PUGET SOUND
Clean Air Agency

AIR OPERATING PERMIT

Puget Sound Clean Air Agency
1904 3rd Avenue, Suite 105
Seattle, Washington 98101

Issued in accordance with the provisions of Puget Sound Clean Air Agency Regulation I, Article 7 and Chapter 173-401 WAC.

Pursuant to Puget Sound Clean Air Agency Regulation I, Article 7 and Chapter 173-401 WAC, CenTrio Energy (the permittee) is authorized to operate subject to the terms and conditions in this permit.

PERMIT NO.: 13786	**DATE OF ISSUANCE: January 21, 2025**
ISSUED TO: CenTrio Energy	
PERMIT EXPIRATION DATE: January 21, 2030	
PERMIT RENEWAL APPLICATION DUE DATE: July 20, 2029	

NAICS, Primary:	221330
Nature of Business:	Steam Supplier
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TABLE OF CONTENTS

List of Acronyms & Abbreviations 3

Emission Unit Descriptions 5

Section 2: Emission Unit Specific Applicable Requirements 17

Section 3: Standard Terms and Conditions 44

Section 4: General Permitting Requirements 46

Section 5: General Compliance Requirements 52

Section 6: General Applicable Requirements 64

Section 7: Test Methods and Averaging Periods 70

Section 8: Inapplicable Requirements 71

Section 9: Insignificant Emission Units and Activities 73

Section 10: 40 CFR PART 60—Standards of Performance for New Stationary Sources 77

Attachment 1. PSCAA Method 5 for Particulate 102

Attachment 2. Ecology Method 9A 107

Attachment 3. NSPS Excess Emissions Summary Report 109

List of Acronyms & Abbreviations

ASTM	American Society for Testing and Materials
CEM	Continuous Emission Monitor
CFM	Cubic Feet per Minute
CFR	Code of Federal Regulations
Ecology	Washington State Department of Ecology
EPA	Environmental Protection Agency
EU	Emission Unit
FCAA	Federal Clean Air Act
GR/DSCF	Grains per dry standard cubic foot
HAP	Hazardous Air Pollutants
IEU	Insignificant Emission Unit
MMBTU	Million British Thermal Units
NESHAP	National Emissions Standard for Hazardous Air Pollutants
NSPS	New Source Performance Standard
NOC	Notice of Construction
NO_x	Nitrogen Oxides
OA	Order of Approval
O&M Plan	Operation and Maintenance Plan
PM_{10}	Particulate Matter equal to or smaller than 10 micrometers
PSCAA	Puget Sound Clean Air Agency
PSD	Prevention of Significant Deterioration
Reg.	Regulation
RCW	Revised Code of Washington
SIP	State Implementation Plan

TAC	Toxic Air Contaminant
ULSD	Ultra Low Sulfur Diesel
VOC	Volatile Organic Compounds
WAC	Washington Administrative Code

Emission Unit Descriptions

The table below lists the emission units regulated under this permit. The descriptions in the table are for informational purposes only.

Source	Description	Emission Control Equipment or Method	Install Date	Rated Capacities
EU 1 Natural Gas as Primary Fuel & ULSD as backup fuel for emergencies, testing, maintenance and operator training.	Boiler #1 Energy Products of Idaho 20' diameter boiler	ULSD for SO2 control Flue gas recirculation of 20% for NOx control CEMS & COMS for emission monitoring	2009	Maximum Heat Input: 95.1 MMBTU/hr on natural gas 95.8 MMBTU/hr on oil
EU 2 Natural Gas as Primary Fuel & ULSD as backup fuel for emergencies, testing, maintenance and operator training.	Combustion Engineering (A Type) Boiler #3 Exhausts to the 'Black Stack' Combustion Engineering (D Type) Boiler #4 Exhausts to the 'Black Stack'	None None	1974 1969	Maximum Heat Input: 238 MMBTU/hr Maximum Heat Input: 168 MMBTU/hr

Source	Description	Emission Control Equipment or Method	Install Date	Rated Capacities
EU 3 Natural Gas as Primary Fuel & ULSD as backup fuel for emergencies, testing, maintenance and operator training.	Riley Boiler #2 Exhausts to the 'Silver Stack'	Multiclone	1955	Maximum Heat Input: 280 MMBTU/hr
EU 4 Emergency Engine	Caterpillar C18 generator engine model year 2018 900 HP 18.1L per cylinder Meets EPA Tier 4 standards	None	2018	Maximum Output 671 kW

Section 1: Facility-wide Applicable Requirements

The requirements in Section 1 apply both facility-wide and to the specific emission units or activities in Section 2. All requirements are federally enforceable unless they are identified as "State Only" in Section 5.32, Table 2. In the event of conflict or omission between the paraphrase in the table and the regulatory citation, the regulation cited is the enforceable requirement.

Table contents:

Column one is the applicable requirement number.

Column two is the regulatory citation for the enforceable applicable requirement. When or if EPA approves a "state only" requirement into the PSCAA SIP, the previous "state only" requirement will be automatically replaced and superseded by the new requirement in the SIP.

Column three in some cases is a brief paraphrase of the applicable requirement *and is not enforceable*. However the cited rule is enforceable regardless if the permit language is a paraphrase.

Column four lists the permit condition number(s) of the compliance methods for that applicable requirement.

Column five lists the reference test method(s). This is the test method to be used when a compliance test is performed.

The full text of the compliance methods referenced in column four are immediately after the table(s) in this section. The test methods and averaging periods for the reference test methods in column five are included in Section 7 of this permit.

Facility-wide Applicable Requirements

The requirements in Table 1 and the associated compliance methods and reference test methods apply facility wide.

Table 1. Facility-wide Emission Limits

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
RACT Requirement				
1.1	PSCAA Reg I: 3.04(a)	Reasonably Available Control Technology (RACT) is required for all existing sources.	No monitoring required	

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
Opacity and Particulate Matter Standards				
1.2	PSCAA Reg I: 9.08(a)	It shall be unlawful for any person to cause or allow combustion of oil that exceeds any of the following limits unless allowed by a PSCAA OA issued under Reg I, Article 6. All limits are the maximum allowed except flash point, which is the minimum allowed. • Ash 0.1% • Sulfur, used oil 1.0%• Sulfur, fuel oil 2.00% • Lead 100 ppm • Arsenic 5 ppm • Cadmium 2 ppm • Chromium 10 ppm • Total halogens 1,000 ppm • PCBs 2 ppm • Flash point 100 °F	Condition No. 1.23 Fuel Oil Requirements	
1.3	PSCAA Reg I: 9.09(5)	Shall not emit particulate matter in excess of 0.05 gr/dscf corrected to 7% O_2 from burning fuel other than wood.	Condition No. 1.14 Opacity Monitoring Condition 5.11 Investigations and Testing	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution 540 dated 8/11/1983
1.4	PSCAA Reg. I:9.10(a)	Shall not emit hydrochloric acid in excess of 100 ppm (dry), 1-hour average corrected to 7% O_2 for combustion sources	Condition 5.11 Investigations and Testing	EPA Method 26 or 26A

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
Fugitive Dust Emissions Standards				
1.5	PSCAA Reg. I: 9.15	Shall not cause or allow visible emissions of fugitive dust unless reasonable precautions are employed to minimize the emissions. Reasonable precautions include but are not limited to, the following: (1) The use of control equipment, enclosures, and wet (or chemical) suppression techniques, as practical, and curtailment during high winds; (2) Surfacing roadways and parking areas with asphalt, concrete, or gravel; (3) Treating temporary, low-traffic areas (e.g., construction sites) with water or chemical stabilizers, reducing vehicle speeds, constructing pavement or rip rap exit aprons, and cleaning vehicle undercarriages before they exit to prevent the track-out of mud or dirt onto paved public roadways; or (4) Covering or wetting truck loads or allowing adequate freeboard to prevent the escape of dust-bearing materials. Compliance with the provisions of this section shall not relieve the permittee of the responsibility of complying with Regulation I, Section 9.11	Condition No. 1.15 Facility-wide Inspections Condition No. 1.16 Complaint Response	Washington Department of Ecology Method 9A
1.6	WAC 173-400-040(4)(a)	If engaging in materials handling, construction, demolition or any other operation which is a source of fugitive emissions, shall take reasonable precautions to prevent the release of air contaminants from the operation.	Condition No. 1.15 Facility-wide Inspections Condition No. 1.16 Complaint Response	

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
Other Standards				
1.7	PSCAA Reg I: 9.11(a)	Shall not cause or allow the emission of any air contaminant in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property	Condition No. 1.15 Facility-wide Inspections Condition No. 1.16 Complaint Response	
1.8	WAC 173-400-040(5)	Shall use recognized good practice and procedures to reduce to a reasonable minimum odor which may unreasonably interfere with any other property owners' use and enjoyment of their property.	Condition No. 1.15 Facility-wide Inspections Condition No. 1.16 Complaint Response	
1.9	WAC 173-400-040(3)	Shall not deposit particulate matter beyond the property boundary in sufficient quantity to interfere unreasonably with the use and enjoyment of the property	Condition No. 1.15 Facility-wide Inspections Condition No. 1.16 Complaint Response	
SO_2 Standard				
1.10	PSCAA Reg I: 9.07	Shall not emit SO_2 in excess of 1,000 ppmv (dry), 1-hour average (corrected to 7% O_2 for fuel burning equipment)	Condition 5.11 Investigations and Testing	EPA Method 6C
Hydrochloric Acid Standard				
1.11	PSCAA Reg. I: 9.10(a)	Shall not emit hydrochloric acid in excess of 100 ppm (dry), 1-hour average corrected to 7% O_2 for combustion sources	Condition 5.11 Investigations and Testing	EPA Method 26 or 26A

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
Operations and Maintenance Standards				
1.12	PSCAA Reg. I: 9.20(b) 40 CFR 60.11(d)	Shall maintain equipment as defined in Regulation I, Section 1.07 or control equipment not subject to PSCAA Reg I Article 6 in good working order	Condition No. 1.15 Facility-wide Inspections Condition Nos. 1.17 - 1.20 Maintenance and Repair of Emission Units and O&M Plan Requirements Condition 10.9 40 CFR 60.11 Compliance with standards and maintenance requirements.	
1.13	PSCAA Reg I: 7.09(b)	The permittee shall develop and implement an operation and maintenance plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III. A copy of the plan shall be filed with the Control Officer on request. The plan shall reflect good industrial practice. It shall include the elements described in Reg. I: 7.09(b). The permittee shall review the O&M Plan at least annually and update it as needed to reflect any changes in good industrial practice. The specific provisions of the O&M Plan shall not be deemed part of this permit.	Condition Nos. 1.17 - 1.20 Maintenance and Repair of Emission Units and O&M Plan Requirements	

Facility-Wide Compliance Methods

Opacity Monitoring

1.14 At least once per calendar month that the facility operates, the permittee shall conduct inspections of the entire facility for visible emissions. Inspections are to be performed

while the equipment being inspected is in operation during daylight hours. If visible emissions other than uncombined water are observed from any equipment or stack *with the exception of the Energy Products of Idaho (Boiler #1), the Riley Stoker Boiler (Boiler #2) or the two Combustion Engineering Boilers (#3 and #4)* the permittee shall, as soon as possible, but no later than 24 hours after the initial observation take at least one of the following response actions:

- Take corrective action until there are no visible emissions, or
- Record the opacity using Washington Department of Ecology Method 9A, or
- Shut down the unit or activity until it can be repaired.

If any visible emissions are observed from the Energy Products of Idaho (Boiler #1), the permittee must comply with conditions **Error! Reference source not found.** and **Error! Reference source not found.**. If any visible emissions are observed from the Riley Stoker Boiler (Boiler #2), the permittee must comply with condition 2.42. If any visible emissions are observed from the two Combustion Engineering Boilers (#3 and #4), condition 2.30. The permittee shall keep records of the inspections, including date and time of inspection, the name of the person conducting the inspection, the results of the inspection, the time period over which visible emissions occurred, and all corrective action conducted. For opacity monitoring using Ecology Method 9A, the permittee is not required to comply with the test notification and reporting requirements in Conditions 5.30 and 5.31.

Failure to implement at least one of the three response actions described above in this condition within 24 hours of the initial observation shall be reported as a deviation under Condition 5.5. Additionally, an exceedance of the standard as determined using Ecology Method 9A or an exceedance of the grain loading limit using Puget Sound Clean Air Agency Method 5 shall be reported as a deviation under Condition 5.5

The density or opacity of an air contaminant shall be measured at the point of its emission, except with the point of emission cannot be readily observed, it may be measured at an observable point of the plume nearest the point of emission.

[WAC 173-401-615(1)(b) and (3)(b)]
[PSCAA Reg I: 9.03(a), (b) & (c)]

Facility-Wide Inspections

1.15 At least once per calendar month, the permittee shall conduct a facility-wide inspection, including the following:

a. Examine the general state of compliance with the general applicable requirements, including a check of records to determine if complaints were received and responded to as specified in Condition 1.16;

b. Inspect the facility for odor bearing contaminants and emissions of any air contaminant in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property;

c. Inspect the facility for fugitive dust and track-out while conducting activities, such as construction, that are likely to generate fugitive dust or track-out; and

d. Evaluate the general effectiveness of the Operation & Maintenance (O&M) Plan.

Inspections of equipment and operations shall be conducted during daylight hours. The permittee shall initiate corrective action for any problems identified by these inspections as soon as possible, but no later than within 24 hours of identification or shut down the unit or activity until the problem can be corrected. The permittee shall keep records of the inspections, including date and time of inspection, the name of the person conducting inspection, the results of the inspection, any corrective action conducted, and whether complaints had been received.

Failure to implement one of the response actions described above within 24 hours of the initial observation shall be reported as a deviation under Condition 5.5.

[WAC 173-401-615(1)(b) and (3)(b)]
[40 CFR 60.11(d)]
[PSCAA Reg I: 3.25 (11/1/22)]

Compliant Response

1.16 The permittee shall develop, maintain and follow a complaint response plan which includes the following:

a. Designation of a responsible person to respond to and record complaints regarding odor, fugitive dust or nuisance.

b. The permittee shall record and investigate complaints regarding odor, fugitive dust, or nuisance as soon as possible, but no later than 12 hours after receipt of the complaint. The investigation will include documentation of wind direction and speed during the time the complaint occurred. CenTrio shall use good industrial practices to correct any problems identified by the complaint investigations within 24 hours.

c. The permittee shall record and investigate complaints about any emissions that are, or likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property, emissions from fallout and any track-out onto paved roads open to the public, or complaints regarding other applicable requirements.

d. The permittee shall maintain records on-site of all complaints received regarding odor, fugitive dust or nuisance. The records must include the date and time of the complaint, the name of the person submitting the complaint if known, the nature of the complaint, the wind speed and wind direction at the time of the complaint, and the date, time and nature of any corrective action taken.

f. The permittee shall investigate the complaint and determine if there was noncompliance with an applicable requirement of this permit. If it is determined to be noncompliance, the permittee shall initiate corrective action for the problem as soon as possible but no later than within 24 hours of determination of noncompliance or shut down the noncompliant operation until it is repaired or corrected. Failure to implement corrective action or shut down the unit or activity within 24 hours of initial observation of noncompliance shall be reported as a deviation under Condition 5.5.

[WAC 173-401-615(1)(b)]

Maintenance and Repair of Emission Units

1.17 The permittee shall use good industrial practices to maintain all equipment with the potential to emit air pollutants in good working order, including insignificant emission units and equipment not listed in this permit. For such equipment, the permittee shall also promptly repair defective equipment. Good industrial practices may include following the manufacturer's operations manual or an equipment operations schedule, minimizing emissions until the repairs can be completed and taking measures to prevent recurrence of the problem.

