NVRO-504-03

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

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Robert G. Burnley
Director

Jeffery A. Steers
Regional Director

December 17, 2003

Mr. Kailash Gupta
Director Wastewater Treatment Division
Noman M. Cole Jr. Pollution Control Plant
9399 Richmond Highway
Lorton, VA 22199

Location: Lorton, Fairfax County
Registration No: 70714
AIRS No: 51-059-0281

Dear Mr. Gupta:

Attached is an amended page 10 for the Title V permit to operate the Noman M. Cole Jr. Pollution Control Plant pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

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 arriving at a final decision to issue this permit, the Department received the request for permit changes within thirty days of the permit issuance. The Department has addressed the monitoring discrepancy brought up in the December 3, 2003 electronic mail, and issued this amended page.

This approval to operate does not relieve the Fairfax County Board of Supervisors 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.

PTV 12/23/03 TV

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:

Robert G. Burnley, Director
Department of Environmental Quality
P.O. Box 10009
Richmond, Virginia 23240-0009

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 Part Two A 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 call Thomas M. Valentour at (703) 583-3889.

Sincerely,

Terry H. Darton
Regional Air Permit Manager

Attachment: Permit

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AT13), U.S. EPA, Region III

12. The permittee shall perform a visual emissions evaluation on the exhaust stacks of Emission Units P-3 and P-4 at least once per month, and on the exhaust stacks of Emission Units P-1, P-2, P-5, and P-6, at any time during the month, at least once per month, when operating. Each evaluation shall consist of an observation of the visible emissions from the exhaust stack using the procedures contained in EPA Reference Method 22 (40 CFR, Appendix A). If any opacity is observed for Emission Units P-1 through P-6, then the permittee shall proceed as follows:

    a. Verify that the sludge incinerator causing the visible emissions exceedance, or the impingement and venturi scrubber, are operating properly. If either is not operating properly, the permittee shall immediately take corrective action to eliminate excess emissions. The permittee shall evaluate the visible emissions again after applying the corrective action by observing the visible emissions in accordance with the procedures described above.

    b. If the corrective action does not rectify the opacity problem, the permittee shall coordinate with the DEQ to develop a plan to achieve compliance. In addition, the permittee shall perform a visible emissions evaluation in accordance with EPA Reference Method 9 (40 CFR, Appendix A) once each day of operation until such time as the visible emissions exceedance is corrected.

    (9 VAC 5-110 E)

13. For Emission Units P-1 through P-6, the permittee shall install, calibrate, maintain and operate temperature-monitoring devices to measure each incinerators exhaust gas. Each temperature-measuring device shall be placed on the effluent side of the impingement and venturi scrubbers to comply with the requirements in Condition III.A.14.
    (VAC 5-80-110 E)

14. For Emission Units P-1 through P-6, the permittee shall install, calibrate, maintain and operate pressure-monitoring devices that measures the pressure of the gas flow on the effluent side of the impingement and venturi scrubbers. The devices used to monitor pressure shall be certified by the manufacturer to be accurate within ± 250 pascals (± 1-inch water gauge) and shall be calibrated on an annual basis in accordance with manufacturer's instructions. Each pressure-measuring device shall be placed on the effluent side of the impingement and venturi scrubbers to comply with the requirements in Condition III.A.14.
    (9 VAC 5-80-110 E)

Virginia Title V Operating Permit

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 5-80-305 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:	Fairfax County Board of Supervisors
Facility Name:	Noman M. Cole Jr., Pollution Control Plant
Facility Location:	9399 Richmond Highway Lorton, Virginia 22079
Registration Number:	70714
Permit Number:	NVRO70714

November 7, 2003
Effective Date

November 7, 2008
Expiration Date

Jeffrey A. Steers for
Robert G. Burnley
Director, Department of Environmental Quality

