



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Blue Ridge Regional Office

www.deq.virginia.gov

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June 24, 2016

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Mr. Frank Constantine
Plant Manager
Wolverine Advanced Materials – Blacksburg
201 Industrial Park S.E.
Blacksburg, VA 24060

Location: Blacksburg, VA
Registration No.: 20763

Dear Mr. Constantine:

Attached is a renewal Title V permit to operate your facility pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all conditions carefully.

This approval to operate does not relieve the Wolverine Advanced Materials – Cedar Run 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.

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:

Mr. David K. Paylor, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

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 contact Margaret O. Wagner at 540-562-6713.

Sincerely,



Robert J. Weld
Regional Director

Attachment: Permit

cc: Director, OAPP (electronic file submission)
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III
Frank Adams, Air Compliance Manager, Tim Overstreet, Inspector



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Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Wolverine Advanced Materials
Facility Name: Wolverine Advanced Materials – Blacksburg Plant
Facility Location: 201 Industrial Park Road S.E. Blacksburg, Virginia
Registration Number: 20763
Permit Number: BRRO-20763

This permit includes the following programs:

- Federally Enforceable Requirements – Clean Air Act
State Only Enforceable Requirements

June 24, 2016
Effective Date
Robert J. Weld, Regional Director

June 23, 2021
Expiration Date
6/23/16
Signature Date

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Facility Information

Permittee

WC Wolverine Holdings Inc.
5850 Mercury Drive, Suite 250
Dearborn, MI 48126

Responsible Official

Mr. Frank Constantine, Plant Manager

Facility

Wolverine Advanced Materials – Blacksburg Plant
201 Industrial Park S.E.
Blacksburg, VA 24060

Contact Person

Mr. John Surface, Engineering & Maintenance Manager
(540)557-2230

County-Plant Identification Number: 51-121-0065

Facility Description: NAICS code 339991 – Gasket, Packing, and Sealing Device Manufacturing

Wolverine Advanced Materials (WAM) – Blacksburg operates a metal coil coating facility in Blacksburg, Virginia. The Blacksburg plant has potential emissions of volatile organic compounds (VOCs) over the Title V major source threshold for criteria pollutants of 100 tons per year (tpy). The Blacksburg facility currently operates with a Title V permit with an effective date of January 6, 2005 (modified on January 17, 2006) and is located in an attainment area for all pollutants. The facility also has one minor NSR permit issued on February 13, 2007 to modify and operate coating lines for manufacturing of gasket material.

In addition to being a major source of VOCs, the Blacksburg plant also has potential emissions of hazardous air pollutants (HAPs) over 10 tpy for several individual HAPs and 25 tpy for combined HAPs. As such, the Blacksburg plant is a major source of HAPs and is subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Surface Coating of Metal Coils (40 CFR, Part 63, Subpart SSSS).

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
CL2	RTO 1	Coating Line #2 with Diablo In-Line Process Heater (8.0 MMBtu/hr N.G.)	324 lbs VOC/hr	Regenerative thermal oxidizer	RTO 1	VOCs and VOC HAPs	Feb. 13, 2007
CL4	RTO 1	Coating Line #4 – comprised of CL4-1 and CL4-2 with Diablo In-Line Process Heater (4.0 MMBtu/hr N.G.)	1,080 lbs VOC/hr	Regenerative thermal oxidizer	RTO 1	VOCs and VOC HAPs	Feb. 13, 2007
CL4-1	RTO 1	Coating Line #4-1 for rubber and primer		Regenerative thermal oxidizer	RTO 1	VOCs and VOC HAPs	Feb. 13, 2007
CL4-2	RTO 1	Coating Line #4-2 for adhesive and water based graphite		Regenerative thermal oxidizer	RTO 1	VOCs and VOC HAPS	Feb. 13, 2007
M1	VO 1	Coating Line Mixing Room (mixing/coating preparation equipment)	N/A	NA	NA	NA	NA
CL2B Boiler	CL2B	Unit 2 boiler (natural gas)	2.1 MMBtu/hr	NA	NA	NA	None
T1	NA	Solvent Tank - Toluene	10,000 gallons	NA	NA	NA	None
T2	NA	Solvent Tank (MEK)	5,000 gallons	NA	NA	NA	None
T3	NA	Solvent Tank (DIBK)	3,000 gallons	NA	NA	NA	None
T4	NA	Solvent Tank - MIBK	5,000 gallons	NA	NA	NA	None