[WAC 173-401-615(1)(b)]

Operation and Maintenance (O&M) Plan Requirements

1.18 The permittee's O&M Plan shall include procedures specifying how the permittee will assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III. The O&M Plan shall be reviewed by the permittee at least annually and updated to reflect any changes in good industrial practice. The plan shall include, but is not limited

to:

a. Periodic inspection of all equipment and control equipment;

b. Monitoring and recording for equipment and control equipment performance;

c. Prompt repair of any defective equipment or control equipment;

d. Procedures for startup, shut down, and normal operation;

e. The control measures to be employed to assure continuous compliance with requirements of this permit; and

f. A record of all actions required by the plan.

g. Methods used to minimize emissions during startup and shut down including those recommended by the manufacturer.

[Puget Sound Clean Air Agency, Regulation I, Section 7.09(b)]
[WAC 173-401-615(1)(b)]

1.19 The plan shall reflect good industrial practice. In most instances, following the manufacturer's operations manual or equipment operational schedule, minimizing emissions until repairs can be completed and taking measures to prevent a recurrence of the problem may be considered good industrial practice. Determination of whether good industrial practice is being used will be based on available information such as, but not limited to, monitoring results, opacity observations, review of operations and maintenance procedures, and inspections of the emission unit or equipment. The permittee shall use the results of the inspections required by of this permit in its annual review of the O&M Plan. The specific provisions of the O&M Plan, other than those required by this permit, shall not be deemed part of this permit.

For insignificant emission units the O&M Plan shall refer to the requirements stated in Condition 1.18 and Section 9 of this permit.

[Puget Sound Clean Air Agency, Regulation I, Section 7.09(b)]
[WAC 173-401-615(1)(b)]

1.20 The permittee shall document all inspections, tests, and other actions required by the O&M Plan, including the name of the person who conducted the inspection, tests or other actions; and the date and the results of the inspection, tests or other actions including corrective actions. The permittee shall maintain records of all inspections, tests, and other actions required by the O&M Plan on site and available for Puget Sound Clean Air Agency review.

[Puget Sound Clean Air Agency, Regulation I, Section 7.09(b)]
[WAC 173-401-615(1)(b)]

1.21 The O&M Plan shall also contain the following:

a. Equations, conversion calculations, and any assumptions used to demonstrate compliance and to reasonably assure continuous compliance with emissions standards;

b. A COMS and CEMS QA/QC Plan containing quality assurance procedures for the COMS and CEMS

c. Procedures and blank log forms to record all actions taken in order to prevent visible emissions of fugitive dust in accordance with Puget Sound Clean Air Agency Regulation I, Section 9.15(a).

[Order of Approval 10065 Condition 9.b.]
[Order of Approval 10065 Condition 10]
[Order of Approval 10065 Condition 10.a.]
[Order of Approval 10065 Condition 10.b.]
[Order of Approval 10065 Condition 10.c.]

1.22 The Permittee shall maintain and follow the facility's Continuous Emission Monitoring System Quality Assurance and Quality Control Plan (CEMS QA/QC Plan) that satisfies 40 CFR Part 60 appendices B and F for continuous monitoring of CO, NOx and O2.

[Order of Approval 10065 Condition 9.b]

Fuel Oil Requirements

1.23 The permittee shall maintain a copy of all current fuel oil contracts for delivery of fuel oil for all boilers. The contract shall certify that the fuel oil meets all the specifications listed in condition 1.2.

[WAC 173-401-615(1)(b) and (3)(b)]

Section 2: Emission Unit Specific Applicable Requirements

The requirements in Section 2 apply only to the Emission Units (EU) listed in this section. All requirements are federally enforceable unless they are identified as “State Only” in Section 5.32 Table 2. In the event of conflict or omission between the paraphrase in the table and the regulatory citation, the regulatory citation is the enforceable requirement.

Table contents:

Column one is the applicable requirement number.

Column two is the regulatory citation for the enforceable applicable requirement. “State Only” applicable requirements include the Washington Department of Ecology and the Puget Sound Clean Air Agency (PSCAA) rules. When or if EPA approves the new requirement into the PSCAA SIP, the old requirement will be automatically replaced and superseded by the new requirement.

Column three is a brief paraphrase of the applicable requirement *and is not enforceable*. The actual rule language of the applicable requirement is enforceable.

Column four lists the permit condition number(s) of the compliance methods for that applicable requirement.

Column five lists the reference test method(s) . This is the test method to be used when a compliance test is performed.

The full text of the emission unit specific compliance methods referenced in column four are immediately after the table(s) in this section. The test methods and averaging periods for the reference test methods in column five are included in Section 7 of this permit.

Emission Unit No. 1: Energy Products of Idaho Boiler (Boiler #1) Firing Natural Gas with Ultra Low Sulfur Diesel as Backup Fuel

The requirements in Table 2 apply to Emission Unit No. 1 – This emission unit consists of one Energy Products of Idaho 20' diameter boiler with a maximum rated capacity of 95.1 MMTBU/hr on natural gas and 95.8 MMBTU/hr on #2 oil (ULSD). The boiler is equipped with CO and NO_x CEMs, an O_2 continuous monitor, and a COMS for opacity. The boiler utilizes flue gas recirculation at 20% for NO_x control and ultra-low sulfur fuel oil for SO_2 control. The boiler was approved under Order of Approval 10065 issued September 3, 2009.

Table 2. Applicable Requirements for Energy Products of Idaho Boiler (Boiler #1)

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
Boiler #1- General				
2.1	PSCAA Reg I: 9.20(a) RCW 70A.15.2210(7)	All equipment must be maintained in good working order.	Condition No. 1.14 Opacity Monitoring Condition No. 1.15 Facility-wide Inspections Condition No. 1.17 Maintenance and Repair of Emission Units Condition No. 1.20 Operation & Maintenance Requirements	Washington Department of Ecology Method 9A
2.2	NOC Order of Approval No. 10065 Condition 1 9/3/2009	Approval is hereby granted as provided in Article 6 of Regulation I of the Puget Sound Clean Air Agency to the applicant to install or establish the equipment, device or process described hereon at the installation address in accordance with the plans and specifications on file in the Engineering Division of the Puget Sound Clean Air Agency.	Condition No. 3.7 Duty to Provide Information	

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.3	40 CFR 60 Subpart Dc 60.40c(a) PSCAA Reg I: 3.25 40 CFR 60 §60.1 Subpart A Applicability .	The affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/h)) or less, but greater than or equal to 2.9 MW (10 MMBtu/h). The provisions of Subpart A apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard applicable to that facility.	Condition No. 3.7 Duty to Provide Information	
Boiler #1 - Sulfur Dioxide (SO2)				
2.4	NOC Order of Approval No. 10065 Condition 4, 4.b.i and 4.b.ii 9/3/2009	The permittee shall fire the Energy Products of Idaho Boiler (Boiler #1) only on: Natural gas as supplied by the local natural gas utility OR Ultra-low sulfur diesel oil (ULSD) containing no more than 15 parts sulfur per million parts oil by weight (ppmw)	Condition No. 2.24 Heat Input Monitoring Condition No. 2.25 Fuel Oil Requirements Condition No. 2.26 Fuel Oil Requirements Condition No. 3.7 Duty to Provide Information	
2.5	40 CFR 60.42c(d) PSCAA Reg I: 3.25	The permittee shall combust oil that contains no more than 0.5 weight percent sulfur.	Condition Nos. 2.25 & 2.26 Fuel Oil Requirements Condition No 10.8 40 CFR 60.8(a)&(b) Performance Tests	
2.6	40 CFR 60.42c(i) PSCAA Reg I: 3.25	The SO2 fuel oil sulfur limits, in conditions 2.42.42.4 and 2.52.5 apply at all times, including periods of startup, shutdown, and malfunction.	Condition No. 2.25 Fuel Oil Requirements Condition No 10.8 40 CFR 60.8(b),(c)&(d) Performance Tests	

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.7	40 CFR 60.48c(b) PSCAA Reg I: 3.25	The permittee shall submit to the Agency the performance test data from the initial and all subsequent performance tests where "performance test" is defined in condition 2.26 below.	Condition No. 5.8 Compliance Reports-Electronic Submittal Condition No. 2.26 Fuel Oil Requirements Condition No 10.8 40 CFR 60.8(b)&(f)(2)(i),(iv) &(vi) Performance Tests	
2.8	40 CFR 60.48c (j) PSCAA Reg I: 3.25	The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted electronically to PSCAA by the 30th day following the end of the reporting period.	Condition No. 5.8 Compliance Reports-Electronic Submittal	
Boiler #1 - Fuel Usage				
2.9	NOC Order of Approval No. 10065 Condition 4.b. 9/3/2009	The permittee shall not exceed a heat input of 43,150 million BTU over any consecutive 12-month period in the Energy Products of Idaho Boiler (Boiler #1)	Condition No. 2.24 Heat Input Monitoring Condition No. 2.27 Fuel Oil Deliveries	
Nitrogen Oxides (NOx)				
2.10	NOC Order of Approval No. 10065 Condition 13.b. 9/3/2009	The exhaust stack from the Energy Products of Idaho Boiler (Boiler #1) shall not emit NOx in excess of 23 ppmdv corrected to 7% O2 averaged over 24 hours when fired on natural gas	Condition No. 2.29 Emission Monitoring & Emission Calculation Condition No. 5.11 Investigations and Testing	40 CFR 60 Appendix A Method 19 40 CFR 60 Appendix A Method 7E
2.11	NOC Order of Approval No. 10065 Condition 13.c. 9/3/2009	The exhaust stack from the Energy Products of Idaho Boiler (Boiler #1)shall not emit NOx in excess of 51 ppmdv corrected to 7% O2 averaged over 24 hours when fired on ULSD oil	Condition No 2.29 Emission Monitoring & Emission Calculation Condition No 5.11 Investigations and Testing	40 CFR 60 Appendix A Method 19 40 CFR 60 Appendix A Method 7E
2.12	NOC Order of Approval No. 10065 Condition 13.d. 9/3/2009	The exhaust stack from the Energy Products of Idaho Boiler (Boiler #1) shall not emit NOx in excess of 51.1 tons for each consecutive 12-month period	Condition No 2.29 Emission Monitoring & Emission Calculation Condition No 5.11 Investigations and Testing	40 CFR 60 Appendix A Method 19 40 CFR 60 Appendix A Method 7E

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
Boiler #1 - Particulate Matter (PM)				
2.13	PSCAA Reg I: 9.09 Item 5. Fuel Burning Equipment	Can not cause or allow emissions of particulate matter in excess of 0.05 gr/dscf corrected to 7% O2 from burning oil or natural gas	Condition No 5.11 Investigations and Testing	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution 540 dated 8/11/1983
Boiler #1 - Opacity				
2.14	NOC Order of Approval No. 10065 Condition 15.a. 9/3/2009 PSCAA Reg I: 9.04(c)	The exhaust stack from the Energy Products of Idaho Boiler (Boiler #1) shall not emit any air pollutants which exhibit greater than the following opacity limitations: Greater than 20% opacity for any consecutive 6-minute period or greater than 5% opacity for a 1-hour average as measured by a continuous opacity monitoring system (COMS)	Condition No 2.29 & Emission Calculation Condition No 5.11 Investigations and Testing	Washington Department of Ecology Method 9A
2.15	NOC Order of Approval No. 10065 Condition 15.b. 9/3/2009	The exhaust stack from the Energy Products of Idaho Boiler (Boiler #1) shall not emit any air pollutants which exhibit greater than the following opacity limitation: 10% opacity for a period or periods aggregating more than 3 minutes in any one hour	Condition No 2.29 Emission Monitoring & Emission Calculation Condition No 5.11 Investigations and Testing	Washington Department of Ecology Method 9A

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.16	40 CFR 60.43c(c) PSCAA Reg I: 3.25	The permitee shall not discharge into the atmosphere from boiler #1 any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.	Condition No 2.29 Emission Monitoring & Emission Calculation Condition No 10.7 40 CFR 60.7 Notification and record keeping Condition No 10.8 40 CFR 60.8 Performance Tests Condition No 10.9 40 CFR 60.11(b),(c)&(d) 40 CFR 6.11(e)(5),(f) Compliance with standards and maintenance requirements Condition No 5.11 Investigations and Testing	40 CFR 60 Appendix A EPA Method 9 OR Continuous opacity monitoring system (COMS) data results produced during any performance test
2.17	40 CFR 60.43c(d) 40 CFR 60.11(c) PSCAA Reg I: 3.25	The opacity standards under this section apply at all times, except during periods of startup, shutdown, or malfunction	Condition No 2.29 Emission Monitoring & Emission Calculation Condition No 10.8 40 CFR 60.8 Performance Tests	40 CFR 60 Appendix A EPA Method 9

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.18	40 CFR 60.48c(c) 40 CFR 60.7(c) PSCAA Reg I: 3.25	In addition to the applicable requirements in § 60.7, the owner or operator of an affected facility subject to the opacity limits in § 60.43c(c) shall submit excess emission reports to PSCAA for any excess emissions from the affected facility that occur during the reporting period and maintain records according to the requirements specified in condition 2.19 of this section, as applicable to the visible emissions monitoring method used.	Condition No 2.292.29 Emission Monitoring COMS requirements only Condition No 5.8 Compliance Reports-Electronic Submittal Condition No 6.2 and 6.3 General Recordkeeping Requirements Attachment 3. NSPS Excess Emissions Summary Report Form for Opacity	40 CFR 60 Appendix A EPA Method 9
2.19	40 CFR 60.48c (c)(1) PSCAA Reg I: 3.25	For each performance test conducted using Method 9 of appendix A-4 of this regulation, the owner or operator shall keep the records including the information specified in paragraphs (c)(1)(i) through (iii) of this section. (i) Dates and time intervals of all opacity observation periods; (ii) Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and (iii) Copies of all visible emission observer opacity field data sheets;	Condition No 6.2 and 6.3 General Recordkeeping Requirements Condition No 10.8 40 CFR 60.8 Performance Tests	40 CFR 60 Appendix A EPA Method 9
2.20	40 CFR 60.48c (j) PSCAA Reg I: 3.25	The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to PSCAA and shall be postmarked by the 30th day following the end of the reporting period.	Condition No 5.8 Compliance Reports-Electronic Submittal	40 CFR 60 Appendix A EPA Method 9

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
Boiler #1 - Carbon Monoxide (CO)				
2.21	NOC Order of Approval No. 10065 Condition 16.b. 9/3/2009	The exhaust stack from the Energy Products of Idaho Boiler (Boiler #1) shall not emit CO in excess of: b. 73 ppmdv CO corrected to 7% O2 averaged over 24 hours when burning natural gas	Condition No 2.29 Emission Monitoring & Emission Calculation Condition No 5.11 Investigations and Testing	40 CFR 60 Appendix A EPA Method 10
2.22	NOC Order of Approval No. 10065 Condition 16.c. 9/3/2009	The exhaust stack from the Energy Products of Idaho Boiler (Boiler #1) shall not emit CO in excess of: 112 ppmdv corrected to 7% O2 averaged over 24 hours when burning ULSD oil	Condition No 2.29 Emission Monitoring & Emission Calculation Condition No 5.11 Investigations and Testing	40 CFR 60 Appendix A EPA Method 10
2.23	NOC Order of Approval No. 10065 Condition 16.d. 9/3/2009	The exhaust stack from the Energy Products of Idaho Boiler (Boiler #1)shall not emit CO in excess of: 51.1 tons for any consecutive 12-month period.	Condition No 2.29 Emission Monitoring & Emission Calculation Condition No 5.11 Investigations and Testing	40 CFR 60 Appendix A EPA Method 10

EU1: Compliance Methods for Energy Products of Idaho Natural Gas & ULSD - Fired Boiler

Heat Input Monitoring & Calculations for Boiler #1

2.24 No later than 15 days after the last day of each month, the permittee shall calculate total heat input to Boiler #1 for the previous 12 months, using the following procedure:

a. Multiply thousands of therms of natural gas consumed for the previous month by 100.0 to get MMBtu/month heat input due to natural gas consumed.

b. Multiply thousands of gallons of ULSD oil consumed for the previous month by 140 to get MMBtu/month heat input due to ULSD oil consumed.

c. Add the results of the calculations above to get total heat input to boiler #1 due to combustion of natural gas and distillate oil for the previous month.

d. Add total heat input due to backup fuel to preceding 11 months heat input due to backup fuel to get total heat input due to combustion of backup fuel in boiler #1 for the previous 12 months.

e. The permittee shall keep records of all calculations required by this permit condition

[Order of Approval 10065 Condition 7]

Fuel Oil Requirements for Boiler #1

2.25 The permittee shall not purchase any fuel oil that contains more than 15 ppm sulfur by weight.

[Order of Approval 10065 Condition 5]

2.26 Compliance with fuel oil sulfur limits shall be determined based on a certification from the fuel supplier, as described below:

Fuel supplier certification shall include the following information for distillate oil for each delivery:

(i) The name of the oil supplier;

(ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in § 60.41c; and

(iii) The sulfur content or maximum sulfur content of the oil.

