West Virginia Department of Environmental Protection

Harold D. Ward
Cabinet Secretary

Title V Operating Permit Revision

For Minor Modification Permitting Action Under 45CSR30 and Title V of the Clean Air Act

Permit Action Number: MM01 **SIC:** 2869
Name of Permittee: Altivia Services, LLC
Facility Name/Location: Institute Facility
County: Kanawha County
Permittee Mailing Address: 250 Carbide Road, Dunbar, WV 25064

Description of Permit Revision: Altivia is proposing to install internal floating roofs in storage tanks T1005 and T1010 and subsequently store isopropanol (CAS# 67-63-0) at the Institute Plant. Tanks T1005 and T1010 will receive isopropanol from barge unloading operations and will provide it to the various processes and users at the Institute Plant.

Title V Permit Information:
Permit Number: R30-03900692-2022 (2 of 8)
Issued Date: November 16, 2022
Effective Date: November 30, 2022
Expiration Date: November 16, 2027

Directions To Facility: From I-64, take the Institute Exit, turn right onto State Route 25. Plant is located about ½ mile west on Route 25.

THIS PERMIT REVISION IS ISSUED IN ACCORDANCE WITH THE WEST VIRGINIA AIR POLLUTION CONTROL ACT (W.VA. CODE §§ 22-5-1 ET SEQ.) AND 45CSR30 - "REQUIREMENTS FOR OPERATING PERMITS." THE PERMITTEE IDENTIFIED AT THE FACILITY ABOVE IS AUTHORIZED TO OPERATE THE STATIONARY SOURCES OF AIR POLLUTANTS IDENTIFIED HEREIN IN ACCORDANCE WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.

Laura M. Crowder

Laura M. Crowder
Digitally signed by: Laura M. Crowder
DN: CN = Laura M. Crowder email = Laura.M.Crowder@wv.gov C = US O = WV Department of Environmental Protection OU = Division of Air Quality
Date: 2024.01.02 12:18:10 -05'00'

Laura M. Crowder
Director, Division of Air Quality

January 2, 2024
Date Issued

Permit Number: **R30-03900692-2022**
Permittee: **Altivia Services, LLC**
Facility Name: **Institute Facility**
Business Unit: **Acetone Derivatives Plant (Group 2 of 8)**
Permittee Mailing Address: **250 Carbide Road, Dunbar, WV 25064**

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.

Facility Location:	Institute, Kanawha County, West Virginia
Facility Mailing Address:	250 Carbide Road, Dunbar, WV 25064
Telephone Number:	(304) 759-1299
Type of Business Entity:	LLC
Facility Description:	Acetone Derivatives Plant
SIC Codes:	2869
UTM Coordinates:	432.189 km Easting • 4,248.754 km Northing • Zone 17

Permit Writer: Jonathan Carney

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.

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.

Table of Contents

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	Control Device
T211	035RR	Tank 211	1942	None
T212	035RR	Tank 212	1942	None
T213	035RR	Tank 213	1942	None
T214	035RR	Tank 214	1942	None
T215	035RR	Tank 215	1942	None
T216	035RR	Tank 216	1942	None
T217	035D	Tank 217	1942	None
T218	035D	Tank 218	1942	None
T219	035D	Tank 219	1942	None
T220	045V	Tank 220	1942	V045 Vent Condenser
T221	035B	Tank 221	1942	None
T222	035WW	Tank 222	1942	None
T224	045U	Tank 224	1942	None
T223	No Vent	Tank 223	1942	None
T225	045U	Tank 225 (currently idle)	1942	None
T226	035A	Tank 226	1942	None
T227	035D	Tank 227	1942	None
T228	035D	Tank 228	1942	None
T229	045S	Tank 229 (currently idle)	1942	None
T230	035C	Tank 230	1942	None
T231	035XX	Tank 231 (currently idle)	1942	None
T232	035ZZ	Tank 232	1942	None
T233	035D	Tank 233	1942	None
T234	035D	Tank 234	1942	None
T235	035D	Tank 235 (currently idle)	1942	None
T236	035D	Tank 236 (currently idle)	1991	None
T237	035D	Tank 237	1942	None
T238	035D	Tank 238	1942	None

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Control Device
T239	035D	Tank 239	1942	None
T240	035D	Tank 240	1942	None
T242	045C	Tank 242	1942	None
T243	045A	Tank 243 (currently idle)	1942	None
T244	045Q	Tank 244 (currently idle)	1942	None
T263	035VV	Tank 263	1942	None
T265	035AAA	Tank 265	2006	None
T901	035BB	Tank 901	1942	None
T902	035CC	Tank 902	1942	None
T903	035DD	Tank 903	1942	None
T904	035EE	Tank 904	1942	None
T905	035FF	Tank 905	1942	None
T910	035GG	Tank 910	1942	None
T920	035HH	Tank 920	1942	None
T921	035H	Tank 921	1942	None
T922	035JJ	Tank 922	1942	None
T923	035KK	Tank 923	1942	None
T924	035LL	Tank 924	1942	None
T930	035MM	Tank 930	1942	None
T931	035UU	Tank 931 (currently idle)	1942	None
T933	035NN	Tank 933 (currently idle)	1942	None
T935	035PP	Tank 935 (currently idle)	1942	None
T936	035QQ	Tank 936 (currently idle)	1942	None
T994	035H	Tank 994	1942	None
T995	035I	Tank 995	1942	None
T996	035J	Tank 996	1942	None
T997	045J	Tank 997 (currently idle)	1942	None
T998	045I	Tank 998 (currently idle)	1942	None
T1005	T1005	Tank 1005	1942	Internal Floating Roof
T1006	035E	Tank 1006	1942	None
T1007	035TT	Tank 1007	1942	None

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Control Device
T1008	035F	Tank 1008	1942 (internal floating roof installed 2008)	None
T1009	035G	Tank 1009	1942 (internal floating roof installed 2008)	None
T1010	T1010	Tank 1010	1942	Internal Floating Roof
T1016	045T	Tank 1016	1989	None
T1201	045L	Tank 1201	1949	None
T1205	035R	Tank 1205	1949	None
T1206	035K	Tank 1206	1962	None
T1207	035L	Tank 1207	1949	None
T1208	045D	Tank 1208	1949	None
T1210	035M	Tank 1210	1949	None
T1211	035N	Tank 1211	1949	None
T1212	035AB	Tank 1212	1949	None
T1216	035S	Tank 1216	1961	None
T1227	045Y	Tank 1227	1952	None
T1228	035T	Tank 1228	1952	None
T1229	035U	Tank 1229	1952	None
T1231	035V	Tank 1231	1952	None
T1233	035W	Tank 1233	1952	None
T1235	045X	Tank 1235	1955	None
T1236	045E	Tank 1236 (empty, cleaned, and isolated; waiting for demolition)	1963	None
T1240	035X	Tank 1240	1956	None
T1241	035Y	Tank 1241	1959	None
T1242	035Z	Tank 1242	1960	None
T1243	035AA	Tank 1243	1960	None
T1244	T1244	Tank 1244	2019	None
T1245	045K	Tank 1245 (currently idle)	1960	None
T032A	032A	Dowtherm Tank #1	1942	None

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Control Device
T032B	032A	Dowtherm Tank #2	1942	None
S206	030B	Still 206	1990	None
S207	030M	Still 207	1942	None
S208	No Vent	Still 208	1990	None
S209	040A	Still 209 (currently idle)	1987	None
S210	030S	Still 210	1942	None
S211	030C	Still 211	1988	None
S212	030J	Still 212	2006	None
S213	030H	Still 213	1944	None
S214	030P	Still 214	1942	None
S216	030S	Still 216	1942	None
S030	030S	210/216 Still Recovery Device	1994	None
S217	030L	Still 217	2011	None
S218	No Vent	Still 218 (currently idle)	1996	None
S221	030I	Still 221 (currently idle)	1964	None
S251	030K	Still 251	1942	None
S253	030G	Still 253	1942	None
D030	030D	KET EXT	1944	None
OPT	045V	Oil Pot	1944	None
R045	045R	VFA Pot (currently idle)	1948	None
R201	030A or Emission Unit ID S201	Reactor 201 (aka Converter 201)	1942	A030 Reactivation Scrubber or None
R202	030A or Emission Unit ID S201	Reactor 202 (aka Converter 202)	1942	A030 Reactivation Scrubber or None
R203	030A or Emission Unit ID S201	Reactor 203 (aka Converter 203)	1942	A030 Reactivation Scrubber or None
R206	030A or Emission Unit ID S201	Reactor 206 (aka Converter 206)	1942	A030 Reactivation Scrubber or None

