



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY VALLEY REGIONAL OFFICE

Douglas W. Domenech
Secretary of Natural Resources

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David K. Paylor
Director

Amy Thatcher Owens
Regional Director

October 18, 2012

Mr. William Christian
Manager of Operations
Columbia Gas Transmission
A NiSource Company
PO Box 1273
Charleston, West Virginia 25325-1273

Location: Greene County
Registration No.: 40083
Plant ID No.: 51-079-0006

Dear Mr. Christian:

Attached is a renewal to your permit to operate a natural gas transmission facility pursuant to 9 VAC 5 Chapter 80, Article 1, of the Virginia Regulations for the Control and Abatement of Air Pollution. This permit incorporates provisions from the minor new source review permits issued on May 25, 1990 and April 29, 1997.

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

In evaluating the application and arriving at a final decision to issue this permit, the Department deemed the application complete on May 15, 2012 and solicited written public comments by placing a newspaper advertisement in *The Greene County Record* on August 30, 2012. The thirty-day comment period (provided for in 9 VAC 5-80-270) expired on October 1, 2012.

This permit approval shall not relieve the Columbia Gas Transmission 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 this 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:

David K. Paylor, Director
Department of Environmental Quality
P.O. Box 1105
Richmond, Virginia 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, at <http://www.courts.state.va.us/courts/scv/rules.html>, 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 Jeremy Funkhouser of the Valley Regional Office at (540) 574-7820, or through electronic mail at jeremy.funkhouser@deq.virginia.gov.

Sincerely,

-signed original-

B. Keith Fowler
Deputy Regional Director

Attachment: Permit

- c. Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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:	Columbia Gas Transmission Corporation
Facility Name:	Bickers Compressor Station
Facility Location:	2567 Celt Road Stanardsville, Virginia
Registration Number:	40083
Permit Number:	VRO40083

November 20, 2012

Effective Date

November 19, 2017

Expiration Date

-signed original-

Regional Director

October 17, 2012

Signature Date

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Permit Conditions 1 to 79.

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Facility Information

Permittee

Columbia Gas Transmission LLC
P.O. Box 1273
Charleston, West Virginia 25325

Responsible Official

Robert W. Conrad
Manager, Operations

Facility

Bickers Compressor Station
2567 Celt Road
Stanardsville, Virginia 22973

Contact Person

B. Brian Beaver
Permitting and Compliance Coordinator
304-357-2047

County-Plant Identification Number: 51-079-0006

Facility Description: NAICS 486210 – Natural Gas Transmission

The Bickers Compressor Station (BCS) is a natural gas transmission facility. Natural gas (NG) is received via pipelines from an upstream compression station, is compressed, and is pumped into outlet pipelines for transmission downstream. The BCS utilizes four natural gas-fired stationary reciprocating internal combustion engines (RICE), each nominally rated at 3,200 horsepower (hp) to drive the natural gas compressors. Auxiliary equipment at the facility includes one natural gas-fired boiler rated at 2.1 MMBtu/hr heat input, one natural gas pipeline heater rated at 4.0 MMBtu/hr, one natural gas-fired generator rated at 82 hp, and one natural gas-fired generator nominally rated at 375 hp.

Emission Units

Equipment to be operated consists of:

Emission Unit (EU) ID	Stack ID	EU Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
00201	E01	Cooper Bessemer GMWH-8V-275 (Constructed 1990)	31.8 MMBtu/hr, 3,200 horsepower nominal, 3,710 horsepower during periods of low ambient temperature	--	--	--	05/25/90
00202	E02	Cooper Bessemer GMWH-8V-275 (Constructed 1990)	31.8 MMBtu/hr, 3,200 horsepower nominal, 3,710 horsepower during periods of low ambient temperature	--	--	--	05/25/90
00203	E03	Cooper Bessemer GMWH-8V-275 (Constructed 1990)	31.8 MMBtu/hr, 3,200 horsepower nominal, 3,710 horsepower during periods of low ambient temperature	--	--	--	05/25/90
00204	E04	Cooper Bessemer GMWH-8V-275 (Constructed 1997)	31.8 MMBtu/hr, 3,200 horsepower nominal, 3,712 horsepower during periods of low ambient temperature	--	--	--	04/29/97
002G1	G1	Waukesha VGF-18GL natural gas fired Spark Ignition (SI) Emergency Generator (constructed 1990)	375 horsepower nominal; 412.5 horsepower maximum short-term rating.	--	--	--	04/29/97
002G2	G2	natural gas fired spark ignition (SI) Emergency Generator (constructed pre-2006)	82 horsepower nominal	--	--	--	--

