



COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
PIEDMONT REGIONAL OFFICE

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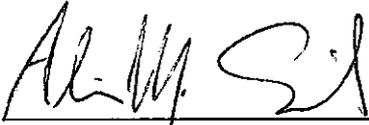
Michael P. Murphy
Regional Director

STATEMENT OF LEGAL AND FACTUAL BASIS

Waste Management of Virginia, Inc.
Maplewood Recycling and Disposal Facility
20221 Maplewood Road - Jetersville, Virginia 23083
Permit No. PRO 30993

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Maplewood Recycling & Disposal Facility has applied for a Title V Operating Permit renewal for its Jetersville facility. The Department has reviewed the application and has prepared a Title V Operating Permit renewal.

Permit Contact:

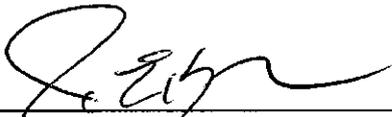


Alison M. Sinclair
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Date:

12/17/14

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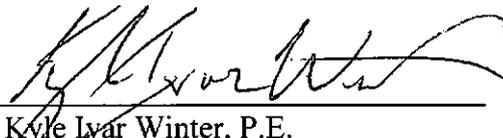


James E. Kyle, P.E.

Date:

12/17/2014

Deputy Regional Director:



Kyle Ivar Winter, P.E.

Date:

12/17/14

Facility Information

Permittee

Waste Management of Virginia, Inc., d.b.a. Maplewood Recycling and Disposal Facility
20221 Maplewood Road
Jetersville, VA 23083

Facility

Maplewood Recycling and Disposal Facility
20221 Maplewood Road
Jetersville, VA 23083

County-Plant ID No. : 007-0010

Facility Description: NAICS 562212 - This facility consists of a municipal solid waste (MSW) landfill that collects the landfill gas and burns it primarily in flares. The facility may also supply the landfill gas as an alternative fuel in the INGENCO plant (separate facility permit).

The Maplewood Recycling and Disposal Facility (Maplewood Landfill) is a non-hazardous MSW land recycling and disposal facility located at 20221 Maplewood Road, Jetersville, VA (Amelia County) and operated by Waste Management of Virginia, Inc. This facility consists of a MSW landfill that is a generator of landfill gas, including non-methane organic compounds (NMOCs). The facility also processes coal combustion by-products (i.e., fly ash).

Permit Status

The facility is a Title V source because it is a MSW landfill with a design capacity greater than 2.5 million mega-grams and 2.5 million cubic meters [40 CFR 60.752(b)]. Maplewood Landfill is a major source of NMOCs and is an area source for hazardous air pollutants. The source is subject to NSPS Subpart WWW and NESHAP Subpart AAAA for MSW landfills. The flares are subject to NSPS Subpart A. The newer 80 hp water pump is subject to NSPS Subpart IIII. Both water pumps are subject to MACT Subpart ZZZZ. A gasoline dispensing tank is subject to MACT Subpart CCCCCC. The handling of asbestos-containing waste is subject to 40 CFR 61 Subpart M.

Maplewood Landfill is located in an attainment area for all pollutants, and is not a PSD major source. The facility is permitted under two Minor NSR permits issued on October 15, 2014 and October 16, 2014. The original Title V permit became effective on November 29, 2003 and was modified on February 15, 2006. The Title V permit was initially renewed on November 12, 2009. The source applied for their subsequent renewal on May 2, 2014 and their application was found timely and complete and was eligible for an application shield.

Compliance Status

A full compliance evaluation of this facility, including a site visit, has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the

facility has not been found to be in violation of any state or federal applicable requirements at this time.