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Control Device
R207	030A or Emission Unit ID S201	Reactor 207 (aka Converter 207) (currently idle)	1942	A030 Reactivation Scrubber or None
R208	030A or Emission Unit ID S201	Reactor 208 (aka Converter 208)	1942	A030 Reactivation Scrubber or None
R209	030A or Emission Unit ID S201	Reactor 209 (aka Converter 209)	1942	A030 Reactivation Scrubber or None
N030	030N	Atm Pot	1998	None
B032	032B	Dowtherm Furnace	1967	None
S201	Vents to Emission Unit ID B032	201 Scrubber	1942	None
RCL4	L4RC or 040F	East Rack Rail Car Loading – operated by Logistics	1940s	None or Scrubber F040
TTL4	L4TT	East Rack Tank Truck Loading – operated by Logistics	1940s	None
L1B	B1L	Barge Loading - operated by Logistics	1940s	None
DRM	MRD	Drums	NA	None
TTL030	L030TT	In Unit Tank Truck Loading/Unloading	1940s	None
TTL032	L032TT	In Unit Tank Truck Loading/Unloading	1940s	None
FES	None	Acetone Industrial Refrigeration System	2006	None
V045	045V	Vent Condenser	Prior to 1988	N/A
A030	030A	Reactivation Scrubber	Prior to 1988	N/A
F040	040F	TT/TC Scrubber – operated by Logistics	Prior to 1980	N/A
DIBC-REACT	DIBC-REACT	DIBC Reactors and Equipment Leaks	2021	N/A

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
~~None~~R13-3474A	~~N/A~~May 3, 2023

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~~39.). 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

CAAA	Clean Air Act Amendments	**NSPS**	New Source Performance Standards
CBI	Confidential Business Information	**PM**	Particulate Matter
CEM	Continuous Emission Monitor	**PM_{10}**	Particulate Matter less than 10µm in diameter
CES	Certified Emission Statement	**pph**	Pounds per Hour
C.F.R. *or* CFR	Code of Federal Regulations	**ppm**	Parts per Million
CO	Carbon Monoxide	**PSD**	Prevention of Significant Deterioration
C.S.R. *or* CSR	Codes of State Rules	**psi**	Pounds per Square Inch
DAQ	Division of Air Quality	**SIC**	Standard Industrial Classification
DEP	Department of Environmental Protection	**SIP**	State Implementation Plan
FOIA	Freedom of Information Act	**SO_2**	Sulfur Dioxide
HAP	Hazardous Air Pollutant	**TAP**	Toxic Air Pollutant
HON	Hazardous Organic NESHAP	**TPY**	Tons per Year
HP	Horsepower	**TRS**	Total Reduced Sulfur
lbs/hr *or* lb/hr	Pounds per Hour	**TSP**	Total Suspended Particulate
LDAR	Leak Detection and Repair	**USEPA**	United States Environmental Protection Agency
m	Thousand	**UTM**	Universal Transverse Mercator
MACT	Maximum Achievable Control Technology	**VEE**	Visual Emissions Evaluation
mm	Million	**VOC**	Volatile Organic Compounds
mmBtu/hr	Million British Thermal Units per Hour		
$mmft^3$/hr *or* mmcf/hr	Million Cubic Feet Burned per Hour		
NA *or* N/A	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		
NO_x	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§30-2.40]

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~~Reserved

~~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.]**

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]

3.2. Monitoring Requirements

3.2.1. None.

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, R13-3474, 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 57th Street SE
Charleston, WV 25304

US EPA:
Section Chief
U. S. Environmental Protection Agency, Region III
Enforcement and Compliance Assurance Division
Air, RCRA and Toxics Branch ~~Section~~ (3ED21)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-~~20292~~2852

DAQ Compliance and Enforcement[1]:
DEPAirQualityReports@wv.gov

[1]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.**~~**Fees.** 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.
[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**~~**Reserved.** ~~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.~~Reserved.

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~~email. 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.]**

3.5.10. **Reports of excess emissions.** Except as provided in 3.5.11, the owner or operator of any facility containing sources subject to 45CSR§21-5. shall, for each occurrence of excess emissions expected to last more than 7 days, within 1 business day of becoming aware of such occurrence, supply the Director by letter with the following information:

a. The name and location of the facility;

b. The subject sources that caused the excess emissions;

c. The time and date of first observation of the excess emissions; and

d. The cause and expected duration of the excess emissions.

e. For sources subject to numerical emission limitations, the estimated rate of emissions (expressed in the units of the applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and

f. The proposed corrective actions and schedule to correct the conditions causing the excess emissions.

[45CSR§21-5.2; ~~CO-R21-97-41, III.3 (State-Enforceable only)~~45CSR13, R13-3474, 4.1.5]

3.5.11. **Variance.** If the provisions of 45CSR21 cannot be satisfied due to repairs made as the result of routine maintenance or in response to the unavoidable malfunction of equipment, the Director may permit the owner or operator of a source subject to 45CSR21 to continue to operate said source for periods not to exceed 10 days upon specific application to the Director. Such application shall be made prior to the making of repairs and, in the case of equipment malfunction, within 24 hours of the equipment malfunction. Where repairs will take in excess of 10 days to complete, additional time periods may be granted by the Director. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director. During such time periods, the owner or operator shall take all reasonable and practicable steps to minimize VOC emissions. **[45CSR§21-9.3; ~~CO-R21-97-41, III.3 (State-Enforceable only)~~45CSR13, R13-3474, 4.1.6]**

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.

a. 40 C.F.R. 63, Subpart EEEE – "National Emission Standards for Hazardous Air Pollutants: Organic Liquid Distribution (Non-Gasoline)." Tanks T032A and T032B are used to store Dowtherm and Dowtherm is transferred at the loading/unloading rack TTL032. Tank 1201 is used to transload isophorone. Tank 265 (T265) was installed to store process coolant (ethylene glycol/water mixture) for the Acetone Industrial Refrigeration System (FES). These emission units are not subject to the requirements of 40 C.F.R. 63, Subpart EEEE for storage tanks and transfer racks because the liquid vapor pressures of Dowtherm, isophorone, and the process coolant (ethylene glycol/water mixture) are less than 0.1 psia.

b. 40 C.F.R. 63, Subpart FFFF – "National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing." While the batch process vents are subject to the MON MACT, there are no requirements from the rule that apply. The following sections of the rule are not applicable:

i. §63.2460 – Does not apply to the batch process vents from Still S251 (Emission Point ID No. 030K) and Reactor Reactivation wet scrubber vent (Emission Point ID No. 030A) since each emission point has pre-control HAP emissions that are less than 200 lb/yr.

ii. §63.2480 – Does not apply to the equipment components associated with Still S251 and Reactor reactivation because the total HAP concentration is less than 5% weight in the process streams.

iii. §63.2485 – Does not apply to the reactivation water scrubber (Equipment ID No. 030A) wastewater because the wastewater's annual average concentration of compounds in tables 8 and 9 to Subpart FFFF is less than 5 ppmw.

iv. §63.2490 – Does not apply to the heat exchangers S251TC and S251OC since these are once through cooling water systems, the discharge of which is subject to a NPDES permit.

c. 40 C.F.R. 63, Subpart G – "National Emission Standards for Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater." The gas stream from the 201 Scrubber that is routed to the Dowtherm Furnace (Emission Unit ID B032) is not a process vent subject to the requirements of 40 C.F.R. 63, Subpart G because the gas stream is routed to a fuel gas system as defined in §63.101 and according to 40 C.F.R. §63.107(h)(3), a gas stream going to a fuel gas system is not a process vent.