4 NOVEMBER 2003
Signature Date

FN: 11/6/03

Table of Contents, 1 page
Permit Conditions, 34 pages

Table of Contents

I. FACILITY INFORMATION 3

II. EMISSION UNITS 4

III. MULTIPLE HEARTH SLUDGE INCINERATORS – (EMISSION UNITS P-1 THROUGH P-6) 6

A. LIMITATIONS 6
B. MONITORING 7
C. RECORDKEEPING 11
D. TESTING 13
E. REPORTING 15

IV. COLD CLEANING PARTS DEGREASERS 16

A. LIMITATIONS 16
B. MONITORING 17
C. RECORDKEEPING 17

V. DIESEL FIRED ELECTRIC GENERATORS (EMISSIONS UNITS GS-18, GS-19, AND GS-20) 20

VI. INSIGNIFICANT EMISSION UNITS 17

VII. PERMIT SHIELD & INAPPLICABLE REQUIREMENTS 21

VIII. GENERAL CONDITIONS 22

A. FEDERAL ENFORCEABILITY 22
B. PERMIT EXPIRATION 22
C. RECORDKEEPING AND REPORTING 23
D. ANNUAL COMPLIANCE CERTIFICATION 24
E. PERMIT DEVIATION REPORTING 25
F. FAILURE/MALFUNCTION REPORTING 25
G. SEVERABILITY 26
H. DUTY TO COMPLY 26
I. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE 27
J. PERMIT ACTION FOR CAUSE 27
K. PROPERTY RIGHTS 28
L. DUTY TO SUBMIT INFORMATION 28
M. DUTY TO PAY PERMIT FEES 28
N. FUGITIVE DUST EMISSION STANDARDS 28
O. STARTUP, SHUTDOWN, AND MALFUNCTION 29
P. ALTERNATIVE OPERATING SCENARIOS 29
Q. INSPECTION AND ENTRY REQUIREMENTS 30
R. REOPENING FOR CAUSE 30
S. PERMIT AVAILABILITY 31
T. TRANSFER OF PERMITS 31
U. MALFUNCTION AS AN AFFIRMATIVE DEFENSE 31
V. PERMIT REVOCATION OR TERMINATION FOR CAUSE 32
W. DUTY TO SUPPLEMENT OR CORRECT APPLICATION 32
X. STRATOSPHERIC OZONE PROTECTION 32
Y. ACCIDENTAL RELEASE PREVENTION 33
Z. CHANGES TO PERMITS FOR EMISSIONS TRADING 33
AA. EMISSIONS TRADING 33

I. Facility Information

Permittee
Fairfax County Board of Supervisors
12000 Government Center Parkway
Fairfax, Virginia 22035

Responsible Official
Anthony H. Griffin
County Executive

Facility
Noman M. Cole Jr., Pollution Control Plant
9399 Richmond Highway
Lorton, Virginia 22079

Contact Person
Kailash Gupta
Director, Wastewater Treatment Division
(703) 550-9740 ext. 255

AIRS Identification Number: 51-059-0281

Facility Description: SIC Code 4952 and 4953 – Noman M. Cole Jr. Pollution Control Plant is a 67 million gallon per day (MGD) (average) advanced wastewater treatment facility which incorporates preliminary, primary, secondary and tertiary treatment processes to remove pollutants from wastewater generated by residences and businesses in Fairfax County. The plant operates under a Virginia Pollutant Discharge Elimination System (VPDES) permit issued by the Virginia Department of Environmental Quality (DEQ), Water Division. The facility operates and maintains six (6) multiple hearth sludge incinerators to dispose of biosolids generated during the wastewater treatment process. Four of the six units are used regularly with the remaining two used primarily as back-ups.

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
P-4	004	Hankins Six Hearth Sludge Incinerator (began service in 1978)	92 dry ton/day	- SWEMCO Impingement and venturi Scrubber - Impingement Tray Scrubber - North American Mfg. Co. - Afterburner, Model 6131-E2	PCD-7 and PCD-8	- PM - PM - PM - THC	November 14, 1974 and RACT Consent Agreement dated December 13, 1999
P-5	005	Hankins Eight Hearth Sludge Incinerator (began service in 1990)	38 dry ton/day	- SWEMCO Impingement and venturi Scrubber - Impingement Tray Scrubber - North American Mfg. Co. - Afterburner, Model 6131-D2	PCD-9 and PCD-10	- PM - PM - PM - THC	October 10, 1986
P-6	006	Hankins Eight Hearth Sludge Incinerator (began service in 1990)	38 dry ton/day	- SWEMCO Impingement and venturi Scrubber - Impingement Tray Scrubber - North American Mfg. Co. - Afterburner, Model 6131-D2	PCD-11 and PCD-12	- PM - PM - PM - THC	October 10, 1986
GS-18		General Motors EMD Division Model 12-645-E4 Built in 1973	3486 HP	- NA	NA	- NA	NA
GS-19, and GS-20		General Motors EMD Division Model 20-645-E4 Engine built in 1975	3353 HP	- NA	NA	- NA	NA

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

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
Sludge Incinerators							
P-1	001	Hankins Seven Hearth Sludge Incinerator (began service in 1970)	45 dry tons/day	- SWEMCO Impingement and venturi Scrubber - Impingement Tray Scrubber - North American Mfg. Co. - Afterburner, Model 6131-B2	PCD-1 and PCD-2	- PM - PM - PM - THC	November 14, 1974
P-2	002	Hankins Seven Hearth Sludge Incinerator (began service in 1970)	45 dry tons/day	- SWEMCO Impingement and venturi Scrubber - Impingement Tray Scrubber - North American Mfg. Co. - Afterburner, Model 6131-B2	PCD-3 and PCD-4	- PM - PM - PM - THC	November 14, 1974
P-3	003	Hankins Six Hearth Sludge Incinerator (began service in 1978)	92 dry ton/day	- SWEMCO Impingement and venturi Scrubber - Impingement Tray Scrubber - North American Mfg. Co. - Afterburner, Model 6131-E2	PCD-5 and PCD-6	- PM - PM - PM - THC	November 14, 1974 and RACT Consent Agreement dated December 13, 1999

III. Multiple Hearth Sludge Incinerators – (Emission Units P-1 through P-6)

A. Limitations

1. Incinerators P-5 and P-6 shall be operated in compliance with federal requirements under 40 CFR Part 60, Subpart O including future revisions. All terms used regarding 40 CFR Part 60, Subpart O shall have the meanings as defined in 40 CFR 60.150.
(9 VAC 5-80-110)

2. The facility is to be operated in compliance with federal requirements under 40 CFR Part 61, Subpart E including future revisions. All terms used regarding 40 CFR part 61 subpart E shall have the meanings as defined in 40 CFR 61.52.
(9 VAC 5-80-110)

