

West Virginia Department of Environmental Protection

Harold D. Ward

Cabinet Secretary

# Permit to Operate



Pursuant to

**Title V**

of the Clean Air Act

*Issued to:*

**Columbia Gas Transmission, LLC**

**Lanham Compressor Station**

**R30-03900047-2021**

*Laura M. Crowder*

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*Laura M. Crowder*

*Director, Division of Air Quality*

*Issued: August 25, 2021 • Effective: September 8, 2021*  
*Expiration: August 25, 2026 • Renewal Application Due: February 25, 2026*

Permit Number: **R30-03900047-2021**  
Permittee: **Columbia Gas Transmission, LLC**  
Facility Name: **Lanham Compressor Station**  
Permittee Mailing Address: **1700 MacCorkle Avenue, SE**  
**Charleston, WV 25314**

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*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

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|                           |   |
|---------------------------|---|
| Facility Location:        | Rocky Fork, Kanawha County, West Virginia       |
| Facility Mailing Address: | 221 Kelly's Creek Road, Charleston, WV 25312    |
| Telephone Number:         | (304) 984-4611                                  |
| Type of Business Entity:  | LLC   |
| Facility Description:     | Natural Gas Transmission Facility               |
| SIC Codes:                | 4922  |
| UTM Coordinates:          | 438.0 km Easting • 4258.8 km Northing • Zone 17 |

Permit Writer: Robert Mullins

*Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [ §§ 22B-1-1 et seq. ], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.*

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*Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.*

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## 1.0 Emission Units and Active R13, R14, and R19 Permits

### 1.1 Emission Units

| Emission Unit ID   | Emission Point ID | Emission Unit Description  | Year Installed | Design Capacity | Control Device |
|--------------------|-------------------|--|----------------|-----------------|----------------|
| BLR3*<br>(001-03)  | BL3               | Heating System Boiler; Burnham Model # BCCR-G-25                                       | 2012           | 3.897 MMBtu/hr  | N/A            |
| 02301*<br>(002-01) | E01               | Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMV-8STF; 2-cycle, lean burn | 1951           | 1,100 HP        | N/A            |
| 02302*<br>(002-02) | E02               | Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMV-8STF; 2-cycle, lean burn | 1951           | 1,100 HP        | N/A            |
| 02303*<br>(002-03) | E03               | Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMV-8STF; 2-cycle, lean burn | 1951           | 1,100 HP        | N/A            |
| 02304*<br>(002-04) | E04               | Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMVA-8; 2-cycle, lean burn   | 1954           | 1,100 HP        | N/A            |
| 02305*<br>(002-05) | E05               | Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMVA-8; 2-cycle, lean burn   | 1954           | 1,100 HP        | N/A            |
| 02306*<br>(002-06) | E06               | Reciprocating Engine/Integral Compressor; Cooper-Bessemer GMVA-8; 2-cycle, lean burn   | 1954           | 1,100 HP        | N/A            |
| 02307*<br>(002-07) | E07               | Reciprocating Engine/Integral Compressor; Cooper-Bessemer 8V-250; 2-cycle, lean burn   | 1965           | 2,700 HP        | N/A            |
| 02308*<br>(002-08) | E08               | Reciprocating Engine/Integral Compressor; Cooper-Bessemer 8V-250; 2-cycle, lean burn   | 1968           | 2,700 HP        | N/A            |
| 023A1*<br>(002-10) | AC1               | Reciprocating Engine/Air Compressor; Wisconsin W4-1770; 4-cycle, rich burn             | 1983           | 35 HP           | N/A            |
| HTR2*              | H2                | Natural Gas Line Heater  | 2018           | 0.54 MMBtu/hr   | N/A            |
| 023G1*<br>(002-11) | G1                | Reciprocating Engine/Generator; Ingersoll-Rand PVG-6; 4-cycle, rich burn               | 1951           | 275 HP          | N/A            |
| 023G2*<br>(002-12) | G2                | Reciprocating Engine/Generator; Ingersoll-Rand PVG-6; 4-cycle, rich burn               | 1951           | 306 HP          | N/A            |

\* All equipment is fueled exclusively with pipeline quality natural gas.

