If the number of visible emission excursions documented for a fabric filter exceeds 2 excursions for any consecutive 90 observations, or as otherwise required by the DEQ in accordance with review conducted under 40CFR64.7(d)(2), the, the permittee shall develop, implement and

maintain a Quality Improvement Plan (QIP) in accordance with 40CFR64.8. If a QIP is required, the permittee shall have it available for inspection.
(9VAC5-80-110 E and 40CFR64.8(a) and (b))

44. **CAM (ID#5) -** Monitoring imposed under 40CFR Part 64 shall not excuse the permittee from complying with any existing requirements under federal, state, local law, or any other applicable requirement under the Act, as described in 40CFR64.10.
(9VAC5-80-110 E and 40CFR64.10)

45. **CAM Recordkeeping (ID#5) -** The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan (QIP) required pursuant to §64.8 and any activities undertaken to implement a quality improvement plan (QIP), and other supporting information required to be maintained under this part (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).
(9VAC5-80-110 E and 40CFR64.9(b))

46. **CAM Reporting (ID#5) -** The permittee shall submit CAM reports as part of the Title V semi-annual monitoring reports required by General Condition 71 of this permit to the Blue Ridge Regional Office. Such reports shall include at a minimum:

    a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

    b. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

    c. A description of the actions taken to implement a quality improvement plan (QIP) during the reporting period as specified in §64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

    (9VAC5-80-110 F and 40CFR64.9(a))

Process Equipment Requirements – Paint Booth (ID#6)

47. **Limitations (ID#6)** - Particulate emissions from the paint booth shall be controlled by dry filters. The dry filters shall be provided with adequate access for inspection and shall be in operation when the paint booth is operating.
(9VAC5-80-110 and Condition 6 of x/x/13 Permit document)

48. **Limitations (ID#6)** - Visible emissions from the paint booth stack shall not exceed 5 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
(9VAC5-50-80, 9VAC5-80-110 and Condition 22 of x/x/14 Permit document)

49. **Limitations (ID#6) -** Emissions from the paint booth shall not exceed the limits specified below:

Volatile Organic Compounds	4.5	tons/year

(9VAC 580-110 and Condition 18 of x/x/14 Permit document)

50. **Limitations (ID#6)** - Emissions from the cleaning solvents for the paint booth shall not exceed the limits specified below:

Volatile Organic Compounds	1.8	tons/year

(9VAC5-80-110 and Condition 19 of x/x/14 Permit document)

51. **Monitoring (ID#6)** - The paint booth shall be equipped with devices to continuously measure the differential pressure drop across the dry filters. Each monitoring device shall be installed, maintained, calibrated, and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the paint booth is operating.
(9VAC5-80-110 and Condition 7 of x/x/14 Permit document)

52. **Monitoring (ID#6)** - At least one time per day an observation of the presence of visible emissions from the paint booth exhaust shall be made. The presence of visible emissions shall require the permittee to:

    a. Take timely corrective action such that the unit resumes operation with no visible emissions, or,

    b. Conduct a visible emission evaluation (VEE), in accordance with EPA Method 9 (reference 40 CFR 60 Appendix A) for a minimum of six minutes, to assure visible emissions from the affected unit are 5 percent opacity or less. If any of the 15-second observations exceeds 5 percent opacity, the observation period shall continue for a total of sixty (60) minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the equipment resumes operation with visible emissions less than or equal to 5 percent opacity.

    The permittee shall maintain an observation log to demonstrate compliance. The logs shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If the unit has not been operated, it shall be noted in the log book.
    (9VAC5-80-110)

53. **Recordkeeping (ID#6)** - 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 Blue Ridge Regional Office. These records shall include, but are not limited to:

    a. A monthly and annual material balance of VOC (in tons) from paint booth coatings usage. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. The consecutive 12-month period sum 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.

b. A monthly and annual material balance of VOC (in tons) from cleaning solvents usage for the paint booth. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. The consecutive 12-month period sum 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.

c. Material Safety Data Sheets (MSDS) or Certified Product Data Sheets (CPDS) for the solvents, paints and cleaning solvents used at the facility. VOC content for the material shall be determined using EPA test methods.

