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United States Environmental Protection Agency
Region 10
Air & Radiation Division
1200 Sixth Avenue, Suite 155, 15-H13
Seattle, Washington 98101

TITLE V PERMIT TO OPERATE
Initial Permit

Permit Number: **R10T5130000** Expiration Date: **[PRE-DRAFT]**

Issue Date: **[PRE-DRAFT]** Effective Date: **[PRE-DRAFT]**

In accordance with the provisions of title V of the Clean Air Act, (42 U.S.C. 7401 et seq.), 40 CFR part 71, and other applicable rules and regulations,

Pace International, LLC

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit.

This source is authorized to operate in the following location:

Yakama Reservation
5661 Branch Road
Wapato, WA 98951

Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the U.S. Environmental Protection Agency and citizens under the Clean Air Act. Once effective, this permit supersedes any other permit issued to the source or operations within the source pursuant to title V of the Clean Air Act and 40 CFR part 71.

_____ _____

Karl Pepple, Manager Date
Air Permits and Toxics Branch
Air and Radiation Division
U.S. EPA, Region 10

Abbreviations, Acronyms and Symbols

CAA	Clean Air Act [42 U.S.C. § 7401, *et seq*.]
CBI	Confidential Business Information
CDX	Central Data Exchange
CEDRI	Compliance and Emission Reporting Data Interface
CFR	Code of Federal Regulations
CO	Carbon Monoxide
EPA	U. S. Environmental Protection Agency, Region10
EU	Emission Unit
Facility	Pace International, LLC located at 5661 Branch Road Wapato, WA 98951
FARR	Federal Air Rules for Reservations
FORS	FARR online Reporting System
gal	gallon
g	grams
HAP	Hazardous Air Pollutant
hr	hour
ICE	Internal Combustion Engine
Id. No.	Identification Number
kg	kilogram
lb	pound
LPG	Liquified Petroleum Gas
MACT	Maximum Achievable Control Technology
Mg	Megagram
mmBtu	Million British Thermal Units
NERC	National Environmental Research Council
NESHAP	National Emission Standards for Hazardous Air Pollutants
NOx	Nitrogen Oxides
NSPS	New Source Performance Standards
NSR	New Source Review
Operator	Pace International, LLC
Permittee	Pace International LLC
PAL	Plantwide Applicability Limit
PM	Particulate Matter
PM2.5	Particulate Matter less than 2.5 micrometers in diameter
PM10	Particulate Matter less than 10 micrometers in diameter
ppm	parts per million
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
RICE	Reciprocating Internal Combustion Engine
SI	Spark Ignition
SOx	Sulfur Oxides
SO2	Sulfur Dioxide
VOC	Volatile Organic Compounds

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Part 71 Permit Issuance History

Date of Issuance	Permit Number	Description of Permit Action
April 23, 2004	R10-T5-WA-03	Initial title V permit issued
December 04, 2006	R10NT500200	Non-title V permit issued replacing R10-T5-WA-03
--------, 2023	R10T5130000	Initial title V permit issued

Permit Authority

The Administrator will administer and enforce an operating permits program in Indian country, as defined in 40 CFR 71.2, when an operating permits program which meets the requirements of 40 CFR part 70 has not been explicitly granted full or interim approval by the Administrator for Indian country.

Source Information and Emission Units

Parent Company:	Pace International, LLC or Valent BioSciences Corporation 1910 Innovation Wy Suite 100 Libertyville, IL 60048
Facility:	Pace International, LLC 5661 Branch Road Wapato, WA 98951
Facility Contact:	William Osborne, Sr. EH&S Manager Pace International, LLC 5661 Branch Road Wapato, WA 98951 Phone: (925) 357-6754 e-mail: William.Osborne@paceint.com
Owner/Operator:	Pace International, LLC 5661 Branch Road Wapato, WA 98951
Tribe:	Yakama Nation
Reservation:	Yakama Reservation
SIC/NAICS Code:	2899/325320

Pace produces cleaners, fungicides, drench and coatings and diphenylamine for agricultural products. These are post-harvest coatings manufactured in a batch process. The emission units are listed in the table below. A more complete process description can be found in the accompanying Statement of Basis.

EU ID	Description	Control Equipment
EU-1	B8 Boiler. 31.7 mmBtu/hr capacity propane fired boiler	None

EU-2a	25 kW propane fired emergency generator	None
EU-2b	50 kW propane fired emergency generator	None
EU-3	Post-Harvest Coating Production Process. The process takes place in various units throughout the facility and include Storage tanks, mixing tanks, sediment ponds, lab activities and other miscellaneous evaporative sources.	None
EU-4	Fogging Room. For fogging chemical testing. The gaseous fogging chemicals are ducted to a propane-fired afterburner that combusts the chemicals before release to the atmosphere.	1.5 mmBtu/hr capacity propane fired afterburner
EU-5	Wastewater Sump. Collects wastewater from drain trenches in the manufacturing building. Exhaust fans above the sump draw air through the trenches and help ventilate the building. Fans operate continuously during manufacturing and, therefore, draw vapor emissions from the sump liquid in at a steady rate. The collected wastewater is routed to the evaporation/sediment ponds.	None

1 General Requirements

Definitions [40 CFR 71.2]

1.1 Terms not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. The language of the cited regulation takes precedence over paraphrasing except the text of terms specified pursuant to any of the following sections is directly enforceable: section 304(f)(4) of the Federal Clean Air Act (CAA), 40 CFR 71.6(a)(3)(i)(B) and (C), 71.6(a)(3)(ii), 71.6(b), and 71.6(c)(1) or any other term specifically identified as directly enforceable.

Enforceability [40 CFR 71.6(b)]

1.2 All terms and conditions in this permit, including any provisions designated to limit a source's potential to emit, are enforceable by the EPA and citizens in accordance with the CAA.

Compliance Statement [40 CFR 71.6(a)(6)]

1.3 The Permittee must comply with all conditions of this part 71 permit. Any noncompliance with this permit constitutes a violation of the CAA and is grounds for:

1.3.1 Enforcement action;

1.3.2 Permit termination, revocation and reissuance, or modification; or

1.3.3 Denial of a permit renewal application.

1.4 Need to halt or reduce activity is 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.

Schedule of Compliance [40 CFR 71.5(c)(8)(iii); 71.6(c)(3)]

1.5 For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements.

1.6 For applicable requirements that will become effective during the permit term, the source shall comply as required by the terms of the applicable requirement.