3. Particulate matter emissions from the operation of Emission Units P-1 through P-4 shall not exceed 0.14 grains for each incinerator per dry standard cubic foot of flue gas corrected to 12 % carbon dioxide (without the contribution of auxiliary fuel).
(9 VAC 5-40-750 and 9 VAC 5-80-110)

4. Particulate matter emissions from the operation of Emission Units P-5 and P-6 shall not exceed 1.30 pounds for each incinerator per dry ton of sludge (lb./dry ton).
(40 CFR 60.152(1), 9 VAC 5-80-110 and Condition 5 of 10/10/86 Permit)

5. Particulate matter emissions from the operation of Emission Units P-1 through P-6 shall be controlled by impingement and venturi scrubber systems. The scrubber systems shall be provided with adequate access for inspection.
(9 VAC 5-80-10, 9 VAC 5-80-110 E, and Condition 7 of 10/10/86 Permit)

6. Mercury emissions from the operation of Emission Units P-1 through P-6 (combined) shall not exceed 3,200 grams per 24-hour period.
(40 CFR 61.52, 9 VAC 5-80-110 and, Condition 6 of 10/10/86 Permit for Emission Units P-5 and P-6).

7. Visible emissions from the control device exhaust stacks of Emission Units P-1 through P-4 shall not exceed 20 % opacity, except for any one six-minute period in any one hour of not more than 60 % opacity.
(9 VAC 5-40-760, 9 VAC 5-80-110, and 40 CFR 60.152(a) (2))

8. Visible emissions from the control device exhaust stacks of Emission Units P-5 and P-6 shall not exceed 10 % opacity.
(9 VAC 5-170-160, 9 VAC 5-80-110, Condition 10 of 10/10/86 Permit and 40 CFR 60.152(a)(2))

9. The combined annual incineration of dry sludge in Emission Units P-5 and P-6 shall not exceed 21,000 tons.
(9 VAC 5-170-160, 9 VAC 5-80-110 and Condition 4 of 10/10/86 Permit)

10. NO_x emissions from Emission Units P-3 and P-4 shall be controlled by proper operation and good combustion practices.
(9 VAC 5-40-310, 9 VAC 5-80-110 and Condition 2 of 12/13/99 RACT Consent Agreement)

11. The gas temperature on each combustion hearth of Emission Units P-3 and P-4 shall be maintained between 1,150 °F and 1,800 °F except for periods of start-up and shutdown.
(9 VAC 5-40-310, 9 VAC 5-80-110 and Condition 2 of 12/13/99 RACT Consent Agreement)

12. The oxygen concentration in the flue gas from Emission Units P-3 and P-4 shall be maintained below 13 %, on a dry volume basis, except for periods of start-up and shutdown.
(9 VAC 5-40-310, 9 VAC 5-80-110 and Condition 2 of 12/13/99 RACT Consent Agreement)

13. Odorous emissions from Emission Units P-5 and P-6 shall be controlled by afterburners. The control devices shall be provided with adequate access for inspection.
(9 VAC 5-80-10, 9 VAC 5-80-110, and Condition 8 of 10/10/86 Permit)

14. Mercury emissions from Emission Units P-1 through P-6 shall be controlled by reducing the temperature and pressure of the effluent gas stream after the venturi and impingement scrubbers below the condensation point of mercury normalized using the ideal gas law to one atmosphere (356.9 °C / 674.4 °F). The control devices shall be provided with adequate access for inspection.
(9 VAC 5-80-10, and 9 VAC 5-80-110)

B. Monitoring

1. For Emission Units P-5 and P-6, the permittee shall install, calibrate, maintain and operate a flow measuring device which can be used to determine either the mass or volume of sludge charged to each incinerator. Each flow-measuring device shall be certified by the manufacturer to have an accuracy

of ± 5 percent over its operating range.
(40 CFR 60.153(a)(1), 9 VAC 5-80-110 and Condition 9 of 10/10/86 Permit)

2. For Emission Units P-1 through P-6, the permittee shall provide access to the sludge charged to each incinerator so that a well-mixed representative grab sample of the sludge can be obtained.
(40 CFR 60.153(a)(2), 9 VAC 5-80-110 and Condition 9 of 10/10/86 Permit)

3. For Emission Units P-5 and P-6, the permittee shall install, calibrate, maintain and operate a device for measuring fuel flow to the incinerator. The flow-measuring device shall be certified by the manufacturer to have an accuracy of ± 5 percent over its operating range.
(40 CFR 60.153(b)(4) and 9 VAC 5-80-110)

4. For Emission Units P-3 through P-6, the permittee shall install, calibrate, maintain and operate a monitoring device, which continuously measures and records the oxygen content of each incinerator exhaust gas. The oxygen monitor shall be located upstream of any rabble shaft cooling air inlet into the incinerator exhaust gas stream, fan, ambient air re-circulation damper, or any other source of dilution air. The oxygen monitor shall be certified by the manufacturer to have a relative accuracy of ± 5 percent over its operating range and shall be calibrated according to method(s) prescribed by the manufacturer at least once each 24-hour operating period.
(40 CFR 60.153(b)(2) for Emission Units P-5 and P-6 and 9 VAC 5-80-110 E for Emission Units P-3 and P-4)