Changes to the Permit

Since the last renewal of the Title V permit in 2009, the following changes have taken place to the applicable requirements at this facility:

- July 28, 2010 – Exemption for a 100,000 gallon leachate tank (Insignificant unit)
- September, 27, 2010, as amended July 14, 2011 and October 15, 2014 – NSR permit for a fly ash processing facility with fly ash silos, conveyors, and pugmills.
- October 16, 2014 – Minor amendment to the landfill permit to remove obsolete conditions, remove reference to requirements from the solid waste permit, update permit language to most current boilerplate, correct citations and regulatory references, correct typos, and allow monthly monitoring of methane concentration to the flares rather than weekly.
- The source or DEQ also requested the following changes to the Title V language:
 - Add a citation of “40 CFR 60.754(e)” to the list of methods to determine the net heating value of the landfill gas.
 - Add a SSM plan development condition as per 40 CFR 63.6(e)(3).
 - Add annual periodicity to the NMOC emission rate determination requirement for the GCCS removal.
 - Add visible emission (Method 22) periodic monitoring to show compliance with the VE limit for the flares.
 - Add language that exceedance of the wellfield operational standard is not a violation of NSPS Subpart WWW operational requirements if corrective action is taken. The source may submit alternative timeline or remedy for exceedance to the Administrator.
 - Update “as-builts” for the landfill gas collection system if new wells are constructed or non-functioning wells are decommissioned.
 - The source should calculate maximum design capacity unless that design capacity is specified in their solid waste permit.
 - The source shall report actions taken during SSM event in a semi-annual SSM report.
 - Records of deviations to the landfill monitoring and SSM plan shall be kept.
- In addition, the source requested to add federal requirements for two insignificant water pump engines (NSPS, Subpart IIII and MACT, Subpart ZZZZ) and an insignificant gasoline dispensing tank (MACT, Subpart CCCCCC). These units are insignificant but they do have federal applicable requirements which will be included in the Title V permit. Disposal of asbestos-containing materials is covered under 40 CFR 61 Subpart M.

Emission Units and Control Equipment Identification

The emissions units at this facility consist of the following:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Landfill (PO1)							
PO1 LF-1	LF-1	Municipal Solid Waste Landfill Phases 1 through 34.	43,000,000 cubic yards of combined waste.	Utility flare	CF-1	NMOC, VOC, methane	October 16, 2014
Flares							
PO1 CF-1	CF-1	Parnel Biogas Open Utility Flare	98.3 MMBtu/hr 3000 SCFM and equipped with a blower with a maximum flow rating of 3000 SCFM.	None	None	None	October 16, 2014
PO1 CF-2	CF-2	Parnel Biogas Open Utility Flare	98.3 MMBtu/hr 3000 SCFM and equipped with a blower with a maximum flow rating of 3000 SCFM.	None	None	None	October 16, 2014
Fly Ash Processing Equipment (PO2)							
PO2 Silo 1	S-1	Fly Ash Silo	100 ton storage capacity	Bin Vent Filter	None	None	October 15, 2014
PO2 Silo 2	S-2	Fly Ash Silo	100 ton storage capacity	Bin Vent Filter	None	None	October 15, 2014
PO2 C-1	C-1	Conveyor	300 tons/hr	None	None	None	October 15, 2014
PO2 C-2	C-2	Conveyor	300 tons/hr	None	None	None	October 15, 2014

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*
Insignificant Activities Subject to Applicable Requirements			
ENG-2	ENG-2	Emergency generator	60 hp
ENG-3	ENG-3	Emergency fire pump	80 hp
AST-3	None	Gasoline storage tank	<10,000 gallons

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

Emissions Inventory

A copy of the 2013 annual emission update can be obtained from the DEQ Piedmont Regional Office. These emissions are summarized below.

2013 Facility-Wide Criteria Pollutant Emissions in Tons/Year						
VOC	CO	SO ₂	PM ₁₀	PM _{2.5}	NO _x	NMOC*
16.1	29.1	2.7	7.0	6.6	7.7	41.3

* NMOC (non-methane organic compounds) is not a criteria pollutant but rather a mix of HAP and VOC which can form ozone in the presence of sunlight.