Permit Shield [40 CFR 71.6(f)]

1.7 Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

1.7.1 Such applicable requirements are included and are specifically identified in the permit; or

1.7.2 The EPA, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary of the determination.

1.8 Nothing in the permit shield or in this permit shall alter or affect the following:

1.8.1 The provisions of Section 303 of the CAA (emergency orders), including the authority of the Administrator under that section.

1.8.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

1.8.3 The applicable requirements of the acid rain program, consistent with section 408(a) of the Act; or

1.8.4 The ability of EPA to obtain information under Section 114 of the CAA.

Credible Evidence [Section 113(a) and 113(e)(1) of the CAA; 40 CFR 49.123(d); 51.212; 52.12; 52.33; 60.11(g); 61.12; 71.6(c)(1)]

1.9 For the purpose of submitting compliance certifications in accordance with Condition 1.12 or establishing whether or not a person has violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

Submissions [40 CFR 71.5(d); 71.6; 71.9]

1.10 A responsible official of the Permittee shall certify as to the truth, accuracy, and completeness of any document required to be submitted by this permit. Such certifications shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

1.11 Except as otherwise specified in this permit, the Permittee shall submit all documents required to be submitted by this permit electronically via EPA's Compliance and Emission Data Reporting Interface (CEDRI). CEDRI can be accessed through the EPA's Central Data Exchange (CDX) at https://cdx.epa.gov/. First-time users will need to register with CDX. If no specific reporting option is available in CEDRI, select "Other Report." If the system is unavailable, contact the EPA Region 10's Enforcement and Compliance Assurance Division at (206) 553-1200.

Confidential Business Information (CBI) may not be submitted through CDX and must be submitted either by (1) hardcopy to the EPA at one of the two addresses below as follows or (2) other electronic means designated by the EPA or the Permittee. For applications to revise this permit, submit the materials to the EPA at the following address:

Part 71 Air Quality Permits
U.S. EPA – Region 10, 15-H13
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

For any other documents that contain CBI, submit the materials to the EPA at the following address:

Clean Air Act Compliance Manager
U.S. EPA – Region 10, 20-C04
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

A copy of each document submitted to the EPA that does not contain CBI shall be sent to the Tribal address below or by email to the Yakama Nation designated contact:

Air Quality Manager
Yakama Nation Environmental Management Program
Yakama Nation
P.O. Box 151
Toppenish, WA 98948

Compliance Certifications [40 CFR 71.6(c)(5)]

1.12 The Permittee shall submit annually to the EPA a certification of compliance with all permit terms and conditions, including emission limitations, standards or work practices, for the reporting period from January 1 to December 31, except the first reporting period shall begin on the effective date of this permit and end on December 31. All reports shall be submitted to the EPA and shall be postmarked by the 30th day following the end of the reporting period. The compliance certification shall be certified as to the truth, accuracy, and completeness by a responsible official. The certification shall include the following:

1.12.1 Identification of each permit term or condition that is the basis of the certification;

1.12.2 Identification of the method(s) or other means used for determining the compliance status of each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. If necessary, the Permittee also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the CAA, which prohibits making a false certification or omitting material information; and

1.12.3 The source's compliance status with each term and condition of the permit, including whether monitoring data is continuous and whether the data or any other credible evidence shows the compliance is continuous. The certification shall identify each deviation and take it into account in the compliance certification.

Annual Fee Payment [40 CFR 71.6(a)(7); 71.9]

1.13 The Permittee shall pay an annual permit fee in accordance with the procedures outlined below in Condition 1.15.

1.14 The Permittee shall submit an annual report of its actual emissions for the preceding calendar year, a fee calculation work sheet (based on the report), and full payment of the annual fee each year. The Permittee shall submit the annual report and pay the annual fee each year on or before October 24, the anniversary date of its initial fee calculation work sheet.

1.15 The fee payment shall be in United States currency and shall be paid by money order, bank draft, certified check, corporate check, or electronic funds transfer payable to the order of the U.S. Environmental Protection Agency.

1.16 The Permittee shall send fee payment and a completed fee filing form to:

<u>Address for Regular Mail through U.S. Postal Service</u>

U.S. EPA
OCFO/OC/ACAD/FCB
Attn: Collections Team
1300 Pennsylvania Ave NW
Mail Code 2733R
Washington, DC 20004

1.17 The Permittee shall send an updated fee calculation worksheet form and a photocopy of each fee payment check (or other confirmation of actual fee paid) submitted annually by the same deadline as required for fee payment. The Permittee may use the fee calculation worksheet that incorporates an annual emissions report, which is required at the same time as the fee calculation worksheet by Condition 1.14 and 40 CFR 71.9(h).

1.18 Basis for calculating annual fee:

1.18.1 The annual emissions fee shall be calculated by multiplying the total tons of actual emissions of all regulated pollutants (for fee calculation) emitted from the source, including fugitive emissions by the presumptive emissions fee (in dollars/ton) in effect at the time of calculation.

1.18.2 "Actual emissions" means the actual rate of emissions in tons per year of any "regulated pollutant (for fee calculation)" emitted from a part 71 source over the preceding calendar year. Actual emissions shall be calculated using each emissions unit's actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year.

1.18.3 Actual emissions shall be computed using methods required by the permit for determining compliance, such as monitoring or source testing data.

1.18.4 The term "regulated air pollutant (for fee calculation)" is defined in 40 CFR 71.2.

1.18.5 The emission fee in effect at the time of calculation will be determined in accordance with 40 CFR 71.9(n)(1) and published in the Federal Register.

1.18.6 The Permittee shall exclude the following emissions from the calculation of fees:

1.18.7 The amount of actual emissions of each regulated pollutant (for fee calculation) that the source emits in excess of 4,000 tons per year.

1.18.8 Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation; and

1.18.9 The quantity of actual emissions (for fee calculation) of insignificant activities as defined in 40 CFR 71.5(c)(11)(i) or of insignificant emission levels from emissions units identified in the Permittee's application pursuant to 40 CFR 71.5(c)(11)(ii).

1.19 The Permittee must certify the fee calculation worksheet as to truth, accuracy, and completeness by a responsible official.

1.20 The Permittee shall retain fee calculation worksheets and other emissions-related data used to determine fee payment for 5 years following submittal of fee payment. Emission-related data include, for example, emissions-related forms provided by the EPA and used by the Permittee for fee calculation purposes, emissions-related spreadsheets, and emissions-related data, such as records of emissions monitoring data and related support information required to be kept in accordance with 40 CFR 71.6(a)(3)(ii).

1.21 Failure of the Permittee to pay fees in a timely manner shall subject the Permittee to assessment of penalties and interest in accordance with 40 CFR 71.9(l).

1.22 When notified by the EPA of underpayment of fees, the Permittee shall remit full payment within 30 days of receipt of notification.