4.0 Acetone Derivatives Plant

4.1. Limitations and Standards

4.1.1. **Group 2 Process Vents with a TRE index value greater than 4.0.** The owner or operator of a Group 2 process vent with a TRE index value greater than 4.0 shall maintain a TRE index value greater than 4.0. *(S206, S211, S212, S213, S214, S217, S030 {S210/S216 Product Recovery Device}, and D030)* **[45CSR34; 40 C.F.R. §63.113(e)]**

4.1.2. **Group 2 Storage Vessels.** For each Group 2 storage vessel, the owner or operator shall comply with the recordkeeping requirements in 4.4.3. *(T221, T222, T263, T1006, T1205, T1216, T1233, T1235 and T1240)* **[45CSR34; 40 C.F.R. §63.119(a)(3)]**

4.1.3. **Group 2 Transfer Operations.** For each Group 2 transfer rack, the owner or operator shall maintain records as required in 4.4.4. *(RCL4 and TTL4)* **[45CSR34; 40 C.F.R. §63.126(c)]**

4.1.4. **Maintenance Wastewater.** Each owner or operator of a source subject to 40 C.F.R. 63, Subpart F shall comply with the requirements of 4.1.4.1 through 4.1.4.3 for maintenance wastewaters containing those organic HAP's listed in table 9 of 40 C.F.R. 63, Subpart G. **[45CSR34; 40 C.F.R. §63.105(a)]**

4.1.4.1. The owner or operator shall prepare a description of maintenance procedures for management of wastewaters generated from the emptying and purging of equipment in the process during temporary shutdowns for inspections, maintenance, and repair (i.e., a maintenance-turn-around) and during periods which are not shutdowns (i.e., routine maintenance). The descriptions shall: **[45CSR34; 40 C.F.R. §63.105(b)]**

a. Specify the process equipment or maintenance tasks that are anticipated to create wastewater during maintenance activities. **[45CSR34; 40 C.F.R. §63.105(b)(1)]**

b. Specify the procedures that will be followed to properly manage the wastewater and control organic HAP emissions to the atmosphere; and **[45CSR34; 40 C.F.R. §63.105(b)(2)]**

c. Specify the procedures to be followed when clearing materials from process equipment. **[45CSR34; 40 C.F.R. §63.105(b)(3)]**

4.1.4.2. The owner or operator shall modify and update the information required by 4.1.4.1 as needed following each maintenance procedure based on the actions taken and the wastewaters generated in the preceding maintenance procedure. **[45CSR34; 40 C.F.R. §63.105(c)]**

4.1.4.3. The owner or operator shall implement the procedures described in 4.1.4.1 and 4.1.4.2 as part of the start-up, shutdown, and malfunction plan required under 40 C.F.R. §63.6(e)(3). **[45CSR34; 40 C.F.R. §63.105(d)]**

4.1.5. **Equipment Leaks.** The permittee shall comply with all applicable standards of 40 C.F.R. 63, Subpart H – "National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks." The pertinent equipment leak standards include: 40 C.F.R. §§63.162 (Standards: General), 63.163 (Standards: Pumps in light liquid service), 63.164 (Standards: Compressors), 63.165 (Standards: Pressure relief devices in gas/vapor service); 63.166 (Standards: Sampling connection systems), 63.167 (Standards: Open-ended valves or lines), 63.168 (Standards: Valves in gas/vapor service and in light liquid service), 63.169 (Standards: Pumps, valves, connectors, and agitators in heavy liquid service; instrumentation systems; and pressure relief devices in liquid service), 63.171 (Standards: Delay of repair), and 63.174 (Standards: Connectors in gas/vapor service and in light liquid service). **[45CSR34; 40 C.F.R. 63, Subpart H; 40 C.F.R. §§63.162, 63.163, 63.164, 63.165, 63.166, 63.167, 63.168, 63.169, 63.171, and 63.174]**.

4.1.6. 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. *(B032)* **[45CSR§2-3.1]**

4.1.7. No person shall cause suffer, allow or permit the discharge of particulate matter into the open air from all fuel burning units located at one plant, measured in terms of pounds per hour in excess of the amount as determined as follows for Type 'b' fuel burning units:

Dowtherm Furnace (B032): 54 MMBTU/hr * 0.09 lbs/MMBTU = 4.86 lbs/hr

[45CSR§2-4.1.b]

4.1.8. At all times, including periods of start-ups, shutdowns and malfunctions, owners and operators shall, to the extent practicable, maintain and operate any fuel burning unit(s) 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 Director which may include, but is not limited to, monitoring results, visible emission observations, review of operating and maintenance procedures and inspection of the source. **[45CSR§2-9.2]**

4.1.9. No person shall cause, suffer, allow or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of the amount as determined as follows for Type 'b' fuel burning units:

Dowtherm Furnace (B032): 54 MMBTU/hr * 1.6 lbs/MMBTU = 86.4 lbs/hr

[45CSR§10-3.2.c]

4.1.10. Due to unavoidable malfunction of equipment or inadvertent fuel shortages, emissions exceeding those provided for in 4.1.9 may be permitted by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the equipment malfunction or fuel shortage. In cases of major equipment failure or extended shortages of conforming fuels, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director. **[45CSR§10-9.1]**

4.1.11. Pursuant to 40 C.F.R. 63 Subpart DDDDD, *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters*, the facility is subject to the following requirements given below:

§63.7500 What emission limitations, work practice standards, and operating limits must I meet?

(a) You must meet the requirements in paragraphs (a)(1) through (3) of this section, except as provided in paragraphs (b), through (e) of this section. You must meet these requirements at all times the affected unit is operating, except as provided in paragraph (f) of this section.

(1) You must meet each emission limit and work practice standard in Table 3 to 40 C.F.R. 63 Subpart DDDDD that applies to your process heater, for each process heater at your source, except as provided under §63.7522.

Table 3 to Subpart DDDDD of Part 63—Work Practice Standards

As stated in §63.7500, you must comply with the following applicable work practice standards:

If your unit is . . .	You must meet the following . . .
3. A new or existing process heater without a continuous oxygen trim system and with heat input capacity of 10 million Btu per hour or greater	Conduct a tune-up of the process heater annually as specified in §63.7540. Units in either the Gas 1 or Metal Process Furnace subcategories will conduct this tune-up as a work practice for all regulated emissions under 40 C.F.R. 63 Subpart DDDDD. Units in all other subcategories will conduct this tune-up as a work practice for dioxins/furans.
4. An existing process heater located at a major source facility, not including limited use units	Must have a one-time energy assessment performed by a qualified energy assessor. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy assessment requirements in this table, satisfies the energy assessment requirement. A facility that operated under an energy management program developed according to the ENERGY STAR guidelines for energy management or compatible with ISO 50001 for at least one year between January 1, 2008 and the compliance date specified in §63.7495 that includes the affected units also satisfies the energy assessment requirement. The energy assessment must include the following with extent of the evaluation for items a. to e. appropriate for the on-site technical hours listed in §63.7575: a. A visual inspection of the process heater system. b. An evaluation of operating characteristics of the process heater systems, specifications of energy using systems, operating and maintenance procedures, and unusual operating constraints. c. An inventory of major energy use systems consuming energy from affected process heaters and which are under the control of the process heater owner/operator. d. A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage. e. A review of the facility's energy management program and provide recommendations for improvements consistent with the definition of energy management program, if identified. f. A list of cost-effective energy conservation measures that are within the facility's control. g. A list of the energy savings potential of the energy conservation measures identified. h. A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments.

(3) At all times, you must operate and maintain any affected source (as defined in §63.7490), including 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.

(f) These standards apply at all times the affected unit is operating.

§63.7505 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limits, work practice standards, and operating limits in 40 C.F.R. 63 Subpart DDDDD. These emission and operating limits apply to you at all times the affected unit is operating except for the periods noted in §63.7500(f).

§63.7521 What fuel analyses, fuel specification, and procedures must I use?

(f) To demonstrate that a gaseous fuel other than natural gas or refinery gas qualifies as another gas 1 fuel, as defined in §63.7575, you must conduct a fuel specification analyses for mercury according to the procedures in paragraphs (g) through (i) of this section and Table 6 to 40 C.F.R. 63 Subpart DDDDD, as applicable, except as specified in paragraph (f)(1) through (4) of this section, or as an alternative where fuel specification analysis is not practical, you must measure mercury concentration in the exhaust gas when firing only the gaseous fuel to be demonstrated as an other gas 1 fuel in the process heater according to the procedures in Table 6 to 40 C.F.R. 63 Subpart DDDDD.