## 1.2. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

| Permit Number | Date of Issuance |
|---------------|------------------|
| R13-3397      | April 17, 2018   |

## 2.0 General Conditions

### 2.1 Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

### 2.2 Acronyms

|                                       |   |                        |   |
|---------------------------------------|---|------------------------|---|
| <b>CAAA</b>                           | Clean Air Act Amendments                                  | <b>NSPS</b>            | New Source Performance Standards              |
| <b>CBI</b>                            | Confidential Business Information                         | <b>PM</b>              | Particulate Matter                            |
| <b>CEM</b>                            | Continuous Emission Monitor                               | <b>PM<sub>10</sub></b> | Particulate Matter less than 10µm in diameter |
| <b>CES</b>                            | Certified Emission Statement                              | <b>pph</b>             | Pounds per Hour                               |
| <b>C.F.R. or CFR</b>                  | Code of Federal Regulations                               | <b>ppm</b>             | Parts per Million                             |
| <b>CO</b>                             | Carbon Monoxide   | <b>PSD</b>             | Prevention of Significant Deterioration       |
| <b>C.S.R. or CSR</b>                  | Codes of State Rules                                      | <b>psi</b>             | Pounds per Square Inch                        |
| <b>DAQ</b>                            | Division of Air Quality                                   | <b>SIC</b>             | Standard Industrial Classification            |
| <b>DEP</b>                            | Department of Environmental Protection                    | <b>SIP</b>             | State Implementation Plan                     |
| <b>FOIA</b>                           | Freedom of Information Act                                | <b>SO<sub>2</sub></b>  | Sulfur Dioxide                                |
| <b>HAP</b>                            | Hazardous Air Pollutant                                   | <b>TAP</b>             | Toxic Air Pollutant                           |
| <b>HON</b>                            | Hazardous Organic NESHAP                                  | <b>TPY</b>             | Tons per Year                                 |
| <b>HP</b>                             | Horsepower  | <b>TRS</b>             | Total Reduced Sulfur                          |
| <b>lbs/hr or lb/hr</b>                | Pounds per Hour   | <b>TSP</b>             | Total Suspended Particulate                   |
| <b>LDAR</b>                           | Leak Detection and Repair                                 | <b>USEPA</b>           | United States Environmental Protection Agency |
| <b>m</b>                              | Thousand  | <b>UTM</b>             | Universal Transverse Mercator                 |
| <b>MACT</b>                           | Maximum Achievable Control Technology                     | <b>VEE</b>             | Visual Emissions Evaluation                   |
| <b>mm</b>                             | Million   | <b>VOC</b>             | Volatile Organic Compounds                    |
| <b>mmBtu/hr</b>                       | Million British Thermal Units per Hour                    |                        |   |
| <b>mmft<sup>3</sup>/hr or mmcf/hr</b> | Million Cubic Feet Burned per Hour                        |                        |   |
| <b>NA or N/A</b>                      | Not Applicable  |                        |   |
| <b>NAAQS</b>                          | National Ambient Air Quality Standards                    |                        |   |
| <b>NESHAPS</b>                        | National Emissions Standards for Hazardous Air Pollutants |                        |   |
| <b>NO<sub>x</sub></b>                 | Nitrogen Oxides   |                        |   |

### **2.3. Permit Expiration and Renewal**

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.  
**[45CSR§30-5.1.b.]**
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.  
**[45CSR§30-4.1.a.3.]**
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.  
**[45CSR§30-6.3.b.]**
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.  
**[45CSR§30-6.3.c.]**

### **2.4. Permit Actions**

- 2.4.1. 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.  
**[45CSR§30-5.1.f.3.]**

### **2.5. Reopening for Cause**

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
- a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
  - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
  - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

**[45CSR§30-6.6.a.]**

## **2.6. Administrative Permit Amendments**

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.  
**[45CSR§30-6.4.]**

## **2.7. Minor Permit Modifications**

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.  
**[45CSR§30-6.5.a.]**

## **2.8. Significant Permit Modification**

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.  
**[45CSR§30-6.5.b.]**

## **2.9. Emissions Trading**

- 2.9.1. 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 the permit and that are in accordance with all applicable requirements.  
**[45CSR§30-5.1.h.]**

## **2.10. Off-Permit Changes**

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
  - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
  - c. The change shall not qualify for the permit shield.
  - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
  - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.



- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

**[45CSR§30-5.9.]**

## **2.11. Operational Flexibility**

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

**[45CSR§30-5.8]**

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

**[45CSR§30-5.8.a.]**

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

**[45CSR§30-5.8.c.]**

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

**[45CSR§30-2.39]**

## **2.12. Reasonably Anticipated Operating Scenarios**

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.
- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
  - b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
  - c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

**[45CSR§30-5.1.i.]**

## **2.13. Duty to Comply**

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**[45CSR§30-5.1.f.1.]**

## **2.14. Inspection and Entry**

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
  - d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

**[45CSR§30-5.3.b.]**

## **2.15. Schedule of Compliance**

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
  - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

**[45CSR§30-5.3.d.]**

## **2.16. Need to Halt or Reduce Activity not a Defense**

- 2.16.1. 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. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

**[45CSR§30-5.1.f.2.]**

## **2.17. Emergency**

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

**[45CSR§30-5.7.a.]**

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

**[45CSR§30-5.7.b.]**

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

- 2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

[45CSR§30-5.7.d.]

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

[45CSR§30-5.7.e.]

## **2.18. Federally-Enforceable Requirements**

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

[45CSR§30-5.2.a.]

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

## **2.19. Duty to Provide Information**

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

[45CSR§30-5.1.f.5.]

## **2.20. Duty to Supplement and Correct Information**

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

[45CSR§30-4.2.]

## **2.21. Permit Shield**

2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

2.21.2. Nothing in this permit shall alter or affect the following:

- a. 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; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

## **2.22. Credible Evidence**

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

[45CSR§30-5.3.e.3.B. and 45CSR38]

## **2.23. Severability**

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

[45CSR§30-5.1.e.]

## **2.24. Property Rights**

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

[45CSR§30-5.1.f.4]

## **2.25. Acid Deposition Control**

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.

- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

**[45CSR§30-5.1.d.]**

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

**[45CSR§30-5.1.a.2.]**

### 3.0 Facility-Wide Requirements

#### 3.1 Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1.  
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.  
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.  
[40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.  
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.  
[45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.  
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

**[40 C.F.R. 82, Subpart F]**

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

**[40 C.F.R. 68]**

- 3.1.9. No person shall cause, suffer, allow or permit fugitive particulate matter to be discharged beyond the boundary lines of the property on which the discharge originates or at any public or residential location, which causes or contributes to statutory air pollution.

**[45CSR§17-3.1; State Enforceable Only]**

### **3.2. Monitoring Requirements**

- 3.2.1. Reserved.

### **3.3. Testing Requirements**

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the



Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
  1. The permit or rule evaluated, with the citation number and language.
  2. The result of the test for each permit or rule condition.
  3. A statement of compliance or non-compliance with each permit or rule condition.

[WV Code §§ 22-5-4(a)(14-15) and 45CSR13]

### **3.4. Recordkeeping Requirements**

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
  - a. The date, place as defined in this permit and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of the analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A.; 45CSR13, R13-3397, Condition 4.4.1.]

- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. 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. Where appropriate, records may be maintained in computerized form in lieu of the above records.

[45CSR§30-5.1.c.2.B.]

- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§30-5.1.c. State-Enforceable only.]

### 3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.  
[45CSR§§30-4.4. and 5.1.c.3.D.]
- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.  
[45CSR§30-5.1.c.3.E.]
- 3.5.3. Except for the electronic submittal of the annual compliance certification and semi-annual monitoring reports to the DAQ and USEPA as required in 3.5.5 and 3.5.6 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class or by private carrier with postage prepaid to the address(es), or submitted in electronic format by e-mail as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

#### DAQ:

Director  
WVDEP  
Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

#### US EPA:

Section Chief  
U. S. Environmental Protection Agency, Region III  
Enforcement and Compliance Assurance Division  
Air Section (3ED21)  
1650 Arch Street  
Philadelphia, PA 19103-2029

#### DAQ Compliance and Enforcement<sup>1</sup>:

DEPAirQualityReports@wv.gov

<sup>1</sup>For all self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, Notice of Compliance Status reports, Initial Notifications, etc.

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.  
[45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification. The annual certification shall be submitted in electronic format by e-mail to the following addresses:

**DAQ:**  
DEPAirQualityReports@wv.gov

**US EPA:**  
R3\_APD\_Permits@epa.gov

**[45CSR§30-5.3.e.]**

- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4. The semi-annual monitoring reports shall be submitted in electronic format by e-mail to the following address:

**DAQ:**  
DEPAirQualityReports@wv.gov

**[45CSR§30-5.1.c.3.A.]**

- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

3.5.8. **Deviations.**

- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
  2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
  3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
  4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

**[45CSR§30-5.1.c.3.C.]**

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

**[45CSR§30-5.1.c.3.B.]**

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.  
**[45CSR§30-4.3.h.1.B.]**

### 3.6. Compliance Plan

- 3.6.1. None.