1.23 If the Permittee believes that the EPA-assessed fee is in error and wishes to challenge such fee, the Permittee shall provide a written explanation of the alleged error to the EPA along with full payment of the EPA assessed fee.

Annual Registration [40 CFR 49.138(d), (e)(3)(xii), (e)(4) and (f), 71.6(c)(1)]

1.24 The Permittee shall submit an annual registration report that consists of estimates of the total actual emissions from the air pollution source for the following air pollutants: PM, PM10, PM2.5, SOx, NOx, CO, VOC, lead and lead compounds, ammonia, fluorides (gaseous and particulate), sulfuric acid mist, hydrogen sulfide, total reduced sulfur, and reduced sulfur compounds, including all calculations for the estimates. Emissions shall be calculated using the actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year.

1.24.1 The emission estimates required by Condition 1.24 shall be based upon actual test data or, in the absence of such data, upon procedures acceptable to the Regional Administrator. Any emission estimates submitted to the Regional Administrator shall be verifiable using currently accepted engineering criteria. The following procedures are generally acceptable for estimating emissions from air pollution sources:

1.24.1.1 Source-specific emission tests;

1.24.1.2 Mass balance calculations;

1.24.1.3 Published, verifiable emission factors that are applicable to the source;

1.24.1.4 Other engineering calculations; or

1.24.1.5 Other procedures to estimate emissions specifically approved by the Regional Administrator.

1.24.2 The annual registration report shall be submitted with the annual emission report and fee calculation worksheet required by Conditions 1.14 and 1.17. The annual registration report shall be submitted to the EPA electronically through EPA's FARR Online Reporting System (FORS). FORS can be accessed through EPA's CDX at https://cdx.epa.gov/. First-time users will need to register with CDX. If the system is unavailable, contact EPA Region 10's Enforcement and Compliance Assurance Division at (206) 553-1200.

Confidential Business Information (CBI) may not be submitted through CDX and must be submitted either by (1) hardcopy to the EPA at the address below as follows or (2) other electronic means designated by the EPA or the Permittee:

FARR Registration Coordinator
U.S. EPA – Region 10, 15-H13
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

A copy of each document submitted to the EPA that does not contain CBI shall be sent to the Tribal address below or by email to the Yakama Nation designated contact:

Air Quality Manager
Yakama Nation Environmental Management Program
Yakama Nation
P.O. Box 151
Toppenish, WA 98948

Duty to Provide and Supplement Information [40 CFR 71.6(a)(6)(v); 71.5(b)]

1.25 The Permittee shall furnish to the EPA, within a reasonable time, any information that the EPA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. Upon request, the Permittee shall also furnish to the EPA copies of records that are required to be kept pursuant to the terms of this permit, including information claimed to be confidential. Information claimed to be confidential should be accompanied by a claim of confidentiality according to the provisions of 40 CFR part 2, subpart B.

1.26 The Permittee, upon becoming aware that it omitted from its application any relevant facts or submitted incorrect information in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after this permit is issued.

Property Rights [40 CFR 71.6(a)(6)(iv)]

1.27 This permit does not convey any property rights of any sort, or any exclusive privilege.

Inspection and Entry [40 CFR 71.6(c)(2)]

1.28 Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the EPA or an authorized representative to perform the following:

1.28.1 Enter upon the Permittee's premises where a part 71 source is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;

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

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

1.28.4 As authorized by the CAA, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Permit Expiration and Renewal [40 CFR 71.5(a)(1)(iii); 71.6(a)(11); 71.7(b); 71.7(c)(1)(i) and (ii); 71.8(d)]

1.29 This permit shall expire on the expiration date on page 1 of this permit or on an earlier date if the source is issued a part 70 or part 71 permit by a permitting authority under an EPA approved or delegated permit program.

1.29.1 Expiration of this permit terminates the Permittee's right to operate unless the Permittee has submitted a timely and complete permit renewal application at least 6 calendar months, but not more than 18 calendar months, prior to the date of expiration of this permit.

1.29.2 If the Permittee submits a timely and complete permit application for renewal, consistent with 40 CFR 71.5(a)(2), but the EPA has failed to issue or deny the renewal permit, then the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted pursuant to 40 CFR 71.6(f) may be extended beyond the original permit term until renewal.

1.29.3 If the Permittee has submitted a timely and complete application for renewal, the Permittee's failure to have a part 71 permit is not a violation of part 71 until the EPA takes final action on the permit renewal application. This protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit any additional information identified as being needed to process the application by the deadline specified in writing by the EPA.

1.30 Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation and affected state and tribal review.

1.30.1 The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.

Severability [40 CFR 71.6(a)(5)]

1.31 The provisions of this permit are severable, and in the event of any challenge to any portion of this permit, or if any portion is held invalid, the remaining permit conditions shall remain valid and in force.

Permit Actions [40 CFR 71.6(a)(6)(iii)]

1.32 This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

1.33 The Permittee may request the use of administrative permit amendment, minor permit modification or significant modification procedures for a permit revision in accordance with 40 CFR 71.7(d).

Reopening for Cause [40 CFR 71.7(f)]

1.34 The EPA shall reopen and revise the permit prior to expiration under any of the circumstances described in 40 CFR 71.7(f).

Off Permit Changes [40 CFR 71.6(a)(12)]

1.35 The Permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met:

1.35.1 The change is not addressed or prohibited by this permit;

1.35.2 The change must comply with all applicable requirements and may not violate any existing permit term or condition;

1.35.3 The change cannot be subject to any requirement of 40 CFR parts 72 through 78 or modifications under any provision of title I of the CAA;

1.35.4 And the permit shield does not apply to any change made under this provision.

1.35.5 The Permittee must provide contemporaneous written notice to the EPA of the change, except if the change qualifies as insignificant activity under 40 CFR 71.5(c)(11). The written notice must describe the change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change.

Operational Flexibility [40 CFR 71.6(a)(13) and (a)(8)]

1.36 The Permittee may make changes within a permitted facility without a permit revision, provided the following conditions are met:

1.36.1 The changes are not modifications under any provision of title I of the CAA;

1.36.2 The changes do not result in emissions that exceed the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions); and

1.36.3 The Permittee notifies the EPA at least 7 days in advance of the proposed changes. The written notification shall include a brief description of the change within the permitted

facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

1.36.4 No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. The permit shield described in 40 CFR 71.6(f) shall not apply to any change made pursuant 40 CFR 71.6(a)(13)(i).