Table 6 to Subpart DDDDD of Part 63—Fuel Analysis Requirements

As stated in §63.7521, you must comply with the following requirements for fuel analysis testing for existing, new or reconstructed affected sources. However, equivalent methods (as defined in §63.7575) may be used in lieu of the prescribed methods at the discretion of the source owner or operator:

To conduct a fuel analysis for the following pollutant . . .	You must . . .	Using . . .
3. Mercury Fuel Specification for other gas 1 fuels	a. Measure mercury concentration in the fuel sample and convert to units of micrograms per cubic meter, or	Method 30B (M30B) at 40 CFR part 60, appendix A-8 of this chapter or ASTM D5954,[a] ASTM D6350,[a] ISO 6978-1:2003(E),[a] or ISO 6978-2:2003(E),[a] or EPA-1631[a] or equivalent.
	b. Measure mercury concentration in the exhaust gas when firing only the other gas 1 fuel is fired in the process heater	Method 29, 30A, or 30B (M29, M30A, or M30B) at 40 CFR part 60, appendix A-8 of this chapter or Method 101A or Method 102 at 40 CFR part 61, appendix B of this chapter, or ASTM Method D6784[a] or equivalent.

[a]Incorporated by reference, see §63.14.

(1) You are not required to conduct the fuel specification analyses in paragraphs (g) through (i) of this section for natural gas or refinery gas.

(2) You are not required to conduct the fuel specification analyses in paragraphs (g) through (i) of this section for gaseous fuels that are subject to another subpart of this part, part 60, part 61, or part 65.

(3) You are not required to conduct the fuel specification analyses in paragraphs (g) through (i) of this section on gaseous fuels for units that are complying with the limits for units designed to burn gas 2 (other) fuels.

(4) You are not required to conduct the fuel specification analyses in paragraphs (g) through (i) of this section for gas streams directly derived from natural gas at natural gas production sites or natural gas plants.

(g) You must develop a site-specific fuel analysis plan for other gas 1 fuels according to the following procedures and requirements in paragraphs (g)(1) and (2) of this section.

(1) If you intend to use an alternative analytical method other than those required by Table 6 to 40 C.F.R. 63 Subpart DDDDD, you must submit the fuel analysis plan to the Administrator for review and approval no later than 60 days before the date that you intend to conduct the initial compliance demonstration described in §63.7510.

(2) You must include the information contained in paragraphs (g)(2)(i) through (vi) of this section in your fuel analysis plan.

(i) The identification of all gaseous fuel types other than those exempted from fuel specification analysis under (f)(1) through (3) of this section anticipated to be burned in each process heater.

(ii) For each anticipated fuel type, the identification of whether you or a fuel supplier will be conducting the fuel specification analysis.

(iii) For each anticipated fuel type, a detailed description of the sample location and specific procedures to be used for collecting and preparing the samples if your procedures are different from the sampling methods contained in Table 6 to 40 C.F.R. 63 Subpart DDDDD. Samples should be collected at a location that most accurately represents the fuel type, where possible, at a point prior to mixing with other dissimilar fuel types. If multiple process heaters are fueled by a common fuel stream it is permissible to conduct a single gas specification at the common point of gas distribution.

(iv) For each anticipated fuel type, the analytical methods from Table 6 to 40 C.F.R. 63 Subpart DDDDD, with the expected minimum detection levels, to be used for the measurement of mercury.

(v) If you request to use an alternative analytical method other than those required by Table 6 to 40 C.F.R. 63 Subpart DDDDD, you must also include a detailed description of the methods and procedures that you are proposing to use. Methods in Table 6 to 40 C.F.R. 63 Subpart DDDDD shall be used until the requested alternative is approved.

(vi) If you will be using fuel analysis from a fuel supplier in lieu of site-specific sampling and analysis, the fuel supplier must use the analytical methods required by Table 6 to 40 C.F.R. 63 Subpart DDDDD. When using a fuel supplier's fuel

analysis, the owner or operator is not required to submit the information in §63.7521(g)(2)(iii).

(h) You must obtain a single fuel sample for each fuel type for fuel specification of gaseous fuels.

(i) You must determine the concentration in the fuel of mercury, in units of microgram per cubic meter, dry basis, of each sample for each other gas 1 fuel type according to the procedures in Table 6 to 40 C.F.R. 63 Subpart DDDDD.

§63.7540 How do I demonstrate continuous compliance with the emission limitations, fuel specifications and work practice standards?

(a) You must demonstrate continuous compliance with the work practice standards in Table 3 to 40 C.F.R. 63 Subpart DDDDD, and paragraphs (a)(10) and (13) of this section.

(10) If your process heater has a heat input capacity of 10 million Btu per hour or greater, you must conduct an annual tune-up of the process heater to demonstrate continuous compliance as specified in paragraphs (a)(10)(i) through (vi) of this section. You 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 process heater over the 12 months prior to the tune-up. This frequency does not apply to limited-use process heaters, as defined in §63.7575, or units with continuous oxygen trim systems that maintain an optimum air to fuel ratio.

(i) 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;

(ii) 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;

(iii) 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;

(iv) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NO_x requirement to which the unit is subject;

(v) 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

(vi) Maintain on-site and submit, if requested by the Administrator, a report containing the information in paragraphs (a)(10)(vi)(A) through (C) of this section,

(A) 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 process heater;

(B) A description of any corrective actions taken as a part of the tune-up; and

(C) 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.

(13) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup.

(c) If you elected to demonstrate that the unit meets the specification for mercury for the unit designed to burn gas 1 subcategory, you must follow the sampling frequency specified in paragraphs (c)(1) through (4) of this section and conduct this sampling according to the procedures in §63.7521(f) through (i).

(1) If the initial mercury constituents in the gaseous fuels are measured to be equal to or less than half of the mercury specification as defined in §63.7575, you do not need to conduct further sampling.

§63.7565 What parts of the General Provisions apply to me?

Table 10 to 40 C.F.R. 63 Subpart DDDDD shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.

[45CSR34; 40 C.F.R. §§63.7500 (a)(1), (a)(3), (f), 63.7505 (a), 63.7521 (f), (g), (h), and (i), 63.7540 (a)(10) and (a)(13), (c)(1), 63.7565, Table 3 (3, 4) and Table 6 (3)] *(B032)*

4.1.12. The permittee shall continue to use the alternative emission reduction plan (AERP) to reduce volatile organic compounds (VOC) emissions from all point sources that have maximum theoretical emissions greater than or equal to 6 lb/hr. The emission sources and their corresponding limits are set forth in Appendix A of this permit. **[45CSR§21-40.3.b (State-Enforceable only); 45CSR13, R13-3474, 4.1.2]**~~The permittee shall comply with the following applicable requirements from CO-R21-97-41 for the Acetone Derivatives Plant~~:

~~4.1.12.1. On or after the effective date of Consent Order CO-R21-97-41 (October 20, 1997), the COMPANY shall, reduce VOC emissions in accordance with the alternate emissions reduction plan (AERP). The permittee shall reduce VOC emissions as set forth in Attachment A of CO-R21-97-41; and shall continue to comply with such emissions reduction requirements and the emission limits set forth in Attachment A as Consent Order CO-R21-97-41 expressly provides. Compliance with the emission limits set forth in Attachment A of Consent Order CO-R21-97-41 shall be demonstrated by test or monitoring data, approved emission factors, material balances, and/or representative~~

~~calculations in accordance with 45CSR21. The Attachment A limits from Consent Order CO-R21-97-41 for the Acetone Derivatives Plant are provided in the APPENDIX of this permit.~~ **~~[45CSR§21-40 (State Enforceable only); CO-R21-97-41, III.1 and Attachment A (State Enforceable only); June 14, 2006 letter from J. L. Blatt; October 7, 2011 letter from T. J. London]~~**

~~4.1.12.2. At all times, including periods of start-up, shutdown, and malfunction, the COMPANY shall maintain and operate the VOC emitting sources and associated air pollution control devices subject to the provisions of Consent Order CO-R21-97-41 in a manner consistent with good air pollution control practices for minimizing emissions. Compliance with the emission limits set forth in Attachment A of Consent Order CO-R21-97-41 shall be demonstrated at all times unless exception periods are provided for in accordance with this paragraph. The COMPANY shall comply with 3.5.10 and 3.5.11 (45CSR§§21-5.2 and 9.3) with respect to all periods of non-compliance with the emission limitations and emission reduction requests set forth in Attachment A of Consent Order CO-R21-97-41 resulting from unavoidable malfunctions of equipment. In the event that the emission limitation and/or emission reduction requirements for a source listed in Attachment A of CO-R21-97-41 cannot be met during routine start-ups, shutdowns, or routine maintenance activities, the COMPANY shall, within 180 days of the effective date of Consent Order CO-R21-97-41 (October 20, 1997), submit an operation and VOC emissions mitigation plan for such periods. If such plan is submitted, it shall contain the information outlined in Attachment B of CO-R21-97-41 and provided in the APPENDIX of this permit, and shall become an Appendix to Consent Order CO-R21-97-41. The Director may require reasonable revisions to the COMPANY's plan if he or she finds the routine start up, shutdown, or maintenance resulting in excess VOC emissions not addressed by the plan occur or that the plan fails to provide for operation in a manner consistent with good air pollution control practices for minimizing emissions. VOC emissions and associated control procedures conforming to the COMPANY's plan submitted under this provision shall not be subject to the variance approval process of 3.5.11 (45CSR§21-9.3) provided that the COMPANY maintains test, monitoring, operating, and maintenance records containing sufficient information and detail to enable the COMPANY and the Director to verify compliance with the plan and associated VOC emissions control requirements. These records shall be maintained on site for not less than three (3) years and be made available to the Director or his or her authorized representative upon request. The Director also may request submission of copies of such records. [**45CSR§21-40 (State Enforceable only); CO-R21-97-41, III.3 and Attachment B (State Enforceable only)]~~