### 3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

|                                 |   |
|---------------------------------|---|
| 45CSR4                          | <i>To Prevent and Control the Discharge of Air Pollutants into the Open Air Which Cause or Contributes to an Objectionable Odor or Odors:</i> This State Rule shall not apply to the following source of objectionable odor until such time as feasible control methods are developed: <u>Internal combustion engines.</u>  |
| 45CSR21                         | <i>To Prevent and Control Air Pollution from the Emission of Volatile Organic Compounds:</i> All storage tanks at the Lanham station, which are listed as insignificant sources, are below 40,000 gallons in capacity, which exempts the facility from 45CSR§21-28. Lanham station is not engaged in the extraction or fractionation of natural gas, which exempts the facility from 45CSR§21-29. |
| 45CSR27                         | <i>To Prevent and Control the Emissions of Toxic Air Pollutants:</i> Natural gas is included as a petroleum product and contains less than 5% benzene by weight. 45CSR§27-2.4 exempts equipment “used in the production and distribution of petroleum products providing that such equipment does not produce or contact materials containing more than 5% benzene by weight.”                    |
| 40 C.F.R. Part 60 Subpart III   | <i>Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.</i> There are no compression ignition engines at this facility.  |
| 40 C.F.R. Part 60 Subpart JJJ   | <i>Standards of Performance for Stationary Spark Ignition (SI) Internal Combustion Engines.</i> All SI engines located at this site were installed before June 12, 2006. Thus, these engines are not subject to 40 C.F.R. Part 60 Subpart JJJ. [40CFR§60.4230(a)(4)]  |
| 40 C.F.R. Part 60 Subpart KKKK  | <i>Standards of Performance for Stationary Combustion Turbines.</i> There are no turbines at this facility.   |
| 40 C.F.R. Part 60 Subpart OOOO  | <i>Standards of Performance for Crude Oil and Natural Gas Production, Transmission, and Distribution.</i> The Storage Vessel requirements defined for transmission sources are not applicable to this site because all vessels were constructed, modified, or reconstructed prior to August 23, 2011. [40CFR§60.5365]   |
| 40 C.F.R. Part 60 Subpart OOOOa | <i>Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced after September 18, 2015.</i> There are no affected sources that have been constructed since the promulgation of this rule at Lanham Compressor Station. Therefore, the facility is exempt from the requirements of the rule. [40CFR§60.5365a]             |

|                                  |  |
|----------------------------------|--|
| 40 C.F.R. Part 60 Subpart Dc     | <i>Standards of Performance for Steam Generating Units.</i> The heating system boiler and line heater at this facility are both less than 10 MMBtu/hr design heat capacity, which makes them below the applicability criteria stated in [40CFR§60.40c(a)].   |
| 40 C.F.R. Part 60 Subpart K & Ka | <i>Standards of Performance for Petroleum Liquid Storage Vessels.</i> All tanks at the Lanham station are below the applicability criteria of 40,000 gallons in capacity as stated in [40CFR§§60.110(a) and 60.110a(a)]  |
| 40 C.F.R. Part 60 Subpart Kb     | <i>Standards of Performance for Volatile Organic Storage Vessels.</i> All tanks at the Lanham station are below the applicability criteria of 19,813 gallons in capacity as stated in [40CFR§60.110b(a)]   |
| 40 C.F.R. Part 60 Subpart KKK    | <i>Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plant(s).</i> The Lanham station is not engaged in the extraction or fractionation of natural gas liquids from field gas, the fractionation of mixed natural gas liquids to natural gas products, or both. As a result, the Lanham Station has no affected sources operating within this source category. |
| 40 C.F.R. Part 63 Subpart HHH    | <i>National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities.</i> The Lanham Transmission Station is not subject to Subpart HHH since there are no affected dehydration units being utilized.  |
| 40 C.F.R. Part 63 Subpart YYYY   | <i>National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.</i> There are no turbines at this facility.  |
| 40 C.F.R. Part 64 CAM            | The compliance assurance monitoring provisions of Part 64 are not applicable due to there being no add-on controls at this facility. [40CFR§64.2(a)(2)]  |