General Testing Requirements [40 CFR 71.6(a)(3); 71.6(c)(1)]

1.37 In addition to the specific testing requirements contained in the emission unit sections of this permit, the Permittee shall comply with the generally applicable testing requirements in Conditions 1.37.1 through 1.37.8 whenever conducting a performance test required by this permit unless specifically stated otherwise in this permit.

1.37.1 Test Notification. The Permittee shall provide the EPA at least 30 days prior notice of any performance test, except as otherwise specified in this permit, to afford EPA the opportunity to have an observer present. If after 30 days' notice for an initially scheduled performance test, there is a delay in conducting the scheduled performance test, the Permittee shall notify EPA as soon as possible of any delay in the original test date, either by providing at least seven days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with EPA by mutual agreement.

1.37.2 Test Plan. Except as otherwise specified in this permit, the Permittee shall submit to the EPA a source test plan 30 days prior to any required testing. The source test plan shall include and address the following elements:

1.37.2.1 Purpose and scope of testing.

1.37.2.2 Source description, including a description of the operating scenarios and mode of operation during testing and including fuel sampling and analysis procedures.

1.37.2.3 Schedule/dates of testing.

1.37.2.4 Process data to be collected during the test and reported with the results, including source specific data identified in the emission unit sections of this permit.

1.37.2.5 Sampling and analysis procedures, specifically requesting approval for any proposed alternatives to the reference test methods, and addressing minimum test length (e.g., 1 hour, 8 hours, 24 hours, etc.) and minimum sample volume.

1.37.2.6 Sampling location description and compliance with the reference test methods.

1.37.2.7 Analysis procedures and laboratory identification.

1.37.2.8 Quality assurance plan.

1.37.2.9 Calibration procedures and frequency.

1.37.2.10 Sample recovery and field documentation.

1.37.2.11 Chain of custody procedures.

1.37.2.12 Quality assurance/quality control project flow chart.

1.37.2.13 Data processing and reporting.

1.37.2.14 Description of data handling and quality control procedures; and

1.37.2.15 Report content and timing.

1.37.3 Facilities for performing and observing the emission testing shall be provided that meet the requirements of 40 CFR 60.8(e) and Reference Method 1 (40 CFR part 60, Appendix A).

1.37.4 Unless the EPA determines in writing that other operating conditions are representative of normal operations or unless specified in the emission unit sections of this permit, the source shall be operated at a rate of at least 90% but no more than 100% of maximum capacity during all tests.

1.37.5 Only regular operating staff may adjust the processes or emission control devices during or within 2 hours prior to the start of a source test. Any operating adjustments made during a source test, that are a result of consultation during the tests with source testing personnel, equipment vendors, or consultants, may render the source test invalid.

1.37.6 Each source test shall follow the reference test methods specified by this permit and consist of at least 3 valid test runs.

1.37.6.1 If the reference test method yields measured pollutant concentration values at an oxygen concentration other than specified in the emission standard, the Permittee shall correct the measured pollutant concentration to the oxygen concentration specified in the emission standard by using the following equation:

$$PC_X = PC_M \, X \, (20.9 - X) / (20.9 - Y)$$

Where: PC_X = Pollutant concentration at X percent.
PC_M = Pollutant concentration as measured.
X = The oxygen concentration specified in the standard.
and
Y = The measured average volumetric oxygen concentration.

1.37.6.2 Source test emission data shall be reported as the arithmetic average of all valid test runs and in the terms of any applicable emission limit, unless otherwise specified in the emission unit sections of this permit.

1.37.7 Test Records. For the duration of each test run (unless otherwise specified), the Permittee shall record the following information:

1.37.7.1 All data which is required to be monitored during the test in the emission unit sections of this permit; and

1.37.7.2 All continuous monitoring system data which is required to be routinely monitored in the emission unit sections of this permit for the emission unit being tested.

1.37.8 Test Reports. Emission test reports shall be submitted to the EPA within 60 days of completing any emission test required by this permit along with items required to be recorded in Condition 1.37.7 above.

General Recordkeeping Requirements

1.38 Records required by this permit shall contain the following information, where applicable: [40 CFR 71.6(a)(3)(ii)(A)]

1.38.1 The date, place as defined in this permit, and time of sampling or measurements;

1.38.2 The date(s) analyses were performed;

1.38.3 The company or entity that performed the analyses;

1.38.4 The analytical techniques or methods used;

1.38.5 The results of such analyses; and

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

1.39 The Permittee shall keep a record describing all off-permit changes allowed to be made under Condition 1.35 that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes. [40 CFR 71.6(a)(12)(iv)]

1.40 The Permittee shall retain records of all required monitoring data and support information for a period of at least 5 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. [40 CFR 71.6(a)(3)(ii)(B)]

General Reporting Requirements [40 CFR 71.6(a)(3)(iii), 71.6(c)(1)]

1.41 The Permittee shall submit to the EPA a semiannual report of all required monitoring during each six-month reporting period from January 1 to June 30 and from July 1 to December 31. All reports shall be submitted to EPA and shall be postmarked by the 30th day following the end of the reporting period. All instances of deviations from permit requirements must clearly be identified in the report. All required reports must be certified by a responsible official consistent with 40 CFR 71.5(d).

1.42 A monitoring report required in Condition 1.41 shall include the following:

1.42.1 The company name and address;

1.42.2 The beginning and ending dates of the reporting period;

1.42.3 The emissions unit or activity being monitored;

1.42.4 The emissions limitation or standard, including operational requirements and limitations (such as parameter ranges), specified in the permit for which compliance is being monitored;

1.42.5 All instances of deviations from permit requirements whether demonstrated by reference test method, monitoring, or through any other credible evidence, including those attributable to upset conditions as defined in this permit, the date on which each deviation occurred, and either the total duration of deviations indicated by such monitoring or the actual records of deviations;

1.42.6 The total time when monitoring required by this permit was not performed during the reporting period;

1.42.7 All other monitoring results, data, or analyses required to be reported by the applicable requirement; and

1.42.8 The name, title, and signature of the responsible official who is certifying to the truth, accuracy, and completeness of the report.

1.43 The Permittee shall promptly report to the EPA deviations from permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken.

1.43.1 Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern.

1.43.2 Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the EPA based on the following schedule:

1.43.3 For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

1.43.4 For emissions of any regulated air pollutant, excluding those listed 40 CFR 71.6(a)(3)(iii)(B)(1), that continue for more than 2 hours in excess of permit requirements, the report must be made within 48 hours.

1.43.5 For all other deviations from permit requirements, the report shall be contained in the report submitted in the semiannual monitoring report.