~~4.1.12.3. Unless granted a variance pursuant to 3.5.11, the COMPANY shall operate all emission control equipment for those emission sources listed in Attachment A of Consent Order CO-R21-97-41, at all times when the production unit is in operation or when any VOC emitting activity is occurring. In the event that the control equipment is inoperable, the production unit shall be shut down or the activity shall be discontinued as expeditiously as possible.~~ **~~[45CSR§21-40 (State Enforceable only); CO-R21-97-41, IV.7 (State Enforceable only)]~~**

4.1.13. **45CSR§21-37 Requirements for Equipment Leaks.** The permittee shall continue to comply with ~~all applicable requirements~~the emission control plan for equipment leaks (fugitive emissions) using the methods and criteria of 45CSR§21-37 – "Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment," or alternative methods and standards approved by the Director. ~~The pertinent equipment leak standards include Sections 45CSR§§21-37.3 through 37.8.~~ To the extent that implementation of the requirements of 40 C.F.R. 60, 40 C.F.R. 61, or 40 C.F.R. 63 results in monitoring and repair, consistent with 45CSR§21-37, of all components in VOC service in any synthetic organic chemical, polymer, or resin manufacturing process unit, compliance with these federally enforceable standards will satisfy the requirements of 45CSR§21-37. **[45CSR§§21-40.3.a.2, 37.3 through 37.~~8~~9 and 37.1.c (State-Enforceable only); ~~CO R21-97-41,III.2 (State-Enforceable only)~~45CSR13, R13-3474, 4.1.3]**

4.1.14. Tank T1016 shall be equipped with a fixed roof in combination with an internal floating roof that meets the following specifications: **[45CSR16; 40 C.F.R. §60.112b(a)(1)]**

4.1.14.1. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible. **[45CSR16; 40 C.F.R. §60.112b(a)(1)(i)]**

4.1.14.2. The internal floating roof shall be equipped with a mechanical shoe seal between the wall of the storage vessel and the edge of the internal floating roof. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof. **[45CSR16; 40 C.F.R. §§60.112b(a)(1)(ii) and (a)(1)(ii)(C)]**

4.1.14.3. Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface. **[45CSR16; 40 C.F.R. §60.112b(a)(1)(iii)]**

4.1.14.4. Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use. **[45CSR16; 40 C.F.R. §60.112b(a)(1)(iv)]**

4.1.14.5. Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports. **[45CSR16; 40 C.F.R. §60.112b(a)(1)(v)]**

4.1.14.6. Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting. **[45CSR16; 40 C.F.R. §60.112b(a)(1)(vi)]**

4.1.14.7. Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening. **[45CSR16; 40 C.F.R. §60.112b(a)(1)(vii)]**

4.1.14.8. Each penetration of the internal floating roof that allows for passage of a column supporting

the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover. **[45CSR16; 40 C.F.R. §60.112b(a)(1)(viii)]**

4.1.14.9. Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover. **[45CSR16; 40 C.F.R. §60.112b(a)(1)(ix)]**

4.1.15. Tank 1005 and Tank 1010 shall only be used for the storage of isopropanol, received from barge unloading operations and to be distributed to various processes and users at the Institute Plant. Each tank shall be equipped with fixed roof in combination with an internal floating roof.

4.1.15.1. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

4.1.15.2. Each internal floating roof shall be equipped with a mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

4.1.15.3. Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

4.1.15.4. Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

4.1.15.5. Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

4.1.15.6. Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

4.1.15.7. Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

4.1.15.8. Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

4.1.15.9. Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

[45CSR13, R13-3474, 4.1.8]

4.2. Monitoring Requirements

4.2.1. After installing the control equipment required to meet 4.1.14, each owner or operator shall: **[45CSR16; 40 C.F.R. §60.113b(a)]**

4.2.1.1. Visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required by this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in 4.5.9. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible. **[45CSR16; 40 C.F.R. §60.113b(a)(2)]**

4.2.1.2. Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in 4.2.1.1. **[45CSR16; 40 C.F.R. §60.113b(a)(4)]**

4.2.1.3. Notify the Administrator in writing at least 30 days prior to the refilling of each storage vessel for which an inspection is required by 4.2.1.2 to afford the Administrator the opportunity to have an observer present. If the inspection required by 4.2.1.2 is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling. **[45CSR16; 40 C.F.R. §60.113b(a)(5)]**

4.2.2. Visually inspect the internal floating roof, the primary seal prior to filling the storage vessels with isopropanol. If there are holes, tears, or other openings in the primary seal or the seal fabric or defects in the internal floating roof, or both, the permittee shall repair the items before filling the storage vessel.*(Tank 1005/Tank 1010)*
[45CSR13, R13-3474, 4.2.1]

4.2.3. The permittee shall visually inspect the internal floating roof and the primary seal through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the isopropanol inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the permittee shall repair the items or empty and remove the storage vessel from service within 45 days.

If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Secretary in the inspection report required in 4.5.13. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.*(Tank 1005/Tank 1010)*
[45CSR13, R13-3474, 4.2.2.]

4.2.4. Visually inspect the internal floating roof, the primary seal, gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with isopropanol. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in 4.2.3 of this section.*(Tank 1005/Tank 1010)*
[45CSR13, R13-3474, 4.2.3.]

4.2.5. Notify the Secretary in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by 4.2.2 and 4.2.4 of this section to afford the Secretary the opportunity to have an observer present. If the inspection required by 4.2.4 of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Secretary at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Secretary at least 7 days prior to the refilling.*(Tank 1005/Tank 1010)*
[45CSR13, R13-3474, 4.2.4.]

4.3. Testing Requirements

4.3.1. **Equipment Leaks.** The permittee shall comply with all applicable test methods and procedures of 40 C.F.R. 63, Subpart H – "National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks" as specified in 40 C.F.R. §63.180. **[45CSR34; 40 C.F.R. 63, Subpart H; 40 C.F.R. §63.180]**

4.3.2. At such reasonable times as the Director may designate, the owner or operator of any fuel burning unit(s) may be required to conduct or have conducted tests to determine the compliance of such unit(s) with the emission limitations of 4.1.7. Such tests shall be conducted in accordance with the appropriate method set forth in the Appendix to 45CSR2 or other equivalent EPA approved method approved by the Director. The Director, or his duly authorized representative, may at his option witness or conduct such tests.

Should the Director exercise his option to conduct such tests, the operator will provide all necessary sampling connections and sampling ports located in such manner as the Director 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. Sufficient information on temperatures, velocities, pressures, weights and dimensional values shall be reported to the Director, with such necessary commentary as he may require to allow an accurate evaluation of the reported test results and the conditions under which they were obtained. *(B032)* **[45CSR§§2-8.1.b and 8.1.b.1]**

4.3.3. The Director, or his duly authorized representative, may conduct such other tests as he may deem necessary to evaluate air pollution emissions other than those noted in 4.1.7. *(B032)* **[45CSR§2-8.1.c]**

4.3.4. **45CSR§21-41 Test Methods and Compliance Procedures.** The permittee shall comply with all applicable provisions of 45CSR§21-41 regarding test methods and compliance procedures ~~to demonstrate compliance with 4.1.13~~, except as otherwise approved by the Director. If requested by the Director, testing shall be in accordance with applicable test methods specified in Rule 21 Section 41 through 46 or by other means approved by the Director. Compliance with the emission limits set forth in Appendix A of this permit shall be demonstrated by test or monitoring data, approved emission factors, material balances, and/or representative calculations in accordance with 45CSR21. [**45CSR§§21-40.5 (State-Enforceable only) and 41~~; CO-R21-97-41, III.5 (State-Enforceable only); 45CSR13, R13-3474, 4.1.4~~]**

4.3.5. ~~**45CSR§21-37 Testing Requirements for Equipment Leaks.** The permittee shall comply with all applicable test methods and procedures of 45CSR§21-37 "Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment" as specified in 45CSR§21-37.9. To the extent that implementation of the requirements of 40 C.F.R. 60, 40 C.F.R. 61, or 40 C.F.R. 63 results in monitoring and repair, consistent with 45CSR§21-37, of all components in VOC service in any synthetic organic chemical, polymer, or resin manufacturing process unit, compliance with these federally enforceable standards will satisfy the requirements of 45CSR§21-37. **[45CSR§§21-37.1.c and 37.9 (State-Enforceable only); CO-R21-97-41, III.2 (State-Enforceable only)]~~**Reserved**

4.3.6. Pursuant to 40 C.F.R. 63 Subpart DDDDD, *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters*, the facility is subject to the following testing requirements given below:

§63.7515 When must I conduct subsequent performance tests, fuel analyses, or tune-ups?