Pollutant	2013 Hazardous Air Pollutant Emissions in Tons/Yr
Acrylonitrile	0.207
Benzene	0.092
Carbon disulfide	0.027
Carbonyl sulfide	0.018
Chlorobenzene	0.017
Chloroform	0.002
1,4- Dichlorobenzene	0.019
Ethyl benzene	0.302
Ethyl chloride	0.052
Ethylene dichloride	0.025
Ethylidene dichloride	0.147
Hydrogen chloride	1.360
Hydrogen fluoride	0.660
Hydrogen sulfide	0.759
Methyl chloroform	0.050
Methyl ethyl ketone	0.317
Methyl isobutyl ketone	0.118
Methylene chloride	0.870
n-Hexane	0.352
Perchloroethylene	0.450
Propylene dichloride	0.013
1,1,2,2-Tetrachloroethane	0.400
1,1,2- Trichloroethane	0.040

Pollutant	2013 Hazardous Air Pollutant Emissions in Tons/Yr
Trichloroethylene	0.228
Toluene	2.222
Total Reduced Sulfur	1.100
Vinyl chloride	0.282
Vinylidene chloride	0.012
Xylene	0.788

Emission Unit Applicable Requirements – Landfill and Flares
 LF-1, CF-1, CF-2

The source of specific applicable requirements for the landfill and flares is the minor NSR permit originally issued August 20, 1997; amended August 25, 2000; and October 29, 2001; modified January 10, 2002; amended March 29, 2002; October 1, 2002; January 28, 2003; September 27, 2007; June 17, 2009, and October 16, 2014. The landfill, including the gas collection and control equipment is subject to NSPS, Subparts A and WWW; and MACT, Subpart AAAA. CAM is not applicable to the flares because the source is subject to emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act.

Limitations

- Condition 2 of the 10/16/2014 NSR permit (Condition 1 of the Title V permit) limits the design capacity of the landfill (LF-1). *This demonstrates applicability to NSPS, Subpart WWW and Title V permitting.*
- Condition 6 of the 10/16/2014 NSR permit (Condition 2 of the Title V permit) requires fugitive dust from the landfill (LF-1) to be controlled by wet suppression or equivalent. *The bases for these requirements are found in 9 VAC 5-50-90.*
- Condition 3 of the 10/16/2014 NSR permit (Condition 3 of the Title V permit) includes requirements for operation of the landfill gas collection and control system. *The bases for these requirements are found in 40 CFR 60.755 and 40 CFR 60.753, which are incorporated into the Virginia SIP through 9 VAC 5-50-410.*
- Condition 4 of the 10/16/2014 NSR permit (Condition 4 of the Title V permit) includes requirements for the operation of the open flares (CF-1 and CF-2) to make sure they are operating properly. *The bases for these requirements are found in 40 CFR 60.756 as well as 40 CFR 60.18, which are incorporated into the Virginia SIP through 9 VAC 5-50-410..*
- Condition 5 of the 10/16/2014 NSR permit (Condition 5 of the Title V permit) includes parametric requirements for the open flares (CF-1 and CF-2) to ensure that they are meeting the NO_x and CO emission factors in Condition 17 (Condition 14 of the Title V permit). *The current underlying NSR permit citation for this condition is 9 VAC 5-50-90*

which is the Standard for Fugitive Dust/Emissions. This appears to have been an anomaly – possibly copied from the subsequent condition – as these emissions are not fugitive. Prior iterations of the NSR permit used the BACT citation of 9 VAC 5-50-260.