5. For Emission Units P-3 through P-6, the permittee shall install, calibrate, maintain and operate temperature-measuring devices at each hearth of each incinerator. A minimum of one thermocouple shall be installed in each hearth in the cooling and drying zones, and a minimum of two thermocouples shall be installed in each hearth in the combustion zone. Each temperature-measuring device shall be certified by the manufacturer to have an accuracy of ± 5 percent over its operating range. Except for the thermocouples installed on Emission Units P-5 and P-6, the temperature monitoring devices shall be operated continuously and data recorded during all periods of operation of each incinerator.
(40 CFR 60.153(b)(3) for Emission Units P-5 and P-6 and 9 VAC 5-80-110 E for Emission Units P-3 and P-4)

6. For Emission Units P-1 through P-6, the permittee shall install, calibrate, maintain and operate a monitoring device that continuously measures and records the pressure drop of the gas flow through each impingement and venturi scrubber. The devices used to monitor pressure drop shall be certified by the manufacturer to be accurate within ± 250 pascals (± 1-inch water gauge) and shall be calibrated on an annual basis in accordance with

manufacturer's instructions.
(40 CFR 60.153(b)(1) for Emission Units P-5 and P-6, 9 VAC 5-80-110 E for Emission Units P-1 through P-4)

7. The permittee shall operate each impingement and venturi scrubber, associated with Emission Units P-1 through P-6, such that the pressure drop of the gas flow through each scrubber is maintained within a range, specified by the manufacturer, which ensures optimal particulate matter, and mercury removal. The permittee shall operate the impingement and venturi scrubbers within this pressure drop range until such time as new pressure drop ranges are established in accordance with Condition III.B.8.
(9 VAC 5-80-110 E)

8. Coinciding with the performance tests required in Condition III.D.1, the permittee shall establish appropriate ranges of pressure drop of the gas flow through the impingement and venturi scrubbers which coincide with optimal particulate matter, and mercury removal and compliant emission rates. The range of pressure drop can be no greater than 30 % of the average pressure drop determined during the performance test. Once the new pressure drop ranges are established, the permittee shall operate the impingement and venturi scrubbers within the new ranges.
(40 CFR 60.155(1)(i) for Emission Units P-5 and P-6, and 9 VAC 5-80-110 E for Emission Units P-1 through P-4)

9. If at any time during the normal operation of Emission Units P-1 through P-6, the pressure drop of any of the impingement and venturi scrubbers measures out of the ranges established according to Conditions III.B.7 or III.B.8, the permittee shall take action immediately to correct the problem and prevent excess emissions. If the exceedance can not be corrected within one day, the incinerator coinciding with the impingement and venturi scrubber pressure drop exceedance shall be shutdown until such time as the problem can be corrected.
(9 VAC 5-80-110 E)

10. Air pollution control equipment operators shall be trained and certified in the proper operation of all such equipment. Certification of training shall consist of a statement of time, place and nature of training.
(9 VAC 5-170-160, 9 VAC 5-80-110 and Condition 9 of 10/10/86 Permit)

11. The permittee shall maintain and have available to all operators, good written operating procedures for all air pollution control equipment. A maintenance schedule for all such equipment shall also be made available to DEQ for review at any time.
(9 VAC 5-170-160, 9 VAC 5-80-110 and Condition 9 of 10/10/86 Permit)

12. The permittee shall perform a visual emissions evaluation on the exhaust stacks of Emission Units P-3 and P-4 at least once per month, and on the exhaust stacks of Emission Units P-1, P-2, P-5, and P-6, at any time during the month, at least once per month, when operating. Each evaluation shall consist of a 30-minute observation of the visible emissions from the exhaust stack using the procedures contained in EPA Reference Method 9 (40 CFR, Appendix A). If any two six-minute periods exceed 20 % opacity for Emission Units P-1 through P-4, or 10 % opacity for Emission Units P-5 and P-6, or if any one six-minute period exceeds 60 % opacity for Emission Units P-1 through P-4, then the permittee shall proceed as follows:

    a. Verify that the sludge incinerator causing the visible emissions exceedance, or the impingement and venturi scrubber, are operating properly. If either is not operating properly, the permittee shall immediately take corrective action to eliminate excess emissions. The permittee shall evaluate the visible emissions again after applying the corrective action by observing the visible emissions in accordance with the procedures described above.

    b. If the corrective action does not rectify the opacity problem, the permittee shall coordinate with the DEQ to develop a plan to achieve compliance. In addition, the permittee shall perform a visible emissions evaluation in accordance with EPA Reference Method 9 (40 CFR, Appendix A) once each day of operation until such time as the visible emissions exceedance is corrected.