(iv) The performance test shall consist of the certification from the fuel supplier, and

(v) The permittee shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications represent all of the fuel combusted during the reporting period.

(vi) The permittee shall keep records of all fuel oil certifications from the oil supplier.

(vi) The permittee shall submit reports to PSCAA each six-month period. All reports shall be submitted to PSCAA and shall be postmarked by the 30th day following the end of the reporting period.

[40CFR60.42c(h)&(h)(1)]
[40 CFR 60.48c(f)(1)]
[40 CFR 60.44c(h)]
[40.CFR 60.48c(e)(11)]
[40 CFR 60.48c(j)]
[40 CFR 60.8(a)&(b)]
[PSCAA Regulation I, Section 3.25]
[Order of Approval 10065 Condition 6]

2.27 The permittee shall record and maintain records of the total amount of fuel oil delivered to the facility during each calendar month.

[40 CFR 60.48c(g)(3)]
PSCAA Reg I: 3.25

2.28 The permittee shall keep records and submit reports as required under condition 2.262.26 and 2.27 of this permit, including the following information, as applicable.

(1) Calendar dates covered in the reporting period.

(2) Each 30-day average sulfur content (weight percent), calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the applicable requirement; and a description of corrective actions taken.

(3) Identification of any steam generating unit operating days for which SO2 or diluent (O2 or CO2) data have not been obtained by an approved method for at least 75 percent of the operating hours; justification for not obtaining sufficient data; and a description of corrective actions taken.

(4) Records of fuel supplier certification as required under Condition 2.262.26. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

[40 CFR 60.48c(d)]
[40 CFR 60.48c(e)]
[40 CFR 60.48c(j)]
[PSCAA Reg I: 3.25]

Emission Monitoring & Emission Calculations

2.29 The permittee shall install, operate and maintain a COMS for measurement of opacity and CEMS for measurement of CO, NOX and O2 at the Energy Products of Idaho boiler exhaust stack accordance with Puget Sound Clean Air Agency Regulation I, Section 12.03 and 40 CFR 60 Subparts A and Dc. Calculation of emission rates shall be done by Reference Method 19, with the addition that CO ppm shall be multiplied by 0.00000007269 (7.269E-08 in spreadsheet terminology) to obtain CO in pound per standard cubic foot (lb/scf).

Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and-or summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with §60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the

report.

[OA 10065 Condition 13]
[OA 10065 Condition 15.a.]
[OA 10065 Condition 16]
[OA 10065 Condition 20]
[40 CFR 60.7(c)]

EU No. 2: Two Combustion Engineering Boilers Firing Natural Gas with Ultra Low Sulfur Diesel as Backup Fuel with Combined Stack

The requirements in Table 3 apply to Emission Unit No. 2 – This emission unit consists of two boilers each capable of burning natural gas and ultra low sulfur diesel (ULSD). These two boilers vent to a common stack, the outer annulus of the "Black Stack."

Boiler number #3, Combustion Engineering A Type, rated at 238 MMBTU/hr. Installed 1974.

Boiler number #4 Combustion Engineering D Type, rated at 168 MMBTU/hr. Installed 1969.

Table 3. Applicable Requirements for Two Combustion Engineering Boilers Firing Natural Gas & ULSD (Boilers #3 and #4)

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.30	PSCAA Reg I: 9.03, except for 9.03(d) & (e)	Shall not cause or allow the emission of any air contaminant from the common stack for a period or periods aggregating more than 3 minutes in any hour which is: (1) Darker in shade than that designated as No. 1 (20% density) on the Ringelmann Chart, as published by the United States Bureau of Mines or (2) of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in (1) above.	Condition No 2.37 Common Stack Requirements Conditions No 2.38 & 2.39 Visible Emissions Monitoring Condition No 5.11 Investigations and Testing	Washington Department of Ecology Method 9A
2.31	PSCAA Reg I: 9.09	Shall not emit particulate matter from the common stack in excess of 0.05 gr/dscf corrected to 7% O_2 from burning fuel other than wood.	Condition No 2.37 Common Stack Requirements Conditions No 2.38 & 2.39 Visible Emissions Monitoring Condition No 5.11 Investigations and Testing	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution 540 dated 8/11/1983

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.32	PSCAA Reg I: 9.20(a) (6/9/88) RCW 70A.15.2210(7) 1996	All equipment must be maintained in good working order	Condition No 1.14 Opacity Monitoring Condition No 1.15 Facility-wide Inspections Condition No 1.17 Maintenance and Repair of Emission Units Condition No 1.18 Operation & Maintenance Requirements Condition No 1.20 O&M Plan Requirements Conditions No 2.38 & 2.39 Visible Emissions Monitoring	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution 540 dated 8/11/1983
2.33	NOC Order of Approval No. 10275 Condition 1 1/21/2025	Approval is hereby granted as provided in Article 6 of Regulation I of the Puget Sound Clean Air Agency to the applicant to install or establish the equipment, device or process described hereon at the installation address in accordance with the plans and specifications on file in the Engineering Division of the Puget Sound Clean Air Agency	Condition No 3.7 Duty to Provide Information	
2.34	NOC Order of Approval No. 10275 Condition 3 1/21/2025	No residual oil shall be combusted in the Combustion-Engineering Boiler #110511 (Boiler #3), No residual oil shall be combusted in the Combustion-Engineering Boiler #110272 (Boiler #4).	Condition No 3.7 Duty to Provide Information Conditions No 2.40 & **Error! Reference source not found.** Fuel Oil Requirements	

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.35	NOC Order of Approval No. 106 7/3/1969	Approval is granted by agency to install a 120,000 lb/hr steam generating unit at 1319 Western Avenue (Combustion-Engineering Boiler #4, Type D, 168 mmBTU/hr)	Condition No 3.7 Duty to Provide Information	
2.36	NOC Order of Approval No. 1066 9/25/1973	Permission is hereby granted as provided in Article 6 of Regulation I of the Puget Sound Clean Air Agency (formerly PSAPCA) to the applicant to install, alter, or establish the equipment, device, or process described hereon at the installation address in accordance with the plans and specifications on file in the Engineering Division of the Puget Sound Clean Air Agency (formerly PSAPCA) (Combustion-Engineering Boiler #3, Type A, 238 mmBTU/hr))	Condition No 3.7 Duty to Provide Information	

EU 2: Compliance Methods for Two Combustion Engineering Boilers with a Common Stack Firing Natural Gas & ULSD

Common Stack Requirements

2.37 When two or more emissions units are connected to a common stack and the operator elects not to provide the means or facilities to sample emissions from the individual emissions units, and the relative contributions of the individual emissions units to the common discharge are not readily distinguishable, then the emissions of the common stack must meet the most restrictive standard of any of the connected emissions units.

[WAC 173-400-040(1)(b)]

Visible Emissions Monitoring for Two Combustion Engineering Boilers

2.38 For natural gas boilers in Emission Unit No. 2 transitioning from natural gas to distillate fuel oil, observe exhaust stacks for visible emissions from the initial combustion of distillate fuel oil until combustion is stabilized. Keep documentation as to whether visible emissions were observed and the length of time visible emissions occurred. If visible emissions other than uncombined water are observed, the permittee shall as soon as practicable but no later than within 24 hours of the initial observation:

- Take corrective action, which may include shutting down the unit or activity until it

can be repaired, until there are no visible emissions;

or

- Alternatively, determine the opacity using the reference test method (Washington Department of Ecology Method 9A).

Failure to take action as described above shall be reported as a permit deviation in accordance with Condition 5.5.

All observations using the opacity reference test method shall be reported according to Conditions 5.30 and 5.31 of this permit.

[WAC 173-401-615(1)(b)]

2.39 At least once per calendar month, the permittee shall conduct an inspection of each boiler in Emission Unit No. 2 for visible emissions. Inspections are to be performed while the equipment is in operation during daylight hours. If, during the scheduled inspection or at any other time, visible emissions other than uncombined water are observed, the permittee shall, as soon as possible, but no later than within 24 hours of the initial observation, initiate corrective action until there are no visible emissions or, alternatively, record the opacity using the reference test method or shut down the unit or activity that is generating the emissions until the unit can be repaired. The permittee shall keep records of the inspections, including date and time of inspection, the name or ID of the person conducting inspection, the results of the inspection, and any corrective action conducted. Failure to implement corrective action or else shut down the unit/activity within 24 hours of initial observation of noncompliance shall be reported as a deviation under Condition 5.5.

[WAC 173-401-615(1)(b)]

Fuel Oil Requirements for Combustion Engineering Boilers

2.40 The permittee shall not purchase any fuel oil that contains more than 15 ppm sulfur by weight.

[WAC 173-401-615(1)(b)]

2.41 Compliance with fuel oil sulfur limits in Condition 2.40 shall be determined based on a certification from the fuel supplier, as described below: The permittee shall not purchase any fuel oil that contains more than 15 ppm sulfur by weight.

Fuel supplier certification shall include the following information for distillate oil for each delivery:

(i) The name of the oil supplier;

(iii) The sulfur content of the oil.

(vi) The permittee shall keep records of all fuel oil certifications from the oil supplier.

[WAC 173-401-615(1)(b)]

EU No. 3: One Riley Boiler Firing Natural Gas with Ultra Low Sulfur Diesel as Backup Fuel (Boiler #2)

The requirements in Table 4 apply to Emission Unit No. 3 – This emission unit consists of one boiler capable of burning natural gas and ultra low sulfur diesel (ULSD) and was installed prior to the existence of federal and state rules requiring pre-construction permits and prior to the establishment of PSCAA. The emissions from the boiler are routed through a multiclone device that was installed in 1962. The device was installed to control particulate emissions when the boiler was burning #6 residual fuel oil. The boiler no longer burns #6 fuel oil, however the multiclone is still in place. This boiler vents out of the silver stack and is the only fuel burning equipment that vents out of this stack.

Boiler #2, Riley boiler rated at 280 MMBTU/hr, installed in 1955

Table 4. Applicable Requirements for One Riley Stoker Boiler Firing Natural Gas & Ultra Low Sulfur Diesel-Fuel

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.42	PSCAA Reg I: 9.03, except for 9.03(d) & (e)	Shall not cause or allow the emission of any air contaminant for a period or periods aggregating more than 3 minutes in any hour which is: (1) Darker in shade than that designated as No. 1 (20% density) on the Ringelmann Chart, as published by the United States Bureau of Mines or (2) of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in (1) above.	Conditions 2.47 & 2.48 Visible Emissions Monitoring Condition 5.11 Investigations and Testing	Washington Department of Ecology Method 9A
2.43	PSCAA Reg I: 9.09	Shall not emit particulate matter in excess of 0.05 gr/dscf corrected to 7% O_2 from burning fuel other than wood.	Conditions 2.47 & 2.48 Visible Emissions Monitoring Condition 5.11 Investigations and Testing	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution 540 dated 8/11/1983

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.44	PSCAA Reg I: 9.20(a) RCW 70A.15.2210(7) 1996	All equipment must be maintained in good working order	Condition No 1.14 Opacity Monitoring Condition No 1.15 Facility-wide Inspections Condition No 1.17 Maintenance and Repair of Emission Units Condition No 1.18 Operation & Maintenance Requirements Condition No 1.20 O&M Plan Requirements Conditions No 2.47 & 2.48 Visible Emissions Monitoring	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution 540 dated 8/11/1983
2.45	NOC Order of Approval No. 10275 Condition 1 1/21/2025	Approval is hereby granted as provided in Article 6 of Regulation I of the Puget Sound Clean Air Agency to the applicant to install or establish the equipment, device or process described hereon at the installation address in accordance with the plans and specifications on file in the Engineering Division of the Puget Sound Clean Air Agency	Condition 3.7 Duty to Provide Information	
2.46	NOC Order of Approval No. 10275 Condition 3 1/21/2025	No residual oil shall be combusted in the Riley Stoker Boiler #110511 (Boiler #2),	Condition 3.7 Duty to Provide Information Conditions 2.40 & **Error! Reference source not found.Error! Reference source not found.** Fuel Oil Requirements	

EU 3: Compliance Methods for Riley Stoker Boiler Firing Natural Gas & Ultra Low Sulfur Diesel-Fuel (Boiler #2)

Visible Emissions Monitoring for Riley Stoker Boiler #2

2.47 For natural gas boilers in Emission Unit No. 3 transitioning from natural gas to distillate fuel oil, observe exhaust stacks for visible emissions from the initial combustion of distillate fuel oil until combustion is stabilized. Keep documentation as to whether visible emissions were observed and the length of time visible emissions occurred. If visible emissions other than uncombined water are observed, the permittee shall as soon as practicable but no later than within 24 hours of the initial observation:

- Take corrective action, which may include shutting down the unit or activity until it can be repaired, until there are no visible emissions;

or

- Alternatively, determine the opacity using the reference test method (Washington Department of Ecology Method 9A).

Failure to take action as described above shall be reported as a permit deviation in accordance with Condition 5.5.

All observations using the opacity reference test method shall be reported according to Conditions 5.30 and 5.31 of this permit.

[WAC 173-401-615(1)(b)]

2.48 At least once per calendar month, the permittee shall conduct an inspection of each boiler in Emission Unit No.3 for visible emissions. Inspections are to be performed while the equipment is in operation during daylight hours. If, during the scheduled inspection or at any other time, visible emissions other than uncombined water are observed, the permittee shall, as soon as possible, but no later than within 24 hours of the initial observation, initiate corrective action until there are no visible emissions or, alternatively, record the opacity using the reference test method or shut down the unit or activity that is generating the emissions until the unit can be repaired. The permittee shall keep records of the inspections, including date and time of inspection, the name or ID of the person conducting inspection, the results of the inspection, and any corrective action conducted. Failure to implement corrective action or else shut down the unit/activity within 24 hours of initial observation of noncompliance shall be reported as a deviation under Condition 5.5.

[WAC 173-401-615(1)(b)]

Fuel Oil Requirements for Riley Stoker Boiler #2

2.49 The permittee shall not purchase any fuel oil that contains more than 15 ppm sulfur by weight.

[WAC 173-401-615(1)(b)]

2.50 Compliance with fuel oil sulfur limits in Condition 2.49 shall be determined based on a certification from the fuel supplier, as described below: The permittee shall not purchase any fuel oil that contains more than 15 ppm sulfur by weight.

Fuel supplier certification shall include the following information for distillate oil for each delivery:

(i) The name of the oil supplier;

(iii) The sulfur content of the oil.

(vi) The permittee shall keep records of all fuel oil certifications from the oil supplier.

[WAC 173-401-615(1)(b)]

EU No. 4: One Diesel Emergency Engine/Generator Set

The requirements in Table 5 apply to Emission Unit No. 4 – This emission unit consists of one ULSD-fired Caterpillar C18 900HP emergency black start engine generator set rated at 671kW, 18.1L per cylinder. The engine was ordered and installed in 2018 and was manufactured after 2006. It is subject to the New Source Performance Standard IIII and also to NESHAP ZZZZ. The engine has a non-resettable hour meter.