- Condition 9 of the 10/16/2014 NSR permit (Condition 6 of the Title V permit) requires the facility to maintain a gas collection and control system design plan. *The basis of this requirement is found in 40 CFR 60.752 which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*
- Condition 7 of the Title V permit requires the facility to submit a startup, shutdown and malfunction plan as per 40 CFR 63.6(e)(3). *The basis of this requirement is found in 40 CFR 63, Subpart A, General Provisions section (e)(3) which is incorporated into the Virginia SIP through 9 VAC 5-60-100.*
- Condition 11 of the 10/16/2014 NSR permit (Condition 8 of the Title V permit) requires that the gas control flares (CF-1, CF-2) are in operation when gas is routed to them or the gas moving system is shut down within one hour if they are not operating. *The basis of this limitation is found in 40 CFR 60.753(e) and (f), which are incorporated into the Virginia SIP through 9 VAC 5-50-410. This minimizes uncontrolled emissions of landfill gas.*
- Condition 12 of the 10/16/2014 NSR permit (Condition 9 of the Title V permit) describes the allowable fuel(s) for the flares (CF-1 and CF-2). *The underlying NSR permit cites 9 VAC 5-50-410 of the Virginia regulations as the basis for this requirement. NSPS, Subpart A [60.18(d)] requires a flare to be operated and maintained in conformance with their designs.*
- Condition 13 of the 10/16/2014 NSR permit (Condition 10 of the Title V permit) limits the amount of landfill gas (LFG) to be combusted in the flares (CF-1 and CF-2). *This throughput limitation provides a federally enforceable basis for the BACT emission limits in Condition 15 of the NSR permit (Condition 12 of the Title V permit).*
- Condition 14 of the 10/16/2014 NSR permit (Condition 11 of the Title V permit) limits the opacity of the flares (CF-1 and CF-2). *The basis for this limitation is found in 40 CFR 60.18(c)(1) and, along with Method 22 periodic monitoring in Condition 17c of the Title V permit, ensures the flares are operating properly. This is also considered BACT for these units.*
- Condition 15 of the 10/16/2014 NSR permit (Condition 12 of the Title V permit) limits hourly and annual air pollutant emissions from each flare (CF-1 or CF-2). *The bases of these limitations are found in a BACT determination for the flares as presented in Condition 17 of the NSR permit (Condition 14 of the Title V permit).*
- Condition 16 of the 10/16/2014 NSR permit (Condition 13 of the Title V permit) limits annual air pollutant emissions from both flares combined (CF-1 and CF-2). *The bases for these limitations are found in a BACT determination for the flares as presented in Condition 17 of the NSR permit (Condition 14 of the Title V permit).*
- Condition 17 of the 10/16/2014 NSR permit (Condition 14 of the Title V permit) lists the approved emission factors that are to be used to calculate emissions from the flares (CF-1 and CF-2) along with assumptions of the percentage of methane and the sulfur content of the LFG. *These factors are considered BACT for these units.*

Testing Procedure

- Condition 18 of the 10/16/2014 NSR permit (Condition 15 of the Title V permit) requires the source to calculate NMOC emission rates on an annual basis to determine when the gas collection and control system can be removed. *The basis for this requirement is found in 40 CFR 60.754(b) which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*

Monitoring

- Condition 19 of the 10/16/2014 NSR permit (Condition 16 of the Title V permit) describes the monitoring requirements for the gas collection system. *The bases of these requirements are found in 40 CFR 60.756(a), which is incorporated into the Virginia SIP through 9 VAC 5-50-410. The underlying NSR permit cites BACT as another basis for these requirements.*
- Condition 20 of the 10/16/2014 NSR permit (Condition 17 of the Title V permit) describes the monitoring requirements for the gas control system. *The bases for these requirements are found in 40 CFR 60.756(c), which is incorporated into the Virginia SIP through 9 VAC 5-50-410. Periodic monitoring for visible emissions was added to fulfill the requirements of Part 70 periodic monitoring.*
- Condition 21 of the 10/16/2014 NSR permit (Condition 18 of the Title V permit) requires that corrective action be taken if monitoring shows that 40 CFR 60.755 requirements are not being met, and exceedances of the surface methane standard and wellfield standard will not be considered violations if corrective actions are taken as specified in 40 CFR 60.755 (a)(3) through (5) or 60.755(c). *The bases of these requirements are found in 40 CFR 60.755, which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*
- Condition 22 of the 10/16/2014 NSR permit (Condition 19 of the Title V permit) requires that the flares (CF-1 and CF-2) be operated in a satisfactory manner, verified by certifying that the manufacturer's written requirements for installation, operation and calibration were followed, at a minimum. *The basis of this monitoring requirement is found in 40 CFR 60.756(c), which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*
- Condition 23 of the 10/16/2014 NSR permit (Condition 20 of the Title V permit) requires the landfill gas collection and control system to be monitored as per NSPS Subpart WWW. *This requirement ensures that the landfill and flares are operating correctly. The basis of this requirement are found in 40 CFR 60.756, which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*