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

Internal Combustion Compressor Engine Requirements – (EU 00201, 00202, 00203, and 00204)

1. **Limitations** – The approved fuel for the four Cooper Bessemer GMWH-8V-275C2 compressor engines (00201, 00202, 00203, and 00204) is natural gas. A change in the fuel may require a permit to modify and operate.
 (9 VAC 5-80-110, Condition 5 of 04/29/97 Permit, and Specific Condition 9 of the 05/25/90 Permit)
2. **Limitations** – Nitrogen oxides (NO_x), carbon monoxide (CO), and volatile organic compound (VOC) emissions from EU 00201, 00202, and 00203 shall be monitored through proper operation and maintenance of the engines. EU operators shall be trained in the proper operation of all such equipment. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum.
 (9 VAC 5-80-110)
3. **Limitations** – NO_x, CO, and VOC emissions from EU 00204 shall be controlled through proper operation and maintenance of the unit. Clean burn pre-combustion chamber technology, a turbocharger, and an air cooler shall be installed on EU 00204. EU operators shall be trained in the proper operation of all such equipment. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum.
 (9 VAC 5-80-110, and Condition 3 of 04/29/97 Permit)
4. **Limitations** – Each EU (00201, 00202, 00203, and 00204) shall not operate more than 28 million horsepower hours (hp-hr) per year, calculated monthly as the sum of each 12 consecutive month period.
 (9 VAC 5-80-110, Condition 8 of 04/29/97 Permit, and Specific Condition 5 of 05/25/90 Permit)
5. **Limitations** – Each EU (00201, 00202, and 00203) shall operate at no more than 3710 brake horsepower/engine. EU 00204 shall operate at no more than 3712 brake horsepower.
 (9 VAC 5-80-110, Condition 4 of 04/29/97 Permit, and Condition 4 of 05/25/90 Permit)
6. **Limitations** – Emissions from the operation of EU (00201, 00202, 00203, and 00204) shall not exceed the emission standards specified below:

	<u>EU 00201, 00202, 00203</u>	<u>EU 00204</u>
Nitrogen Dioxide	2.5 g/bhp-hr/engine	
Nitrogen Oxides	2.0 g/bhp-hr/engine *	2.0 g/bhp-hr ** 1.25 g/bhp-hr ***

EU 00201, 00202, 00203

Carbon Monoxide	2.3 g/bhp-hr/engine
Volatile Organic Compounds	0.7 g/bhp-hr/engine

* standard for engine while operating at up to 3710 hp (ambient uprating due to low ambient air temperature)

** standard for engine while operating at up to 3712 hp (ambient uprating due to low ambient air temperature)

*** annual average

Compliance with these emission limits shall be determined as stated in Conditions 1, 2, 3, 14 and 15.

(9 VAC 5-80-110, Condition 3 of 04/29/97 Permit, Condition 4 of 04/29/97 Permit, Specific Condition 4 of 05/25/90 Permit, and Specific Condition 6 of 05/25/90 Permit)

7. **Limitations** – Combined emissions from the operation of EU 00201, 00202, and 00203 shall not exceed the limits specified below:

Nitrogen Dioxide (as NO ₂)	52.9 lbs/hr	231.7 tons/yr
Carbon Monoxide	48.7 lbs/hr	213.2 tons/yr
Volatile Organic Compounds	14.8 lbs/hr	64.9 tons/yr

Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period. Compliance with these emission limits shall be determined as stated in Conditions 1, 2, 4, 5, 6, 14 and 15.