d. Results of all observations as required in Condition 52 of this permit.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9VAC5-50-50, 9VAC5-80-110 and Condition 24e, f and j of x/x/14 Permit document)

Process Equipment Requirements – Glass Sealant Application (ID#GS)

54. **Limitations** - The glass sealing operation shall use only low-VOC content materials. For purposes of this permit, low-VOC content materials shall have less than or equal to 250 grams/liter (2.086 lb/gal) of VOC.
(9VAC5-80-110 and Condition 2 of x/x/14 Permit document)

55. **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 Blue Ridge Regional Office. These records shall include, but are not limited to:

a. A monthly and annual material balance of VOC (in tons) from glass sealant usage. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. The consecutive 12-month period sum 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.

b. Material Safety Data Sheets (MSDS) or Certified Product Data Sheets (CPDS) for the sealers used at the facility. VOC content for the material shall be determined using EPA test methods.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9VAC5-50-50, 9VAC5-80-110 and Condition 24d and j of x/x/14 Permit document)

Facility Wide Conditions

56. **Testing -** The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9VAC5-80-110 and Condition 23 of x/x/14 Permit document)

57. **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.
(9VAC5-80-110)

58. **Fugitive Dust/VOC Emissions Control -** Fugitive dust and fugitive emission controls shall include the following, or equivalent, as a minimum:

    a. Dust from material handling and load-outs, shall be controlled by wet suppression or equivalent (as approved by the DEQ).

    b. All material being stockpiled shall be kept adequately moist to control dust during storage and handling or covered at all times to minimize emissions.

    c. Dust from haul roads and traffic areas shall be controlled by the application of asphalt, water, suitable chemicals, or equivalent methods approved by the DEQ.

    d. Reasonable precautions shall be taken to prevent deposition of dirt on public roads and subsequent dust emissions. Dirt, product, or raw material spilled or tracked onto paved surfaces shall be promptly removed to prevent particulate matter from becoming airborne.

    e. At all times the disposal of volatile organic compounds shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. Volatile organic compounds shall not be intentionally spilled, discarded to sewers which are not connected to a treatment plant, stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution control practices for minimizing emissions.

    (9VAC5-80-110, 9VAC5 50 90 and Condition 9 of x/x/14 Permit document)

59. **Maintenance/Operating Procedures -** 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, monitoring devices and process equipment which affect such emissions:

    a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.

    b. Have available written operating procedures for the boilers. These procedures shall be based on the manufacturer's recommendations, at a minimum; and

    c. Train operators in the proper operation of the boilers and familiarize the operators with the written operating procedures, prior to their first operation of the boilers. 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.
(9VAC5-80-110 and Condition 27 of x/x/14 Permit document)

Insignificant Emission Units

60. **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	Pollutants Emitted (9 VAC 5-80-720B)	Rated Capacity (9 VAC 5-80-720C)
IEM-1	Diesel tank	9VAC5-80-720 B	VOC	
IEM-2	LP gas tanks (2)	9VAC5-80-720 B	VOC	
IEM-3	Diesel tank	9VAC5-80-720 B	VOC	
IEM-4	Glass cutting operation	9VAC5-80-720 B	VOC	
IEM-7	Inkjet coding of spacer frames	9VAC5-80-720 B	VOC	
IEM-8	Grille assembly	9VAC5-80-720 B	VOC	
IEM-9	Grinding room cleaning vat (parts cleaner)	9VAC5-80-720 B	VOC	
IEM-10	Grinding room saw blade sharpening lubricant	9VAC5-80-720 B	VOC	
IEM-11	Octagon window assembly	9VAC5-80-720 B	VOC	
IEM-12	Insulated glass maintenance shop parts cleaning sinks (2)	9VAC5-80-720 B	VOC	
IEM-13	Back-bedding compounds used throughout window assembly area	9VAC5-80-720 B	VOC	
IEM-14	Casement assembly vinyl adhesive	9VAC5-80-720 B	VOC	
IEM-16	Wood double hung; vinyl double hung sealant	9VAC5-80-720 B	VOC	
IEM-17	V-wood back bedding (glass/vinyl)	9VAC5-80-720 B	VOC	
IEM-18	Vinyl clad double hung adhesive cleaner	9VAC5-80-720 B	VOC	
IEM-20	Vinyl clad double hung adhesive	9VAC5-80-720 B	VOC	
IEM-21	Simulated Divided Light Solvent	9VAC5-80-720 B	VOC	
IEM-22	Product development and testing lab	9VAC5-80-720 A		NA
IEM-24	Used Oil burner/Space Heater	9VAC5-80-720 C		0.35 MMBtu

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 9VAC5-80-110.