Compliance Provisions

- Condition 23 of the 10/16/2014 NSR permit (Condition 21 of the Title V permit) states that the provisions of NSPS Subpart WWW apply except during SSM periods, if the SSM duration does not exceed 5 days for the collection system and 1 hour for the control system (CF-1, CF-2). *The basis of this requirement is found in 40 CFR 60.755(e), which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*

Recordkeeping

- Condition 24 of the 10/16/2014 NSR permit (Condition 22 of the Title V permit) specifies the types of records that the source must keep to demonstrate compliance with the NSR permit and applicable federal regulations. *The bases of these requirements are found in 9 VAC 5-50-50 and 9 VAC 5-50-410. The keeping of records of certain parameters is required to demonstrate compliance with the standards of the NSR permit and federal regulations.*

Reporting

- Condition 25 of the 10/16/2014 NSR permit (Condition 23 of the Title V permit) specifies the items to be included in the semi-annual compliance report. *The bases of these requirements are found in 40 CFR 60.757(f) which is incorporated into the Virginia SIP through 9 VAC 5-50-410. Additional reporting items were requested by the source to be in compliance with the MACT reporting requirements in 40 CFR 63.1955(c) and 40 CFR 63.6(e)(3). These federal regulations are incorporated into the Virginia SIP through 9 VAC 5-60-100.*
- Condition 26 of the 10/16/2014 NSR permit (Condition 24 of the Title V permit) specifies items to be included in the closure report once the landfill stops accepting waste. *The basis for this requirement is found in 40 CFR 60.757 (d), which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*
- Condition 27 of the 10/16/2014 NSR permit (Condition 25 of the Title V permit) specifies items to be included in the equipment removal report. *The basis for this requirement is found in 40 CFR 60.757(e), which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*
- Condition 28 of the 10/16/2014 NSR permit (Condition 26 of the Title V permit) specifies conditions to be met for the removal of the LFG collection and control system. *The basis for this requirement is found in 40 CFR 60.752(b)(2)(v), which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*

Notifications

- Condition 31 of the 10/16/2014 NSR permit (Condition 27 of the Title V permit) requires the facility to submit notification to DEQ for any modification to the gas collection and control system plan. *The bases of these requirements are found in 9 VAC 5-50-50 and 40 CFR 60.757(a)(3), which is incorporated into the Virginia SIP through 9 VAC 5-50-410.*

Requirements by Reference

- Condition 28 of the Title V permit specifies requirements for the acceptance of asbestos-containing waste materials. *The bases of these requirements are found in 40 CFR 61.154.*
- Conditions 7, 8 and 10 of the 10/16/2014 NSR permit (Condition 29 of the Title V permit) require the landfill (LF-1), including the gas collection and control system, to be operated in compliance with 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA. *This condition combines federal requirements by reference for NSPS Subpart WWW and MACT Subpart AAAA.*

Streamlined Requirements

Condition 3h of the 10/16/2014 NSR permit contains a requirement that flare CF-2 must meet the criteria in 40 CFR 60.18. This is re-iterated in Condition 4 of the 10/16/2014 NSR permit (Condition 4 of the Title V permit) for both flares, so the requirement in 3h was streamlined.

A portion of Condition 6 of the 10/16/2014 NSR permit is duplicated in General Condition 63.

Conditions 7, 8 and 10 of the 10/16/2014 NSR permit had similar language regarding requirements by reference for NSPS and MACT regulations. These conditions were streamlined into Condition 29 of the Title V permit.