## **4.0 Heating System Boiler and Line Heater [emission point ID(s): BL3 and H2]**

### **4.1. Limitations and Standards**

- 4.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average. Compliance with this requirement for H2 is satisfied by complying with the fuel type restriction in Condition 4.1.4.  
**[45CSR§2-3.1.;45CSR13, R13-3397, Condition 4.1.1.d.]**
- 4.1.2. Compliance with the visible emission requirements of 45CSR§2-3.1 (Section 4.1.1 of this permit) shall be determined in accordance with 40 C.F.R. Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Director. The Director may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of 45CSR§2-3.1 (Section 4.1.1 of this permit). Continuous opacity monitors shall not be required on fuel burning units which employ wet scrubbing systems for emission control.  
**[45CSR§2-3.2.]**
- 4.1.3. The heater (H2) shall be designed and constructed with a maximum design heat input of 0.54 MMBtu/hr. This specific design limitation exempts the heater from Sections 4, 5, 6, 8, and 9 of 45 CSR 2; and Sections 3, 6, 7, and 8 of 45 CSR 10.  
**[45CSR§2-11.1., and 45CSR§10-10.1.; 45CSR13, R13-3397, Condition 4.1.1.b.]**
- 4.1.4. The heater (H2) shall only be fueled with “pipeline quality natural gas” as defined in 45 CSR §10A-2.7, which is “gas 1 fuel” under Subpart DDDDD of Part 63.  
**[45CSR13, R13-3397, Condition 4.1.1.c.]**

### **4.2. Monitoring Requirements**

- 4.2.1. At such reasonable times as the Secretary may designate, the permittee shall conduct visible emissions observations using Method 22 for the purpose of demonstrating compliance with Section 4.1.1. If visible emissions are observed, the permittee shall conduct a Method 9 reading unless the cause for visible emissions is corrected within 24 hours. Records of observation will be kept for at least 5 years from the date of observation.  
**[45CSR§30-5.1.c.]**

### **4.3. Testing Requirements**

- 4.3.1. None.

### **4.4. Recordkeeping Requirements**

- 4.4.1. None.

### **4.5. Reporting Requirements**

- 4.5.1. None.

#### **4.6. Compliance Plan**

4.6.1. None.

**5.0 40 C.F.R. 63, Subpart ZZZZ MACT Requirements for Reciprocating Internal Combustion Engine(s) RICE [emission point ID(s): G1, G2, and AC1]**

**5.1. Limitations and Standards**

5.1.1. The permittee must comply with the following emission limitations and other requirements:

| For each . . .   | The permittee must meet the following requirements, except during periods of startup . . .                             | During periods of startup the permittee must . . .   |
|--|--|--|
| Emergency stationary SI RICE and black start stationary SI RICE <sup>1</sup> | Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>2</sup>                    | Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. |
|  | Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.       |  |
|  | Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. |  |

<sup>1</sup>If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in this condition, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable

<sup>2</sup>Sources have the option to utilize an oil analysis program as described in 40CFR§§63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2c of 40CFR63, Subpart ZZZZ.

**[45CSR34; 40 C.F.R. § 63.6602, and Table 2c, Item 6]**

5.1.2. The permittee must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop their own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

**[45CSR34; 40 C.F.R. § 63.6625(e)]**

5.1.3. The permittee must install a non-resettable hour meter if one is not already installed.

**[45CSR34; 40 C.F.R. § 63.6625(f)]**

5.1.4. The permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup apply.

**[45CSR34; 40 C.F.R. § 63.6625(h)]**

5.1.5. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to 40CFR63, Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to 40CFR63, Subpart ZZZZ. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more



than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The permittee must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

**[45CSR34; 40 C.F.R. § 63.6625(j)]**

5.1.6. The permittee shall comply with the following general requirements:

- a. The permittee must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to the permittee at all times.
- b. At all times the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

**[45CSR34; 40 C.F.R. § 63.6605]**

5.1.7. The permittee shall demonstrate continuous compliance as follows:

- a. The permittee must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Table 2c to 40 C.F.R. 63, Subpart ZZZZ that apply to the permittee according to methods specified in Table 6 to 40 C.F.R. 63, Subpart ZZZZ.

Table 6 states that for work or management practices the permittee shall operate and maintain the stationary RICE according to the manufacturer's emission related operation and maintenance instructions; or develop and follow their own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

- b. The permittee must report each instance in which they did not meet each emission limitation or operating limitation in Table 2c to 40 C.F.R. 63, Subpart ZZZZ that apply. These instances are deviations from the emission and operating limitations. These deviations must be reported according to the requirements in 40 C.F.R. §63.6650.
- c. The permittee must also report each instance in which the applicable requirements in Table 8 to 40 C.F.R. 63, Subpart ZZZZ were not met.