Emergency Engine, Caterpillar rated at 900 HP installed in 2018

Table 5. Applicable Requirements for One Diesel Emergency Engine/Generator Set

Reqmt No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
2.51	PSCAA Reg I: 9.03, except for 9.03(d) & (e)	Shall not cause or allow the emission of any air contaminant for a period or periods aggregating more than 3 minutes in any hour which is: (1) Darker in shade than that designated as No. 1 (20% density) on the Ringelmann Chart, as published by the United States Bureau of Mines or (2) of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in (1) above.	Condition No. 1.14 Opacity Monitoring Condition 5.11 Investigations and Testing	Washington Department of Ecology Method 9A
2.52	PSCAA Reg I: 9.09	Shall not emit particulate matter in excess of 0.05 gr/dscf corrected to 7% O_2 from burning fuel other than wood.	Condition No. 1.14 Opacity Monitoring Condition 5.11 Investigations and Testing	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution 540 dated 8/11/1983
2.53	PSCAA Reg I: 9.20(a) RCW 70A.15.2210(7) 1996	All equipment must be maintained in good working order	Condition No 1.14 Opacity Monitoring Condition No 1.15 Facility-wide Inspections Condition No 1.17 Maintenance and	

			Repair of Emission Units Condition No 1.18 Operation & Maintenance Requirements Condition No 1.20 O&M Plan Requirements Conditions No 2.47 & 2.48 Visible Emissions Monitoring	
2.54	PSCAA Reg I: 9.20(a) RCW 70A.15.2210(7) 1996	All equipment must be maintained in good working order	Condition No 1.14 Opacity Monitoring Condition No 1.15 Facility-wide Inspections Condition No 1.17 Maintenance and Repair of Emission Units Condition No 1.18 Operation & Maintenance Requirements Condition No 1.20 O&M Plan Requirements Conditions No 2.47 & 2.48 Visible Emissions Monitoring	
2.55	40 CFR 60.4207(b) Subpart IIII PSCAA Reg I: 3.25 WAC 173-401-615(1)(b)	The permittee must use diesel fuel that meets the sulfur requirements of 40 CFR 1090.305 for nonroad diesel fuel of 15 ppm by weight.	Condition No. **Error! Reference source not found.** Fuel Sulfur Limit for Emergency Engine/Generator Set	
2.56	40 CFR 60.4211(f) Subpart IIII PSCAA Reg I: 3.25	In order for the engine to be considered an emergency stationary ICE under Subpart IIII, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in condition 2.58 **Error! Reference source not found.**through 2.60 is prohibited.	2.65 & 2.66 Records of Emergency Engine Operation 2.67 Annual Report for Emergency Engine Operation for Non-Emergencies	

2.57	40 CFR 60.4211(f)(1) Subpart IIII PSCAA Reg I: 3.25	There is no time limit on the use of emergency stationary ICE in emergency situations.	2.65 & 2.66 Records of Emergency Engine Operation	
2.58	40 CFR 60.4211(f)(2) Subpart IIII PSCAA Reg I: 3.25	Emergency stationary ICE may be operated for the purpose specified in Condition 2.59 of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by Condition 2.60 of this section counts as part of the 100 hours per calendar year allowed by this Condition 2.58.	2.65 & 2.66 Records of Emergency Engine Operation 2.67 Annual Report for Emergency Engine Operation for Non-Emergencies	
2.59	40 CFR 60.4211(f)(2)(i) Subpart IIII PSCAA Reg I: 3.25	Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.	2.65 & 2.66 Records of Emergency Engine Operation 2.67 Annual Report for Emergency Engine Operation for Non-Emergencies	
2.60	40 CFR 60.4211(f)(3) Subpart IIII PSCAA Reg I: 3.25	Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph 2.7. The 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.	2.65 & 2.66 Records of Emergency Engine Operation 2.67 Annual Report for Emergency Engine Operation for Non-Emergencies	

2.61	40 CFR 60.4211(g)(3) Subpart IIII PSCAA Reg I: 3.25	If the permittee does not install, configure, operate, and maintain the engine and control device according to the manufacturer's emission-related written instructions, or changes emission-related settings in a way that is not permitted by the manufacturer must demonstrate compliance as required by condition	Condition 2.69 Engine Maintenance	
2.62	40 CFR 60 Table 8 to Subpart IIII PSCAA Reg I: 3.25	The Permittee must comply with the general provisions in 40 CFR 60 Subpart A as required by Table 8 of Subpart IIII	Condition No. 3.7 Duty to Provide Information Condition 2.70 Table 8 to Subpart IIII	
2.63	40 CFR 63.6590(c)(1) Subpart ZZZZ PSCAA Reg I: 3.25	A new or constructed stationary RICE located at an area source must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines. No further requirements apply for such engines under 40 CFR 63.	Condition 2.65 & 2.65 Records of Emergency Engine Operation 2.66 Annual Report for Emergency Engine Operation for Non-Emergencies **Error! Reference source not found.** Fuel Sulfur Limit 2.69 Engine Maintenance	
2.64	40 CFR 60 Subpart A 60.12 PSCAA Reg I: 3.25	No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.	3.7 Duty to Provide Information	

EU 4: Compliance Methods for One Diesel Emergency Engine/Generator Set

Records of Emergency Engine Operation

2.65 The permittee must have installed and continuously operate a non-resettable hour meter.

[40CFR 60.4209(a)]
[PSCAA Regulation I, Section 3.25]

2.66 The permittee must maintain records of the number of hours the emergency engine is operated for each of the following reasons for each calendar year:

(1) Maintenance checks and readiness testing as described in condition 2.59
(2) Operation in non-emergency situations for up to 50 hours per year as described in condition 2.60
(3) Emergency operation, including what classified the operation as emergency.
(4) If the engine is operated for more than 100 hours in any calendar year for any purposes other than an emergency, the permittee shall notify the Puget Sound Clean Air Agency within 30 days of the date on which the engine operating hours exceeded 100 for the calendar year.

[WAC 173-401-615(1)(b)]

Annual Report for Emergency Engine Operation for Non-Emergencies

2.67 If the emergency engine is operated for non-emergency situation as described in condition 2.60, the permittee must submit an annual report to the Puget Sound Clean Air Agency as described below:

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

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

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(vii) Hours spent for operation for the purposes specified in condition 2.60, including the date, start time, and end time for engine operation for the purposes specified in § 60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(2) The annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

[40 CFR 60.4214(d)]

Fuel Oil Requirements for Emergency Engine/Generator Set

2.68 Compliance with fuel oil sulfur limits in Condition 2.55 shall be determined based on a certification from the fuel supplier, as described below. Fuel supplier certification shall include the following information for distillate oil for each delivery:

(i) The name of the oil supplier;

(iii) The sulfur content of the oil.

(vi) The permittee shall keep records of all fuel oil certifications from the oil supplier.

[WAC 173-401-615(1)(b)]

Engine Maintenance & Performance Tests

2.69 The permittee must keep a maintenance plan and records of conducted maintenance and to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, conduct a performance test to demonstrate compliance with the applicable emission standards within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after the permittee changes emission-related settings in a way that is not permitted by the manufacturer. If an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, the permittee must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

[40 CFR 60.4211(g)(3)]

40 CFR 60 Subpart A General Provisions Applicable to Diesel Emergency Engine/Generator Set

2.70 **Table 8 to Subpart IIII of Part 60 Applicability of General Provisions to Subpart IIII**

General Provisions citation	Subject of citation	Applies to Subpart	Explanation
§ 60.1	General applicability of the General Provisions	Yes	
§ 60.2	Definitions	Yes	Additional terms defined in § 60.4219.
§ 60.3	Units and abbreviations	Yes	
§ 60.4	Address	Yes	
§ 60.5	Determination of construction or modification	Yes	
§ 60.6	Review of plans	Yes	
§ 60.7	Notification and Recordkeeping	Yes	Except that § 60.7 only applies as specified in § 60.4214(a).
§ 60.8	Performance tests	No	§ 60.8 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder and engines that are not certified. The engine at CenTrio has a displacement of 18.1L per cylinder and
§ 60.9	Availability of information	Yes	
§ 60.10	State Authority	Yes	

General Provisions citation	Subject of citation	Applies to Subpart	Explanation
§ 60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart IIII.
§ 60.12	Circumvention	Yes	
§ 60.13	Monitoring requirements	Yes	Except that § 60.13 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder.
§ 60.14	Modification	Yes	
§ 60.15	Reconstruction	Yes	
§ 60.16	Priority list	Yes	
§ 60.17	Incorporations by reference	Yes	
§ 60.18	General control device requirements	No	
§ 60.19	General notification and reporting requirements	Yes	

Section 3: Standard Terms and Conditions

Duty to Comply

3.1 The permittee must comply with all conditions of this chapter 401 permit. Any permit noncompliance constitutes a violation of chapter 70A.15 RCW and, for federally enforceable provisions, a violation of the FCAA. Such violations are grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[WAC 173-401-620(2)(a)]

3.2 It shall be unlawful for any person to cause or allow the operation of any source subject to the requirements of WAC 173-401 without complying with the provisions of WAC 173-401 and any permit issued under its authority.

[PSCAA Reg I, Section 7.05]

3.3 All sources and emission units are required to meet the emission standards of WAC 173-400.

[WAC 173-400-040(1)(a)]

Need to Halt or Reduce Activity not a Defense

3.4 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.

[WAC 173-401-620(2)(b)]

Permit Actions

3.5 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.

[WAC 173-401-620(2)(c)]

Property Rights

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

[WAC 173-401-620(2)(d)]

Duty to Provide Information

3.7 The permittee shall furnish to the Puget Sound Clean Air Agency, within a reasonable time, any information that the permitting authority 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 Puget Sound Clean Air Agency copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the Puget Sound Clean Air Agency along with a claim of confidentiality. Puget Sound Clean Air Agency shall maintain confidentiality of such information in accordance with RCW 70A.15.2510

[WAC 173-401-620(2)(e)]

[RCW 70A.15.2510]

Permit Fees

3.8 The permittee shall pay fees as a condition of this permit in accordance with the Puget Sound Clean Air Agency's fee schedule in accordance with Puget Sound Clean Air Agency's Regulation I, Section 7.07. Failure to pay fees in a timely fashion shall subject the permittee to civil and criminal penalties as prescribed in chapter 70.A15 RCW.

[WAC 173-401-620(2)(f) and PSCAA Regulation I, Section 7.07]
[RCW 70A.15]

Emissions Trading

3.9 No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit.

[WAC 173-401-620(2)(g)]

Severability

3.10 If any provision of this permit is held to be invalid, all unaffected provisions of the permit shall remain in effect and be enforceable.

[WAC 173-401-620(2)(h)]

Permit Appeals

3.11 This permit or any conditions in it may be appealed only by filing an appeal with the Pollution Control Hearings Board and serving it on the Puget Sound Clean Air Agency within thirty days of receipt pursuant to RCW 43.21B.310. This provision for appeal in this section is separate from and additional to any federal rights to petition and review under §505(b) of the FCAA.

[WAC 173-401-620(2)(i)]

Permit Continuation

3.12 This permit and all terms and conditions contained therein, including any permit shield provided under WAC 173-401-640, shall not expire until the renewal permit has been issued or denied if a timely and complete application has been submitted. An application shield granted pursuant to WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued or denied if a timely and complete application has been submitted.

[WAC 173-401-620(2)(j)]

Section 4: General Permitting Requirements

Permit Renewal

4.1 The permittee shall submit a timely and complete Title V permit renewal application to the Puget Sound Clean Air Agency no later than 180 days prior the expiration of this permit.

[WAC 173-401-710(1)]
[WAC 173-401-500(3)(d)]

Expired Permits

4.2 Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application has been submitted consistent with Condition No. 4.1 of this permit and WAC 173-401-500. All terms and conditions of the permit shall remain in effect after the permit itself expires if a timely and complete permit application has been submitted.

[WAC 173-401-710(3)]

Revocation of Permits

4.3 The Puget Sound Clean Air Agency may revoke a permit only upon the request of the permittee or for cause. The Puget Sound Clean Air Agency shall provide at least thirty days written notice to the holder of a current operating permit prior to revocation of the permit or denial of a permit renewal application. Such notice shall include an explanation of the basis for the proposed action and afford the permittee/applicant an opportunity to meet with the Puget Sound Clean Air Agency prior to the authority's final decision. A revocation issued may be issued conditionally with a future effective date and may specify that the revocation will not take effect if the permittee satisfies the specified conditions before the effective date. Nothing in this condition shall limit the Puget Sound Clean Air Agency's authority to issue emergency orders.

[WAC 173-401-710(4)]

Reopening for Cause

4.4 This permit shall be reopened and revised under any of the circumstances described in WAC 173-401-730(1). Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

[WAC 173-401-730]

Administrative Permit Amendments

4.5 The permittee may file for an administrative permit amendment in accordance with WAC 173-401-720(3). The permittee may implement the changes addressed in the request for an administrative request immediately upon submittal of the request. An “administrative permit amendment” is a permit revision that:

a. Corrects typographical errors;

b. Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source;

c. Requires more frequent monitoring or reporting by the permittee;

d. Allows for a change in ownership or operational control of a source where the Puget Sound Clean Air Agency determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Puget Sound Clean Air Agency;

e. Incorporates into the permit the terms, conditions, and provisions from orders approving notice of construction applications processed under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of WAC 173-401-700, 173-401-725, and 173-401-800 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in WAC 173-401-600 through 173-401-650.

WAC 173-401-720]

Permit Shield

4.6 The Puget Sound Clean Air Agency shall, upon taking final action granting a request for an administrative permit amendment, allow coverage by the permit shield in WAC 173-401-640 for administrative permit amendments made pursuant to Condition 4.5(e).

[WAC 173-401-720]

Minor Permit Modifications

4.7 For minor permit modifications the permittee shall submit an application as described in WAC 173-401-725(2)(b). Minor modification procedures shall be used for those permit modifications that:

a. Do not violate any applicable requirement;

b. Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;

c. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;

d. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid and applicable requirement to which the source would otherwise be subject. Such terms and conditions include a federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the FCAA and an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the FCAA; and

e. Are not modifications under any provision of the Title I of the FCAA.

4.8 The permit modification shall be accomplished in accordance with the criteria and procedures as described in WAC 173-401-725(2)(c) through (2)(e).

4.9 For group processing of modifications the permittee shall submit an application as described in WAC 173-401-725(3)(b). Group processing of minor modifications may be used only for those permit modifications that meet the following criteria:

a. Meets the criteria for minor permit modification procedures in Term 4.7; and

b. Collectively are below ten percent of the emissions allowed by the permit for the emissions unit for which the change is requested, twenty percent of the applicable definition of major source in WAC 173-401-200, or five tons per year, whichever is least.

4.10 The permit modification shall be accomplished in accordance with the criteria and procedures as described in WAC 173-401-725(3)(c) through (3)(e).

4.11 The permittee may make the change(s) proposed in its minor permit modification application immediately after it files such as application provided that those changes requiring the submissions of a notice of construction application have been reviewed and approved by the Puget Sound Clean Air Agency. After the permittee makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions specified in WAC 173-401-725(2)(d), the permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the permittee need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

4.12 The permit shield under WAC 173-401-640 shall not extend to minor permit modifications.

[WAC 173-401-725(2) and (3)]

Significant Permit Modifications

4.13 Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments. Every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant. Nothing herein shall be construed to preclude the permittee from making changes consistent with Chapter 173-401 WAC that would render existing permit compliance terms and conditions irrelevant.

Significant permit modifications shall meet all requirements of WAC 173-401, including those for applications, public participation, review by affected states, and review by EPA, as they apply to permit issuance and permit renewal.

[WAC 173-401-725(4)]
[WAC 173-401-500 (3)(c)]

Changes Not Requiring Permit Revisions

4.14 The permittee is authorized to make the changes described in WAC 173-401-722 without a permit revision, provided the following conditions are met:

a. The proposed changes are not Title I modifications;

b. The proposed changes do not result in emissions which exceed those allowable under the permit, whether expressed as a rate of emissions, or in total emissions;

c. The proposed changes do not alter permit terms that are necessary to enforce limitations on emissions from the units covered by the permit; and

d. The facility provides the administrator and PSCAA with written notification at least seven days prior to making the proposed changes except that written notification of a change made in response to an emergency shall be provided as soon as possible after the event.