Process Equipment Applicable Requirements- Fly Ash Processing facility S-1, S-2, C-1, C-2

The source of specific applicable requirements for the fly ash processing facility is the minor NSR permit originally issued September 27, 2010 and amended on July 14, 2011. The fly ash processing facility is not subject to federal regulations. CAM is not applicable to the silos because this is a wet process.

Limitations

- Condition 2 of the 10/15/2014 NSR permit (Condition 30 of the Title V permit) requires particulate matter to be controlled from the silos (S-1, S-2) and truck load-out. *This requirement is considered BACT for these processes.*
- Condition 3 of the 10/15/2014 NSR permit (Condition 31 of the Title V permit) requires fugitive dust from the fly ash handling be controlled by wet suppression or equivalent. *This requirement is considered BACT for this process.*
- Condition 5 of the 10/15/2014 NSR permit (Condition 32 of the Title V permit) limits the annual amount of fly ash to be processed. *This is a federally enforceable limit to ensure compliance with the BACT emission limits in Condition 6 of the NSR permit (Condition 32 of the Title V permit).*
- Condition 7 of the 10/15/2014 NSR permit (Condition 33 of the Title V permit) limits the visible emissions from the bin vent filter exhaust on the silos (S-1, S-2). *This is a BACT determination to ensure compliance with applicable emission standards.*
- Condition 6 of the 10/15/2014 NSR permit (Condition 34 of the Title V permit) sets particulate matter emission limits for the fly ash processing facility (S-1, S-2, C-1, C-2). *These limits represent emission determinations based on BACT.*

Monitoring

- Condition 4 of the 10/15/2014 NSR permit (Condition 35 of the Title V permit) requires periodic monitoring of visible emissions from the bin vent filters on the silos (S-1, S-2). *This monitoring fulfills the Part 70 requirement for periodic monitoring which shows that*

the control equipment is operating properly and the unit is in compliance with Condition 7 of the NSR permit (Condition 33 of the Title V permit).

Recordkeeping

- Condition 8 of the 10/15/2014 NSR permit (Condition 36 of the Title V permit) specifies the types of records the source needs to keep to show compliance with that permit. *The basis of this condition is found in 9 VAC 5-50-50.*

Streamlined or Obsolete Requirements

None

Process Equipment Applicable Requirements- Stationary water pump engines ENG-2, ENG-3 (Insignificant Activity)

The 80 hp diesel engine (ENG-3) is mounted on skids, but, because it is not moved for periods longer than 12-months, it is considered a stationary source. The sources of specific applicable requirements for the stationary water pump engines are NSPS, Subpart IIII (ENG-3 only) and MACT, Subpart ZZZZ (ENG-2, ENG-3). CAM is not applicable to this equipment because no add-on control systems are used. Neither NSPS, Subpart IIII nor MACT, Subpart ZZZZ (for area sources) have been incorporated by reference into the Virginia regulations, therefore enforcement for these conditions is retained by EPA. Although the engines have general applicable federal requirements, they are still considered insignificant sources for Title V fees.

Limitations

- Condition 37 of the Title V permit requires that ENG-3 be certified compliant with Tier 3 standards of 40 CFR 89.112(e). *This is a requirement of 40 CFR 60.4201.*
- Condition 38 of the Title V permit specifies the emission standards in 40 CFR 94.8(a)(1) to be compliant with NSPS, Subpart IIII for ENG-3. *The bases for these requirements are found in 40 CFR 60.4204(b).*
- Condition 39 of the Title V permit specifies the type of fuel that the engines (ENG-2, ENG-3) are designed to use. *This requirement specifies the applicable federal requirements to which the engines are subject. ENG-3 is subject to the requirements of 40 CFR 60.4207(b) (NSPS Subpart IIII).*
- Condition 40 of the Title V permit specifies the MACT, Subpart ZZZZ work practice requirements for the engines (ENG-2, ENG-3). *The bases for these requirements are found in 40 CFR 63.6625(h) and Table 2d(1).*