**[45CSR34; 40 C.F.R. §§ 63.6640(a), (b), and (e) and Table 6, Item 9]**

5.1.8. If the permittee owns or operates an emergency stationary RICE, the permittee must operate the emergency stationary RICE according to the following requirements. In order for the engine to be considered an emergency stationary RICE, any operation other than emergency operation, maintenance and testing,

emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in the following paragraphs is prohibited. If the permittee does not operate the engine according to the following requirements, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

- a. There is no time limit on the use of emergency stationary RICE in emergency situations.
- b. The permittee may operate the emergency stationary RICE for any combination of the purposes specified in paragraph (b) of this condition for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (c) of this condition counts as part of the 100 hours per calendar year allowed by this paragraph (b).
  1. Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.
- c. Emergency stationary RICE located at major sources of HAP may be operated 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 and emergency demand response provided in paragraph (b) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[45CSR34; 40 C.F.R. § 63.6640(f)]

- 5.1.9. The permittee shall meet the applicable general provisions specified in Table 8 of 40 C.F.R 63, Subpart ZZZZ with the exception of 40 C.F.R. §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), and 63.9(b)-(e), (g) and (h), which do not apply per 40 C.F.R. § 63.6645(a)(5).

[45CSR34; 40 C.F.R. §§ 63.6645(a)(5) and 63.6665]

## 5.2. Monitoring Requirements

- 5.2.1. None.

## 5.3. Testing Requirements

- 5.3.1. None.

## 5.4. Recordkeeping Requirements

- 5.4.1. If the permittee must comply with the emission and operating limitations, the permittee must keep the following records:

- a. A copy of each notification and report submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status submitted, according to the requirement in 40 CFR §63.10(b)(2)(xiv).
- b. Records of the occurrence and duration of each malfunction of operation ( i.e., process equipment) or the air pollution control and monitoring equipment.
- c. Records of performance tests and performance evaluations as required in 40 CFR §63.10(b)(2)(viii).
- d. Records of all required maintenance performed on the air pollution control and monitoring equipment.
- e. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

**[45CSR34; 40 CFR §63.6655(a)]**

- 5.4.2. The permittee shall keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applied.

**[45CSR34; 40 CFR §63.6655(d)]**

- 5.4.3. The permittee must keep records of the maintenance conducted on each stationary RICE in order to demonstrate that the permittee operated and maintained each stationary RICE and after-treatment control device (if any) according to the permittee's own maintenance plan.

**[45CSR34; 40 CFR §63.6655(e)(2)]**

- 5.4.4. The permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in 40CFR§63.6640(f)(2)(ii) or (iii) or 40CFR§63.6640(f)(4)(ii), the permittee must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

**[45CSR34; 40 CFR §63.6655(f)(1)]**

## **5.5. Reporting Requirements**

- 5.5.1. None.

## **5.6. Compliance Plan**

- 5.6.1. None.

**6.0 40 C.F.R. 63, Subpart DDDDD MACT Requirements for Heating System Boiler and Line Heater [emission point ID(s): BL3 and H2]**

**6.1. Limitations and Standards**

6.1.1. The boiler and process heater covered by this permit must meet the following requirements, except as provided in 40CFR§§63.7500(b) through (e). The permittee must meet these requirements at all times the affected unit is operating, except as provided in 40CFR§63.7500(f).

- a. The permittee must meet the work practice standards in Table 3 of 40CFR63, Subpart DDDDD, Item 1, except as provided under 40CFR§63.7522.

| If the unit is . . .   | The permittee must meet the following . . .   |
|--|---|
| 1. A new or existing boiler or process heater with a continuous oxygen trim system that maintains an optimum air to fuel ratio, or a heat input capacity of less than or equal to 5 million Btu per hour in any of the following subcategories: unit designed to burn gas 1; unit designed to burn gas 2 (other); or unit designed to burn light liquid, or a limited use boiler or process heater | Conduct a tune-up of the boiler or process heater every 5 years as specified in §63.7540. |

- b. At all times, the permittee must operate and maintain any affected source (as defined in 40CFR§63.7490), including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

**[45CSR34; 40 CFR§§63.7500(a)(1) and (3); 40 C.F.R. 63, Subpart DDDDD Table 3 (Item 1); 45CSR13, R13-3397, Condition 4.1.1.a for H2]**

6.1.2. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity of less than or equal to 5 million Btu per hour must complete a tune-up every 5 years as specified in 40CFR§63.7540.