    (9 VAC 5-110 E)

13. For Emission Units P-1 through P-6, the permittee shall install, calibrate, maintain and operate temperature-monitoring devices to measure each incinerators exhaust gas. Each temperature-measuring device shall be placed on the effluent side of the impingement and venturi scrubbers to comply with the requirements in Condition III.A.14.
    (VAC 5-80-110 E)

14. For Emission Units P-1 through P-6, the permittee shall install, calibrate, maintain and operate pressure-monitoring devices that measures the pressure of the gas flow on the effluent side of the impingement and venturi scrubbers. The devices used to monitor pressure shall be certified by the manufacturer to be accurate within ± 250 pascals (± 1-inch water gauge) and shall be calibrated on an annual basis in accordance with manufacturer's instructions. Each pressure-measuring device shall be placed on the effluent side of the impingement and venturi scrubbers to comply with the requirements in Condition III.A.14.
    (9 VAC 5-80-110 E)

C. Recordkeeping

1. The permittee shall maintain annual records of the throughput of sludge (dry tons) processed by each incinerator, calculated monthly as the sum of each consecutive twelve-month period.
(9 VAC 5-80-110 F)

2. The permittee shall maintain records of the air pollution control equipment operator training required in Condition III.B.10, including a statement of time, place and nature of training provided. All records required by this condition shall be kept on site for a minimum of five years, kept up to date for the current operators and be made available for inspection by the DEQ.
(9 VAC 5-80-110 F)

3. The permittee shall maintain records of the following for all air pollution control equipment:

   a. Good written operating procedures,

   b. Maintenance schedule for each air pollution control unit,

   c. Records of all servicing and maintenance performed.

   All records required by this condition shall be kept on site for a minimum of five years and be made available for inspection by DEQ.
   (9 VAC 5-80-110 F and Condition 10 of 10/10/86 Permit for Emission Units P-5 and P-6)

4. The permittee shall record the pressure drop of the incinerator exhaust gas through each impingement and venturi scrubber as required in Condition III.B.6 and record any exceedances of pressure drop as provided in Condition III.B.7 or III.B.8. All records required by this condition shall be kept on site for a minimum of five years and be made available for inspection by DEQ.
(40 CFR 60.153(c)(1) for Emission Units P-5 and P-6 and 9 VAC 5-80-110 F for Emission Units P-1 through P-4)

5. The permittee shall keep a log of the calibrations performed on each oxygen, and pressure monitor as provided in Condition III.B.4, and III.B.6. All records required by this condition shall be kept on site for a minimum of five years and be made available for inspection by DEQ.
(9 VAC 5-80-110 F)

6. For Emission Units P-5 and P-6, the permittee shall maintain records of the oxygen content of each incinerator exhaust gas as required in Condition III.B.4. All records required by this condition shall be kept on site for a

minimum of five years and be made available for inspection by DEQ.
(40 CFR 60.153(c)(2) and 9 VAC 5-80-110 F)

7. For Emission Units P-3 through P-6, the permittee shall keep records of the following:

   a. Maintenance schedule for each incinerator,

   b. Scheduled and unscheduled maintenance for each incinerator,

   c. Inventory of spare parts,

   d. Written operating procedures for each incinerator,

   e. Results of calibrations of oxygen analyzers, temperature monitors and sludge throughput monitors required in Conditions III.B.1, III.B.4, and III.B.5.

   All records required by this condition shall be kept on site for a minimum of five years and be made available for inspection by DEQ.
   (9 VAC 5-80-310, 9 VAC 5-80-110 F and Condition 4 of 12/13/99 RACT Consent Agreement)

8. For Emission Units P-3 through P-6, the permittee shall keep a daily log which documents the following:

   a. Daily sludge throughput (dry tons) processed by each incinerator,

   b. Hourly hearth temperatures of each incinerator,

   c. Hourly flue gas oxygen content (dry volume basis) of each incinerator.

   All records required by this condition shall be kept on site for a minimum of five years and be made available for inspection by DEQ.
   (9 VAC 5-80-310, 9 VAC 5-80-110 F and Condition 4 of 12/13/99 RACT Consent Agreement)

9. During the performance tests for particulate matter, and mercury, as required in Condition III.D.1, the permittee shall document all process parameters necessary to determine compliance with the relevant conditions of this permit. At a minimum, the process parameters to be monitored and recorded shall be the following:

   a. Duration of measurement,

b. Charging rate of sludge (dry basis) to the incinerators,

c. Pressure drop of exhaust gas through the impingement and venturi scrubbers,

d. Oxygen content of the exhaust gas from the incinerators,

e. Carbon Dioxide content of the exhaust gas from the incinerators,

f. Volumetric flow rate (dry basis) of the exhaust gas through each stack

All records required by this condition shall be kept on site for a minimum of five years and be made available for inspection by DEQ.
(9 VAC 5-80-110 F)

10. The permittee shall maintain records of all monthly visible emissions evaluations performed as required in Condition III.B.12 and information related to any corrective actions taken, if necessary. All records required by this condition shall be kept on site for a minimum of five years and be made available for inspection by DEQ.
(9 VAC 5-80-110 F)

D. Testing

1. Within one year of the issuance of this permit, the permittee shall conduct EPA Reference Method compliance testing for particulate matter, and mercury to establish appropriate ranges of pressure drop for the impingement and venturi scrubbers and to determine compliance with the emission limits contained in Conditions III.A.3, III.A.4, III.A.6 and III.A.7. The tests shall be performed on at least two of the incinerators identified as Emission Units P-1 through P-4. The emission units tested shall be selected by the Air Compliance Manager, Northern Virginia Regional Office. The testing shall be conducted in accordance with the test methods presented in Condition III.D.5, or other procedures approved in advance by the Air Compliance Manager, Northern Virginia Regional Office. The details of the tests shall be arranged with the Air Compliance Manager, Northern Virginia Regional Office, including submission of two test protocols at least thirty days prior to the test. A test report shall be submitted within forty-five days after test completion.
(9 VAC 5-40-30 F)