(d) If you are required to meet an applicable tune-up work practice standard, you must conduct an annual performance tune-up according to §63.7540(a)(10). Each annual tune-up specified in §63.7540(a)(10) must be no more than 13 months after the previous tune-up.

[45CSR34; 40 C.F.R. §63.7515(d)] *(B032)*

4.4. Recordkeeping Requirements

4.4.1. **Group 2 Process Vents with a TRE index value greater than 4.0.** The owner or operator of a Group 2 process vent with a TRE index value greater than 4.0 as specified in 4.1.1, shall maintain records of measurements, engineering assessments, and calculations performed to determine the TRE index value of the vent stream, submitted as part of the Notification of Compliance Status report dated September 19, 1997 or any amendments thereto. Documentation of engineering

assessments shall include all data, assumptions, and procedures used for the engineering assessments, as specified in 40 C.F.R. §63.115(d)(1). *(S206, S211, S212, S213, S214, S217, S030 {S210/S216 Product Recovery Device}, and D030)* **[45CSR34; 40 C.F.R. §63.117(b)]**

4.4.2. **Group 2 Process Vents with a TRE index value greater than 4.0.** Each owner or operator subject to the provisions of 40 C.F.R. 63, Subpart G and who elects to demonstrate compliance with the TRE index value greater than 4.0 under 4.1.1 shall keep up-to-date, readily accessible records of: **[45CSR34; 40 C.F.R. §63.118(c)]**

4.4.2.1. Any process changes as defined in 40 C.F.R. §63.115(e). **[45CSR34; 40 C.F.R. §63.118(c)(1)]**

4.4.2.2. Any recalculation of the TRE index value pursuant to 40 C.F.R. §63.115(e). **[45CSR34; 40 C.F.R. §63.118(c)(2)]** *(S206, S211, S212, S213, S214, S217, S030 {S210/S216 Product Recovery Device}, and D030)*

4.4.3. **Group 2 Storage Vessels.** For each Group 2 storage vessel, the permittee shall keep readily accessible records showing the dimensions of the storage vessel and an analysis showing the capacity of the storage vessel. This record shall be kept as long as the storage vessel retains Group 2 status and is in operation. *(T221, T222, T263, T1006, T1205, T1216, T1233, T1235 and T1240)* **[45CSR34; 40 C.F.R. §63.123(a)]**

4.4.4. **Group 2 Transfer Operations.** Each owner or operator of a Group 2 transfer rack shall record, update annually, and maintain the information specified in 4.4.4.1 through 4.4.4.3 in a readily accessible location on site: **[45CSR34; 40 C.F.R. §63.130(f)]**

4.4.4.1. An analysis demonstrating the design and actual annual throughput of the transfer rack; **[45CSR34; 40 C.F.R. §63.130(f)(1)]**

4.4.4.2. An analysis documenting the weight-percent organic HAP's in the liquid loaded. Examples of acceptable documentation include but are not limited to analyses of the material and engineering calculations. **[45CSR34; 40 C.F.R. §63.130(f)(2)]**

4.4.4.3. An analysis documenting the annual rack weighted average HAP partial pressure of the transfer rack. **[45CSR34; 40 C.F.R. §63.130(f)(3)]**

a. For Group 2 transfer racks that are limited to transfer of organic HAP's with partial pressures less than 10.3 kilopascals, documentation is required of the organic HAP's (by compound) that are transferred. The rack weighted average partial pressure does not need to be calculated. **[45CSR34; 40 C.F.R. §63.130(f)(3)(i)]**

b. For racks transferring one or more organic HAP's with partial pressures greater than 10.3 kilopascals, as well as one or more organic HAP's with partial pressures less than 10.3 kilopascals, a rack weighted partial pressure shall be documented. The rack weighted average HAP partial pressure shall be weighted by the annual throughput of each chemical transferred. **[45CSR34; 40 C.F.R. §63.130(f)(3)(ii)]** *(RCL4 and TTL4)*

4.4.5. **Maintenance Wastewater.** The owner or operator shall maintain a record of the information required by 4.1.4.1 and 4.1.4.2 as part of the start-up, shutdown, and malfunction plan required under 40 C.F.R. §63.6(e)(3). **[45CSR34; 40 C.F.R. §63.105(e)]**

4.4.6. **Equipment Leaks.** The permittee shall comply with all applicable recordkeeping requirements of 40 C.F.R. 63, Subpart H – "National Emission Standards for Organic Hazardous Air Pollutants for

Equipment Leaks" as specified in 40 C.F.R. §63.181. **[45CSR34; 40 C.F.R. 63, Subpart H; 40 C.F.R. §63.181]**

4.4.7. The permittee shall maintain records of the operating schedule and the quantity and quality of fuel consumed in each fuel burning unit as specified in 4.4.7.1. Such records are to be maintained on-site and made available to the Director or his duly authorized representative upon request. Where appropriate the owner or operator of a fuel burning unit(s) may maintain such records in electronic form.

4.4.7.1. For fuel burning unit(s) which burn only pipeline quality natural gas, such records shall include, but not be limited to, the date and time of start-up and shutdown, and the quantity of fuel consumed on a monthly basis.
[45CSR§§2-8.3.c and 8.3.d; 45CSR§§2A-7.1.a and 7.1.a.1]

4.4.8. **45CSR§21-37 Recordkeeping Requirements for Equipment Leaks.** The permittee shall comply with all applicable recordkeeping requirements of 45CSR§21-37 – "Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment" as specified in 45CSR§21-37.10, with the exception that all records shall be maintained for a period of five (5) years instead of three (3) years. To the extent that implementation of the requirements of 40 C.F.R. 60, 40 C.F.R. 61, or 40 C.F.R. 63 results in monitoring and repair, consistent with 45CSR§21-37, of all components in VOC service in any synthetic organic chemical, polymer, or resin manufacturing process unit, compliance with these federally enforceable standards will satisfy the requirements of 45CSR§21-37. **[45CSR§§21-37.1.c and 37.10 (State-Enforceable only); ~~45CSR§30-5.1.c; CO-R21-97-41, III.2 (State-Enforceable only)~~45CSR13, R13-3474, 4.4.4]**

4.4.9. For Tank T1016, the owner or operator shall:

4.4.9.1. Keep a record of each inspection performed as required by 4.2.1.1 and 4.2.1.2. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings). **[45CSR16; 40 C.F.R. §60.115b(a)(2)]**

4.4.9.2. Keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. These records shall be kept for the life of the source. **[45CSR16; 40 C.F.R. §§60.116b(a) and (b)]**

4.4.9.3. Maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period. **[45CSR16; 40 C.F.R. §60.116b(c)]**

4.4.10. The permittee shall maintain all information used to prepare the MON MACT Notification of Compliance Status (NOCS) report.
[40 C.F.R. §§ 63.10(b)(1) and (3); 45CSR34]

4.4.11. Pursuant to 40 C.F.R. 63 Subpart DDDDD, *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters*, the facility is subject to the following recordkeeping requirements given below:

§63.7555 What records must I keep?

(a) You must keep records according to paragraphs (a)(1) and (2) of this section.

(1) 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 §63.10(b)(2)(xiv).

(2) Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations as required in §63.10(b)(2)(viii).