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

Fuel Burning Equipment Requirements – CL2B Boiler

Boiler MACT (40 CFR 63 Subpart DDDDD)

General Compliance Requirements

1. **MACT Subpart DDDDD - (CL2B) – General Compliance Requirements** - The permittee shall comply with the applicable requirements of National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters 40 CFR 63, Subpart DDDDD as listed in Conditions 1 through 11 by the applicable compliance date as specified in 40 CFR 63.7495(b).
(9 VAC 5-80-110 and 40 CFR 63.7495)
2. **MACT Subpart DDDDD – (CL2B) – General Compliance Requirements** – The permittee shall comply with the applicable General Provisions as specified in 40 CFR 63.7565.
(9 VAC 5-80-110 and 40 CFR 63.7565)

Initial Compliance Requirements

3. **MACT Subpart DDDDD – (CL2B) – Initial Compliance Requirements - One-Time Energy Assessment - (CL2B)** – The permittee must complete the one-time energy assessment for the boiler (CL2B) as specified in Subpart DDDDD Table 3 no later than the compliance date specified in §63.7495. The permittee shall submit a Notification of Compliance Status according to Condition 8.b.
(9 VAC 5-80-110, 40 CFR 63.7500(a)(1), 40 CFR 63.7510(e) and 40 CFR 63.7530(f))
4. **MACT Subpart DDDDD – (CL2B) - Initial Compliance Requirements - Initial Tune-ups** - The permittee must complete an initial tune-up for the boiler (CL2B) by following the procedures described in §63.7540(a)(10)(i) through (vi) no later than the compliance date specified in §63.7495, except as specified in §63.7510(j).
(9 VAC 5-80-110 and 40 CFR 63.7510(e))

Continuous Compliance Requirements

5. **MACT Subpart DDDDD – (CL2B) - Work Practice Standards** - The permittee must meet each work practice standard in Subpart DDDDD Table 3 that applies to each boiler or process heater at all times.
(9 VAC 5-80-110, 40 CFR 63.7500(a)(1) and 40 CFR 63.7505(a))
6. **MACT Subpart DDDDD – (CL2B) - Safety and Good Air Pollution Control Practices** - At all times, the permittee must operate and maintain the affected source (as defined in §63.7490) in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance

procedures are being used may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(9 VAC 5-80-110 and 40 CFR 63.7500(a)(3))

7. MACT Subpart DDDDD – (CL2B) – Continuous Compliance Requirements – Tune-ups - To demonstrate continuous compliance with the work practice standards, the permittee shall:

- a. Conduct a 5-year performance tune up according to §63.7540(a)(12). Each 5-year tune-up specified in § 63.7540(a)(12) must be conducted no more than 61 months after the previous tune-up.

(9 VAC 5-80-110, 40 CFR 63.7500(c), 40 CFR 63.7515(d) and 40 CFR 63.7540(a)(12))

Notifications, Reports and Recordkeeping

8. MACT Subpart DDDDD – (CL2B) – Notifications – The permittee must meet the notification requirements in §63.7545 according to the schedule in §63.7545 and in 40 CFR Part 63 Subpart A. The permittee shall submit the following notifications:

- a. All of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (6) and 63.9(b) through (h) that apply to the permitted facility by the dates specified.
- b. A Notification of Compliance Status containing the results of the initial compliance demonstration according to §63.7545(e). The Notification of Compliance must include a signed certification that includes the statement in §63.7530(e) and the information specified in §63.7545(e)(1) and (8) and be submitted within 60 days of the compliance date specified in §63.7495(b).