(9 VAC 5-80-110, and Specific Condition 6 of 05/25/90 Permit)

8. **Limitations** – Emissions from the operation of EU 00204 shall not exceed the limits specified below:

Nitrogen Dioxide (as NO ₂)	16.4 lbs/hr	38.6 tons/yr
Carbon Monoxide	16.4 lbs/hr	61.8 tons/yr
Volatile Organic Compounds	8.2 lbs/hr	30.9 tons/yr

Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period. Compliance with these emission limits shall be determined as stated in Conditions 1, 3, 4, 6, 14 and 15
(9 VAC 5-80-110, and Condition 10 of 04/29/97 Permit)

9. **Limitations** – Visible emissions from Exhaust Stack IDs E01, E02, and E03 (00201, 00202, and 00203) shall not exceed five percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity. Visible emissions from Exhaust Stack ID E04 (00204) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity.
(9 VAC 5-50-260, 9 VAC 5-50-80, 9 VAC 5-80-110, Condition 12 of 04/29/97 Permit, and Specific Condition 7 of 05/25/90 Permit)
10. **Limitations** – The permittee shall develop a maintenance schedule for each EU and maintain records of all scheduled and non-scheduled maintenance performed on each EU (00201, 00202, 00203, and 00204) in order to minimize the duration and frequency of excess emissions and visible emissions as a result of malfunctions of process equipment.
(9 VAC 5-80-110 and Condition 20 of 04/29/97 Permit)
11. **Limitations** – Except where this permit is more restrictive, EU (00201, 00202, 00203, and 00204) shall comply with the requirements of 40 CFR Part 63 Subpart ZZZZ (National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)).
(9 VAC 5-80-110, and 40 CFR 63 Subpart ZZZZ)
12. **Monitoring** – Each of the EU (00201, 00202, 00203, and 00204) shall be equipped with monitoring devices that provide appropriate data to be used in calculating the work performed by each EU in units of horsepower-hours (hp-hrs).
(9 VAC 5-80-110, Condition 6 of 04/29/97 Permit, and Specific Condition 10 of 05/25/90 Permit)
13. **Monitoring** – Each of the EU (00201, 00202, 00203, and 00204) shall be equipped with monitoring devices that provide appropriate data to be used in determining load, hours of operation, and speed.
(9 VAC 5-80-110)
14. **Monitoring** – As a component of the periodic monitoring plan, the permittee shall use source selected, DEQ approved, portable analyzers to measure the emissions of NO_x as nitrogen dioxide (NO₂), CO, and oxygen (O₂) in the exhaust gas streams of EU 00201, 00202, and 00203. The periodic monitoring plan for EU 00204 shall consist of the use of source selected, DEQ approved, portable analyzers to measure the emissions of NO_x as NO₂, and O₂ in the exhaust gas stream of EU 00204.

Periodic monitoring measurements shall be taken at least once semi-annually. Portable analyzers shall be used to test all four EU. The permittee shall select and conduct periodic monitoring on two EU for a six-month period. During the next six-month period, the permittee shall conduct periodic monitoring on the remaining two EU. Periodic monitoring shall be applied to each EU a minimum of once each calendar year. The DEQ reserves the right to change the frequency of periodic monitoring emission tests.

Periodic monitoring for EU 00204 shall consist of a minimum of two measurements for NO_x emissions and O₂. At least one NO_x periodic monitoring measurement shall be conducted while EU 00204 is operating in ambient up-rating mode (approaching 3712 hp). If EU 00204 does not operate in ambient up-rating mode during a calendar year, then a periodic monitoring measurement during ambient up-rating of EU 00204 is not required that year. If ambient up-rating of EU 00204 occurs in a calendar year, and a valid ambient up-rating periodic monitoring measurement is not obtained in the calendar year, compliance with the annual average standard of performance for EU 00204 shall be calculated by substituting the maximum emission rate of 2.0 g/bhp-hr for the missing data point.

Details of the periodic monitoring measurement procedures are to be arranged with and approved by the DEQ. The permittee shall submit a periodic monitoring protocol at least 30 days prior to making the initial measurement and 30 days prior to subsequent changes to the measurement protocol. At a minimum, the test protocol shall address the following items:

- a. Specify that portable monitors (permittee selected and pre-approved by DEQ) shall be used to measure the average hourly concentration of NO_x (as NO₂), CO, and O₂ in the exhaust stream of EU (00201, 00202, and 00203); specify that portable monitors (permittee selected and pre-approved by DEQ) shall be used to measure the average hourly concentration of NO_x (as NO₂) and O₂ in the exhaust stream of EU 00204.
- b. The permittee shall document process parameters necessary to determine EU performance with respect to the emission standards and the hourly emission limits identified in permit Conditions 6 through 8. At a minimum, the following process parameters shall be monitored or calculated and recorded for each measurement:
 - (1) The pollutant mass flow rate (lbs/hr), the pollutant concentration on a dry volume basis, and the O₂ concentration in the EU exhaust gases;
 - (2) The work performed by the EU, measured or calculated in hp-hrs;
 - (3) Time duration of each measurement (hours);