2. At least once per year after the issuance of this permit, the permittee shall conduct EPA Reference Method 9 compliance testing for visible emissions evaluation testing on Emission Units P-3 and P-4, and on Emission Units P-1, P-2, P-5, and P-6 once each year when operating. Visible emissions evaluation testing shall be completed to determine compliance with the

emission limits contained in Conditions III.A.6, III.A.7, and III.B.12. The testing shall be conducted in accordance with the test methods presented in Condition III.D.5, or other procedures approved in advance by the Air Compliance Manager, Northern Virginia Regional Office.
(9 VAC 5-40-30 F)

3. Once per month after the issuance of this permit, the permittee shall conduct EPA reference Method 22 compliance testing for visible emissions evaluation testing on Emission Units P-3 and P-4, and on Emission Units P-1, P-2, P-5, and P-6 once each month when operating. Visible emissions evaluation testing shall be completed to determine compliance with the emission limits contained in Conditions III.A.7, III.A.8, and III.B.12. The testing shall be conducted in accordance with the test methods presented in Condition III.D.5, or other procedures approved in advance by the Air Compliance Manager, Northern Virginia Regional Office.
(9 VAC 5-40-30 F)

4. Once per issuance of this permit, the permittee shall conduct EPA Reference Method compliance testing for oxides of nitrogen (NOx) as referenced in Condition III.A.10. The tests shall be performed on each of the incinerators identified as Emission Units P-1 through P-4. The testing shall be conducted in accordance with the test methods presented in Condition III.D.4, or other procedures approved in advance by the Air Compliance Manager, Northern Virginia Regional Office. The details of the tests shall be arranged with the Air Compliance Manager, Northern Virginia Regional Office, including submission of the test protocol at least thirty days prior to the test. A test report shall be submitted within forty-five days after test completion.
(9 VAC 5-80-110 E)

5. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
Particulate Matter	EPA Method 5
Mercury	Method 105
Visible Emission	EPA Method 22, EPA Method 9
NOx	EPA Method 7, 7A

Alternate test methods may be used if they are arranged with, and approved by the Air Compliance Manager, Northern Virginia Regional Office at least thirty days prior to the test.
(9 VAC 5-80-110)

E. Reporting

1. On a semi-annual basis, the permittee shall submit a report providing all periods of fifteen minutes in duration or more during which the average pressure drop of exhaust gas through any impingement and venturi scrubber was less than the pressure drop range determined to be applicable under Condition III.B.7, or established in accordance with Condition III.B.8. The report shall be submitted by March 1st and September 1st of each year to coincide with or be incorporated into the semi annual reporting requirements in Condition VIII.C.3.
   (40 CFR 60.155(a)(1) for Emission Units P-5 and P-6 and 9 VAC 5-80-110 F for Emission Units P-1 through P-4)

2. For Emission Units P-3 and P-4, the permittee shall submit an annual RACT report detailing all non-compliance conditions (excursions) lasting in excess of one hour. The report shall be submitted by March 1st of each year, and will coincide with, or be incorporated into the semi annual reporting requirements in Condition VIII.C.3. The report shall include, for the Emission Unit for which there is an exceedance, the following for the day of the excursion:

   a. Daily throughput of sludge (dry basis),

   b. Hourly flue gas oxygen content,

   c. Hourly gas temperatures in the hearth

   (9 VAC 5-40-310 and Condition 3 of 12/13/99 RACT Consent Agreement)

3. On a semi-annual basis, for Emission Units P-5 and P-6, the permittee shall submit a report to coincide with, or be incorporated into the reporting requirements in Condition VIII.C.3. The report shall provide all periods of one-hour duration or more in which the oxygen content of each incinerator exhaust gas exceeds the average oxygen content, as measured during the most recent performance test, by more than 3 percent.

   (40 CFR 60.155(a)(2) and VAC 5-80-110 F)

IV. Cold Cleaning Parts Degreasers

A. Limitations

1. The permittee shall not permit the use of any open top, cold degreaser unit unless the unit is equipped with a control method that will remove, destroy, or prevent the discharge into the atmosphere of at least 85 % by weight of volatile organic compounds.
(9 VAC 5-40-3280 C(1) and 9 VAC 5-80-110)

2. The permittee shall provide each cold degreaser with a cover or remote reservoir. The cover should be designed to be easily operated with one hand. The operation of certain covers may be of a type, which is spring loaded, counterbalanced, or operated by a power system. Enclosed remote reservoirs should be designed such that they provide reduction effectiveness equivalent to a cover.
(9 VAC 5-40-3290 C(1)(a) and 9 VAC 5-80-110)

3. The permittee shall ensure that external or internal drainage facilities are provided to collect and return the solvent to a closed container or solvent-cleaning machine. If solvent quantity is greater than 0.6 pounds per square inch measured at 100 °F, then the drainage should be internal, so that parts are enclosed under cover while draining. The drainage facilities may be external for applications where an internal type cannot fit into the cleaning system.
(9 VAC 5-40-3290 C(1)(b) and 9 VAC 5-80-110)