(9 VAC 5-80-110, 40 CFR 63.7530(e) and (f), 40 CFR 63.7545(a) and (e) and 40 CFR 63.7495(d))

9. MACT Subpart DDDDD – (CL2B) – Reports – The permittee shall submit the following reports:

- a. Each report in Table 9 of 40 CFR Subpart DDDDD that applies to the permitted facility in accordance with the procedures specified in §63.7550(h)(3).
 - i. For units that are subject only to a requirement to conduct an annual, biennial, or 5-year tune-up according to §63.7540(a)(10), (11), or (12), respectively, and not subject to emission limits or Table 4 operating limits, the permittee may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in §63.7550(b)(1) through (4), instead of a semi-annual compliance report.

- ii. The compliance report must contain the information in §63.7550(c)(5)(i) through (iii), (xiv) and (xvii).

(40 CFR 63.7550(a), (b), (c) and (h))

- b. The reports referenced in “a” of this condition must also be submitted to the attention of the Air Compliance Manager, Blue Ridge Regional Office.

(9 VAC 5-80-110)

10. **MACT Subpart DDDDD – (CL2B) – Recordkeeping** – The permittee shall keep the following records:

- a. A copy of each notification and report that the permittee submitted to comply with 40 CFR 63 Subpart DDDDD, including all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted according to the requirements in §63.10(b)(2)(xiv).

(9 VAC 5-80-110 and 40 CFR 63.7555(a))

11. **MACT Subpart DDDDD – (CL2B) – Recordkeeping** – The permittee’s records shall be in a form suitable and readily available for expeditious review, according to §63.10(b)(1).

- a. As specified in §63.10(b)(1), the permittee must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
 - i. The permittee must keep each record on site, or they must be accessible from on site, for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). The permittee can keep the records off site for the remaining 3 years.

(9 VAC 5-80-110 and 40 CFR 63.7560(a), (b) and (c))

Process Equipment Requirements – Coating Lines #2 and #4 (CL2 and CL4)

Limitations

12. **Process Equipment Requirements – CL2 and CL4 – Limitations** - Volatile organic compound (VOC) emissions from coating line #2 (CL2) and coating line #4 (CL4) shall be controlled by total permanent enclosure of each line.

(9 VAC 5-80-110 and Condition 2 of the 2/13/07 NSR permit)

13. **Process Equipment Requirements – CL2 and CL4 – Limitations** - Volatile organic compound (VOC) emissions from CL2 and CL4 shall be controlled by a regenerative thermal oxidizer (RTO).
(9 VAC 5-80-110 and Condition 3 of the 2/13/07 NSR permit)
14. **Process Equipment Requirements – CL2 and CL4 – Limitations** – The regenerative thermal oxidizer shall demonstrate a control efficiency for volatile organic compounds of no less than ninety-eight percent (98%).
(9 VAC 5-80-110 and Condition 4 of the 2/13/07 NSR permit)
15. **Process Equipment Requirements – CL2 – Limitations** - The throughput of volatile organic compounds for CL2 and the associated coating preparation equipment shall not exceed 116 tons per month or 1,011 tons per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Condition 6 of the 2/13/07 NSR permit)
16. **Process Equipment Requirements – CL4 – Limitations** - The throughput of volatile organic compounds for CL4 and the associated coating preparation equipment shall not exceed 390 tons per month or 2,082 tons per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Condition 7 of the 2/13/07 NSR permit)
17. **Process Equipment Requirements – CL2 – Limitations** - Emissions from the operation of CL2 shall not exceed the limits specified below:
- | | | |
|----------------------------|-------------|--------------|
| Volatile Organic Compounds | 6.48 lbs/hr | 20.2 tons/yr |
|----------------------------|-------------|--------------|
- (9 VAC 5-80-110 and Condition 12 of the 2/13/07 NSR permit)
18. **Process Equipment Requirements – CL4 – Limitations** - Emissions from the operation of CL4 shall not exceed the limits specified below:
- | | | |
|----------------------------|-------------|--------------|
| Volatile Organic Compounds | 21.6 lbs/hr | 41.6 tons/yr |
|----------------------------|-------------|--------------|
- (9 VAC 5-80-110 and Condition 13 of the 2/13/07 NSR permit)
19. **Process Equipment Requirements – CL2 and CL4 – Limitations** - Visible Emissions from either coating line or from the regenerative thermal oxidizer shall not exceed five percent (5%) opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-80-110 and Condition 14 of the 2/13/07 NSR permit)