Changes described in WAC 173-401-722 include Section 502(b)(10) changes (changes that contravene an express permit term, but do not included 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), PSCAA SIP authorized emission trading, and emission caps. Requirements for notification are included in WAC 173-401-722(2), (3) and (4)

4.15 The permit shield does not apply to any 502(b)(10) change or PSCAA SIP authorized emission trading but does extend to terms and conditions that allow increases or decreases in emissions under changes to emission caps.

4.16 The permittee shall comply with applicable preconstruction review requirements.

4.17 The permittee and PSCAA shall attach each notice to their copy of the relevant permit.

[WAC 173-401-722]

Off Permit Changes

4.18 The permittee is allowed to make changes not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided that the proposed changes do not weaken the enforceability of existing permit conditions. Any change that is a Title I modification must be submitted as a permit revision. Each change shall meet all applicable requirement and shall not violate any existing permit term or condition.

4.19 The permittee shall provide contemporaneous written notice to PSCAA and EPA of such change, except for changes that qualify as insignificant under WAC 173-401-530. 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.

Mailing addresses for the Agency and EPA are in Conditions 5.7 and 5.78. The permittee shall also submit the notice to Puget Sound Clean Air Agency in electronic format as an attachment to an e-mail message [facilitysubmittal@pscleanair.gov or any other email address identified by the Agency]. The date the document is received by the Agency e-mail system is considered the submitted date of the report.

4.20 The change shall not qualify for the permit shield.

4.21 The permittee shall comply with applicable preconstruction review requirements.

4.22 The permittee shall keep a record describing changes made that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes.

[WAC 173-401-724]

Permit Applications

4.23 Any modified chapter 401 source shall file a complete application to obtain the chapter 401 permit revision within twelve months after commencing operation of the modified source. Where an existing chapter 401 permit would prohibit such construction or

change in operation, the modified source must obtain a permit revision before commencing operation. The applicant may elect to integrate procedures for new source review and operating permit issuance. This does not apply to off-permit changes.

[WAC 173-401-500(3)(c)]

4.24 Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit.

[WAC 173-401-500(6)]

Notice of Construction

4.25 Except for the exemptions provided in Sections 6.03(b) and (c) of Puget Sound Clean Air Agency's Regulation I, it shall be unlawful for any person to cause or allow the establishment of a new source, or the replacement or substantial alteration of control equipment installed on an existing source, unless a "Notice of Construction application" has been filed and an "Order of Approval" has been issued by the Puget Sound Clean Air Agency. For exemptions included in PSCAA Regulation I, 6.03(c). the permittee must keep sufficient records to document the applicability of the exemption being relied on.

The exemptions in PSCAA Regulation I, 6.03(b) and (c) do not apply to projects or sources identified in PSCAA Regulation I, 6.03(a)(1) – (5).

[PSCAA Regulation I, Section 6.03(a) & (c)]
[PSCAA Regulation I, Section 6.01(a)]
[WAC 173-400-114]
[40 CFR60.7(a)(4)]

4.26 Where work for which an Order of Approval is required is commenced or performed prior to making application and receiving approval, the Control Officer may conduct an investigation as part of the Notice of Construction review. In such a case, an investigation fee, in addition to the fees of Section 6.04, shall be assessed in an amount equal to 3 times the fees of Section 6.04. Payment of the fees does not relieve any person from the requirement to comply with the regulations nor from any penalties for failure to comply.

[PSCAA Regulation I, Section 6.10]

New Source Notification

4.27 Except for projects or sources identified in PSCAA Regulation I, 6.03(a)(1) – (5), a Notice of Construction application and Order of Approval are not required for the new sources identified in PSCAA's Regulation I, Section 6.03(b), provided that a complete notification is filed with the PSCAA.

[PSCAA Regulation I, Section 6.03(b)(1)-(9) and (11)]
[PSCAA Regulation I, Section 6.03(b)(10)]

Prevention of Significant Deterioration (PSD)

4.28 For a new major source stationary source or a major modification to an existing major stationary source as defined in WAC 173-400-720, the permittee must comply with the requirements in WAC 173-400-700 through 750. Ecology is the permitting agency for the PSD program in WAC 173-400-700 through -750.

[PSCAA Regulation I, Section 6.01]

Notice of Completion

4.29 Within 30 days of completion of the installation or modification of a stationary source subject to the Condition No. 4.24 of this section, the permittee shall file a Notice of Completion with PSCAA. Each Notice of Completion shall be submitted on a form provided by the PSCAA and shall specify the date upon which operation of the stationary source has commenced or will commence.

[PSCAA Regulation I, Section 6.09]

Section 5: General Compliance Requirements

Schedule of Compliance

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

For applicable requirements that will become effective during the permit term, the permittee shall meet such requirements on a timely basis.

[WAC 173-401-630(3)]
[WAC 173-401-510(2)(h)(iii)]

Responsible Official Certification

5.2 Except as provided for in Condition 5.6 Certification Upon Submittal, any application form, report, or compliance certification submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required by a responsible official under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[WAC 173-401-520]
[WAC 173-401-630(1)]

Compliance Certification

5.3 The permittee shall submit a certification of compliance with the terms and conditions contained in the permit, including emission limitations, standards, or work practices. The certification of compliance shall be submitted to the Puget Sound Clean Air Agency in electronic format as an attachment to an e-mail message addressed to facilitysubmittal@pscleanair.gov (or any other email address identified by the Agency) by February 28th of each calendar year for the previous calendar year. The date the document is received by the Agency e-mail system is considered the submitted date of the report. An email message to the Agency with a link to a file-sharing or folder-sharing site requiring a document download by the Agency will not meet the requirement in this section. The permittee shall also submit the compliance certification to EPA Region 10 as specified in condition 5.7 by February 28th of each calendar year for the previous calendar year.

Each certification shall include the following:

a. The identification of each term or condition of the permit that is the basis of the certification;

b. The compliance status;

c. Whether compliance was continuous or intermittent; and

d. The method(s) used for determining the compliance status of the source, currently and over the reporting period consistent with WAC 173-401-615 (3)(a).

As directed in condition 5.8 the permittee shall submit the compliance certification to Puget Sound Clean Air Agency in electronic format as an attachment to an e-mail message to facilitysubmittal@pscleanair.gov (or any other email address identified by the Agency) by February 28 for the previous year (January – December). The date the document is received by the Agency e-mail system is considered the submitted date of the report.

Where an applicable requirement requires reporting more frequently than once every six months, the responsible official's certification need only to be submitted once every six months, covering all required reporting since the date of the last certification, provided that the certification specifically identifies all documents subject to the certification. The certification of compliance shall be submitted to the Puget Sound Clean Air Agency in electronic format as an attachment to an e-mail message addressed to facilitysubmittal@pscleanair.gov (or any other email address identified by the Agency)

The semiannual certifications shall cover the calendar months of January through June and July through December.

[WAC 173-401-630(5)]
[PSCAA Regulation I, Section 7.09(c)]

Semiannual Report

5.4 The permittee shall submit the reports of any required reportable monitoring at least once every six months. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with WAC 173-401-520. The report periods and submittal due dates are as shown below.

a. Reporting period covering January 1 – June 30. Report submittal due date is July 30.

b. Reporting period covering July 1 – December 31. Report submittal due date is January 30.

The permittee shall submit all semiannual reports to Puget Sound Clean Air Agency in electronic format as an attachment to an e-mail message to facilitysubmittal@pscleanair.gov (or any other email address identified by the Agency. The date the document is received by the Agency e-mail system is considered the submitted date of the report.

[WAC 173-401-615(3)(a)]
[PSCAA Regulation I, Section 7.09(c)]

Deviation Report

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

a. For deviations which represent a potential threat to human health or safety, "prompt" means as soon as possible. The permittee shall report these deviations by e-mail to facilitysubmittal@pscleanair.gov (or any other email address identified by the Agency) as soon as possible but in no case later than twelve hours after the deviation is discovered. The date and time the document is received by the Agency e-mail system is considered the submitted date of the report.

b. All other deviations shall be reported by email no later than thirty days after the end of the month during which the deviation is discovered. The report must be submitted to the Agency in electronic format as an attachment to an e-mail message to facilitysubmittal@pscleanair.gov (or any other email address identified by the Agency). The date the document is received by the Agency e-mail system is considered the submitted date of the report.

The permittee shall maintain a contemporaneous record of all deviations.

A Deviation Report may be certified by a responsible official at the time of submittal as provided in Condition 5.2 (Responsible Official Certification); however it is not required to be certified at the time of submittal. Any Deviation Report not certified at the time of submittal must be certified in the Semiannual report as per Condition 5.6 (Certification upon Submittal).

[WAC 173-401-615(3)(b)]
[PSCAA Regulation I, Section 7.09(c)]

Certification upon Submittal

5.6 For the purpose of this permit, the following application forms, reports, and compliance certifications must be certified by the responsible official upon submittal:

- Annual Air Operating Permit Compliance Certification (WAC 173-401-630(5))
- Semiannual Air Operating Permit Report (WAC 173-401-615(3)(a))
- Administrative Permit Amendment Requests (WAC 173-401-720)
- Permit Modification Application (WAC 173-401-725)
- Renewal of Permit (WAC 173-401-710) (WAC 173-401-500(4))

For all other application forms, reports, and compliance certifications, the responsible official's certification needs only to be submitted once every six months in the semiannual report, covering all required reporting since the date of the last certification, provided that the certification specifically identifies all documents.

[PSCAA Regulation I, Section 7.09(c)]
[WAC 173-401-630(5)]
[WAC 173-401-615(3)(a)]

US EPA Mailing Address

5.7 For all compliance certifications, test reports and monitoring reports required to be submitted to the US Environmental Protection Agency, a hard copy must be sent to the Clean Air Act Compliance Manager at the address below unless the document is required by regulation to be submitted via a Cross-Media Electronic Reporting Regulation (CROMERR) compliant system. If the document(s) must be submitted via CROMERR, it must be submitted electronically via the Compliance and Emissions Data Reporting Interface (CEDRI) section of the Central Data Exchange (CDX).

Clean Air Act Compliance Manager
US EPA Region 10, Mail Stop: 20-C04
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101

Compliance Reports-Electronic Submittal

5.8 The permittee shall submit complete copies of all required compliance reports to Puget Sound Clean Air Agency in electronic format as an attachment to an e-mail message to facilitysubmittal@pscleanair.gov (or any other email address identified by the Agency). The date the document is received by the Agency e-mail system shall be considered the submitted date of the report. Nothing in this condition waives or modifies any requirements established under other applicable regulations.

[PSCAA Regulation I, Section 7.09(c)]

Data Recovery

5.9 The permittee shall recover valid monitoring and recordkeeping data for each parameter according to any specific monitoring and recordkeeping requirements identified in Section 2 of this permit. If the specific monitoring and recordkeeping requirements in Section 2 of this permit do not address data recovery provisions, then the required data recovery is assumed to be 100% except as described in this section. However, no data need be collected during any period that the monitored process does not operate.

The Deviation Reports required by Condition 5.5 shall include an explanation for any instance in which the permittee failed to meet the data recovery requirements of this condition for any monitored process or parameter and any instances of reconstructing lost data. The explanation shall include the reason that the data was not collected and any actions that the permittee will take to ensure collection of such data in the future.

[WAC 173-401-615(1)(b)]

Inspection and Entry

5.10 Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the permitting authority or an authorized representative to perform the following:

a. Enter upon the permittee's premises where a Title V source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

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

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

d. As authorized by WAC 173-400-105 and the FCAA, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

[WAC 173-401-630(2)]
[PSCAA Regulation I, Section 3.05(b)]
[WAC 173-400-105(3)]

Investigations and Testing

5.11 For the purpose of determining compliance with an emission standard, the Puget Sound Clean Air Agency or Ecology shall have the authority to conduct testing of a source or to order the permittee to have it tested and to report the results to the Agency or Ecology. In the event the Agency or Ecology conducts the test, the Agency or Ecology shall provide the permittee an opportunity to observe the sampling and to obtain a sample at the same time. Testing shall follow the requirements in sections 5.29 to 5.31 of this permit. If testing is to show compliance with New Source Performance Standards, testing shall follow the requirements in sections 5.29 to 5.31 of this permit as well as 40 CFR 60.11 Subpart A and all requirements for testing under the applicable Subpart(s).

[PSCAA Regulation I, Section 3.05(b)]
[WAC 173-400-105(2)]
[WAC 173-400-105(4)]

[WAC 173-401-630(1)]

Credible Evidence

5.12 For the purpose of establishing whether or not a person has violated or is in violation of any provision of chapter 70.94 RCW, any rule enacted pursuant to that chapter, any permit or order issued thereunder, or part 40 CFR 60, nothing in these regulations shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed.

[PSCAA Regulation I, Section 3.06]
[RCW 70A.15]
[40 CFR 60.11(g)]
[PSCAA Regulation I, Section 3.25]

Excess Emissions

This section is in effect until the effective date of EPA's removal of the September 20, 1993, version of this section from the PSCAA SIP. This section is not effective starting on that date.

5.14 The permittee shall have the burden of proving to Puget Sound Clean Air Agency in an enforcement action that excess emissions were unavoidable. Excess emissions which represent a potential threat to human health or safety or which the permittee believes to be unavoidable shall be reported to Puget Sound Clean Air Agency as soon as possible. Other excess emissions shall be reported within thirty days after the end of the month during which the event occurred or as part of the routine emission monitoring reports. Upon request by Puget Sound Clean Air Agency, the permittee shall submit a full written report including the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.

[WAC 173-400-107(1) & (3)]

5.15 Excess emissions determined to be unavoidable under Conditions 5.16, 5.17 or 5.18 of this permit shall be excused and not subject to penalty.

[WAC 173-400-107(2)]

5.16 Excess emissions due to startup or shutdown conditions shall be considered unavoidable provided the permittee reports as required under Condition 5.14 of this permit and adequately demonstrates that the excess emissions could not have been prevented through careful planning and design and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

[WAC 173-400-107(4)]

5.17 Excess emissions due to scheduled maintenance shall be considered unavoidable if the permittee reports as required under Condition 5.14 of this permit and adequately demonstrates that the excess emissions could not have been avoided through reasonable design, better scheduling for maintenance or through better operation and maintenance practices.

[WAC 173-400-107(5)]

5.18 Excess emissions due to upsets shall be considered unavoidable provided the permittee reports as required under Condition 5.14 of this permit and adequately demonstrates that:

a. The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;

b. The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and

c. The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.

[WAC 173-400-107(6)]
40 CFR 60.11(d)

Excess Emissions Reporting

This section takes effect on the effective date of EPA's removal of the September 20, 1993, version of WAC 173-400-107 from the PSCAA SIP. Until that occurs this section is "State Only" as shown in Section 5.32 Table 2.

5.19 Notify the permitting authority:

a. When excess emissions represent a potential threat to human health or safety, the owner or operator must notify the permitting authority by phone or electronic means as soon as possible, but not later than twelve hours after the excess emissions were discovered.

b. For all other excess emissions, the owner or operator must notify the permitting authority in a report as provided in Condition 5.20.

[WAC 173-400-108(1)]

5.20 Report. The owner or operator must report all excess emissions to the permitting authority:

a. To claim emissions as unavoidable under WAC 173-400-109, the report must contain the information in Condition 5.21.

b. As provided in Condition 5.5 and Condition 5.21.

[WAC 173-400-108(2)]

5.21 For an excess emission event that the owner or operator claims was unavoidable under WAC 173-400-109, the report must include the following information:

a. Properly signed contemporaneous records or other relevant evidence documenting the owner or operator's actions in response to the excess emissions event.

b. Information on whether installed emission monitoring and pollution control systems were operating at the time of the exceedance. If either or both systems were not operating, information on the cause and duration of the outage; and

c. All additional information required under Condition 5.26 supporting the claim that the excess emissions were unavoidable.