- (4) The actual or calculated gas volume flow rate of each stack tested, if required, to convert pollutant concentrations to a mass flow rate (lbs/hour);
- (5) Quantity of fuel consumed by the EU during the emissions measurement, if required to calculate EU exhaust gas volume flow rate;
- (6) Any additional information necessary to determine emission rates of the EU.

The NO_x emission rate shall include the combined measured emissions of NO and NO₂, and shall be reported collectively as NO_x. Emissions of NO_x, CO, and O₂ shall be reported in appropriate units for comparison with the emission standards and emission limits established in Conditions 1 through 11 of this permit.
(9 VAC 5-80-110)

15. **Monitoring** – When periodic monitoring performed in accordance with Condition 14 indicates the emission rate of NO_x or CO exceeds the emission standard (g/bhp-hr/engine) shown in Condition 6 for EU (00201, 00202, 00203, or 00204), then the permittee shall perform the following on the EU(s) in question:
 - a. Verify that the EU is operating in accordance with manufacturer’s specifications or other predetermined site-specific acceptable operating conditions. If an EU is not operating properly, the permittee shall take corrective action in an effort to reduce emissions to or below the emission standard contained in Condition 6.
 - b. Within one week of applying corrective action to the EU, the permittee shall re-measure and document the emission rate of the pollutant in question (NO_x or CO). The measurement shall be conducted in accordance with procedures specified in Condition 14.
 - c. If corrective action performed in accordance with Condition 15.a does not eliminate the exceedance of the emission standard (g/bhp-hr), then the permittee shall conduct a compliance test for the pollutant of concern (NO_x or CO) within 45 days of completing the corrective action taken in Condition 15.a or within 45 days of completing additional corrective action on the EU in question. If the pollutant of concern is CO, compliance tests for both CO and VOC emissions shall be conducted on the EU to determine compliance with the emission standards and hourly emission limits contained in Conditions 1 through 11 of this permit. The compliance test shall be conducted in accordance with EPA approved reference methods in 40 CFR 60 Appendix A, or other methods/procedures approved in advance by the DEQ.

(9 VAC 5-80-110)

16. **Monitoring** – For periodic monitoring purposes, the permittee shall maintain and calibrate the portable NO_x, CO and O₂ emissions monitoring test equipment in accordance with the manufacturer’s specifications and recommended calibration

frequency. The permittee shall use manufacturer's specifications and recommended calibration frequency to maintain and calibrate the monitoring devices associated with EU (00201, 00202, 00203, and 00204) that are used to provide data for use in calculating work performed by each EU. The specifications and calibration frequencies may be changed upon request or approval of the DEQ.
(9 VAC 5-80-110)

17. **Monitoring** – The permittee shall conduct a visible emissions inspection of the exhaust stacks (Stack IDs E01, E02, E03, and E04) of each EU (00201, 00202, 00203, and 00204) at least once every week of operation. All visible emissions inspections must be performed when the equipment is operating. Each observation period shall be a minimum of one minute. If during the inspection, visible emissions are observed, a visible emission evaluation (VEE) shall be conducted in accordance with 40 CFR Part 60, Appendix A, EPA Method 9, unless timely corrective action is initiated within two hours of the visible emissions inspection such that the equipment operates with no visible emissions within 24 hours of initial observation. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceeds the applicable opacity standard for the EU, the VEE shall be conducted for a total of 60 minutes or until a violation of the opacity standard for that EU has been documented, whichever period is shorter.
(9 VAC 5-80-110)
18. **Monitoring and Recordkeeping** – The permittee shall monitor and 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 DEQ. The monitoring and recordkeeping requirements for EU (00201, 00202, 00203, and 00204) shall include, but are not limited to:
 - a. The monthly work output (hp-hr) for each EU, recorded monthly;
 - b. The annual work output (hp-hr) of each EU, calculated monthly as the sum of each consecutive 12 month period;
 - c. The hours of operation of each EU, recorded monthly;
 - d. The annual total of hours of operation for each EU, calculated monthly as the sum of each consecutive 12 month period;
 - e. The pollutant-specific emission factors (based on the latest stack test data) and equations used to monitor and demonstrate compliance with the emission limits contained in Conditions 7 and 8 (hourly and annual emission limits);
 - f. Records of the work performed by EU 00204 measured in horsepower-hour (hp-hr), recorded once each weekday from October through March, when the work generated by EU 00204 exceeds the nominal load value of 3200 hp by 5 percent (3360 hp);