Permit Shield & Inapplicable Requirements

61. **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
None identified		

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.
(9VAC5-80-140)

General Conditions

62. **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.
(9VAC5-80-110 N)

63. **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 9VAC5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)

64. **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.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)

65. **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 9VAC5 Chapter 80, until the Board takes final action on the application under 9VAC5-80-150.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)

66. **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 9VAC5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9VAC5 Chapter 80.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)

67. **Permit Expiration** - If an applicant submits a timely and complete application under section 9VAC5-80-80 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 9VAC5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)

68. **Permit Expiration** - The protection under subsections F 1 and F 5 (ii) of section 9VAC5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9VAC5-80-80 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.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)

69. **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; and

    f. The operating conditions existing at the time of sampling or measurement.

    (9VAC5-80-110 F)

70. **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.
(9VAC5-80-110 F)

71. **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 9VAC5-80-80 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; and

    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."

(9VAC5-80-110 F)

72. **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 9VAC5-80-80 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 9VAC5-80-110 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; and

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

(9VAC5-80-110 K.5)

73. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Blue Ridge 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 71 of this permit.
(9VAC5-80-110 F.2 and 9VAC5-80-250)

74. **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 Blue Ridge 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. Owners subject to the requirements of 9VAC5-40-50 C and 9VAC5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9VAC5-40-40 and 9VAC5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Blue Ridge Regional Office.
(9VAC5-20-180 C)

75. **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.
(9VAC5-80-110 G.1)

76. **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.
(9VAC5-80-110 G.2)

77. **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.
(9VAC5-80-110 G.3)

78. **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 9VAC5-80-50, 9VAC5-80-1100, 9VAC5-80-1605, or 9VAC5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9VAC5-80-190 and 9VAC5-80-260)

79. **Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

80. **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.
(9VAC5-80-110 G.6)

81. **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 9VAC5-80-80 G.
(9VAC5-80-110 K.1)

82. **Duty to Pay Permit Fees** - The owner of any source for which a permit under 9VAC5-80-50 through 9VAC5-80-300 was issued shall pay permit fees consistent with the requirements of 9VAC5-80-310 through 9VAC5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9VAC5-80-2310 through 9VAC5-80-2350. 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 9VAC5-80-2340, adjusted annually by the change in the Consumer Price Index.
(9VAC5-80-110 H, 9VAC5-80-340 C and 9VAC5-80-2340 B)

83. **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.

    (9VAC5-50-90)

84. **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.
(9VAC5-50-20 E)

85. **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 9VAC5-80-140 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 9VAC5 Chapter 80, Article 1.
(9VAC5-80-110 J)

86. **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.

    (9VAC5-80-110 K.2)

87. **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 9VAC5-80-80 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 9VAC5-80-110 D.

(9VAC5-80-110 L)

88. **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.
(9VAC5-80-150 E)

89. **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.
(9VAC5-80-160)

90. **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.
(9VAC5-80-160)

91. **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.
(9VAC5-80-160)

92. **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 stated in Condition 93 are met.
(9VAC5-80-250)

93. **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 9VAC5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9VAC5-20-180 C.

(9VAC5-80-250)

94. **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.
(9VAC5-80-250)

95. **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.
(9VAC5-80-250)

96. **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 9VAC5 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.
(9VAC5-80-190 C and 9VAC5-80-260)

97. **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.
(9VAC5-80-80 E)

98. **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)

99. **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).
(9VAC5-60-70 and 9VAC5-80-110 A.1)

100. **General Conditions - 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 by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

101. **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.
(9VAC5-80-110 I)

102. **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 9VAC5-80-110, except subsection N, shall be included to determine compliance.

    b. The permit shield described in 9VAC5-80-140 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 9VAC5-80-50 through 9VAC5-80-300.

    (9VAC5-80-110 I)