1.43.6 The Permittee shall notify the EPA by telephone to (206) 553-1200 or e-mail to r10_air_permits@epa.gov based on the deviation reporting timeframe. A written notice, certified consistent with 40 CFR 71.5(d), must be submitted within 10 working days of the occurrence. All reported deviations must also be identified in the semiannual monitoring report.

1.44 "Deviation" means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in accordance with 40 CFR 71.6(a)(3)(i) and (ii). For a situation lasting more than 24 hours which constitutes a deviation, each 24-hour period is considered a separate deviation. "Deviations" includes, but is not limited to, any of the following:

1.44.1 A situation where emissions exceed an emission limitation or standard;

1.44.2 A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met;

1.44.3 A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by this permit; or

1.44.4 A situation in which an exceedance or an excursion, as defined in 40 CFR part 64, occurs.

Protection of Stratospheric Ozone [40 CFR part 82]

1.45 The Permittee shall comply with all applicable standards for recycling and emissions reduction pursuant to 40 CFR part 82, subpart F, except as provided for motor vehicle air conditioners at 40 CFR part 82, subpart B.

Chemical Accident Prevention Provisions [40 CFR 68.10; 68.215(a)(1)]

1.46 The Permittee shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR part 68 no later than the latest of the following dates:

1.46.1 Three years after the date on which a regulated substance, present above the threshold quantity in a process at the facility, is first listed under 40 CFR 68.130; or

1.46.2 The date on which a regulated substance is first present above a threshold quantity in a process at the facility.

Asbestos Removal and Disposal [40 CFR part 61, subpart M]

1.47 The Permittee shall comply with 40 CFR part 61, subpart M for asbestos removal and disposal when conducting any renovation or demolition at the facility.

2 Facility-Wide Requirements

Fees and Emission Reports Due Date [40 CFR 71.9(a) and (h)]

2.1 Unless otherwise specified, fees and emission reports required by this permit are due annually on October 24, the anniversary date of the initial fee and fee calculation sheet.

Fuel Sulfur Limits

2.2 The Permittee shall not sell, distribute, use, or make available for use any gaseous fuel that contains more than 1.1 grams of sulfur per dry standard cubic meter of gaseous fuel. [40 CFR 49.130(d)(8); 49.11106(f)]

2.2.1 Compliance with the sulfur limit is determined using ASTM methods D1072-90 (Reapproved 1999), D3246-96, D4084-94 (Reapproved 1999), D5504-01, D4468-85 (Reapproved 2000), D2622-03, and D6228-98 (Reapproved 2003) [40 CFR 49.130(e)(4); 49.11106(f)]

2.2.2 The Permittee shall obtain, record, and keep records of the sulfur content from the vendor for each purchase of gaseous fuel. A receipt from the vendor showing purchase and delivery of a liquid petroleum gas product designated commercial propane, commercial butane, commercial b-p mixtures or propane hd-5 fulfills this requirement. [40 CFR 49.130(f)(1)(ii) and 71.6(c)(1)]

Open Burning Restrictions

2.3 Except as exempted in 40 CFR 49.131(c), the Permittee shall not openly burn, or allow the open burning of, the following materials: [40 CFR 49.131(c) and (d)(1); 49.11106(g)]

2.3.1 Garbage.

2.3.2 Dead animals or parts of dead animals.

2.3.3 Junked motor vehicles or any materials resulting from a salvage operation.

2.3.4 Tires or rubber materials or products.

2.3.5 Plastics, plastic products, or Styrofoam.

2.3.6 Asphalt or composition roofing, or any other asphaltic material or product.

2.3.7 Tar, tarpaper, petroleum products, or paints.

2.3.8 Paper, paper products, or cardboard other than what is necessary to start a fire or that is generated at single-family residences or residential buildings with four or fewer dwelling units and is burned at the residential site.

2.3.9 Lumber or timbers treated with preservatives.

2.3.10 Construction debris or demolition waste.

2.3.11 Pesticides, herbicides, fertilizers, or other chemicals.

2.3.12 Insulated wire.

2.3.13 Batteries.

2.3.14 Light bulbs.

2.3.15 Materials containing mercury (e.g., thermometers).

2.3.16 Asbestos or asbestos-containing materials.

2.3.17 Pathogenic wastes.

2.3.18 Hazardous wastes; or

2.3.19 Any material other than natural vegetation that normally emits dense smoke or noxious fumes when burned.

2.4 Open burning shall be conducted as follows: [40 CFR 49.131(e)(1); 49.11106(g)]

2.4.1 All materials to be openly burned shall be kept as dry as possible through the use of a cover or dry storage.

2.4.2 Before igniting a burn, noncombustible shall be separated from the materials to be openly burned to the greatest extent practicable.

2.4.3 Natural or artificially induced draft shall be present, including the use of blowers or air curtain incinerators where practicable.

2.4.4 To the greatest extent practicable, materials to be openly burned shall be separated from the grass or peat layer; and

2.4.5 A fire shall not be allowed to smolder.

2.5 Except for exempted fires set for cultural or traditional purposes, a person shall not initiate any open burning when: [40 CFR 49.131(d)(2), (d)(3), and (e)(2); 49.137(c)(4)(i); 49.11106(g) and (i)]

2.5.1 The Regional Administrator has declared a burn ban; or

2.5.2 An air stagnation advisory has been issued or an air pollution alert, warning or emergency has been declared by the Regional Administrator.

2.6 Except for exempted fires set for cultural or traditional purposes, any person conducting open burning when such an advisory is issued or declaration is made shall either immediately extinguish the fire, or immediately withhold additional material such that the fire burns down. [40 CFR 49.131(e)(3); 49.137(c)(4)(ii); 49.11106(g) and (i)]

2.7 Nothing in this section exempts or excuses any person from complying with applicable laws and ordinances of local fire departments and other governmental jurisdictions. [40 CFR 49.131(d)(4); 49.11106(g)]

2.8 For any open burning allowed under Conditions 2.4 through 2.6, the Permittee shall document the following: [40 CFR 71.6(a)(3)(i)(B); 71.6(c)(1)]

2.8.1 The date that burning was initiated;

2.8.2 The duration of the burn;

2.8.3 The measures taken to comply with each provision of Condition 2.5; and

2.8.4 The measures taken to ensure that materials prohibited in Condition 2.3 were not burned.

Visible Emissions Limits

2.9 Except as provided for in Conditions 2.10 and 2.11 the visible emissions from any air pollution source that emits, or could emit, particulate matter or other visible air pollutants shall not exceed 20% opacity, averaged over any consecutive six-minute period. Compliance with this emission limit is determined as follows: [40 CFR 49.124(d)(1) and (e); 49.11106(b)]

2.9.1 The reference method for determining compliance with the opacity limit is EPA Reference Method 9 found in Appendix A of 40 CFR part 60. A single observer is allowed to determine the opacity of emissions for up to 3 emission points within the same 15-second interval if the following conditions are satisfied:

2.9.1.1 All emission points are within a 70-degree viewing angle in front of the observer such that the proper sun position can be maintained for all points; and

2.9.1.2 All opacity readings for all emission points within all 15-second intervals are less than 15% for the duration of the six-minute observation period.

