



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE

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STATEMENT OF LEGAL AND FACTUAL BASIS

Portsmouth Genco LLC
1 Wild Duck Lane
Portsmouth, Virginia
Permit No. TRO-61049

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, Portsmouth Genco LLC has applied for a Title V Operating Permit for its Portsmouth, Virginia facility. The Department has reviewed the application and has prepared a draft Title V Operating Permit.

Permit Writer/Contact:

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Date: September 10, 2012

Regional Air Permits
Manager:

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Date: September 10, 2012

Regional Director:

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I. FACILITY INFORMATION

Permittee

Portsmouth Genco LLC
1 Wild Duck Lane
Portsmouth, Virginia 23703

Facility

Portsmouth Genco LLC
1 Wild Duck Lane
Portsmouth, Virginia 23703

County-Plant Identification Number: 51-740-00081

A. SOURCE DESCRIPTION

NAICS Code: 221122 – Fossil Fuel Electric Power Generation

Portsmouth Genco LLC is a cogeneration plant which combusts bituminous coal in six (6) stoker-fired boilers, each rated at approximately 200 million Btu heat input per hour, to produce steam. The remainder of the steam is used to drive a turbine-generator to provide electricity that is sold to Virginia Power. The plant was originally permitted under the requirements of PSD in 1986. The boilers are traveling grate, overfeed, stoker boilers manufactured by Foster Wheeler and are normally operated at full load, 24 hours per day, 7 days per week. In addition to the stoker boilers, other emission sources on the plant site include the coal handling operations and the ash handling operations. Coal is delivered to the site via barge and off-loaded to a conveyor belt. The flat conveyor belt is formed into a tube to carry the coal to the coal storage yard. The coal is stacked onto a pile over underground hoppers. From these hoppers, coal is fed onto a conveyor belt for delivery into the plant where it is stored in a bunker for each boiler. The ash produced from the fuel combustion and that is collected by the boiler baghouse is collected and pneumatically conveyed to a storage silo. The ash is unloaded from the silos into trucks. The facility also maintains a 340 brake horsepower emergency diesel water pump for fire control purposes.

The facility is a Title V major source of PM-10, SO₂, NO_x, CO, HCl, HF, and H₂SO₄. This source is located in an attainment area for all pollutants and is a PSD major source. The facility is permitted under a PSD Permit issued on October 23, 2009.

II. 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.

III. EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility consist of the following :

Emission Unit I (EU ID)	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Stack ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
1A	Foster-Wheeler stoker boiler/1986	175,000 lbs steam/hour 200 mmBtu/hour heat input	Fabric filter baghouse: Wheelabrator-Frye MDL 168 Series 6P with a control efficiency of 99.1%	1A	001	PM	10/23/09 PSD
			Dry Flue Gas Desulfurization System with a control efficiency of 90%	1A-1	001	SO2	
1B	Foster-Wheeler stoker boiler/1986	175,000 lbs steam/hour 200 mmBtu/hour heat input	Fabric filter baghouse: Wheelabrator-Frye MDL 168 Series 6P with a control efficiency of 99.1%	1B	001	PM	10/23/09 PSD
			Dry Flue Gas Desulfurization System with a control efficiency of 90%	1B-1	001	SO2	
1C	Foster-Wheeler stoker boiler/1986	175,000 lbs steam/hour 200 mmBtu/hour heat input	Fabric filter baghouse: Wheelabrator-Frye MDL 168 Series 6P with a control efficiency of 99.1%	1C	001	PM	10/23/09 PSD
			Dry Flue Gas Desulfurization System with a control efficiency of 90%	1C-1	001	SO2	
2A	Foster-Wheeler stoker boiler/1986	175,000 lbs steam/hour 200 mmBtu/hour heat input	Fabric filter baghouse: Wheelabrator-Frye MDL 168 Series 6P with a control efficiency of 99.1%	2A	002	PM	10/23/09 PSD