[WAC 173-400-108(4)]

Unavoidable Excess Emissions

This section takes effect on the effective date of EPA's removal of the September 20, 1993, version of WAC 173-400-107 from the PSCAA SIP. Until that occurs this section is "State Only" as shown in Section 5.32 Table 2.

5.22 Excess emissions determined to be unavoidable under the procedures and criteria in this section are violations of the applicable statute, rule, permit, or regulatory order.

a. The permitting authority determines whether excess emissions are unavoidable based on the information supplied by the source and the criteria in Condition 5.26.

b. Excess emissions determined by the permitting authority to be unavoidable are:

i. A violation subject to WAC 173-400-230(3), (4), and (6); but

ii. Not subject to civil penalty under WAC 173-400-230(2).

[WAC 173-400-109(1)]

5.23 The owner or operator of a source shall have the burden of proving to the permitting authority in an enforcement action that excess emissions were unavoidable. This demonstration shall be a condition to obtaining relief under Condition 5.26.

[WAC 173-400-109(2)]

5.24 Condition 5.22 does not apply to an exceedance of an emission standard in 40 CFR Parts 60, 61, 62, 63, and 72, or a permitting authority's adoption by reference of these federal standards.

[WAC 173-400-109(3)]

5.25 Excess emissions that occur due to an upset or malfunction during a startup or shutdown event are treated as an upset or malfunction under Condition 5.26.

[WAC 173-400-109(4)]

5.26 Excess emissions due to an upset or malfunction will be considered unavoidable provided the source reports as required by Condition 5.20 and adequately demonstrates to the permitting authority that:

a. The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;

b. The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance;

c. When the operator knew or should have known that an emission standard or other permit condition was being exceeded, the operator took immediate and appropriate corrective action in a manner consistent with safety and good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action. Actions taken could include slowing or shutting down the emission unit as necessary to minimize emissions;

d. If the emitting equipment could not be shut down during the malfunction or upset to prevent the loss of life, prevent personal injury or severe property damage, or to minimize overall emissions, repairs were made in an expeditious fashion;

e. All emission monitoring systems and pollution control systems were kept operating to the extent possible unless their shutdown was necessary to prevent loss of life, personal injury, or severe property damage;

f. The amount and duration of the excess emissions (including any bypass) were minimized to the maximum extent possible; and

g. All practicable steps were taken to minimize the impact of the excess emissions on ambient air quality.

[WAC 173-400-109(5)]

Permit Shield

5.27 Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided such applicable requirements are included and are specifically identified in this permit. The permit shield does not apply to any insignificant emissions unit or activity so designated under WAC 173-401-530.

[WAC 173-401-640(1)]
[WAC 173-401-530(3)]

Permit Shield Exclusions

5.28 Nothing in WAC 173-401-640 or in this permit shall alter or affect the following:

a. The provisions of Section 303 of the FCAA (emergency orders), including the authority of the administrator under that section;

b. The liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance;

c. The applicable requirements of the acid rain program, consistent with section 408(a) of the FCAA;

d. The ability of EPA to obtain information from a source pursuant to section 114 of the FCAA; or

e. The ability of the Puget Sound Clean Air Agency to establish or revise requirements for the use of reasonably available control technology (RACT) as provided in chapter 252, Laws of 1993.

[WAC 173-401-640(4)]

Compliance Test Methods

5.29 Testing of sources for compliance with emission standards shall be performed in accordance with current U.S. Environmental Protection Agency approved methods unless other methods have been identified in this permit.

[PSCAA Regulation I, Section 3.07(a)]

Compliance Test Notification

5.30 The permittee shall notify the Puget Sound Clean Air Agency in writing at least 21 days prior to any compliance test. Notification of a compliance test shall be submitted on

forms provided by the Agency. Test notifications using the Agency forms do not constitute test plans. Compliance with this notification provision does not satisfy any obligation found in an order or other regulatory requirement to submit a test plan for Agency review. This notification requirement does not waive or modify test notification requirements found in other applicable regulations.

[PSCAA Regulation I, Section 3.07(b)]

Compliance Test Report Submittal

5.31 For any required compliance test, the permittee shall submit the compliance test report to the Puget Sound Clean Air Agency no later than 60 days after the test. The report shall include:

a. A description of the source and the sampling location;

b. The time and date of the test;

c. A summary of results, reported in units and for averaging periods consistent with the applicable emission standard;

d. A description of the test methods and quality assurance procedures employed;

e. The amount of fuel burned or raw material processed by the source during the test;

f. The operating parameters of the source and control equipment during the test;

g. Field data and example calculations; and

h. A statement signed by the senior management official of the testing firm certifying the validity of the source test report.

[PSCAA Regulation I, Section 3.07(c)]

Federal Enforceability

5.32 All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit, are enforceable by the US EPA and citizens under the FCAA, except for those requirements designated as “State Only” in the tables below.

[WAC 173-401-625]

Note: In some cases, there are two effective dates for the same state and local regulations. One of the dates reflects the “federally enforceable” regulation that has been approved by the EPA and is part of the current federally-approved, PSCAA state implementation plan (SIP). A more current version of the regulation may have been adopted by the Agency, but was either not submitted to EPA for approval into the PSCAA SIP, or it has been submitted and EPA has not approved it yet. The table below lists state and local regulations that apply to the permittee. There are additional requirements in the WAC that may apply to other air operating permit sources, but do not apply to this permittee based on the information submitted by the permittee in their application. These rules are not included in this table. The “Rule Description” column includes the effective date of the version of the regulation that is approved in the PSCAA SIP. This version of the rule is identified as “Federally Enforceable” in the third column of the table. The version of a rule that is not currently approved in the PSCAA SIP is identified as “State Only.” If and when EPA approves a new version of the regulation into the PSCAA SIP, the old version of the regulation will be replaced and superseded by the new version automatically. This table includes the federally enforceable requirements of the PSCAA SIP that are incorporated by reference into the Agency’s Regulation I, Section 6.01. The entirety of Regulation I, Section 6.01.applies to the permittee.

Table 6. WAC Requirements and PSCAA State Implementation Plan Status

Washington Administrative Code (WAC)		
Regulation	**Rule Description (Effective Date)**	**Federal Enforceability**
WAC 173-400-020	Applicability of WAC 173-400 (12/19/12)	Federally Enforceable
WAC 173-400-030	Definitions	Federally Enforceable
WAC 173-400-040	General Standards for Maximum Emissions (916/18)	Federally Enforceable, sections (1)(a) & (b); (4); and (9)(b) only
WAC 173-400-040	General Standards for Maximum Emissions (916/18)	State Only, not in SIP, sections (3) and (5)
WAC 173-400-070	Emission Standards for Certain Source Categories (3/22/91	Federally Enforceable, Except (7)
WAC 173-400-081	Startup and shutdown (4/1/11)	Federally Enforceable
WAC 173-400-091	Voluntary Limits on Emissions (9/20/93)	Federally Enforceable with respect to Section 112 hazardous air pollutants
WAC 173-400-091	Voluntary Limits on Emissions (4/1/11)	Federally Enforceable
WAC 173-400-105	Records, monitoring, and reporting (11/25/18)	Federally Enforceable, except for section 173-400-105(7)
WAC 173-400-107	Excess Emissions (9/20/93)	Federally Enforceable
WAC 173-400-107	Excess Emissions (9/16/18)	State Only, not in SIP
WAC 173-400-108	Excess Emissions Reporting (9/16/18)	State Only, not in SIP
WAC 173-400-109	Unavoidable Excess Emissions (9/16/18)	State Only, not in SIP
WAC 173-400-110	New Source Review (NSR) (12/29/12)	Federally Enforceable, sections (1)(c)(i) & (1)(d) only
WAC 173-400-111	Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources	Federally Enforceable Except: 173-400-111(3)(h);—The part of 173-400-111(8)(a)(v) that says, “and 173-460-040,”; 173-400-111(9).
WAC 173-400-113	Requirements for New Sources in Attainment or Unclassified Areas (12/29/12)	Federally enforceable, except section (3), second sentence
WAC 173-400-114	Replacement or substantial alteration of emission control technology (12/29/12)	State Only, not in SIP
WAC 173-400-151	Retrofit Requirements for Visibility Protection	Federally Enforceable
WAC 173-400-161	Compliance Schedules	Federally Enforceable
WAC 173-400-171	Public notice and Opportunity for Public Comment (7/1/16)	Federally Enforceable, except the part of section (3)(b) that says, “or any increase in emission of a toxic air pollutant above the acceptable source impact level for that toxic air pollutant as regulated under chapter 173-460 WAC”. 173-400-171(12)
WAC 173-400-200	Creditable stack height and dispersion techniques (2/10/05)	Federally Enforceable

Washington Administrative Code (WAC)		
Regulation	**Rule Description (Effective Date)**	**Federal Enforceability**
WAC 173-400-205	Adjustment for Atmospheric Conditions (3/22/91)	Federally Enforceable
WAC 173-441	Reporting of Emissions of Greenhouse Gases (various dates)	State Only, not in SIP
RCW 70A.60 , recodified from 70.94.970 in 2020 and again in 2021	Hydrofluorocarbons – Emissions Reductions	State Only, not in SIP

Table 7. PSCAA Requirements and PSCAA State Implementation Plan Status

Puget Sound Clean Air Agency Regulation		
Regulation	**Rule Description**	**Federally Enforceability**
Regulation I: Section 3.04	Reasonably Available Control Technology (7/1/12)	Federally Enforceable, except (e)
Regulation I: Section 3.05	Investigations by the Control Officer (3/17/94)	State Only, not in SIP
Regulation I: Section 3.06	Credible Evidence (11/14/98)	Federally Enforceable
Regulation I: Section 3.07	Compliance Tests (5/1/06)	State Only, not in SIP
Regulation I: Section 3.23	Alternative Means of Compliance (11/1/96)	State Only, not in SIP
Regulation I: Section 3.25	Federal Regulation Reference Date	Federally Enforceable
Regulation I: Section 6.01	Components of New Source Review Program (8/1/18)	Federally Enforceable, except the parenthetical in 6.01(b) which states ‘‘as delegated by agreement with the US Environmental Protection Agency, Region 10.’’
Regulation I: Section 6.03	New Source Review (11/1/15)	Federally Enforceable, except section (b)(10)
Regulation I: Section 6.09	Notice of Completion (5/1/04)	Federally Enforceable
Regulation I: Section 6.10	Work Done without an Approval (9/1/01)	Federally Enforceable
Regulation I: Section 7.09	General Reporting Requirements for Operating Permits (10/26/23)	Federally Enforceable, excluding toxic air pollutants
Regulation I: Section 8.04	General Conditions for Outdoor Burning (1/1/01)	Federally Enforceable
Regulation I: Section 8.04	General Conditions for Outdoor Burning (11/1/08)	State Only, not in SIP
Regulation I: Section 8.07	Fire Extinguisher Training (11/1/99)	State Only, not in SIP
Regulation I: Section 9.03	Visual Standard (5/1/04)	Federally Enforceable, except (e)
Regulation I: Section 9.04	Opacity Standards for Equipment with COM (5/1/04)	Federally Enforceable, except (d)(2) & (f)
Regulation I: Section 9.05	Refuse Burning (1/13/94)	Federally Enforceable
Regulation I: Section 9.07	Sulfur Dioxide Emission Standard (5/19/94)	Federally Enforceable

Puget Sound Clean Air Agency Regulation		
Regulation	**Rule Description**	**Federally Enforceability**
Regulation I: Section 9.08	Fuel Oil Standards (5/1/04)	Federally Enforceable, only as it applies to the regulation of criteria pollutants
Regulation I: Section 9.09	Particulate Matter Emission Standards (6/1/98)	Federally Enforceable
Regulation I: Section 9.10	Emission of HCl (6/9/88)	State Only, not in SIP
Regulation I: Section 9.11(a)	Detriment to Person or Property (4/17/99)	Federally Enforceable
Regulation I: Section 9.13	Concealment and Masking Restricted (6/9/88)	Federally Enforceable
Regulation I: Section 9.15	Fugitive Dust Control Measures (4/17/99)	Federally Enforceable
Regulation I: Section 9.16	Spray Coating Operations (12/2/10)	Federally Enforceable
Regulation I: Section 9.18	Crushing Operations (3/2/12)	Federally Enforceable
Regulation I: Section 9.20	Maintenance of Equipment (6/9/88)	Federally Enforceable
Regulation I: Section 15	Nonroad Engines (2/1/12)	State Only, not in SIP
Regulation II, Section 1.04	General Definitions (12/11/80)	Federally Enforceable
Regulation II, Section 1.05	Specialty Definitions (9/1/03)	Federally Enforceable
Regulation II, Section 3.04	Motor Vehicle and Mobile Equipment Coating Operations (9/1/03)	Federally Enforceable
Regulation III: Section 1.11	Reporting Requirements	State Only, not in SIP
Regulation III: Section 2.02	National Emission Standards for Hazardous Air Pollutants (04/23/15)	State Only, not in SIP
Regulation III. Section 4.01	Asbestos Definitions (3/26/09)	State Only, not in SIP
Regulation III: Section 4.02	Asbestos Survey Requirements (7/31/95)	State Only, not in SIP
Regulation III: Section 4.03	Asbestos Notification Requirements (7/1/11)	State Only, not in SIP
Regulation III: Section 4.04	Asbestos Removal Requirements (9/1/00)	State Only, not in SIP
Regulation III: Section 4.05	Procedures for Asbestos Project (4/3/03)	State Only, not in SIP
Regulation III: Section 4.07	Disposal of Asbestos Material (7/31/95)	State Only, not in SIP

Section 6: General Applicable Requirements

Definitions

6.1 Unless otherwise defined in this permit, the terms used in this permit shall have the same meaning ascribed to them in the referenced regulation.

[WAC 173-401-200]

General Recordkeeping Requirements

6.2 The permittee shall keep records of required monitoring and testing information that include the following:

(i) The date, place as defined in the permit, and time of sampling or measurements;
(ii) The date(s) analyses were performed;
(iii) The company or entity that performed the analyses;
(iv) The analytical techniques or methods used;
(v) The results of such analyses; and
(vi) The operating conditions existing at the time of sampling or measurement.

[WAC 173-401-615(2)(a)]

6.3 Upon notification by the Agency, the permittee shall maintain records on the type and quantity of emissions from the source and other information deemed necessary by the Agency to determine whether the source is subject to rules and regulations and whether the source is in compliance with applicable emissions limitations and control measures.

The permittee must keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes.

[WAC 173-400-105]
[WAC 173-401-615(2)(b)]

Retention of Records

6.4 Except for records required to comply with the Washington state program for reporting of emissions of greenhouse gases (GHG), condition 6.21 of this permit, the permittee shall retain records of all required monitoring data and support information for a period of five years from the date of the monitoring sample, measurement, report, or application. Records required to comply with condition 6.21 of this permit shall be retained by the permittee for ten years. In addition to the support information for all monitoring samples, measurements, reports and applications, 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.

[WAC 173-401-615(2)(c)]
[WAC 173-401-615(1)(b)]

Asbestos

6.5 The permittee shall comply with 40 CFR Sections 61.145, 61.148 and 61.150 when conducting any renovation or demolition at the facility.

[40 CFR 61.145 and 150]
[PSCAA Regulation I, Section 3.25]

6.6 The permittee shall comply with Puget Sound Clean Air Agency Regulation III, Article 4 when conducting any asbestos project, renovation or demolition activities at the facility.

[PSCAA Regulation III, Article 4]

Open Burning

6.7 It shall be unlawful for any person to cause or allow any outdoor burning unless the burning is in compliance with WAC 173-425.

[PSCAA Regulation I, Section 8.04, dated 1/1/01]
[PSCAA Regulation I, Section 8.04, dated 11/1/08]

6.8 No person shall conduct outdoor burning during an air pollution episode or a declared period of impaired air quality.