2.9.2 Alternatively, using a continuous opacity monitoring system that complies with Performance Specification 1 found in Appendix B of 40 CFR part 60.

2.10 The requirements of Condition 2.9 do not apply to open burning, agricultural activities, forestry and silvicultural activities, non-commercial smoke houses, sweat houses or lodges, smudge pots, furnaces and boilers used exclusively to heat residential buildings with four or fewer dwelling units, or emissions from fuel combustion in mobile sources. [40 CFR 49.124(c); 49.11106(b)]

2.11 Exceptions to the visible emission limit in Condition 2.9 include: [40 CFR 49.124(d)(2) and (3); 49.11106(b)]

2.11.1 The visible emissions from an air pollution source may exceed the 20% opacity limit if the owner or operator of the air pollution source demonstrates to the Regional Administrator's satisfaction that the presence of uncombined water, such as steam, is the only reason for the failure of an air pollution source to meet the 20% opacity limit.

2.11.2 The visible emissions from an oil-fired boiler or solid fuel-fired boiler that continuously measures opacity with a continuous opacity monitoring system (COMS) may exceed the 20% opacity limit during start-up, soot blowing, and grate cleaning for a single period of up to 15 consecutive minutes in any eight consecutive hours but must not exceed 60% opacity at any time.

Fugitive Particulate Matter Requirements and Recordkeeping

2.12 Except as provided for in Condition 2.17, the Permittee shall take all reasonable precautions to prevent fugitive particulate matter emissions and shall maintain and operate all pollutant-emitting activities to minimize fugitive particulate matter emissions. Reasonable precautions include, but are not limited to the following:

[40 CFR 49.126(d)(1) and (2); 49.11106(d)]

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

2.12.2 Application of asphalt, oil (but not used oil), water, or other suitable chemicals on unpaved roads, materials stockpiles, and other surfaces that can create airborne dust;

2.12.3 Full or partial enclosure of materials stockpiles in cases where application of oil, water, or chemicals is not sufficient or appropriate to prevent particulate matter from becoming airborne;

2.12.4 Implementation of good housekeeping practices to avoid or minimize the accumulation of dusty materials that have the potential to become airborne, and the prompt cleanup of spilled or accumulated materials;

2.12.5 Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;

2.12.6 Adequate containment during sandblasting or other similar operations;

2.12.7 Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne; and

2.12.8 The prompt removal from paved streets of earth or other material that does or may become airborne.

2.13 Once each calendar year, during typical operating conditions and meteorological conditions conducive to producing fugitive dust, the Permittee shall survey the facility to determine the sources of fugitive particulate matter emissions. For new sources or new operations, a survey shall be conducted within 30 days after commencing operation.

[40 CFR 49.126(e)(1)(i) and (ii); 49.11106(d)]

2.13.1 The Permittee shall record the results of the survey, including the date and time of the survey and identification of any sources of fugitive particulate matter emissions found; and

2.13.2 If sources of fugitive particulate matter emissions are present, the Permittee shall determine the reasonable precautions that will be taken to prevent fugitive particulate matter emissions.

2.14 The Permittee shall prepare, and update as necessary following each survey, a written plan that specifies the reasonable precautions that will be taken and the procedures to be followed to prevent fugitive particulate matter emissions, including appropriate monitoring and recordkeeping. [40 CFR 49.126(e)(1)(iii) and (iv); 49.11106(d)]

2.14.1 For construction or demolition activities, a written plan shall be prepared prior to commencing construction or demolition.

2.15 The Permittee shall implement the written plan and maintain and operate all sources to minimize fugitive particulate matter emissions.
[40 CFR 49.126(e)(1)(iii) and (iv); 49.11106(d)]

2.16 Efforts to comply with this section cannot be used as a reason for not complying with other applicable laws and ordinances. [40 CFR 49.126(e)(3); 49.11106(d)]

2.17 The requirements of Conditions 2.12 through 2.16 do not apply to open burning, agricultural activities, forestry and silvicultural activities, sweat houses or lodges, non-commercial smoke houses, or activities associated with single-family residences or residential buildings with four or fewer dwelling units. [40 CFR 49.126(c); 49.11106(d)]

Visible and Fugitive Emission Monitoring and Recordkeeping [40 CFR 71.6(a)(3)(i)(B)]

2.18 Once each quarter, the Permittee shall visually survey each emission unit and any other pollutant emitting activity for the presence of visible emissions or fugitive emissions of particulate matter.

2.18.1 The observer conducting the visual survey must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting and wind, and the presence of uncombined water on the visibility of emissions (see 40 CFR part 60, Appendix A, Method 22).

2.18.2 For the surveys, the observer shall select a position that enables a clear view of the emission point to be surveyed that is at least 15 feet from the emission point and where the sunlight is not shining directly in the observer's eyes.

2.18.3 The observer shall observe emissions from each potential emission point for at least 15 seconds.

2.18.4 Any visible emissions or fugitive emissions of particulate matter other than uncombined water shall be recorded as a positive reading associated with the emission unit or pollutant emitting activity.

2.18.5 Surveys shall be conducted while the facility is operating, and during daylight hours.

2.19 If the observation conducted under Condition 2.18.1 through 2.18.5 identifies any visible emissions or fugitive emissions of particulate matter, the Permittee shall:

2.19.1 Immediately upon conclusion of the visual observation in Condition 2.18.1 through 2.18.5, investigate the source and reason for the presence of visible emissions or fugitive emissions; and

2.19.2 As soon as practicable, take appropriate corrective action.

2.20 If the corrective actions undertaken pursuant to Condition 2.19.2 do not eliminate the visible or fugitive emissions, the Permittee shall within 24 hours of the initial survey

conduct a visible emissions observation of the emission point in question, for 30 minutes, using the procedures specified in Condition 2.9.1.

2.21 If any of the Method 9 visible emissions observations required in Condition 2.20 or 2.22 indicate visible emissions greater than 20% opacity, the Permittee shall conduct daily Method 9 visible emissions observations, for thirty minutes, of the emission point in question until 2 consecutive daily observations indicate visible emissions of 20% opacity or less.