Emission Unit I (EU ID)	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Stack ID	Pollutant Controlled	Applicable Permit Date
			Dry Flue Gas Desulfurization System with a control efficiency of 90%	2A-1	002	SO2	
2B	Foster-Wheeler stoker boiler/1986	175,000 lbs steam/hour 200 mmBtu/hour heat input	Fabric filter baghouse: Wheelabrator-Frye MDL 168 Series 6P with a control efficiency of 99.1%	2B	002	PM	10/23/09 PSD
			Dry Flue Gas Desulfurization System with a control efficiency of 90%	2B-1	002	SO2	
2C	Foster-Wheeler stoker boiler/1986	175,000 lbs steam/hour 200 mmBtu/hour heat input	Fabric filter baghouse: Wheelabrator-Frye MDL 168 Series 6P with a control efficiency of 99.1%	2C	002	PM	10/23/09 PSD
			Dry Flue Gas Desulfurization System with a control efficiency of 90%	2C-1	002	SO2	
FP	Emergency diesel power fire pumps	2.83 MMBtu/hr					10/23/06 NSR
Coal Handling							
FS3	Coal unloading and stock out: unloading hopper, covered conveyor, stock	600 tons coal/hour	Water spray/wet dust suppression	3	NA	PM	10/23/09 PSD
FS4	Coal screening/classifier / crusher system with associated conveyors	300 tons coal/hour	Water spray at transfer points.	4A	NA	PM	10/23/06 NSR
			Bagfilter on classifier/screener	4B	F-4	PM	

Emission Unit I (EU ID)	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Stack ID	Pollutant Controlled	Applicable Permit Date
1-2A	Boiler 1A coal storage bunker	270 tons coal/hour	Fabric filter baghouse: Dalamatic DLMV1 5	1-2A	1-2A	PM	10/23/09 PSD
1-2B	Boiler 1 B coal storage bunker	270 tons coal/hour	Fabric filter baghouse: Dalamatic DLMV1 5	1-2B	1-2B	PM	10/23/09 PSD
1-2C	Boiler 1 C coal storage bunker	270 tons coal/hour	Fabric filter baghouse: Dalamatic DLMV1 5	1-2C	1-2C	PM	10/23/09 PSD
2-2A	Boiler 2A coal storage bunker	270 tons coal/hour	Fabric filter baghouse: Dalamatic DLMV1 5	2-2A	2-2A	PM	10/23/09 PSD
2-2B	Boiler 2B coal storage bunker	270 tons coal/hour	Fabric filter baghouse: Dalamatic DLMV1 5	2-2B	2-2B	PM	10/23/09 PSD
2-2C	Boiler 2C coal storage bunker	270 tons coal/hour	Fabric filter baghouse: Dalamatic DLMV1 5	2-2C	2-2C	PM	10/23/09 PSD
Unit 1 Fly Ash System (total system rating of 4 tons of ash/hour)							
1-3	Storage Silo		Bagfilter: A-S-H Binvent	1-3A	1-3A	PM	10/23/09 PSD
1-3	Vacuum system		Filter: In line cartridge filter Cyclone: A-S-H Co. T-42 primary collector Bag filter: A-S-H Co. T-42 w/Micropulsair Mdl 42-8-18 hg	1-3B 1-3E 1-3F	1-3B	PM	10/23/09 PSD

Emission Unit I (EU ID)	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Stack ID	Pollutant Controlled	Applicable Permit Date
1-3	Vacuum system		Filter: In line cartridge filter Cyclone: A-S-H Co. T-42 primary collector Bag filter: A-S-H Co. T-42 2/Micropulsair Mdl 42-8-18 hg	1-3C 1-3-E 1-3-F	1-3C	PM	10/23/09 PSD
1-3	Wet unloader		Pugmill: A-S-H-C-40 pugmill	1-3D	1-3D	PM	10/23/09 PSD
Unit 2 Fly Ash System (total system rating of 4 tons of ash/hour)							
2-3	Storage Silo		Bagfilter: A-S-H Binvent	2-3A	2-3A	PM	10/23/09 PSD
2-3	Vacuum system		Filter: In line cartridge filter Cyclone: A-S-H Co. T-42 primary collector Bag filter: A-S-H Co. T042 w/Micropulsair Mdl 42-8-18" hg	2-3B	2-3B	PM	10/23/09 PSD
2-3	Vacuum system		Filter: In line cartridge filter Cyclone: A-S-H Co. T-42 primary collector Bag filter: AA-S-H Co. T-42 w/Micropulsair Mdl 42-8-18" hg	2-3-C 2-3-E 2-3-F	2-3C	PM	10/23/09 PSD
2-3	Wet unloader		Pugmill: A-S-H C-40 pugmill	2-3-D	2-3-D	PM	10/23/09 PSD
Bottom Ash System							