**[45CSR34; 40 CFR§63.7500(e)]**

6.1.3. For new or reconstructed affected sources (as defined in 40CFR§63.7490), the permittee must demonstrate initial compliance with the applicable work practice standards in Table 3 to 40CFR63, Subpart DDDDD within the applicable annual, biennial, or 5-year schedule as specified in 40CFR§63.7515(d) following the initial compliance date specified in 40CFR§63.7495(a). Thereafter, the permittee is required to complete the applicable annual, biennial, or 5-year tune-up as specified in 40CFR§63.7515(d).

**[45CSR34; 40 CFR§63.7510(g); 45CSR13, R13-3397, Condition 4.1.1.a for H2]**

- 6.1.4. If the permittee's boiler or process heater has a heat input capacity of 10 million Btu per hour or greater, the permittee must conduct an annual tune-up of the boiler or process heater to demonstrate continuous compliance as specified in the following paragraphs. The permittee must conduct the tune-up while burning the type of fuel (or fuels in case of units that routinely burn a mixture) that provided the majority of the heat input to the boiler or process heater over the 12 months prior to the tune-up. This frequency does not apply to limited-use boilers and process heaters, as defined in 40 C.F.R. §63.7575, or units with continuous oxygen trim systems that maintain an optimum air to fuel ratio.
- a. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may perform the burner inspection any time prior to the tune-up or delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;
  - b. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;
  - c. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection;
  - d. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NOX requirement to which the unit is subject;
  - e. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and
  - f. Maintain on-site and submit, if requested by the Administrator, a report containing the following information:
    1. The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;
    2. A description of any corrective actions taken as a part of the tune-up; and
    3. The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

**[45CSR34; 40 CFR§63.7540(a)(10); 45CSR13, R13-3397, Conditions 4.1.1.a. and 4.4.4. for H2]**

- 6.1.5. If the permittee's boiler or process heater has a continuous oxygen trim system that maintains an optimum air to fuel ratio, or a heat input capacity of less than or equal to 5 million Btu per hour and the unit is in the units designed to burn gas 1; units designed to burn gas 2 (other); or units designed to burn light liquid

subcategories, or meets the definition of limited-use boiler or process heater in 40CFR§63.7575, the permittee must conduct a tune-up of the boiler or process heater every 5 years as specified in condition 6.1.4 to demonstrate continuous compliance. The permittee may delay the burner inspection specified in condition 6.1.4.a until the next scheduled or unscheduled unit shutdown, but the permittee must inspect each burner at least once every 72 months. If an oxygen trim system is utilized on a unit without emission standards to reduce the tune-up frequency to once every 5 years, set the oxygen level no lower than the oxygen concentration measured during the most recent tune-up.

**[45CSR34; 40 CFR§63.7540(a)(12); 45CSR13, R13-3397, Condition 4.1.1.a for H2]**

## **6.2. Monitoring Requirements**

6.2.1. None.

## **6.3. Testing Requirements**

6.3.1. If the permittee is required to meet an applicable tune-up work practice standard, you must conduct an annual, biennial, or 5-year performance tune-up according to 40CFR§§63.7540(a)(10), (11), or (12), respectively. Each annual tune-up specified in 40CFR§63.7540(a)(10) must be no more than 13 months after the previous tune-up. Each biennial tune-up specified in 40CFR§63.7540(a)(11) must be conducted no more than 25 months after the previous tune-up. Each 5-year tune-up specified in 40CFR§63.7540(a)(12) must be conducted no more than 61 months after the previous tune-up. For a new or reconstructed affected source (as defined in 40CFR§63.7490), the first annual, biennial, or 5-year tune-up must be no later than 13 months, 25 months, or 61 months, respectively, after April 1, 2013 or the initial startup of the new or reconstructed affected source, whichever is later.

**[45CSR34; 40 CFR§63.7515(d); 45CSR13, R13-3397, Condition 4.1.1.a for H2]**

## **6.4. Recordkeeping Requirements**

6.4.1. The permittee must keep a copy of each notification and report that you submitted to comply with 40 C.F.R. 63, Subpart DDDDD, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in 40CFR§63.10(b)(2)(xiv).

**[45CSR34; 40 CFR§63.7555(a)(1)]**

6.4.2. The permittee shall maintain records as follows:

- a. Records must be in a form suitable and readily available for expeditious review, according to 40CFR§63.10(b)(1).
- b. As specified in 40CFR§63.10(b)(1), the permittee must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- c. The permittee must keep each record on site, or they must be accessible from on site (for example, through a computer network), for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40CFR§63.10(b)(1). The permittee may keep the records off site for the remaining 3 years.