- g. All NO_x (measured as NO₂), CO, and O₂ periodic monitoring emission measurements used to monitor EU (00201, 00202, 00203, and 00204) compliance with Condition 6. Records shall include all stack gas concentrations, emission rates (g/bhp-hr), example equations, and sample calculations used to convert from units of concentration (ppmdv) to units of grams of pollutant/brake horsepower-hour;
- h. Weekly visible emission inspection results for EU 00201, 00202, 00203, and 00204 including:
 - (1) The date, time, and name of the person performing each inspection;
 - (2) Whether or not there were visible emissions; and
 - (3) Any maintenance or repairs performed as a result of these inspections including date, time, and name of person performing the maintenance or repairs;
- i. Any additional records necessary to demonstrate compliance with the periodic monitoring requirements of this permit; and
- j. The annual natural gas consumption of the EU recorded monthly as the sum of each consecutive 12 month period.
- k. Records of the required training including personnel trained, a statement of time, place, and nature of training provided.

The permittee shall have available good written operating procedures, an inspection schedule, and a maintenance schedule for EU (00201, 00202, 00203, and 00204). These procedures shall be based on the manufacturer's recommendations, at minimum.. All records required by this condition shall be kept on site for a period of five years and shall be made available for inspection by the DEQ. Periodic monitoring records shall be reported as required in Conditions 46 through 48 of this permit.

(9 VAC 5-80-110, Condition 16 of 04/29/97 Permit, and Specific Condition 11 of 05/25/90 Permit)

19. **Monitoring and Recordkeeping** – Emissions monitoring data collected or calculated in accordance with Conditions 14, 15, 17, and 18 which show an exceedance of an applicable emission standard or emission limitation may be considered evidence of a violation of this permit.
(9 VAC 5-80-110)

20. **Testing** – Test ports shall be provided at the appropriate stack location on EU (00201, 00202, 00203, and 00204) in accordance with 40 CFR 60, Appendix A, Method 1 or 1A. The DEQ and EPA reserve authority to require emissions testing on EU 00201, 00202, 00203, or 00204 at any time to determine compliance with an emission limit or standard. The permittee shall use test methods in accordance with procedures approved by the DEQ.
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 7 of 04/29/97 Permit)
21. **Testing** – If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110)
22. **Reporting** – In addition the permit deviation reporting procedures in Condition 50, the results of each compliance test showing emission exceedances above the applicable emission standards in Condition 6 shall be provided to the DEQ within 30 days of conducting the test.
(9 VAC 5-80-110)

Generator Requirements – (EU 002G1, and 002G2)

23. **Limitations** – The approved fuel for the emergency generator (002G1) is natural gas. A change in the fuel may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 9 of 04/29/97 Permit)
24. **Limitations** – EU 002G1 and 002G2 are to be used only for providing power at the location during interruption of service from the normal power supplier. The generator engines shall operate no more than 500 hours per year each, for the purpose of demonstrating the reliability of the engine and electric generator. Failure to comply may result in a Notice of Violation and civil penalty.
(9 VAC 5-80-110 and Condition 9 of 04/29/97 Permit)
25. **Limitations** – Visible emissions from EU 002G1 shall not exceed 20 percent opacity except for one six-minute period in any one hour of not more than 30 percent opacity. Failure to meet the opacity requirement because of the presence of water vapor shall not be a violation.
(9 VAC 5-80-110)
26. **Limitations** – Except where this permit is more restrictive, the emergency generators (002G1 and 002G2) shall be operated in compliance with the requirements of 40 CFR 63, Subpart ZZZZ.
(9 VAC 5-80-110 and 40 CFR 63 Subpart ZZZZ)
27. **Limitations** – The emergency stationary RICE (002G1 and 002G2) must be operated in accordance with the following:
 - a. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this condition, is prohibited.
 - b. There is no time limit on the use of the emergency stationary RICE in emergency situations.
 - c. You may operate the emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.