Emission Unit I (EU ID)	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Stack ID	Pollutant Controlled	Applicable Permit Date
1-4	Bottom Ash Silo		Binvent filter	1-4	1-4	PM	10/23/06 NSR
	Unit 1 Vacuum System		Primary collector	1-4A	1-4A or B	PM	10/23/06 NSR
			Micropulsaire Mdl 42-8-18”Hg Bagfilter	1-4B	1-4A or B	PM	10/23/06 NSR
			In –line Cartridge Filter				
	Unit 2 Vacuum System		Primary collector	2-4A	2-4C or B	PM	10/23/06 NSR
			Micropulsaire Mdl 42-8-18”Hg Bagfilter	2-4B	2-4C or B	PM	10/23/06 NSR
			In-line Cartridge Filter	2-4C	2-4C or B	PM	10/23/06 NSR
Wet Unloader		Pugmill	1-4D	1-4D	PM		
Lime Storage System							
1-5	Lime Silo		Vent Filter with Reverse-Air Purge	1-5	1-5	PM	10/23/06 NSR

IV. EMISSIONS INVENTORY

A copy of the 2011 annual emission update. Emissions are summarized in the following tables.

2011 Actual Emissions

2011 Criteria Pollutant Emission in Tons/Year				
VOC	CO	SO ₂	PM ₁₀	NO _x
2.0	191.7	1701.8	39.3	816.9

2011 Facility Hazardous Air Pollutant Emissions

Pollutant	2011 Hazardous Air Pollutant Emission in Tons/Yr
HF	0.014
HCl	6.8
H ₂ SO ₄	2.1

V. EMISSION UNIT APPLICABLE REQUIREMENTS

The facility has submitted an application for the Clean Air Interstate Rule (CAIR).

9 VAC 5 Chapter 140 - Parts 2-4: From EPA’s Question and Answer memo received in email dated 7/19/07:

Question 1. - The CAIR regulations refer to the CAIR permit as a “complete and separable portion of the Title V operating permit.” What does this mean?

It means that the CAIR portion of the Title V permit must be a discrete “chapter” in the overall Title V permit See 40 CFR 96.120(b), 97.120(b), 96.220(b), 97.220(b), 96.320(b), and 97.320(b). To facilitate this requirement, EPA recommends that the permitting authority simply append the CAIR permit application (which references the CAIR standard requirements) to the Title V permit and include language stating that the provisions contained in the CAIR permit application are applicable requirements that are a binding and enforceable portion of the Title V permit.

As with permitting under the Acid Rain and NOX Budget Trading Programs, the CAIR permit is a portion of the Title V permit. As a consequence, the incorporation of CAIR requirements into the Title V permit should not modify any non-CAIR requirements already contained in the Title V permit.

Question 7 - Is public notice required for the permitting authority to incorporate the CAIR applicable requirements (as denoted in the CAIR permit application) into an existing title V permit?

Yes. The provisions of 40 CFR 70.7(f)(1)(i) require that title V permits be reopened and revised when additional applicable requirements apply and there are three or more years remaining on the term of the title V permit. Permitting authorities must follow the same procedures to reopen and issue a revised title V permit as those used to issue an initial title V permit. Note that no such reopening would be required for CAIR sources that have title V permits with less than three years remaining on the title V permit term. In such cases, the CAIR permit would be issued at the same time a title V renewal permit is issued, which of course also requires public notice. See 40 CFR 70.7(a)(1)(ii), 70.7(f)(1)(i) and (f)(2), and 70.7(h).

Based on the above information, the CAIR application has been made an Appendix to the Title V permit.

The facility is major for HAPs and has boilers that are burning coal and therefore subject to 40 CFR 63, Subpart DDDDD.

Except where this permit is more restrictive than the applicable requirement, the MACT equipment (boilers 1A, 1B, 1C, 2A, 2B, and 2C) shall be operated in compliance with the requirements of 40 CFR 63 , Subpart DDDDD.

A. Limitations.

The following limitations are derived from the PSD permit issued December 23, 1986, and amended on July 26, 1999, June 2, 2008, and October 23 2009.