20. **Process Equipment Requirements – CL2 and CL4 – Limitations** - Facility or control equipment malfunction – hazardous air pollutant processes – CL2 and/or CL4 shall shut down immediately if it is unable to meet applicable emission standards, and shall not return to operation until it is able to operate in compliance with the applicable emission standards. (9 VAC 5-80-110 and Condition 11 of the 2/17/07 Permit)

Monitoring

21. **Process Equipment Requirements – CL2 and CL4 - Monitoring** - At least one time per week an observation of the presence of visible emissions from the metal coil coating lines CL2 and CL4 stacks shall be made. The presence of visible emissions shall require the permittee to:
- a. Take timely correction 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 for any period during the week, it shall be noted in the log book.

(9 VAC 5-80-110)

Recordkeeping

22. **Process Equipment Requirements – CL2 and CL4 – 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. Monthly and annual VOC throughput in tons for metal coil coating Lines CL2 and CL4 and coatings from the coating preparation equipment. Annual throughput shall be calculated as the sum of each consecutive twelve (12) month period;

- b. Monthly and annual VOC emissions in tons from metal coil coating Lines CL2 and CL4, including the coating preparation equipment. Annual emissions shall be calculated as the sum of each consecutive 12 month period;
- c. Results of all stack tests, visible emission evaluations and performance evaluations;
- d. Material Safety Sheets (MSDS) Certified Product Data Sheets (CPDS) or other vendor information approved by VDEQ showing VOC content, HAP content, water content, and solids content for each coating used; and,
- e. Scheduled and unscheduled maintenance and operator training records.

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

(9 VAC 5-80-110 and Condition 18 of the 2/13/07 NSR permit)

Testing

- 23. **Process Equipment Requirements – CL2 and CL4 – Enclosure Testing** – Upon request by the DEQ, the permittee shall conduct tests for total permanent enclosure of either or both coating lines to demonstrate compliance with the requirements contained in this permit. The details of the tests shall be arranged with the Blue Ridge Regional Office.
(9 VAC 5-80-110 and Condition 15 of the 2/13/07 NSR permit)
- 24. **Process Equipment Requirements – CL2 and CL4 – Testing** – Upon request by the DEQ, the permittee shall conduct performance tests for Volatile Organic Compounds, specific hazardous air pollutants and/or total hazardous air pollutants from coating line CL2 and/or coating line CL4 to demonstrate compliance with the emission limits and control efficiency requirements contained in this permit. The details of the tests shall be arranged with the Blue Ridge Regional Office.
(9 VAC 5-80-110 and Condition 16 of the 2/13/07 NSR permit)
- 25. **Process Equipment Requirements – CL2 and CL4 – Testing** - Upon request by the DEQ, the permittee shall conduct visible emission evaluations from the regenerative thermal oxidizer and/or either coating line to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Blue Ridge Regional Office.
(9 VAC 5-80-110 and Condition 17 of the 2/13/07 NSR permit)

Process Equipment Requirements – Mixing Room (M1)

Limitations

26. **Process Equipment Requirements – Limitations** - Visible Emissions from the M1 mixing room shall not exceed five percent (5%) opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-80-110)

Monitoring

27. **Process Equipment Requirements – Monitoring** - At least one time per week an observation of the presence of visible emissions from the mixing room M1 emission points shall be made. The presence of visible emissions shall require the permittee to:
- a. Take timely correction 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 for any period during the week, it shall be noted in the log book.