- d. You may operate the emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this condition, as long as the power provided by the financial arrangement is limited to emergency power.

(9 VAC 5-80-110 and 40 CFR 63.6640(f))

28. **Limitations** – By October 19, 2013, the spark ignition (SI) engines (002G1 and 002G2) shall comply with the maintenance requirements specified in sections 6 (a) through (c) of Table 2c to Subpart ZZZZ:
 - a. Change oil and filter every 500 hours of operation or annually, whichever comes first, or at an extended frequency if utilizing an oil analysis program as described in §63.6625(i);
 - b. Inspect spark plugs every 1000 hours of operation or annually, whichever comes first; and
 - c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first.

(9 VAC 5-80-110, 9 VAC 5-60-90, 9 VAC 5-60-100, and 40 CFR 63, Subpart ZZZZ)

29. **Limitations** – By October 19, 2013 for SI engines, during periods of startup the permittee must minimize the time spend at idle for the emergency engines (002G1 and 002G2) and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
(9 VAC 5-80-110, 40 CFR 63.6625 (h), and 40 CFR 63 Subpart ZZZZ)

30. **Monitoring** – The permittee shall conduct a visible emissions inspection of the exhaust stack (Stack ID G1) of EU 002G1 at least once every 6 months. All visible emissions inspections must be performed when the unit is operating. Each observation period shall be a minimum of one minute. If during the inspection, visible emissions are observed, a VEE shall be conducted in accordance with 40 CFR Part 60, Appendix A, EPA Method 9, unless timely corrective action is initiated within two hours of the visible emissions inspection such that the equipment operates with no visible emissions within 24 hours of the initial observation. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed the applicable opacity standard for the EU, the VEE shall be conducted for a total of 60 minutes or until a violation of the opacity standard for that EU has been documented, whichever period is shorter.
(9 VAC 5-80-110)
31. **Monitoring** – By October 19, 2013 for SI engines, the permittee shall install non-resettable hour meters on the emergency stationary RICE (002G1 and 002G2). The hour meter shall be provided with adequate access for inspection.
(9 VAC 5-80-110 and 40 CFR 63.6625 (f))
32. **Monitoring** – By October 19, 2013 for SI engines, the permittee shall develop a maintenance plan for the emergency generators (002G1 and 002G2) that provides to the extent practicable for the maintenance and operation of each engine in a manner consistent with good air pollution control practice for minimizing emissions.
(9 VAC 5-80-110, 9 VAC 5-60-90, 9 VAC 5-60-100, and 40 CFR 63.6625 (e))
33. **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 DEQ. These records shall include, but are not limited to:
- a. The number of hours of non-emergency operation of EU 002G1 for the purpose of demonstrating the reliability of the engine and electric generator, calculated monthly as the sum of each consecutive 12-month period.
 - b. The total hours of operation of EU 002G1 while providing power due to interruption of service from the normal power supplier. The data shall not include hours of operation as a result of demonstrating the reliability of the engine and electric generator. The total hours of operation shall be recorded annually on a calendar basis.
 - c. Visible emission inspection results for EU 002G1 including:
 - (1) The date, time, and name of the person performing each inspection;
 - (2) Whether or not there were visible emissions; and

- (3) Any maintenance or repairs performed as a result of these inspections including date, time, and name of person performing the maintenance or repairs;
- d. Annual hours of emergency operation, maintenance and testing, and operation in non-emergency situations for the generators (002G2).
- e. Records of the maintenance conducted on the SI engines (002G1 and 002G2) after October 19, 2013, in order to demonstrate that each engine is operated and maintained according to the maintenance plan required by Condition 28.
- f. Records of the hours of operation of the SI engines (002G1 and 002G2) after October 19, 2013, that are recorded on a non-resettable hour meter. The permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency, and how many hours are spent for non-emergency operation. If an engine is used for demand response operation, the permittee must keep records of the notification of the emergency situation, and the time each engine was operated as part of demand response.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110, 40 CFR 63.6655 (e) and (f), 9 VAC 5-50-50)