(g) If you elected to demonstrate that the unit meets the specification for mercury for the unit designed to burn gas 1 subcategory, you must maintain monthly records (or at the frequency required by §63.7540(c)) of the calculations and results of the fuel specification for mercury in Table 6.

§63.7560 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review, according to §63.10(b)(1).

(b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You 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 §63.10(b)(1). You can keep the records off site for the remaining 3 years.

[45CSR34; 40 C.F.R. §§63.7555 (a) and (g), 63.7560] *(B032)*

4.4.12 The permittee shall keep copies of all records required by this section, except for the record required by 4.4.13 of this section, for at least 2 years. The record required by 4.4.14. of this section will be kept for the life of the source.*(Tank 1005/Tank 1010)*
[45CSR13, R13-3474, 4.4.5.]

4.4.13. Keep a record of each inspection performed as required by 4.2.2, 4.2.3, and 4.2.4. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings). *(Tank 1005/Tank 1010)*
[45CSR13, R13-3474, 4.4.6.]

4.4.14. The permittee shall keep readily accessible records showing the dimension of the storage vessels and an analysis showing the capacity of the storage vessels.*(Tank 1005/Tank 1010)*
[45CSR13, R13-3474, 4.4.7.]

4.4.15. The permittee shall maintain a record of the isopropanol stored, the period of storage, and the maximum true vapor pressure of that isopropanol during the respective storage period. Available data on the storage temperature may be used to determine the maximum true vapor pressure as determined below.

i. For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.
(Tank 1005/Tank 1010)
[45CSR13, R13-3474, 4.4.8.]

4.5. Reporting Requirements

4.5.1. The permittee shall submit Periodic Reports as described in 40 C.F.R. §63.152(c), except that semi-annual periodic monitoring reports are due within 60 calendar days following June 30 and December 31, for each calendar year. The reports cover the periods January 1 through June 30 and July 1 through December 31. **[45CSR34; 40 C.F.R. §§63.152(a)(4) and 63.152(c)]**

4.5.2. The permittee shall submit reports of start-up, shutdown, and malfunction required by 40 C.F.R. §63.10(d)(5). The start-up, shutdown and malfunction reports may be submitted on the same schedule as the Periodic Reports required under 4.5.1. **[45CSR34; 40 C.F.R. §§63.152(a)(5) and 63.152(d)(1)]**

4.5.3. **Group 2 Process Vents with a TRE index value greater than 4.0.** Whenever a process change, as defined in 40 C.F.R. §63.115(e), is made that causes a Group 2 process vent to become a Group 1 process vent, the owner or operator shall submit a report within 180 calendar days after the process change as specified in 40 C.F.R. §63.151(j). The report shall include: **[45CSR34; 40 C.F.R. §63.118(g)]**

4.5.3.1. A description of the process change; **[45CSR34; 40 C.F.R. §63.118(g)(1)]**

4.5.3.2. The results of the recalculation of the flow rate, organic HAP concentration, and TRE index value required under 40 C.F.R. §63.115(e) and recorded under 4.4.2; and **[45CSR34; 40 C.F.R. §63.118(g)(2)]**

4.5.3.3. A statement that the owner or operator will comply with the provisions of 40 C.F.R. §63.113 for Group 1 process vents by the dates specified in 40 C.F.R. 63, Subpart F. **[45CSR34; 40 C.F.R. §63.118(g)(3)]**

(S206, S211, S212, S213, S214, S217, S030 {S210/S216 Product Recovery Device}, and D030)

4.5.4. **Group 2 Process Vents with a TRE index value greater than 4.0.** Whenever a process change as defined in 40 C.F.R. §63.115(e), is made that causes a Group 2 process vent with a TRE greater than 4.0 to become a Group 2 process vent with a TRE less than 4.0, the owner or operator shall submit a report within 180 calendar days after the process change. The report may be submitted as part of the next periodic report. The report shall include: **[45CSR34; 40 C.F.R. §63.118(h)]**

4.5.4.1. A description of the process change, **[45CSR34; 40 C.F.R. §63.118(h)(1)]**

4.5.4.2. The results of the recalculation of the TRE index value required under 40 C.F.R. §63.115(e) and recorded under 4.4.2, **[45CSR34; 40 C.F.R. §63.118(h)(2)]**

4.5.4.3. A statement that the owner or operator will comply with the requirements specified in 40 C.F.R. §63.113(d). **[45CSR34; 40 C.F.R. §63.118(h)(3)]**

(S206, S211, S212, S213, S214, S217, S030 {S210/S216 Product Recovery Device}, and D030)

4.5.5. **Group 2 Process Vents with a TRE index value greater than 4.0.** The owner or operator is not required to submit a report of a process change if one the conditions listed in 4.5.5.1 through 4.5.5.4 is met. **[45CSR34; 40 C.F.R. §63.118(k)]**

4.5.5.1. The process change does not meet the definition of a process change in 40 C.F.R. §63.115(e), or **[45CSR34; 40 C.F.R. §63.118(k)(1)]**

4.5.5.2. The vent stream flow rate is recalculated according to 40 C.F.R. §63.115(e) and the recalculated value is less than 0.005 standard cubic meter per minute, or **[45CSR34; 40 C.F.R. §63.118(k)(2)]**

4.5.5.3. The organic HAP concentration of the vent stream is recalculated according to 40 C.F.R. §63.115(e) and the recalculated value is less than 50 parts per million by volume, or **[45CSR34; 40 C.F.R. §63.118(k)(3)]**

4.5.5.4. The TRE index value is recalculated according to 40 C.F.R. §63.115(e) and the recalculated value is greater than 4.0. **[45CSR34; 40 C.F.R. §63.118(k)(4)]**

(S206, S211, S212, S213, S214, S217, S030 {S210/S216 Product Recovery Device}, and D030)

4.5.6. **Equipment Leaks.** The permittee shall comply with all applicable reporting requirements of 40 C.F.R. 63, Subpart H – "National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks" as specified in 40 C.F.R. §63.182. **[45CSR34; 40 C.F.R. 63, Subpart H; 40 C.F.R. §63.182]**

4.5.7. **45CSR§21-37 Reporting Requirements for Equipment Leaks.** The permittee shall comply with all applicable reporting requirements of 45CSR§21-37 – "Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment" as specified in 45CSR§§21-37.11 and 5.2. To the extent that implementation of the requirements of 40 C.F.R. 60, 40 C.F.R. 61, or 40 C.F.R. 63 results in monitoring and repair, consistent with 45CSR§21-37, of all components in VOC service in any synthetic organic chemical, polymer, or resin manufacturing process unit, compliance with these federally enforceable standards will satisfy the requirements of 45CSR§21-37. **[45CSR§§21-37.1.c, 37.11, and 5.2 (State-Enforceable only); ~~CO-R21-97-41, III.2 (State-Enforceable only)~~45CSR13, R13-3474, 4.5.2]**

4.5.8. The owner or operator of a fuel burning unit(s) subject to 45CSR2 shall report to the Director any malfunction of such unit or its air pollution control equipment which results in any excess particulate matter emission rate or excess opacity (i.e., 4.1.6 and 4.1.7) as provided in one of the following subdivisions:

4.5.8.1. Excess opacity periods meeting the following conditions may be reported on a quarterly basis unless otherwise required by the Director:

a. The excess opacity period does not exceed thirty (30) minutes within any 24-hour period; and

b. Excess opacity does not exceed 40%.

4.5.8.2. The owner or operator shall report to the Director any malfunction resulting in excess particulate matter or excess opacity, not meeting the criteria set forth in 4.5.8.1, by telephone, telefax, or e-mail by the end of the next business day after becoming aware of

such condition. The owner or operator shall file a certified written report concerning the malfunction with the Director within thirty (30) days providing the following information:

a. A detailed explanation of the factors involved or causes of the malfunction;

b. The date and time of duration (with starting and ending times) of the period of excess emissions;

c. An estimate of the mass of excess emissions discharged during the malfunction period;

d. The maximum opacity measured or observed during the malfunction;

e. Immediate remedial actions taken at the time of the malfunction to correct or mitigate the effects of the malfunction; and

f. A detailed explanation of the corrective measures or program that will be implemented to prevent a recurrence of the malfunction and a schedule of such implementation.