(9 VAC 5-80-110)

Recordkeeping

28. **Process Equipment Requirements – M1 – 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. Results of all visible emission evaluations.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110)

Organic Liquids Distribution (OLD) MACT (40 CFR 63 Subpart EEEE) – Tanks T1 through T4 and Transfer Racks

Limitations

29. **OLD MACT Requirements – Tank T1 through T4 and Transfer Racks - Limitations -**
The permittee shall comply with the applicable requirements of National Emission Standards for Hazardous Air Pollutants for Major Sources: Organic Liquids Distribution (non-gasoline) 40 CFR 63, Subpart EEEE as listed in Conditions 30 through 35 by the applicable compliance date as specified in §63.2342(b)(1).
(9 VAC 5 80-110 and 40 CFR Part 63.2342)
30. **OLD MACT Requirements – Tanks T2, T3 and Transfer Racks - Limitations -** The permittee shall comply with the requirements specified in 40 CFR 63.2343(a).
(9 VAC 5 80-110 and 40 CFR 63.2343)
31. **OLD MACT Requirements – Tanks T1 and T4 - Limitations -** The permittee shall comply with the requirements specified in 40 CFR 63.2343(b).
(9 VAC 5 80-110 and 40 CFR 63.2343)

Notifications

32. **OLD MACT Requirements – Tanks T1 and T4 - Notifications -** The permittee shall comply with the notification requirements specified in 40 CFR 63.2382.
(9 VAC 5 80-110 and 40 CFR 63.2382)

Reporting

33. **OLD MACT Requirements – Tanks T1 and T4 - Reporting -** The permittee shall comply with the reporting requirements specified in 40 CFR 63.2386.
(9 VAC 5 80-110 and 40 CFR 63.2386)

Recordkeeping

34. **OLD MACT Requirements – Tanks T1 and T4 - Recordkeeping -** The permittee shall comply with the reporting requirements specified in 40 CFR 63.2390.
(9 VAC 5 80-110 and 40 CFR 63.2390)

General Provisions

35. **OLD MACT Requirements – Tanks T1 through T4 and Transfer Racks – General Provisions** - The permittee shall comply with the General Provisions in §§63.1 through 63.15 that are applicable as specified in 40 CFR 63.2398.
(9 VAC 5 80-110 and 40 CFR 63.2398)

Surface Coating of Metal Coil MACT (40 CFR 63 Subpart SSSS) – CL2 and CL4

Limitations

36. **Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 - Limitations** - The permittee shall comply with the applicable requirements of National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil 40 CFR 63, Subpart SSSS as listed in Conditions 37 through 46 by the applicable compliance date specified in §63.5130(a).
(9 VAC 5 50-410, 9 VAC 5 80-110 and 40 CFR Part 63.5130)
37. **Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 – Emission Standards** – Using the control equipment specified in Condition 13 and 14, each coil coating affected source must limit organic HAP emissions to the level specified in below:
- a. No more than 2 percent of the organic HAP applied for each month during each 12-month compliance period (98 percent reduction).

(9 VAC 5-80-110, 9 VAC 5 50-410 and 40 CFR Part 63.5120(a)(1))
38. **Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 – Operating Limits** For any coating line for which an add-on control device is used, you must meet the applicable operating limits specified in Table 1 to this subpart. The operating limits must be established during the performance test according to the requirements in §63.5160(d)(3). You must meet the operating limits at all times after they have been established.
(9 VAC 5-80-110, 9 VAC 5 50-410 and 40 CFR Part 63.5121(a))
39. **Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 – General Requirements** - Each coating line must be in compliance with the standards of this subpart at all times, except during periods of start-up, shutdown, and malfunction of any capture system or control device used to comply with this subpart.
(9 VAC 5-80-110, 9 VAC 5 50-410 and 40 CFR Part 63.5140(a))
40. **Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 – General Requirements** – The permittee shall comply with the applicable General Provisions according to Table 2 to Subpart SSSS of Part 63.

(9 VAC 5-80-110, 9 VAC 5 50-410 and 40 CFR Part 63.5080)

Surface Coating of Metal Coil MACT Requirements – Monitoring

41. Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 – Temperature Monitoring – To demonstrate continuous compliance through monitoring of an oxidizer operating parameter, the permittee shall:

- a. Install, calibrate, maintain and operate temperature monitoring equipment according to manufacturer’s specifications. The calibration of the chart recorder, data logger, or temperature indicator must be verified every 3 months; or the chart recorder, data logger, or temperature indicator must be replaced. The equipment must be replaced if the permittee chooses not to perform the calibration or if the equipment cannot be calibrated properly. Each temperature monitoring device must be equipped with a continuous recorder. The device must have an accuracy of ± 1 percent of the temperature being monitored in degree Celsius, or $\pm 1^\circ$ Celsius, whichever is greater.
- b. Install the thermocouple or temperature sensor in the combustion chamber at a location in the combustion zone or immediately downstream of the firebox before any substantial heat exchange occurs.