4. The permittee shall ensure that operating procedures for each degreaser be clearly displayed by a permanent sign or label which is located in a conspicuous location on or near the unit.
(9 VAC 5-40-3290 C(1)(c) and 9 VAC 5-80-110)

5. If used, the solvent spray should be a solid, fluid stream, not a fine, atomized or shower type spray, and at a pressure which does not cause excessive splashing.
(9 VAC 5-40-3290 C(1)(d) and 9 VAC 5-80-110)

6. The permittee shall ensure that the following operating requirements for each cold degreaser are followed:

   a. The degreaser cover, if one is required, should be closed when not handling parts in the cold cleaner. (9 VAC 5-40-3290 C(2)(b))

b. Cleaned parts should drain for at least fifteen seconds or until dripping ceases. (9 VAC 5-40-3290 C(2)(c))

c. Waste solvent should not be disposed of or transferred to another party such that greater than 20 % of the waste by weight can evaporate into the atmosphere. Waste solvent shall only be stored in closed containers. (9 VAC 5-40-3290 C(2)(a))

(9 VAC 5-80-110)

7. The permittee shall ensure that disposal of waste solvent will be by reclamation or incineration.
(9 VAC 5-40-3290 D(1) and D(2), and 9 VAC 5-80-110)

B. Monitoring

1. Each cold cleaning degreaser shall be inspected monthly for condition and functionality.
(9 VAC 5-40-40 E(1) and E(2), and 9 VAC 5-80-110 E)

C. Recordkeeping

1. The permittee shall maintain a log of all monthly degreaser inspections as provided in Condition V.B.1.
(9 VAC 5-80-110 F)

V. Diesel Fired Electric Generators (Emissions Units GS-18, GS-19, and GS-20)

A. Limitations

1. The approved fuels for the three diesel fired General Motors EMD Division Model 12-645-E4 electric generators is # 2 fuel oil. A change in fuel may require a permit to modify and operate.
(9 VAC 5-80-110)

2. The distillate oil shall meet the specifications below:

DISTILLATE OIL which meets ASTM [D396-78] specifications for numbers 1 or 2 fuel oil:
Maximum sulfur content per shipment: 0.5%
(9 VAC 5-80-110)

3. The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil. Each fuel certification shall include the following:

   a. The name of the fuel supplier;

   b. The date on which the distillate oil was received;

   c. The volume of distillate oil received;

   d. A statement that the distillate oil complies with the American Society for Testing and Materials specifications [D396-78] for numbers 1 or 2 fuel oil, and;

   e. The sulfur content of the distillate oil.

   (9VAC 5-170-160, and 9 VAC 5-80-110)

4. Visible emissions from the three electric generators shall not exceed twenty percent opacity except during one six minute period in any one hour in which visible emissions shall not exceed thirty percent opacity as determined by EPA Method 9 (reference 40 CFR Part 60, Appendix A). This condition applies at all times excluding startup, shutdown, and malfunction.

(9 VAC 5-40-80)

B. Recordkeeping

1. 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 Air Compliance Manager, of the Northern Virginia Region Office. These records shall include, but are not limited to:

   a. Monthly and annual throughput of distillate oil. Annual throughput shall be calculated monthly as the sum of each consecutive twelve-month period.

   b. All fuel supplier certifications.

   (9 VAC 5-80-110)

2. The permittee shall submit fuel quality reports to the Air Compliance Manager of the Northern Virginia Region Office within 30 days after the end of each semi annual period. If no shipments of distillate oil were received, during the semi annual period, the semi annual report shall consist of the dates included in the semi annual period, and a statement that no oil was received during the

semi annual period. If distillate oil was received during the semi annual period, the reports shall include:

a. Dates included in the semi annual period;

b. A copy of all fuel supplier certifications for all shipments of distillate oil received during the semi annual period or a semi annual summary from each fuel supplier that includes the information specified in Condition V.A.3 for each shipment of distillate oil, and;

c. A signed statement from the owner or operator of the facility that the fuel supplier certifications or summaries of fuel supplier certifications represent all of the distillate oil burned or received at the facility.

(9 VAC 5-170-160)

VI. 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)
DG-1	Parts Degreaser – Cold Cleaner (Mechanical Shop)	9 VAC 5-80-720 B	VOCs, methylene chloride	55 gal
DG-2	Parts Degreaser – Cold Cleaner (Mechanical Shop)	9 VAC 5-80-720 B	VOCs, methylene chloride	40 gal
DG-3	Parts Degreaser – Cold Cleaner (Mechanical Shop)	9 VAC 5-80-720 B	VOCs, methylene chloride	30 gal
DG-4	Parts Degreaser – Cold Cleaner (Building T)	9 VAC 5-80-720 B	VOCs, methylene chloride	25 gal
WW-1	Headworks	9 VAC 5-80-720 B	---	67 MGD wastewater
WW-2	Primary Settling Tanks	9 VAC 5-80-720 B	VOCs, chloroform, ethylbenzene	67 MGD wastewater
WW-3	Activated Sludge Tanks	9 VAC 5-80-720 B	VOCs, chloroform, ethylbenzene	67 MGD wastewater
WW-4	Mixed Liquor Channel	9 VAC 5-80-720 B	---	67 MGD wastewater
WW-5	Secondary Settling	9 VAC 5-80-720 B	---	67 MGD wastewater
WW-6	Equalization Tanks	9 VAC 5-80-720 B	---	67 MGD wastewater
WW-7	Tertiary Clarifiers	9 VAC 5-80-720 B	---	67 MGD wastewater
WW-8	Monomedia Filters	9 VAC 5-80-720 B	---	67 MGD wastewater
WW-9	Dechlorination	9 VAC 5-80-720 B	---	67 MGD wastewater
WW-10	Dual Media Filters	9 VAC 5-80-720 B	---	67 MGD wastewater
GS-1	Laboratory	9 VAC 5-80-720 A	Miscellaneous	---
GS-2	Mechanical Shop	9 VAC 5-80-720 A	Miscellaneous	---
GS-3	Welding Shop	9 VAC 5-80-720 A	Miscellaneous	---
GS-4	Electrical Shop	9 VAC 5-80-720 A	Miscellaneous	---