[45CSR§2-9.3]

4.5.9. If any of the conditions described in 4.2.1.1 are detected for Tank T1016 during the annual visual inspection required by 4.2.1.1, a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made. **[45CSR16; 40 C.F.R. §60.115b(a)(3)]**

4.5.10. The permittee shall submit compliance reports containing all applicable information specified in 40 C.F.R. §63.2520(e). Such reports shall be submitted with the semiannual monitoring report (permit condition 3.5.6).
[40 C.F.R. §§ 63.2520(a), 63.2520(e), 63.2520(b)(5); 45CSR34]

4.5.11. Pursuant to 40 C.F.R. 63 Subpart DDDDD, *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters,* the facility is subject to the following reporting requirements given below:

§63.7545 What notifications must I submit and when?

(a) You must submit to the Administrator all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (6), and 63.9(b) through (h) that apply to you by the dates specified.

§63.7550 What reports must I submit and when?

(a) You must submit each report in Table 9 to 40 C.F.R. 63 Subpart DDDDD that applies to you.

Table 9 to Subpart DDDDD of Part 63—Reporting Requirements

As stated in §63.7550, you must comply with the following requirements for reports:

You must submit a(n)	The report must contain . . .	You must submit the report . . .
1. Compliance report	a. Information required in §63.7550(c)(1) through (5)	Semiannually, annually, biennially, or every 5 years according to the requirements in §63.7550(b).

(b) Unless the EPA Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report, according to paragraph (h) of this section, by the date in Table 9 to 40 C.F.R. 63 Subpart DDDDD and according to the requirements in paragraphs (b)(1) through (4) of this section. For units that are subject only to a requirement to conduct subsequent annual tune-up according to §63.7540(a)(10), and not subject to emission limits or Table 4 operating limits, you may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in paragraphs (b)(1) through (4) of this section, instead of a semi-annual compliance report.

(1) The first semi-annual compliance report must cover the period beginning on the compliance date that is specified for each process heater in §63.7495 and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for your source in §63.7495. If submitting an annual, biennial, or 5-year compliance report, the first compliance report must cover the period beginning on the compliance date that is specified for each process heater in §63.7495 and ending on December 31 within 1, 2, or 5 years, as applicable, after the compliance date that is specified for your source in §63.7495.

(2) The first semi-annual compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for each process heater in §63.7495. The first annual, biennial, or 5-year compliance report must be postmarked or submitted no later than January 31.

(3) Each subsequent semi-annual compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. Annual, biennial, and 5-year compliance reports must cover the applicable 1-, 2-, or 5-year periods from January 1 to December 31.

(4) Each subsequent semi-annual compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. Annual, biennial, and 5-year compliance reports must be postmarked or submitted no later than January 31.

(5) 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 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), you 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 (b)(1) through (4) of this section.

(c) A compliance report must contain the following information depending on how the facility chooses to comply with the limits set in this rule.

(1) If the facility is subject to the requirements of a tune up you must submit a compliance report with the information in paragraphs (c)(5)(i) through (iii) of this section, (xiv) and (xvii) of this section, and paragraph (c)(5)(iv) of this section for limited-use process heater.

(5) (i) Company and Facility name and address.

(ii) Process unit information.

(iii) Date of report and beginning and ending dates of the reporting period.

(xiv) 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 §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.

(xvii) 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.

(h) You must submit the reports according to the procedures specified in paragraphs (h)(1) through (3) of this section.

(3) You must submit all reports required by Table 9 of 40 C.F.R. 63 Subpart DDDDD electronically to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX.) You must use the appropriate electronic report in CEDRI for 40 C.F.R. 63 Subpart DDDDD. Instead of using the electronic report in CEDRI for 40 C.F.R. 63 Subpart DDDDD, you may submit an alternate electronic file consistent with the XML schema listed on the CEDRI Web site (*http://www.epa.gov/ttn/chief/cedri/index.html*), once the XML schema is available. If the reporting form specific to 40 C.F.R. 63 Subpart DDDDD is not available in CEDRI at the time that the report is due, you must submit the report to the Administrator at the appropriate address listed in §63.13. You must begin submitting reports via CEDRI no later than 90 days after the form becomes available in CEDRI.

[45CSR34; 40 C.F.R. §§63.7545 (a), 63.7550 (a), (b), (c)(1) and (c)(5)(i-iii, xiv, and xvii), (h)(3), and Table 9 (1)] *(B032)*

4.5.12. Furnish the Secretary with a report that describes the control equipment and certifies that the control equipment meets the specifications of 4.1.15 and 4.2.2. This report shall be an attachment to the notification required by section 4.2.5 upon initial filling of the storage vessels.*(Tank 1005/Tank 1010)*
[45CSR13, R13-3474, 4.5.3.]

4.5.13 If any of the conditions described in section 4.2.3 are detected during the annual visual inspection required by section 4.2.3 a report shall be furnished to the Secretary within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.*(Tank 1005/Tank 1010)*
[45CSR13, R13-3474, 4.5.4.]

4.6. Compliance Plan

4.6.1. None.

APPENDIX A ~~– Consent Order CO-R21-97-41 ATTACHMENTS A AND B~~

~~ATTACHMENT~~Appendix A

Process Area Description and Identification Number	Name of Process Equipment Vented to Control Device and Equipment Identification Number	Maximum Theoretical Emissions (MTE) of the Source (lbs/hr)	Emission Point Identification Number	Control Device Identification Number	Control Device Description	Efficiency of Control Device	Maximum Allowable Hours of Operation (hrs/yr)	Maximum Allowable VOC Emissions	
								lbs/hr	tons/yr
Acetone Derivatives 030	Tank 1005 (T1005)	2.63	T1005	NA	IFR	0	8760	2.63	3.65
Acetone Derivatives 030	Tank 1006 (T1006)	12.4	035E	NA~~[1]~~	FS	95~~[2]~~	8760	2.6~~[4,5]~~	0.4~~[4,5]~~
Acetone Derivatives 030~~[1]~~	Tank 1007 (T1007)~~[1]~~	1.2~~[1]~~	035TT~~[1]~~	NA~~[1]~~	FS~~[1]~~	95~~[1,2]~~	8760~~[1]~~	0.06~~[1]~~	0.27~~[1]~~
Acetone Derivatives 030	Tank 1008 (T1008)	17.30~~[1]~~	035F	NA~~[5]~~	FS~~[3,5]~~	95~~[2,3,5]~~	8760~~[1]~~	6.8~~[3,5]~~	6.8~~[3,5]~~
Acetone Derivatives 030	Tank 1009 (T1009)	17.30~~[1]~~	035G	NA~~[5]~~	FS~~[3,5]~~	95~~[2,3,5]~~	8760~~[1]~~	6.8~~[3,5]~~	6.8~~[3,5]~~
Acetone Derivatives 030~~[1]~~	Tank 1016 (T1016)~~[1]~~	33.1~~[4,5]~~	045T~~[1]~~	NA~~[1]~~	FS~~[1]~~	95~~[1,2]~~	8760~~[1]~~	33.1~~[4,5]~~	0.80~~[1]~~
Acetone Derivatives 030	Tank 1010 (T1010)	2.63	T1010	NA	IFR	0	8760	2.63	3.65
Acetone Derivatives 030~~[5]~~	Tank Truck Loading (TTL030)~~[5]~~	26~~[5]~~	L030TT~~[5]~~	None~~[5]~~	No Device~~[5]~~	0~~[5]~~	8,760~~[5]~~	26~~[5]~~	0.30~~[5]~~

IFR – Internal Floating Roof
FS - Floating Roof Secondary Seal ~~– FS~~
~~[1] Revised based on June 14, 2006 letter from J. L. Blatt~~
~~[2] Floating roof assumed to reduce VOC emissions by 95%~~
~~[3] Internal Floating Roof Installed (permit determination request was submitted in 2008, PD08-017)~~
~~[4] Emissions updated to account for floating roof landing events~~
~~[5] Revised based on October 7, 2011 letter from T.J. London~~

~~ATTACHMENT B~~

~~ROUTINE/NORMAL OPERATING & MAINTENANCE SCENARIOS RESULTING IN EXCESS EMISSIONS*~~

~~Process Area Description and Identification Number~~	~~Emission Point Identification Number~~	~~Description of Excess Emission Scenario SU – Start-up SD – Shutdown M – Maintenance (Describe Activity)~~	~~Description of Controls and Measures used to Minimize VOC Emissions (During each Scenario)~~	~~Duration of Excess Emission Scenario (Hours)~~	~~Typical/Maximum Number of Events per Year~~ ~~/~~	~~Average/Peak VOC Emissions per Event (Pounds per Hour)~~ ~~/~~

~~*Do not include malfunction scenarios~~