(9 VAC 5-80-110 and 40 CFR 63.5160(d)(3)(i)(A)and(B))

42. Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 – Monitoring – Volatile organic compound emissions from coating line #2 and coating line #4 shall be controlled by a regenerative thermal oxidizer (RTO). The RTO combustion chamber shall be equipped with one or more temperature indicators to continuously measure and record the chamber operating temperature. The RTO shall operate such that the three hour average temperature is equal to or greater than 1589 °F and shall be provided with adequate access for inspection and shall be in operating when either coating line is operating.

(9 VAC 5-80-110, 9 VAC 5-50-410, 9 VAC 5-60-100 and Condition 3 of the 2/13/07 NSR permit)

43. Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 - Monitoring - The permittee shall conduct monitoring in accordance with the CL2 and CL4 capture system monitoring plans. The plans shall address the elements below in accordance with 40 CFR 63.5150 (a)(4)(i)(ii)(iii) and (b):

- a. The plan must identify the operating parameter(s) to be monitored to ensure capture efficiency measured during the initial compliance test is maintained, explain why this parameter is appropriate for demonstrating compliance, and identify the specific monitoring procedures;

- b. The plan shall establish operating limits at the capture system operating parameter value, or range of values, that demonstrates compliance with the standards in §63.5120. The operating conditions must represent the conditions indicative of proper operation and maintenance of the capture system;
- c. You must conduct monitoring in accordance with the plan;
- d. Any deviation from the required operating parameters will be considered a deviation from the operating limits.

(9 VAC 5-80-110 and 40 CFR 63.5150(a)(4) and (b))

Surface Coating of Metal Coil MACT Requirements – Compliance

44. **Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 – Compliance –** The permittee shall demonstrate compliance for capture systems and control devices as provided in §63.5170, Table 1 option 3, by demonstrating the overall organic HAP control efficiency is at least 98 percent during the initial performance test and operating limits are achieved continuously for individual coil coating lines. The permittee shall use the capture and control compliance demonstration procedures of §63.5170(i)(1), (2), and (3) as stated below:

- a. Conduct an initial performance test to determine the control device destruction or removal efficiency, DRE, using the applicable test methods and procedures in §63.5160(d);
- b. Determine the emission capture efficiency, CE, in accordance with §63.5160(e);
- c. Whenever a coil coating line is in operation, the permittee must continuously monitor the operating parameters established according to §63.5150(a)(3) and (4) to ensure capture and control efficiency.

(9 VAC 5-80-110, 9 VAC 5 50-410 and 40 CFR Part 63.5170(i))

Surface Coating of Metal Coil MACT Requirements – Reporting

45. **Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 - Reporting -** The permittee shall submit the reports specified in paragraphs (f) and (g) of §63.5180 as listed below:
- a. Submit start-up, shutdown, and malfunction reports as specified in §63.10(d)(5) if you use a control device to comply with this subpart; and,

- b. Submit semi-annual written reports to the Blue Ridge Regional Office and to the EPA Region III, MACT SSSS Compliance Coordinator containing information specified in paragraphs (g)(1) and (2) of this section. The time periods to be addressed are January 1 to June 30 and July 1 to December 31. All reports shall be postmarked by the 60th day following the reporting period.

(9 VAC 5-50-50, 9 VAC 5-80-110, 9 VAC 5 50-410 and 40 CFR Part 63.5180(f) and (g))

Surface Coating of Metal Coil MACT Requirements – Recordkeeping

46. Surface Coating of Metal Coil MACT Requirements – CL2 and CL4 - 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. Continuous temperature records and 3-hour average temperature of the combustion chamber of the regenerative thermal oxidizer to demonstrate compliance with 42;
- b. Control device and capture system operating parameter data in accordance with §63.5150(a)(1), (3) and (4);
- c. Monitoring system calibrations and calibration checks for both CL2 and CL4;
- d. Records specified in 40 CFR 63.5190(a) and (b).