Specific conditions:

1. The cogeneration facility shall consume no more than 430,992 tons per year of coal as fuel for the six steam generators.
(9 VAC 5-80-1180, 9 VAC 5-170-160, and 9 VAC 5-50-280)

2. Emissions from the operation of each of the six steam generators shall not exceed the limitations specified below:

Particulate Matter	0.03 lbs/10 ⁶ Btu	5.9 lbs/hr	26.0 tons/year
Sulfur Dioxide	0.96 lbs/10 ⁶ Btu	192 lbs/hr	841 tons/year
Volatile Organic Compounds	0.003 lbs/10 ⁶ Btu	0.6 lbs/hr	2.5 tons/year
Nitrogen Dioxide	0.6 lbs/10 ⁶ Btu	120.0 lbs/hr	525.6 tons/year
Carbon Monoxide	0.6 lbs/10 ⁶ Btu	120.0 lbs/hr	525.6 tons/year

Compliance with the emission limit is based on a rolling 30-day average as specified in conditions 3 and 19.
(9 VAC 5-50-280)

3. Emissions from the operation of the coal barge unloader, coal storage load-in, and coal storage piles shall not exceed the limitations specified below:

Particulate Matter	0.22 lbs/hr	0.65 tons/yr
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Compliance shall be determined as stated in Conditions 3 and 10.
(9 VAC 5-50-260)

4. Emissions from the operation of each ash silos system (2) shall not exceed the limitations specified below:

Particulate Matter	0.07 lbs/hr	0.3 tons/yr
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Compliance shall be determined as stated in Conditions 3 and 11.
(9 VAC 5-50-260)
5. Emissions from the operation of each coal storage bunker (6) shall not exceed the limitations specified below:

Particulate Matter	0.005 lbs/hr	0.009 tons/yr
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Compliance shall be determined as stated in Conditions 3 and 11.
(9 VAC 5-50-260)
6. SO₂ emissions from the six (6) boilers (1A, 1B, 1C, 2A, 2B, and 2C) shall be controlled by a flue gas desulphurization system. The flue gas desulphurization system shall be considered operational when all notifications have been made and the CEMS have been certified. The flue gas desulphurization system shall be provided with adequate access for inspection and shall be in operation as required to meet the permit limits specified in condition #4.
(9 VAC 5-50-280)
7. Particulate emissions from the six steam generators shall be controlled by a baghouse rated at 99.1 percent efficiency. The baghouse shall be provided with adequate access for inspection.
(9 VAC 5-50-280)
8. Particulate emissions from the barge unloader, coal storage load-in and coal storage shall be controlled by wet suppression with surfactant as needed.
(9 VAC 5-50-260)
9. Particulate emissions from the coal bunkers shall be controlled by bin vent filters and the ash systems shall be controlled by bagfilters and multiclones in series followed by bagfilters. The bagfilters and multiclones shall be provided with adequate access for inspection.
(9 VAC 5-50-260)
10. The approved fuel for the six steam generators is bituminous coal. A change in the fuel may require a permit to modify and operate.
(9 VAC 5-50-280)
11. The average sulfur content of the coal to be burned in boilers 1A, 1B, 1C, 2A, 2B, and 2C shall not exceed 2.0 percent by weight, per shipment. The average ash content of the coal to be burned in boilers 1A, 1B, 1C, 2A, 2B, and 2C shall not exceed 11.0 percent by weight, per shipment. Cogentrix Virginia Leasing Corporation shall maintain records of all coal shipments purchased, indicating sulfur and ash content per shipment. These records shall be available for inspection by the Board. They shall be kept on file for a period of at least two years.
(9 VAC 5-80-20)

B. Monitoring

The monitoring and recordkeeping requirements have been modified to meet Part 70 requirements.

1. The permittee shall install, calibrate, maintain, and operate continuous monitoring systems for each boiler stack measuring the opacity of emissions discharged to the atmosphere and shall record the output of the systems. In addition, for boilers 1A, 1B, 1C, 2A, 2B, and 2C, the permittee shall install, calibrate, maintain, and operate continuous monitoring systems for each stack measuring NO_x emissions discharged to the atmosphere and shall record the output of the systems.
2. The permittee shall check for visible emissions from each fabric filter exhaust for the Coal Screening/Classifier/Crusher System, the Bottom Ash System, and the Lime Silo during normal operation with a frequency of not less than once per operating week.
3. Continuous Emission Monitoring Systems, meeting the design specifications of 40 CFR Part 72, shall be installed to measure and record the emissions of sulfur oxides from the Foster Wheeler boilers (units 1A, 1B, 1C, 2A, 2B, and 2C) as lbs/MMBtu through measurement at the common stack.