**[45CSR34; 40 CFR§63.7560]**

## 6.5. Reporting Requirements

- 6.5.1. The permittee must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in 40CFR§63.7545(e).  
**[45CSR34; 40 CFR§63.7530(f); 45CSR13, R13-3397, Condition 4.5.1. for H2]**
- 6.5.2. If the permittee is required to conduct an initial compliance demonstration as specified in 40CFR§63.7530, the permittee must submit a Notification of Compliance Status according to 40CFR§63.9(h)(2)(ii). For the initial compliance demonstration for each boiler or process heater, the permittee must submit the Notification of Compliance Status, including all performance test results and fuel analyses, before the close of business on the 60th day following the completion of all performance test and/or other initial compliance demonstrations for all boiler or process heaters at the facility according to 40CFR§63.10(d)(2). The Notification of Compliance Status report must contain all the information specified in 40CFR§§63.7545(e)(1) through (8), as applicable. If the permittee is not required to conduct an initial compliance demonstration as specified in 40CFR§63.7530(a), the Notification of Compliance Status must only contain the information specified in paragraphs (a) and (b) of this condition and must be submitted within 60 days of the compliance date specified at 40CFR§63.7495(b).
- a. A description of the affected unit(s) including identification of which subcategories the unit is in, the design heat input capacity of the unit, a description of the add-on controls used on the unit to comply with this subpart, description of the fuel(s) burned, including whether the fuel(s) were a secondary material determined by you or the EPA through a petition process to be a non-waste under 40CFR§241.3, whether the fuel(s) were a secondary material processed from discarded non-hazardous secondary materials within the meaning of 40CFR§241.3, and justification for the selection of fuel(s) burned during the compliance demonstration.
- b. In addition to the information required in 40CFR§63.9(h)(2), your notification of compliance status must include the following certification(s) of compliance, as applicable, and signed by a responsible official:
1. “This facility completed the required initial tune-up for all of the boilers and process heaters covered by 40 CFR part 63 subpart DDDDD at this site according to the procedures in 40CFR§§63.7540(a)(10)(i) through (vi).”  
**[45CSR34; 40 CFR§§63.7545(e)(1) & (8); 45CSR13, R13-3397, Condition 4.5.1. for H2]**
- 6.5.3. Unless the EPA Administrator has approved a different schedule for submission of reports under 40CFR§63.10(a), the permittee must submit each report, according to paragraph 40 CFR§63.7550(h), by the date in Table 9 to 40CFR63, Subpart DDDDD and according to the requirements in paragraphs 40 CFR§§63.7550(b)(1) through (4). For units that are subject only to a requirement to conduct subsequent annual, biennial, or 5-year tune-up according to 40CFR§§63.7550(a)(10), (11), or (12), respectively, and not subject to emission limits or Table 4 operating limits, the permittee may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in 40CFR§§63.7550(b)(1) through (4), instead of a semi-annual compliance report.

For each affected source that is subject to permitting regulations pursuant to part 70 or part 71 of this chapter, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40CFR§§70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), the permittee may submit the first and subsequent compliance reports according to the dates the permitting authority has established in the permit instead of according to the dates in paragraphs 40 CFR§§63.7550(b)(1) through (4).

**[45CSR34; 40 CFR§§63.7550(b) and (b)(5); 45CSR13, R13-3397, Condition 4.5.2. for H2]**

- 6.5.4. A compliance report must contain the following information depending on how the facility chooses to comply with the limits set in 40 C.F.R. 63, Subpart DDDDD:
- a. If the permittee is subject to the requirements of a tune up you must submit a compliance report with the following information :
    1. Company and Facility name and address.
    2. Process unit information, emissions limitations, and operating parameter limitations.
    3. Date of report and beginning and ending dates of the reporting period.
    4. Include the date of the most recent tune-up for each unit subject to only the requirement to conduct an annual, biennial, or 5-year tune-up according to 40CFR§§63.7540(a)(10), (11), or (12) respectively. Include the date of the most recent burner inspection if it was not done annually, biennially, or on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown.
    5. Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.

**[45CSR34; 40 CFR§§63.7550(c)(1), (c)(5)(i)-(iii), (c)(xiv), and (c)(xvii); 45CSR13, R13-3397, Condition 4.5.2. for H2]**

## **6.6. Compliance Plan**

- 6.6.1. None.