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
GS-5	Instrument Repair Shop	9 VAC 5-80-720 A	Miscellaneous	---
GS-6	Paint Shop	9 VAC 5-80-720 A	Miscellaneous	---
GS-8	Odor Control (13 Carbon Adsorbers)	9 VAC 5-80-720 B	None	---
P-1A and P-2A	Ash Baghouse (2)	9 VAC 5-80-720 B	PM/PM_{10}	---
P-3A and P-4A	Ash Baghouse (2)	9 VAC 5-80-720 B	PM/PM_{10}	---
LS-1	Lime Storage Baghouse	9 VAC 5-80-720 B	PM/PM_{10}	---
GS-9 through GS-17	Natural Gas-fired Boilers for Space Heating	9 VAC 5-80-720 C	VOCs, NO_x, SO_2, CO, and PM_{10}	< 10 MMBtu/hr
GS-21 through GS-23	Three Diesel Fuel Tanks for Emergency Generators	9 VAC 5-80-720 C	VOCs, NO_x, SO_2, CO, and PM_{10}	< 10,000 gal
GS-24 and GS-25	Two # 2 fuel oil tanks for backup fuel for the incinerators	9 VAC 5-80-720 C	VOCs, NO_x, SO_2, CO, and PM_{10}	<12,000 gal
GS-26 and GS-27	Two Natural Gas-fired Boilers for Space Heating	9 VAC 5-80-720 C	VOCs, NO_x, SO_2, CO, and PM_{10}	< 10 MMBtu/hr

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, with the exception of the parts degreasers, in accordance with 9 VAC 5-80-110.

VII. 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
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Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

VIII. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

1. 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.

2. 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.

3. 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.

4. 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.

5. 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)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

   a. The date, place as defined in the permit, and time of sampling or measurements.

   b. The date(s) analyses were performed.

   c. The company or entity that performed the analyses.

   d. The analytical techniques or methods used.

   e. The results of such analyses.

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

   (9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. (9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 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 purposes of this permit, deviations include, but are not limited to:

      (1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

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

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.

2. The identification of each term or condition of the permit that is the basis of the certification.

3. The compliance status.

4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

5. 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.

6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street

Philadelphia, PA 19103-2029.

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

E. Permit Deviation Reporting

The permittee shall notify the Air Compliance Manager, Northern Virginia Regional Office, within four daytime business hours 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 occurrence, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VIII.C.3 (boilerplate condition IX.C.3.) of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours, notify the Air Compliance Manager, Northern Virginia Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Air Compliance Manager, Northern Virginia Regional Office.

1. The emission units subject to the reporting and the procedure requirements of 9 VAC 5-40-50 C and the procedures of 9 VAC 5-50-50 C are listed below:

a. Emissions Units P-3 through P-6 – Oxygen content of the incinerator exhaust gas.
b. Emissions Units P-3 through P-6 – Monitoring of the incinerator hearth temperatures.

2. Each owner required to install a continuous monitoring system subject to 9 VAC 5-40-41 or 9 VAC 5-50-410 shall submit a written report of excess emissions (as defined in the applicable emission standard) to the board for every calendar quarter. All quarterly reports shall be postmarked by the 30th

day following the end of each calendar quarter and shall include the following information:

a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h) or 9 VAC 5-40-41 B 6, any conversion factors used, and the date and time of commencement and completion of each period of excess emissions;

b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted;

c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and

d. When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated in the report.

3. All emission units not subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C must make written reports within two weeks of the malfunction occurrence.

(9 VAC 5-20-180 C, 9 VAC 5-40-50, and 9 VAC 5-50-50)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Action for Cause

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. (9 VAC 5-80-110 G.4)

2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:

   a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;

   b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;

   c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;

   d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;

   e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;

   f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);

g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

K. Property Rights

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

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-305 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. 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 March 1 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent

particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting, or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,

5. The prompt removal of spilled or 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)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9 VAC 5-50-20)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 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)

Q. Inspection and Entry Requirements

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

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than eighteen 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.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9 VAC 5-80-150 E)

T. Transfer of Permits

1. 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)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200. (9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200. (9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

   a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

   b. The permitted facility was at the time being properly operated.

   c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

   d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the

malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 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.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.

4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

   (9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.
(9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

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

X. 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)

Y. 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)

Z. 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)

AA. Emissions Trading

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

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.

2. 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.

3. 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)