(9 VAC 5 80-110, 9 VAC 5 50-410, 40 CFR Part 63.5190(a) and (b), 40 CFR Part 63.5150(a) and Condition 18 of the 2/13/07 NSR permit)

Facility Wide Conditions

Limitations

47. **Facility Wide Conditions – Limitations** – 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 in sewers which are not connected to a treatment plant, or stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution practices for minimizing emissions.

(9 VAC 5-80-110, 9 VAC 5-50-20, Condition 8 of the 2/15/06 NSR permit and Condition 9 of the 2/16/06 NSR permit)

48. **Facility Wide Conditions – Limitations** – Operations and Maintenance 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 and process equipment which affect such emissions:
- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
 - b. Develop an inspection schedule, monthly at a minimum, to insure the operational integrity of the air pollution control equipment and maintain records of inspection results.
 - c. Have available written operating procedures for the air pollution control equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
 - d. Train operators in the proper operation of all air pollution control equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.
 - e. Maintain an inventory of spare parts that are needed to maintain the air pollution control equipment in proper working order.

Records of maintenance, inspections and training shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110, 9 VAC 5-50-20 E, Condition 21 of the 2/15/06 NSR permit and Condition 22 of the 2/16/06 NSR permit)

Testing

49. **Facility Wide Conditions – 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.
(9 VAC 5-50-30 and 9 VAC 5-80-110)

Insignificant Emission Units

50. 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)
G1, G2	Oil Water Separators	9 VAC 5-80-720B	VOC	36 gallons each
WA 1	Waldron coating line (water-based coatings) with small gas fired dryer	9 VAC 5-80-720B	NO _x , VOC, PM, CO	----

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

Permit Shield & Inapplicable Requirements

51. **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	None	None

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

(9 VAC 5-80-140)

General Conditions

Federal Enforceability

52. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

53. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
54. **General Conditions - Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
55. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
56. **General Conditions - Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
57. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
58. **General Conditions - Permit Expiration** - The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
59. **General Conditions - Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

- a. The date, place as defined in the permit, and time of sampling or measurements.
- b. The date(s) analyses were performed.
- c. The company or entity that performed the analyses.
- d. The analytical techniques or methods used.
- e. The results of such analyses.
- f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

60. **General Conditions – Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

61. **General Conditions – Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - i. Exceedance of emissions limitations or operational restrictions;
 - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

62. **General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31.
- b. The identification of each term or condition of the permit that is the basis of the certification.
- c. The compliance status.
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
- e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
- f. Such other facts as the permit may require to determine the compliance status of the source.
- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

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

63. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Director, 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 General Condition 61 of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)
64. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, 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 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 Director, Blue Ridge Regional Office.
(9 VAC 5-20-180 C)
65. **General Conditions – Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)
66. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)
67. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

68. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9 VAC 5-80-190 and 9 VAC 5-80-260)
69. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)
70. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)
71. **General Conditions – Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)
72. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. 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.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)
73. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:
 - a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

- b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
- d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-50-90)

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

(9 VAC 5-50-20 E)

75. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

76. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

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

- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
- d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

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

77. **General Conditions - Reopening For Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

78. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

79. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.

(9 VAC 5-80-160)

80. **General Conditions – Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
81. **General Conditions – Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
82. **General Conditions - Malfunction as an Affirmative Defense** - A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of Condition 83 are met.
(9 VAC 5-80-250)
83. **General Conditions – Malfunction as an Affirmative Defense** - The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
- a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

(9 VAC 5-80-250)

84. **General Conditions – Malfunction as an Affirmative Defense** - In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
(9 VAC 5-80-250)
85. **General Conditions – Malfunction as an Affirmative Defense** - The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.
(9 VAC 5-80-250)
86. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.
(9 VAC 5-80-190 C and 9 VAC 5-80-260)
87. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-80 E)
88. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)
89. **General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)
90. **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)

91. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

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

- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
- b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
- c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)