C. Recordkeeping

The permit includes requirements for maintaining records of all monitoring and testing required by the permit. These records include:

1. The permittee shall develop, maintain, and have available to all operators good written operating procedures for all air pollution control equipment.
2. The permittee shall record and maintain records of the amounts of coal combusted during each day and calculate the annual capacity factor each calendar quarter.
3. The permittee shall maintain records of opacity. The permittee shall also maintain records of the following information for each NO_x monitoring system and for each steam generating unit operating day:
 - a) Calendar date.
 - b) Average measured hourly NO_x emission rates in lbs/million Btu.
 - c) 30-day average NO_x emission rates in lbs/million Btu calculated at the end of each steam generating unit operating day from the measured hourly NO_x emission rates for the preceding 30 steam generating unit operating days.
 - d) Identification of days when the calculated 30-day averages of NO_x are in excess of the standard, with reasons for each excess emissions as well as a description of corrective actions taken.
 - e) Identification of days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.
 - f) Identification of time when emissions data have been excluded from the calculation of average emission rates and the reasons for excluding data.
 - g) Identification of the F factor used for calculations, method of determination, and type of fuel combusted.

- h) Identification of times when pollutant concentrations exceeded full span of the continuous monitoring system.
 - i) Description of modifications to continuous emission monitoring systems that could affect the ability of the system to comply with 40 CFR 60, Appendix B, Performance Specification 2 or 3.
 - j) Results of daily continuous emission monitoring systems' drift tests and quarterly accuracy assessments as required under 40 CFR 60, Appendix F, Procedure 1.
4. The permittee shall maintain records of pressure drop across each baghouse for boilers 1A, 1B, 1C, 2A, 2B, and 2C.
 5. The permittee shall obtain a certification from the coal supplier with each shipment of coal.
 6. The permittee shall maintain records of all times when the pugmill was not operational or malfunctioning during ash loading operations and of all times when wet suppression was needed but was not used during coal handling operations.
 7. The permittee shall maintain records of monthly visible emission examinations.
 8. The permittee shall maintain records of the DEQ-approved, pollutant-specific emission factors, equipment ratings, and the equations used to demonstrate compliance with the VOC, CO, and PM₁₀ limitations as well as the calculated actual emission rates from boilers 1A, 1B, 1C, 2A, 2B, and 2C.
 9. The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
 - a) Annual throughput of coal ash from the bottom ash system (1-4), calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - b) Annual throughput of coal from the screener, classifier, crusher system (FS-4), calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - c) Operation and control device monitoring records for the baghouses.
 - d) Scheduled and unscheduled maintenance and operator training.

D. Testing

The following requirements stem from 40 CFR 60 Subpart Db:

- 60.46b(d)(2)(i) To determine compliance with the particulate matter emission limits, Method 5 shall be used.
- 60.46b(d)(7) Method 9 is used for determining the opacity of stack emissions.
- 60.46b(e)(2) ...shall determine compliance with the nitrogen oxides emission standards on a continuous basis through the use of a 30 day rolling average emission rate. A new 30 day rolling average emission rate is calculated each steam generating unit operating day as the average of all the hourly nitrogen oxides emission data for the preceding 30 steam generating unit operating days.

The Title V permit also contains a requirement for testing PM₁₀, CO, SO₂, and VOC emissions once per permit term. The facility may test one stack during any permit term. The three boilers exhausting to that stack must be running at a minimum of 80% of maximum rated capacity.

E. Streamlined Requirements

The following conditions in the NSR permit have not been included for the reasons provided:

Condition 13 requiring a sulfur content limit, ash content limit, and associated recordkeeping has not been included. SO₂ emissions are being captured by the CEMS in the common stacks. While the limits themselves were calculated using the sulfur content of the coal, compliance for SO₂ is shown by the CEMS measurements and therefore recordkeeping is also not required.

Reference to SO₂ in condition III.D.4 requiring a test report for the SO₂ content. The requirement was removed from the condition since the condition required performance tests for PM, CO, and VOC and not SO₂.

Condition III.E.5 was removed allowing for electronic reports. Compliance requires a “wet” signature for reports turned into the Tidewater Regional Office.