[WAC 173-425-050(3)]

6.9 Hand-held fire extinguishers training shall be conducted in accordance with PSCAA's Regulation I, Section 8.07.

[PSCAA Regulation I, Section 8.07]

Stratospheric Ozone and Climate Protection

6.10 The permittee shall comply with the following standards for recycling and emissions reduction pursuant to 40 CFR 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 required practices pursuant to 40 CFR 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 CFR 82.158;

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

6.11 The permittee may switch from any ozone-depleting substance to any alternative approved pursuant to the Significant New Alternatives Program (SNAP), 40 CFR Part 82, Subpart G, without a permit revision but shall not switch to a substitute listed as unacceptable pursuant to such program.

[40 CFR 82.174]

6.12 Any certified technician employed by the permittee shall keep a copy of their certification at their place of employment.

[40 CFR 82.166(1)

6.13 The permittee shall not willfully release any regulated refrigerants and substitutes and shall use refrigerant extraction equipment to recover regulated refrigerants and substitutes when servicing, repairing or disposing of commercial or industrial air conditioning, heating, or refrigeration systems.

[RCW 70A.60.070(1) and (3)]

Concealment or Masking

6.14 It shall be unlawful for any person to cause or allow the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminant emitted, conceals an emission of air contaminant which would otherwise violate this article.

[PSCAA Regulation I, Section 9.13(a)]

6.15 It shall be unlawful for any person to cause or allow the installation or use of any device or use of any means designed to mask the emission of an air contaminant which causes detriment to health, safety or welfare of any person.

[PSCAA Regulation I, Section 9.13(b)]

False Statement

6.16 No person shall make any false material statement, representation or certification in any form, notice or report required under chapter 70A.15 or 70A.25 RCW, or any ordinance, resolution, regulation, permit or order in force pursuant thereto.

[WAC 173-400-105(6)]

[RCW 70A.15 and 70A.25]

Tampering

6.17 No person shall render inaccurate any monitoring device or method required under chapter 70A.15 or 70A.25 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

[WAC 173-400-105(8)]
[RCW 70A.15 and 70A.25]

Adjustment for Atmospheric Conditions

6.18 The permittee shall not vary the rate of emission of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant except as directed according to air pollution episode regulations.

[WAC 173-400-205]

Reasonably Available Control Technology (RACT)

6.19 Emission standards and other requirements contained in rules or regulatory orders in effect at the time of operating permit issuance or renewal shall be considered RACT for purposes of permit issuance or renewal.

[WAC 173-401-605(3)]

Annual Emission Report

6.20 The permittee shall report annually to the Puget Sound Clean Air Agency listing those air contaminants emitted during the previous calendar year that equal or exceed the following in tons per year:

Carbon monoxide (CO)	25
Facility combined total of all toxic air contaminants (TAC)	6
Any single toxic air contaminant listed in WAC 173-460-150 (TAC)	2
Nitrogen oxide (NOX)	25
Particulate matter (PM10)	25
Particulate matter (PM2.5)	25
Sulfur oxide (SOX)	25
Volatile organic compounds (VOC)	25
Lead	0.5

Annual emission rates shall be reported to the nearest whole ton per year for only those air contaminants that equal or exceed the thresholds above, except lead which must be reported to the nearest tenth of a ton. The permittee shall maintain records of information necessary to document any reported emissions or demonstrate that the emissions were less than the above amounts. The permittee shall submit to the Puget Sound Clean Air Agency any additional information required by WAC 173-400-105(1) and Puget Sound Clean Air Agency Regulation III, Section 1.11.

The permittee shall report to the Agency the amount of each toxic air contaminant listed in WAC 173-460-150 that the facility emitted during the previous calendar year even if the emissions are below the reporting thresholds in this Section 6.20. The report shall also include all information needed to calculate these emissions.

The permittee shall, upon request of the Agency, provide such existing or reasonably available information as necessary to assist the Agency to determine if the emissions of toxic air contaminants from the source may result in the exceedance of an ASIL contained in WAC 173-460-150.

[Puget Sound Clean Air Agency Regulation I, Section 7.09(a)]
[WAC 173-400-105(1)]
[Puget Sound Clean Air Agency Regulation III, Section 1.11 (a),(b) & (c)]

Washington State Program for Reporting of Emissions of Greenhouse Gases (GHG)

6.21 a. If the facility covered by this permit emits 10,000 metric tons of CO2e (carbon dioxide equivalents) or more per calendar year from this facility, as calculated according to WAC 173-441-030(1)(b), GHG reporting is mandatory. The permittee may voluntarily choose to report to the Washington State Department of Ecology but must use the methods

established in WAC 173-441-120(3) and WAC 173-441-122(1)(c) to calculate any voluntary reported GHG emissions. Once the permittee is subject to the reporting requirement, the permittee must continue for each year thereafter to comply with all requirements of WAC 173-441, including the requirement to submit annual GHG reports, even if the facility covered by this permit does not meet the applicability requirements in WAC 173-441-030(1) or (2), except as provided in WAC 173-441-030(6)(a)-(c). Reports with a compliance obligation under Chapter 70A.65 RCW, as described in WAC 173-446, must continue to report for any year with a compliance obligation.

[WAC 173-441-030(1), (5) and (6), 3/12/22]

b. For GHG reporting, the permittee shall follow the procedures for emission calculation, monitoring, quality assurance, missing data, recordkeeping, and reporting that are specified in each relevant section of WAC 173-441. The annual GHG report shall contain the information required by WAC 173-441-050(3) and (4). and be submitted to the Washington State Department of Ecology following the schedule in WAC 173-441-050(2). For required reporting, the permittee must retain all required records as specified in WAC 173-441-050(6) for at least 10 years from the date of submission of the annual GHG report for the reporting year in which the record was generated in a form that is suitable for expeditious inspection and review in accordance with WAC 173-441-050(6).

[WAC 173-441-050, 3/12/22]

c. For GHG reporting, each submission shall be signed by a representative designated in accordance with WAC 173-441-060 and include the signed certification statement in WAC 173-441-060(5)(a). Each GHG report and certification must be submitted electronically in accordance with the requirements in WAC 173-4410050 and 173-441-060 and in a format specified by the Washington State Department of Ecology.

[WAC 173-441-060 and -070, 3/12/22]

d. All requests, notification, and communication to the Washington State Department of Ecology pursuant to WAC 173-441, must be submitted in a format as specified by Ecology to either of the following;

- For U.S. mail: Greenhouse Gas Reporting, Air Quality Program, Department of Ecology, PO Box 47600, Olympia, WA 98504-7600.
- For email: ghgreporting@ecy.wa.gov

[Chapter 173-441-100) WAC, 3/12/22]

Non-road Engines

6.22 The permittee shall file a Notice of Intent to Operate for non-road engine(s) that are subject to the requirements of Puget Sound Clean Air Agency Regulation I, Article 15.

a. For nonroad engine with cumulative maximum rated brake horsepower > 2000 BHP, the notification of intent to operate and approval is required before operations begin.

b. For nonroad engine with cumulative maximum rated brake horsepower > 500 and ≤ 2000 BHP, the notification of intent to operate is required before operations begin.

[PSCAA Regulation I, Section 15.03 (b)(1) & (c)(1)]

6.23 The permittee must record the following information for each nonroad engine:

a. Site address or location;

b. Date of equipment arrival at the site;

c. Date of equipment departure from the site;

d. Engine function or purpose;

e. Identification of each component as follows:

i. Equipment manufacturer, model number and its unique serial number;

ii. Engine model year;

iii. Type of fuel used with fuel specifications (sulfur content, cetane number, etc.).

The permittee must keep the records of the current engine and equipment activity in hard copy or electronic form. These records can be maintained on-site or off-site for at least five years and must be readily available to the Puget Sound Clean Air Agency on request.

[PSCAA Regulation I, Section 15.03 (b)(2), (b)(3) & (c)(3)]

6.24 All nonroad engines must use ultra-low sulfur diesel or ultra-low sulfur bio-diesel (a sulfur content of 15 ppm or 0.0015% sulfur by weight or less), gasoline, natural gas, propane, liquefied petroleum gas (LPG), hydrogen, ethanol, methanol, or liquefied/compressed natural gas (LNG/CNG). A facility that receives deliveries of only ultra-low sulfur diesel or ultra-low sulfur bio-diesel is deemed to be compliant with this fuel standard.

[PSCAA Regulation I, Section 15.05(a)]

6.25 The permittee, when requested in writing by the Director of the Department of Ecology, shall prepare, in consultation with the department, a source emission reduction plan (SERP). This SERP shall be consistent with good industrial practice and safe operating procedures for reducing the emissions of air contaminants into the ambient air during periods of air pollution alert, warning, and emergency.

[WAC 173-435-050]

Chemical Accident Prevention Program

6.26 In accordance with 40 CFR Part 68.10, if the permittee has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, the permittee shall comply with the requirements of the Chemical Accident Prevention Provisions in 40 CFR Part 68 no later than the following dates:

a. Three years after the date on which a regulated substance is first listed under 40 CFR § 68.130; or

b. The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR 68.10]

[PSCAA Regulation I, Section 3.25]

Section 7: Test Methods and Averaging Periods

Unless otherwise specified in the rules or approval conditions, compliance shall be determined based on the averaging periods as described in the table below. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of circumstances beyond the operator's control, compliance may, upon EPA or Puget Sound Clean Air Agency approval, be determined from the arithmetic average of the two other runs.

Table 8. Summary of Test Methods

Test Method	Title	Averaging Period
Puget Sound Clean Air Agency Method 5 Puget Sound Clean Air Agency Board Resolution 540, August 11, 1983	Determination of Particulate Emissions from Stationary Sources	The test shall consist of 3 runs and at least 1-hour per run. Determine the PM emission from the arithmetic average of the three runs.
EPA Method 5 40 CFR 60, Appendix A PSCAA Regulation I, Section 3.25	Determination of Particulate Emissions from Stationary Sources	The test shall consist of 3 runs and at least 1-hour per run. Determine the PM emission from the arithmetic average of the three runs.
EPA Method 6C 40 CFR 60, Appendix A PSCAA Regulation I, Section 3.25	Determination of Sulfur Dioxide Emissions from Stationary Sources	The test shall consist of 3 runs and at least 1-hour per run.
EPA Method 7e 40 CFR 60, Appendix A PSCAA Regulation I, Section 3.25	Determination of Nitrogen Oxide Emissions from Stationary Sources	The test shall consist of 3 runs and at least 1-hour per run. Determine the NOx emission from the arithmetic average of the three runs.
EPA Method 10 40 CFR 60, Appendix A PSCAA Regulation I, Section 3.25	Determination of Carbon Monoxide	The test shall consist of 3 runs and at least 1-hour per run. Determine the CO emission from the arithmetic average of the three runs.
EPA Method 19 40 CFR 60, Appendix A PSCAA Regulation I, Section 3.25	Determination of sulfur dioxide removal efficiency and particulate matter, sulfur dioxide, and nitrogen oxide emission rates	The test shall consist of 3 runs and at least 1-hour per run. Determine the emissions and removal efficiencies from the arithmetic average of the three runs.
Ecology Method 9A, "Source Test Manual – Procedures for Compliance Testing"	Visual Determination of the Opacity of Emissions from Stationary Sources - for State and Puget Sound Clean Air Agency requirements	Any 13 opacity readings above standard in one hour, opacity readings taken in 15-second intervals.
EPA Method 25A 40 CFR Part 60, Appendix A PSCAA Regulation I, Section 3.25	Determination of total gaseous organic concentration using a flame ionization analyzer	The test shall consist of 3 runs and at least 1-hour per run. Determine the emission from the arithmetic average of the three runs.

Section 8: Inapplicable Requirements

Pursuant to WAC 173-401-640(2), the Puget Sound Clean Air Agency has determined that the requirements listed in the table do not apply to the facility, as of the date of permit issuance, for the reasons specified. The permit shield applies to all requirements so identified.

Table 9. Inapplicable Requirements

Regulation	Description	Basis for Inapplicability
Puget Sound Clean Air Agency Reg I, Section 9.10(b)	Emission of Hydrochloric Acid for Refuse Burning Equipment	HCl shall not exceed 30 ppm corrected to 7% O2 from refuse burning equipment greater than 12 tons per day. The permittee does not operate refuse burning equipment.
Puget Sound Clean Air Agency Reg I, Article 5	Registration Requirements	Operating permit sources are exempt from registration under RCW 70.94.161(17).
Puget Sound Clean Air Agency Reg II, Articles 1, 2, & 3	VOC Standards	The permittee does not have any equipment covered by the articles and would have to obtain approval to install any such equipment.
Puget Sound Clean Air Agency Reg III: Article 3	Source-Specific Emission Standards	The permittee does not have any of the listed equipment and must obtain Puget Sound Clean Air Agency approval before installing any such equipment.
WAC 173-400-070	Emission Standards for Certain Source Categories	The listed source types are not present at the facility, and the permittee will need to submit a Notice of Construction and Application for Approval to install any of them.
WAC 173-400-120 WAC 173-400-131 WAC 173-400-136	Bubbles Rules and Emission Reduction Credits	The permittee would need approval from the Puget Sound Clean Air Agency before any of these requirements apply.
WAC 173-400-151	Retrofit Requirements for Visibility Protection.	Ecology has not identified the permittee as a source that can cause or contribute to impaired visibility in a Class I area. If Ecology makes such a determination, the Puget Sound Clean Air Agency will reopen the permit.
WAC 173-400-190	Requirements for Nonattainment Areas	This is a requirement for Ecology to involve the Puget Sound Clean Air Agency and as such does not apply to the permittee.
WAC 173-400-210	Emission Requirements of Prior Jurisdictions	WAC 173-400-210 is inapplicable because the permittee has always been in Puget Sound Clean Air Agency's jurisdiction.
Chapter 173-434 WAC	Solid Waste Incinerator Facilities	Chapter 173-434 WAC does not apply because the permittee is not a "solid waste incinerator facility" as defined under WAC 173-434-030 and would need to obtain an Order of Approval if it became a solid waste incinerator facility.
Chapters 173-476 WAC	Ambient Air Quality Standards	These are ambient air quality standards and by definition are not applicable requirements.
Chapter 173-490 WAC	Emission Standards and Controls for Sources Emitting VOC	The permittee does not have any of the processes listed in WAC 173-490-030.
RCW 70.94.531	Transportation Demand Management	The Puget Sound Clean Air Agency has determined that a Transportation Demand Management (TDM) plan, as required by RCW 70.94.531, does not meet the definition of applicable requirement because it does not refer to stationary sources.

Citation	Type of Requirement	Basis for Nonapplicability
40 CFR Part 64	Compliance Assurance Monitoring	The facility does not have any equipment that meets the applicability criteria for this rule.
WAC 173-400-040(4)(b) and (9)(b)	Fugitive emission standards for emission units identified as a "significant contributor to the nonattainment status of a designated nonattainment area."	This facility is not located in a nonattainment areas and no emission unit at the facility has been identified as a significant contributor to the nonattainment status of a designated nonattainment area.
WAC 173-435	Emergency Episode Plans	This chapter is not an applicable requirement until it is triggered by a request from Ecology to prepare a Source Emission Reduction Plan (SERP).
WAC 173-435-050(2)	Action Procedures	Subsection (2) is not an applicable requirement because the operations do not include open burning. The other subsections regulate state government and are not applicable requirements for the facility.
WAC 173-476	Ambient Air Quality Standards for Particulate Matter	Ambient air quality standards are not applicable requirements except for temporary sources permitted under WAC 173-401-635
WAC 173-476	Ambient Air Quality Standards for Sulfur Oxides	Ambient air quality standards are not applicable requirements except for temporary sources permitted under WAC 173-401-635
WAC 173-476	Ambient Air Quality Standards for Carbon Monoxide, Ozone, and Nitrogen Dioxide	Ambient air quality standards are not applicable requirements except for temporary sources permitted under WAC 173-401-635

Section 9: Insignificant Emission Units and Activities

General

9.1 For the purpose of this permit, an emission unit or activity is insignificant based on one or more of the following:

a. Actual emissions of all regulated air pollutants from a unit or activity are less than the emission thresholds established in WAC 173-401-530(4).

b. The emission unit or activity is listed in WAC 173-401-532 as categorically exempt.

c. The emission unit or activity is listed in WAC 173-401-533 and is considered insignificant if its size or production rate based on maximum rated capacity is below the specified level.

d. The emission unit or activity generates only fugitive emissions as defined in WAC 173-400-030(41).