2.22 If the Method 9 visible emissions observation required in Condition 2.20, or if 2 consecutive daily Method 9 visible emissions observations required by Condition 2.21 indicate visible emissions of 20% opacity or less, the Permittee shall conduct weekly Method 9 visible emissions observations of the emission point for 3 additional weeks.

2.23 The Permittee shall maintain records of the following:

2.23.1 Details of each visual survey or Method 9 visible emissions observation, including date, time, observer and results for each emission unit and any other pollutant emitting activity.

2.23.2 Date, time and type of any investigation conducted pursuant to Condition 2.19.1.

2.23.3 Findings of the investigation, including the reasons for the presence of visible emissions or fugitive emissions of particulate matter.

2.23.4 Date, time and type of corrective actions taken pursuant to Condition 2.19.2.

2.23.5 Results of any Method 9 visible emissions observations conducted on the source of visible or fugitive emissions, and pursuant to Conditions 2.19.2 through 2.21.

2.24 Any observation of visible emissions in excess of Condition 2.9 is a deviation and subject to the provisions of Conditions 1.41 and 1.43.

Other FARR Provisions

2.25 The Permittee must comply with the requirements in 40 CFR 49.135 and 49.137 which are incorporated by reference. [40 CFR 49.135 and 49.137]

3 Emission Unit #1 (EU-1) – B8 Boiler

EU-1 Emission Limitations and Work Practice Requirements

3.1 FARR Particulate Matter Limit. Particulate matter emissions from the B8 Boiler stack shall not exceed an average of 0.23 grams per dry standard cubic meter (0.1 grains per dry standard cubic foot), corrected to 7 percent oxygen, during any 3-hour period. [40 CFR 49.125(d)(1) and (e); 49.11106(c)]

3.1.1 Compliance with the PM limit is determined using EPA Reference Method 5 (see 40 CFR part 60, Appendix A)

3.2 FARR Sulfur Dioxide Emission Limit. Sulfur dioxide emissions from a combustion source stack must not exceed an average of 500 parts per million by volume, on a dry basis and corrected to 7 percent oxygen, during any 3-hour period. [40 CFR 49.129(d)(1) and (e)(1); 49.11106(e)]

3.2.1 Compliance with the SO2 limit is determined using EPA Reference Methods 6, 6A, 6B, and 6C as specified in the applicability section of each method (see 40 CFR part 60, Appendix A).

EU-1 NSPS Work Practice Requirements

3.3 NSPS Good Air Pollution Control Practices. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the EPA which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [40 CFR 60.11(d)]

3.4 NSPS Credible Evidence. For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in Part 60, nothing in Part 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. [40 CFR 60.11(g)]

3.5 NSPS Circumvention. The Permittee shall not build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable NSPS standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere. [40 CFR 60.12]

EU-1 Monitoring and Recordkeeping Requirements [40 CFR 71.6(a)(3)(i)(B)]

3.6 The Permittee shall maintain the following records:

3.6.1 Records of the occurrence and duration of each instance that a fuel other than propane is combusted;

3.6.2 Records of the occurrence and duration of each malfunction; and

3.6.3 Records of actions taken during periods of malfunction to minimize emissions including corrective actions to restore the malfunctioning boiler to its normal or usual manner of operation.

EU-1 NSPS Recordkeeping Requirements

3.7 NSPS Recordkeeping Requirements. Subpart Dc. The Permittee shall record and maintain records of the amount of each fuel combusted during each operating day. [40 CFR 60.48c(g)(1)]

3.7.1 As an alternative, the Permittee may elect to record and maintain records of the amount of each fuel combusted during each calendar month. [40 CFR 60.48c(g)(2)]

3.7.2 As an alternative, the Permittee may elect to record and maintain records of the total amount of each fuel delivered to that property during each calendar month. [40 CFR 60.48c(g)(3)]

3.7.3 All records required under 40 CFR 60.48c (see Condition 3.7) shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record. [40 CFR 60.48c(i)]

3.8 NSPS Records of Startup, Shutdown and Malfunction. The Permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. [40 CFR 60.7(b)]

3.9 NSPS Records Maintenance. The Permittee shall maintain a file of all information required by the applicable NSPS recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records. [40 CFR 60.7(f)]

EU-1 NSPS Reporting Requirements

3.10 NSPS Notification and Reporting Time Periods. For the purposes of the applicable NSPS, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement. [40 CFR 60.19(a)]

3.11 NSPS Notification and Reporting Postmarks. For the purposes of the applicable NSPS, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the Permittee shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable. [40 CFR 60.19(b)]

3.12 NSPS Notification of Modifications to the Facility. The Permittee shall furnish the Administrator notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which an NSPS applies, unless that change is specifically exempted under an applicable NSPS or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before

and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice. [40 CFR 60.7(a)(4)]

3.13 NSPS Notification of Reconstruction of the Facility. The Permittee shall notify the Administrator if the Permittee proposes to replace components of the affected facility, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the information in 40 CFR 60.15(d)(1) through (7). [40 CFR 60.15(d)]

4 Emission Unit #2 (EU-2a and EU-2b) – Emergency Generators

EU-2a and EU-2b Emission Limitations and Work Practice Requirements

4.1 FARR Particulate Matter Limit. Particulate matter emissions from the emergency generator stacks shall not exceed an average of 0.23 grams per dry standard cubic meter (0.1 grains per dry standard cubic foot), corrected to 7 percent oxygen, during any 3-hour period. [40 CFR 49.125(d)(1) and (e); 49.11106(c)]

4.1.1 Compliance with the PM limit is determined using EPA Reference Method 5 (see 40 CFR part 60, Appendix A)

4.2 FARR Sulfur Dioxide Emission Limit. Sulfur dioxide emissions from a combustion source stack must not exceed an average of 500 parts per million by volume, on a dry basis and corrected to 7 percent oxygen, during any 3-hour period. [40 CFR 49.129(d)(1) and (e)(1); 49.11106(e)]

4.2.1 Compliance with the SO2 limit is determined using EPA Reference Methods 6, 6A, 6B, and 6C as specified in the applicability section of each method (see 40 CFR part 60, Appendix A).

EU-2a and 2b Monitoring and Recordkeeping Requirements [40 CFR 71.6(a)(3)(i)(B) and 71.6(c)(1)]

4.3 FARR Visible Emission Limit – Monitoring and Recordkeeping. At least once per year, the Permittee shall observe emissions in accordance with Conditions 2.18.1 through 2.18.5 while the engine is operated for purposes other than emergency operation. If visible emissions are identified, the Permittee shall observe emissions using the procedures in Condition 2.9 for 30 minutes or the duration of the operation, whichever is shorter. Maintain records of the field, observation and data reduction records for each observation conducted.