F. 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 permitted 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:

Condition B. 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”.

This general condition cite(s) the Article(s) that follow(s):

Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80. Federal Operating Permits for Stationary Sources

This general condition cites the sections that follow:

9 VAC 5-80-80. Application

9 VAC 5-80-140. Permit Shield

9 VAC 5-80-150. Action on Permit Applications

Condition F. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission 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 section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. 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 daytime business hours of discovery of the malfunction.

This general condition cites the sections that follow:

9 VAC 5-40-41. Emissions Monitoring Procedures for Existing Sources

9 VAC 5-40-50. Notification, Records and Reporting

9 VAC 5-50-50. Notification, Records and Reporting

This general condition contains a citation from the Code of Federal Regulations as follows:

40 CFR 60.13 (h). Monitoring Requirements.

Condition J. Permit Modification

This general condition cites the sections that follow:

9 VAC 5-80-50. Applicability, Federal Operating Permit For Stationary Sources

9 VAC 5-80-190. Changes to Permits.

9 VAC 5-80-260. Enforcement.

9 VAC 5-80-1100. Applicability, Permits For New and Modified Stationary Sources

9 VAC 5-80-1790. Applicability, Permits For Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas

9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas

Condition U. 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 U and General Condition F. For further explanation see the comments on general condition F.

This general condition cites the sections that follow:

9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction

9 VAC 5-80-110. Permit Content

Condition Y. 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.

This general condition contains a citation from the Code of Federal Regulations that follow:

40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.

40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.

40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

This general condition cites the regulatory sections that follow:

9 VAC 5-60-70. Designated Emissions Standards

9 VAC 5-80-110. Permit Content

VI. STATE ONLY APPLICABLE REQUIREMENTS

The following Virginia Administrative Codes have specific requirements only enforceable by the State and have been identified as applicable by the applicant:

9 VAC 5-50-310, Odorous Emissions

9 VAC 5-50-320, Toxic Pollutants

VII. FUTURE APPLICABLE REQUIREMENTS

Portsmouth Genco LLC has the potential to be subject to either the Boiler MACT (Subpart DDDDD). The facility will be required to show compliance with the MACT when it becomes final.

VIII. INAPPLICABLE REQUIREMENTS

New Source Performance Standard (NSPS) Requirements for Industrial-Commercial-Institutional Steam Generating Units in 40 CFR Part 60, Subpart Db are not currently applicable for SO₂. The NSPS requirements do not include limitations or requirements for SO₂ for coal fired boilers per 40 CFR § 60.40b(b)(1).

New Source Performance Standard (NSPS) Requirements for Stationary Compression Ignition Internal Combustion Engines 40 CFR Part 60, Subpart IIII is not applicable to existing units.

The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A 4 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

IX. COMPLIANCE PLAN

See attached CAM plan for control of PM emissions from the boilers. The CAM plan becomes an applicable requirement of the Title V permit by virtue of its inclusion in this Statement of Basis. DEQ has approved the attached CAM plan and has determined that it meets the requirements for CAM submittals as outlined in Chapter 10 of the DEQ Title V Permit Manual (modified December 6, 2005).

X. INSIGNIFICANT EMISSION UNITS

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, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Insignificant emission units include the following:

Emission Unit No.	Emission Unit Description	Citation ¹ (9 VAC_)	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C.)
1-4	Turbine lube oil tank vent	Emissions level 9 VAC 5-80-720 B	VOC	n/a
2-4	Turbine lube oil tank vent	Emissions level 9 VAC 5-80-720 B	VOC	n/a
1-5	Cooling tower	9 VAC 5-80-720 A	PM	n/a
2-5	Cooling tower	9 VAC 5-80-720 A	PM	n/a
6	Diesel fuel storage tank	Emissions level 9 VAC 5-80-720 B	VOC	n/a
SK	Parts cleaner	Named activity 9 VAC 5-80-720 A 24		35 gals <0.07 tpy
7	Oil/Water separator	Named activity 9 VAC 5-80-720 A 41		Emergency use only < 5.0 tpy

¹The 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

XI. CONFIDENTIAL INFORMATION

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

XII. PUBLIC PARTICIPATION

The proposed permit will be placed on public notice in the Virginian-Pilot from Wednesday, July 25, 2012 to Friday, August 24, 2012.