- 34. **Recordkeeping** – The permittee shall develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance performed on EU 002G1 in order to minimize the duration and frequency of excess emissions and visible emissions resulting from malfunctions of process equipment.
(9 VAC 5-80-110 and Condition 20 of 04/29/97 Permit)
- 35. **Testing** – Upon request of the DEQ, test ports shall be provided at the appropriate location on the emergency generator stack (Stack ID G1) in accordance with 40 CFR 60, Appendix A, Method 1 or 1A. The Department and EPA have authority to require testing not included in this permit to determine compliance with an emission limit or standard. The permittee shall use test methods in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110, and Condition 7 of 04/29/97 Permit)
- 36. **Testing** – If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110)

Insignificant Emission Units

37. **Insignificant Emission Units** – The following EU at the facility are identified in the application as insignificant EU 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)
BLR1	Boiler #1, Heating System Boiler (natural gas-fired)	9 VAC 5-80-720 C	NO _x , CO, SO ₂ , PM-10, formaldehyde	2.1 MMBtu/hr
HTR1	Heater #1, Line Heater (natural gas-fired)	9 VAC 5-80-720 C	NO _x , CO, SO ₂ , PM-10, formaldehyde	4.0 MMBtu/hr
A01	Lube Oil Tank	9 VAC 5-80-720 B	VOC	8,000 gallons
A02	Used Oil Tank	9 VAC 5-80-720 B	VOC	8,000 gallons
A03	Glycol Tank	9 VAC 5-80-720 B	VOC	8,000 gallons
A04	Water Mixture Tank (Glycol/Water Mixture)	9 VAC 5-80-720 B	VOC	8,000 gallons
A05	Water Mixture Tank (Waste Water)	9 VAC 5-80-720 B	VOC	8,000 gallons
A06	Pipeline Liquids Tank	9 VAC 5-80-720 B	VOC	8,000 gallons
A07	Gasoline Tank	9 VAC 5-80-720 B	VOC	600 gallons
A08	Diesel Fuel Tank	9 VAC 5-80-720 B	VOC	400 gallons
BWIS	Wastewater Evaporator #1 WE1	9 VAC 5-80-720 B	VOC, PM-10	900 gallons/hr

These EU 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 EU in accordance with 9 VAC 5-80-110.

Permit Shield & Inapplicable Requirements

38. 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
40 CFR 64	Compliance Assurance Monitoring	The Compliance Assurance Monitoring rule applies to pollutant-specific EU with pre-control device emissions of regulated pollutants exceeding major source thresholds. The units must have control devices in place and applicable requirements for the subject pollutant. The rule requires sources to monitor the operation and maintenance of the control devices to ensure compliance with applicable requirements. The Bickers Compressor Station does not have any controls on its EU. Therefore, the Compliance Assurance Monitoring Rules do not apply.
40 CFR 60 Subpart JJJJ	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines	The Standards of Performance for Stationary Spark Ignition Internal Combustion Engines do not apply to the engines at Bickers Compressor Station; each engine listed was constructed before the June 12, 2006 applicability date.

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

39. **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)
40. **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)
41. **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)
42. **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)
43. **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)
44. **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)

45. **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)

46. **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)

47. **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)

48. **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:

- (1) Exceedance of emissions limitations or operational restrictions;

- (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) 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)

49. **Annual Compliance Certification** – Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the Federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- 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 sent to EPA at the following address: R3_APD_Permits@epa.gov

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

50. **Permit Deviation Reporting** – The permittee shall notify the DEQ 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 48 of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)
51. **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 DEQ 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 DEQ.
(9 VAC 5-20-180 C)
52. **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)
53. **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)

54. **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)
55. **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)
56. **Property Rights** – The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)
57. **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)
58. **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)
59. **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)
60. **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 5-40-90 and 9 VAC 5-50-90)

61. **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 and 9 VAC 5-40-20 E)
62. **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)
63. **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)

64. **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)

65. **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)

66. **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)
67. **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)
68. **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)
69. **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 paragraph 2 of this condition are met.
70. **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)

71. **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)
72. **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)
73. **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)
74. **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)
75. **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)
76. **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)
77. **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)

78. **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)
79. **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)