4.4 The Permittee shall maintain the following records for both EU-2a and EU-2b:

4.4.1 Records of runtime operation, recorded monthly;

4.4.2 Records of the occurrence and duration of each instance that a fuel other than propane is combusted;

4.4.3 Records of the occurrence and duration of each malfunction of the engine and monitoring equipment; and

4.4.4 Records of actions taken during periods of malfunction to minimize emissions including corrective actions to restore the malfunctioning engine or monitoring equipment to its normal or usual manner of operation.

EU-2b Emission Limitations and Work Practice Requirements

4.5 NSPS Subpart JJJJ Emission Standards. The Permittee must comply with the phase 1 emission standards in 40 CFR 1054, appendix I, applicable to class II engines, and other requirements for new nonroad spark ignition engines in 40 CFR part 1054.
[40 CFR 60.4231(c) and 60.4233(c)]

4.6 NSPS Subpart JJJJ Emission Standards Compliance. The Permittee must demonstrate compliance with Condition 4.5 as follows:

4.6.1 Operate and maintain the certified engine over the entire life of the engine according to the manufacturer's emission-related written instructions. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance;

4.6.2 Keep records of conducted maintenance;

4.6.3 Meet the requirements as specified in 40 CFR 1068, subparts A through D, as they apply to the Permittee; and

4.6.4 If the Permittee does not operate and maintain the certified stationary spark ignition internal combustion engine and control device according to the manufacturer's emission-related written instructions, the Permittee's engine will be considered a non-certified engine, and the Permittee must demonstrate compliance as follows:

4.6.4.1 Keep a maintenance plan and records of conducted maintenance;

4.6.4.2 To the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required; and

4.6.4.3 Keep documentation that the engine meets the emission standards.

[40 CFR 60.4234, 60.4243(a) and 60.4245(a)(4)]

4.7 NSPS Subpart JJJJ Emergency Engine Designation. The Permittee must operate the engine in accordance with the requirements in Conditions 4.7.1, 4.7.2 and 4.7.3. In order for the engine to be considered an emergency stationary engine under 40 CFR 60, Subpart JJJJ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year as described in Conditions 4.7.1, 4.7.2 and 4.7.3 is prohibited.[1] [40 CFR 60.4243(d)]

4.7.1 There is no time limit on the use of the engine in emergency situations.
[40 CFR 60.4243(d)(1)]

4.7.2 The Permittee may operate its engine for maintenance checks and readiness testing for a maximum of 100 hours per calendar year, provided that the tests are recommended by

[1] If the Permittee does not operate the engine according to the requirements in Conditions 4.7.1, 4.7.2 and 4.7.3, the engine will not be considered an emergency engine under 40 CFR 60, Subpart JJJJ, and the engine must meet all requirements for non-emergency engines. [40 CFR 60.4243(d)]

federal, state or local government, the manufacturer, the vendor, or the insurance company associated with the engine. The Permittee 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 Permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [40 CFR 60.4243(d)(2)]

4.7.3 The Permittee may operate its engine for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity unless all the following conditions are met:

4.7.3.1 The engine is dispatched by the local balancing authority or local transmissions and distribution system operator;

4.7.3.2 The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region;

4.7.3.3 The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines;

4.7.3.4 The power is provided only to the facility itself or to support the local transmission and distribution system; and

4.7.3.5 The Permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the Permittee.

[40 CFR 60.4243(d)(3)]

4.8 NSPS Circumvention. The Permittee shall not build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable NSPS standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere. [40 CFR 60.12]

EU-2b Monitoring and Recordkeeping Requirements

4.9 NSPS Subpart JJJJ Engine Operation. The Permittee must install a non-resettable hour meter and keep records of the hours of operation of the engine that is recorded through it. 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. [40 CFR 60.4237(c) and 60.4245(b)]

4.10 NSPS Subpart JJJJ Engine Certification and Maintenance. The Permittee must keep records of the following information:

4.10.1 All notifications submitted to comply with this subpart and all documentation supporting any notification. [40 CFR 60.4245(a)(1)]

4.10.2 Maintenance conducted on the engine; and [40 CFR 60.4245(a)(2)]

4.10.3 Documentation from the manufacturer that the engine is certified to meet the emissions standards and information as required in 40 CFR parts 1048, 1054, and 1060, as applicable. [40 CFR 60.4245(a)(3)]

EU-2b Reporting Requirements

4.11 NSPS Notification and Reporting Time Periods. For the purposes of the applicable NSPS, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement. [40 CFR 60.19(a)]

4.12 NSPS Notification and Reporting Postmarks. For the purposes of the applicable NSPS, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the Permittee shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable. [40 CFR 60.19(b)]

4.13 NSPS Notification of Reconstruction of the Facility. The Permittee shall notify the Administrator if the Permittee proposes to replace components of the affected facility, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the information in 40 CFR 60.15(d)(1) through (7). [40 CFR 60.15(d)]

5 Emission Unit #4 (EU-4) – Combustion of Fogging Exhaust

EU-4 Emission Limitations and Work Practice Requirements

5.1 FARR Particulate Matter Limit. Particulate matter emissions from the afterburner stack shall not exceed an average of 0.23 grams per dry standard cubic meter (0.1 grains per dry standard cubic foot) during any 3-hour period. [40 CFR 49.125(d)(3) and (e); 49.11106(c)]

5.1.1 Compliance with the PM limit is determined using EPA Reference Method 5 (see 40 CFR part 60, Appendix A)

5.2 FARR Sulfur Dioxide Emission Limit. Sulfur dioxide emissions from the afterburner stack shall not exceed an average of 500 parts per million by volume, on a dry basis and corrected to 7 percent oxygen, during any 3-hour period. [40 CFR 49.129(d)(1) and (e)(1); 49.11106(e)]

5.2.1 Compliance with the SO2 limit is determined using EPA Reference Methods 6, 6A, 6B, and 6C as specified in the applicability section of each method (see 40 CFR part 60, Appendix A).

EU-4 Monitoring and Recordkeeping Requirements [40 CFR 71.6(a)(3)(i)(B)]

5.3 The Permittee shall maintain the following records:

5.3.1 Records of runtime operation, recorded contemporaneously;

5.3.2 Records of the occurrence and duration of each instance that a fuel other than propane is combusted;

5.3.3 Records of the occurrence and duration of each malfunction of the afterburner and monitoring equipment; and

5.3.4 Records of actions taken during periods of malfunction to minimize emissions including corrective actions to restore the malfunctioning afterburner or monitoring equipment to its normal or usual manner of operation.