Monitoring, Operation and Maintenance

- Condition 41 of the Title V permit specifies the required maintenance for the water pump engines (ENG-2 & ENG-3) according to MACT, Subpart ZZZZ. *The bases for these requirements are found in 40 CFR 63.6625(e).*

Streamlined or Obsolete Requirements

None

Process Equipment Applicable Requirements - Gasoline Storage Tank

AST-3

The 500-gallon gasoline storage tank (AST-3) is subject to MACT, Subpart CCCCCC as part of a gasoline dispensing process. MACT, Subpart CCCCCC has not been incorporated by reference into the Virginia regulations, therefore enforcement for these conditions is retained by EPA. Although the tank has applicable federal requirements, it is still considered an insignificant source for Title V fees. CAM is not applicable to this unit because emissions are not controlled with add-on control measures.

Work Practice Limitations

- Condition 42 of the Title V permit specifies the work practice requirements the owner/operator must fulfill to be in compliance with MACT, Subpart CCCCCC. *The bases for these requirements are found in 40 CFR 63.11116(a) and (d).*

Recordkeeping

- Condition 43 of the Title V permit requires that the source keep records of gasoline throughput from the tank, and to have those records available within 24 hours of a request by the Administrator. *The basis for this requirement is found in 40 CFR 63.11116(b).*

Streamlined or Obsolete Requirements

None

Facility-Wide Conditions

Annual Emission Fees

- Condition 29 of the 10/16/2014 NSR permit (Condition 44 of the Title V permit) requires the permittee to calculate emissions every year. *The basis for this requirement is from 9 VAC 5-80-340(c) of the Virginia Regulations.*

Testing

- Condition 30 of the 10/16/2014 NSR permit (Condition 45 of the Title V permit) requires the permitted facility to be constructed so as to allow for emission testing. *The basis for this requirement is found in 9 VAC 5-50-30F Performance Testing.*
- Condition 46 of the Title V permit requires the permittee to use appropriate testing methods if testing is conducted. *The basis for this requirement is found in 9 VAC 5-50-30 Performance Testing.*

Streamlined or Obsolete Requirements

Portions of Condition 6 of the 10/16/2014 and Condition 3 of the 10/15/2014 NSR permits were similar to General Condition 63 of the Title V permit so these conditions were streamlined in Condition 63.

General Conditions

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110, that apply to all Federal operating permit sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

Comments on General Conditions

50. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §§ 2.2-604 and §§ 10.1-1185 of the *Code of Virginia*, and the “Department of Environmental Quality Agency Policy Statement No. 2-09.”

55. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emissions reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to 9 VAC 5-20-180 including Title V facilities. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four day time business hours after discovery of the malfunction.

70. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition 70 and General Condition 55. For further explanation see the comments on General Condition 55. Note: The requirements of 40 CFR 63.6(e)(3) and 40 CFR 63.1960 supersedes all other requirements.

74. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

State Only Applicable Requirements

The following Virginia Administrative Codes have specific requirements only enforceable by the State and have been included in the Federal Operating Permit as “State-Only Enforceable Requirements” (as noted in Condition 78 of the Title V permit).

- 9 VAC 5 -50-310 Odorous Emissions - The state-only applicable requirement for an odor management plan (NSR Permit dated 10/16/2014, Condition 40) is listed under the State Only Enforceable Requirements section.

Future Applicable Requirements

None

Permit Shield and Inapplicable Requirements

Condition 48 of the Title V permit lists reasons that some of the source types are not subject to applicable requirements that would appear to be applicable.

Insignificant Emission Units

Condition 47 of the Title V permit lists the insignificant emission units identified at this facility. The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, record keeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

The citation criteria for insignificant activities are as follows:

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

Confidential Information

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

Public Participation

A public notice regarding the draft permit was placed in The Amelia Bulletin Monitor newspaper in Amelia County, Virginia on October 30, 2014. The public comment period expired on December 1, 2014. The draft permit was also submitted to EPA on October 30, 2014 for a concurrent 45-day review that expired on December 15, 2014. [DEQ did not receive any comments about the draft permit during the comment period.]