[WAC 173-401-530(1)]

9.2 No emissions unit or activity subject to a federally enforceable applicable requirement (other than generally applicable requirements of the state implementation plan) shall qualify as an insignificant emissions unit or activity. Generally applicable requirements of the state implementation plan are those federally enforceable requirements that apply universally to all emission units or activities without reference to specific types of emission units or activities.

[WAC 173-401-530(2)(a)]

9.3 This permit does not require testing, monitoring, recordkeeping or reporting for insignificant emission units or activities, except as required by Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20 and their incorporation into this permit. Compliance with Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20 as defined in the terms of this permit, shall be deemed to satisfy the requirements of WAC 173-401-615 and 173-401-630(1).

[WAC 173-401-530(2)(c)]

9.4 Insignificant emission units and activities are subject to all General Applicable Requirements set forth in Section 6 of this permit. Where this permit does not require testing, monitoring, recordkeeping and reporting for insignificant emissions units or activities, the permittee may certify continuous compliance if there were no observed, documented, or known instances of noncompliance during the reporting period. Where this permit requires testing, monitoring, recordkeeping and reporting for insignificant emission units or activities, the permittee may certify continuous compliance when the testing, monitoring, and recordkeeping required by the permit revealed no violations during the period, and there were no observed, documented, or known instances of noncompliance during the reporting period.

[WAC 173-401-530(2)(d)]

Documentation

9.5 Upon request from the PSCAA the permittee must provide sufficient documentation to enable the PSCAA to determine that the emission unit or activity has been appropriately listed as insignificant.

[WAC 173-401-530(5)(a)]

a. Upon request from the PSCAA, at any time during the term of the permit, if the permittee lists an activity or emissions unit as insignificant under condition No.9.1(a) of this section then upon request from the PSCAA the permittee shall demonstrate to the PSCAA that the actual emissions of the unit or activity are below the emission thresholds listed in WAC 173-401-530(4).

[WAC 173-401-530(5)(b)]

Permit Revision

9.6 An activity or emissions unit that qualifies as insignificant solely on the basis of Condition 9.1(a) of this section shall not exceed the emissions thresholds specified in WAC 173-401-530(4), until the permit is modified pursuant to WAC 173-401-725.

[WAC 173-401-530(6)]

Table 10. Insignificant Emission Units Based on Maximum Rated Capacity

The following units and activities are listed as insignificant based on maximum rated capacity per WAC 173-401-533.	
Description	**WAC 173-401-533(2)**
Diesel storage tanks (250 gallons)	WAC 173-401-533(2)(c)
Natural gas-fired hot water heaters and space heaters (<5 MMBtu/hr)	WAC 173-401-533(2)(r)
Laboratory vent	WAC 173-401-533-(3)(c)
Welding using not more than one ton per day of welding rod	WAC 173-401-533(2)(i)
Urea storage and handling equipment (aqueous)	WAC 173-401-533(2)(b)
Sodium hydroxide storage and handling equipment (aqueous)	WAC 173-401-533(2)(s)

Table 11. Categorically Exempt Insignificant Emission Units

The following units and activities are listed as categorically exemption insignificant emission units per WAC 173-401-532.	
Description	**WAC 173-401-532**
Steam vents and leaks	WAC 173-401-532(87) & (89)
Electrical equipment	WAC 173-401-532(118)
Water treatment and conditioning	WAC 173-401-532(4)
Air conditioning and cooling	WAC 173-401-532(46)
Bathroom/toilet facilities	WAC 173-401-532(48)
Office activities	WAC 173-401-532(49)
Solid waste containers	WAC 173-401-532(79)
Solids storage (dust-free handling)	WAC 173-401-532(6)
Plant upkeep (routine housekeeping)	WAC 173-401-532(33)
Steam cleaning	WAC 173-401-532(39)
Indoor material working (Carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, shot blasting, shot peening, sintering or polishing: ceramics, glass, leather, metals, plastics, rubber, concrete, paper stock or wood that is performed indoors, has particulate controls that exhaust inside, and no fugitives enter the environment)	WAC 173-401-532(55)
Structural work and changes (not having air contaminant emissions)	WAC 173-401-532(67)
Storage of maintenance materials (limited to soaps, lubricants, vegetable oil, grease, animal fat, aqueous salt solutions)	WAC 173-401-532(69)
Sample gathering, preparation, and management	WAC 173-401-532(73)

The following units and activities are listed as categorically exemption insignificant emission units per WAC 173-401-532.	
Description	**WAC 173-401-532**
General repair and maintenance (not involving installation of an emission unit and not increasing potential emissions of a regulated air pollutant)	WAC 173-401-532(74)
Air compressor and pneumatic equipment/tools	WAC 173-401-532(88)
Personal care activities	WAC 173-401-532(50)
Sewer manholes, junction boxes, sumps and lift stations associated with wastewater treatment systems	WAC 173-401-532(120)
Lawn and landscaping activities	WAC 173-401-532(43)
Vehicle maintenance and repair	WAC 173-401-532(45)
Vehicle parking lot	WAC 173-401-532(54)
Cleaning of paved surfaces	WAC 173-401-532(35)
Water softening/deaeration	WAC 173-401-532(61)

Table 12. Insignificant Emission Units Based on Actual Emissions

The following units and activities are listed as categorically exemption insignificant emission units per WAC 173-401-530.	
Description	**WAC 173-401-530**
Wood fuel receiving and storage building (including truck unloading, conveyors, bucket elevator, and storage silo inside building and controlled by baghouse).	WAC 173-401-530(4) (PM_{10} emissions less than 0.75 tpy)
Limestone storage and handling equipment (covered bin and vented to filter)	WAC 173-401-530(4) (PM_{10} emissions less than 0.75 tpy)
Fly ash removal system and storage (with baghouse)	WAC 173-401-530(4) (PM_{10} emissions less than 0.75 tpy)

Section 10: 40 CFR PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart A—General Provisions

Contents

§60.1 Applicability.
§60.2 Definitions.
§60.3 Units and abbreviations.
§60.4 Address.
§60.5 Determination of construction or modification.
§60.6 Review of plans.
§60.7 Notification and record keeping.
§60.8 Performance tests.
§60.9 Availability of information.
§60.10 State authority.
§60.11 Compliance with standards and maintenance requirements.
§60.12 Circumvention.
§60.13 Monitoring requirements.
§60.14 Modification.
§60.15 Reconstruction.
§60.16 Priority list.
§60.17 Incorporations by reference.
§60.18 General control device and work practice requirements.
§60.19 General notification and reporting requirements.
Table 1 to Subpart A of Part 60—Detection Sensitivity Levels (grams per hour)

10.1: 40 CFR §60.1 Subpart A Applicability.

(a) Except as provided in subparts B, Ba and C of this part, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (Act) as amended November 15, 1990 (42 U.S.C. 7661). For more information about obtaining an operating permit see part 70 of this chapter.

[40 FR 53346, Nov. 17, 1975, as amended at 55 FR 51382, Dec. 13, 1990; 59 FR 12427, Mar. 16, 1994; 62 FR 52641, Oct. 8, 1997]

10.2: 40 CFR §60.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.*)

Administrator means the Administrator of the Environmental Protection Agency or his authorized representative.

Affected facility means, with reference to a stationary source, any apparatus to which a standard is applicable.

Alternative method means any method of sampling and analyzing for an air pollutant which is not a reference or equivalent method but which has been demonstrated to the Administrator's satisfaction to, in specific cases, produce results adequate for his determination of compliance.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to Title V of the Act (42 U.S.C. 7661).

Capital expenditure means an expenditure for a physical or operational change to an existing facility which exceeds the product of the applicable “annual asset guideline repair allowance percentage” specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any “excluded additions” as defined in IRS Publication 534, as would be done for tax purposes.

Commenced means, with respect to the definition of *new source* in section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

Construction means fabrication, erection, or installation of an affected facility.

Continuous monitoring system means the total equipment, required under the emission monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a permanent record of emissions or process parameters.

Equivalent method means any method of sampling and analyzing for an air pollutant which has been demonstrated to the Administrator's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions.

Excess Emissions and Monitoring Systems Performance Report is a report that must be submitted periodically by a source in order to provide data on its compliance with stated emission limits and operating parameters, and on the performance of its monitoring systems.

Existing facility means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type.

Force majeure means, for purposes of §60.8, an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the affected facility's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility.

Isokinetic sampling means sampling in which the linear velocity of the gas entering the sampling nozzle is equal to that of the undisturbed gas stream at the sample point.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a Title V permit occurs immediately after the EPA takes final action on the final permit.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Modification means any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.

Monitoring device means the total equipment, required under the monitoring of operations sections in applicable subparts, used to measure and record (if applicable) process parameters.

Nitrogen oxides means all oxides of nitrogen except nitrous oxide, as measured by test methods set forth in this part.

One-hour period means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

Owner or operator means any person who owns, leases, operates, controls, or supervises an affected facility or a stationary source of which an affected facility is a part.

Part 70 permit means any permit issued, renewed, or revised pursuant to part 70 of this chapter.

Particulate matter means any finely divided solid or liquid material, other than uncombined water, as measured by the reference methods specified under each applicable subpart, or an equivalent or alternative method.

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permitting authority means:

(1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or

(2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Proportional sampling means sampling at a rate that produces a constant ratio of sampling rate to stack gas flow rate.

Reference method means any method of sampling and analyzing for an air pollutant as specified in the applicable subpart.

Run means the net period of time during which an emission sample is collected. Unless otherwise specified, a run may be either intermittent or continuous within the limits of good engineering practice.

Shutdown means the cessation of operation of an affected facility for any purpose.

Six-minute period means any one of the 10 equal parts of a one-hour period.

Standard means a standard of performance proposed or promulgated under this part.

Standard conditions means a temperature of 293 K (68F) and a pressure of 101.3 kilopascals (29.92 in Hg).

Startup means the setting in operation of an affected facility for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement: (1) The provisions of this part; and/or (2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Volatile Organic Compound means any organic compound which participates in atmospheric photochemical reactions; or which is measured by a reference method, an equivalent method, an alternative method, or which is determined by procedures specified under any subpart.

[44 FR 55173, Sept. 25, 1979, as amended at 45 FR 5617, Jan. 23, 1980; 45 FR 85415, Dec. 24, 1980; 54 FR 6662, Feb. 14, 1989; 55 FR 51382, Dec. 13, 1990; 57 FR 32338, July 21, 1992; 59 FR 12427, Mar. 16, 1994; 72 FR 27442, May 16, 2007]

10.3: 40 CFR §60.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) System International (SI) units of measure:

A—ampere

g—gram

Hz—hertz

J—joule

K—degree Kelvin

kg—kilogram

m—meter

m^3—cubic meter

mg—milligram—10^{-3} gram

mm—millimeter—10^{-3} meter

Mg—megagram—10^{6} gram

mol—mole

N—newton

ng—nanogram—10^{-9} gram

nm—nanometer—10^{-9} meter

Pa—pascal

s—second

V—volt

W—watt

Ω—ohm

µg—microgram—10^{-6} gram

(b) Other units of measure:

Btu—British thermal unit

°C—degree Celsius (centigrade)

cal—calorie

cfm—cubic feet per minute

cu ft—cubic feet

dcf—dry cubic feet

dcm—dry cubic meter

dscf—dry cubic feet at standard conditions

dscm—dry cubic meter at standard conditions

eq—equivalent

°F—degree Fahrenheit

ft—feet

gal—gallon

gr—grain

g-eq—gram equivalent

hr—hour

in—inch

k—1,000

l—liter

lpm—liter per minute

lb—pound

meq—milliequivalent

min—minute

ml—milliliter

mol. wt.—molecular weight

ppb—parts per billion

ppm—parts per million

psia—pounds per square inch absolute

psig—pounds per square inch gage

°R—degree Rankine

scf—cubic feet at standard conditions

scfh—cubic feet per hour at standard conditions

scm—cubic meter at standard conditions

sec—second

sq ft—square feet

std—at standard conditions

(c) Chemical nomenclature:

CdS—cadmium sulfide

CO—carbon monoxide

CO_2—carbon dioxide

HCl—hydrochloric acid

Hg—mercury

H_2O—water

H_2S—hydrogen sulfide

H_2SO_4—sulfuric acid

N_2—nitrogen

NO—nitric oxide

NO_2—nitrogen dioxide

NO_X—nitrogen oxides

O_2—oxygen

SO_2—sulfur dioxide

SO_3—sulfur trioxide

SO_X—sulfur oxides

(d) Miscellaneous:

A.S.T.M.—American Society for Testing and Materials

[42 FR 37000, July 19, 1977; 42 FR 38178, July 27, 1977]

10.4: 40 CFR §60.4 Address.

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the appropriate Regional Office of the U.S. Environmental Protection Agency to the attention of the Director of the Division indicated in the following list of EPA Regional Offices.

10.5: 40 CFR §60.5 Determination of construction or modification.

(a) When requested to do so by an owner or operator, the Administrator will make a determination of whether action taken or intended to be taken by such owner or operator constitutes construction (including reconstruction) or modification or the commencement thereof within the meaning of this part.

(b) The Administrator will respond to any request for a determination under paragraph (a) of this section within 30 days of receipt of such request.

[40 FR 58418, Dec. 16, 1975]

10.6 40 CFR §60.6 Review of plans.

(a) When requested to do so by an owner or operator, the Administrator will review plans for construction or modification for the purpose of providing technical advice to the owner or operator.

(b) (1) A separate request shall be submitted for each construction or modification project.

(2) Each request shall identify the location of such project, and be accompanied by technical information describing the proposed nature, size, design, and method of operation of each affected facility involved in such project, including information on any equipment to be used for measurement or control of emissions.

(c) Neither a request for plans review nor advice furnished by the Administrator in response to such request shall (1) relieve an owner or operator of legal responsibility for compliance with any provision of this part or of any applicable State or local requirement, or (2) prevent the Administrator from implementing or enforcing any provision of this part or taking any other action authorized by the Act.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974]

10.7: 40 CFR §60.7 Notification and record keeping.

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a

source, electronic notification, as follows:

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

(7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by §60.8 in lieu of Method 9 observation data as allowed by §60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

(b) Any owner or operator subject to the provisions of 40 CFR 60 shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and-or summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with §60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

(d) The summary report form shall contain the information and be in the format in Attachment 3 to this permit unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary

report form shall be submitted and the excess emission report described in §60.7(c) need not be submitted unless requested by the Administrator.

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in §60.7(c) shall both be submitted.

(e) (1) Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in paragraph (e)(2) of this section.

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in paragraphs (e)(1) and (e)(2) of this section.

(f) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance

testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:

(1) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(2) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(g) If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of paragraph (a) of this section.

(h) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

[36 FR 24877, Dec. 28, 1971, as amended at 40 FR 46254, Oct. 6, 1975; 40 FR 58418, Dec. 16, 1975; 45 FR 5617, Jan. 23, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 52 FR 9781, Mar. 26, 1987; 55 FR 51382, Dec. 13, 1990; 59 FR 12428, Mar. 16, 1994; 59 FR 47265, Sep. 15, 1994; 64 FR 7463, Feb. 12, 1999]

10.8: 40 CFR §60.8 Performance tests.

(a) Except as specified in paragraphs (a)(1),(a)(2), (a)(3), and (a)(4) of this section, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

(1) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure, the owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.

(2) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.

(3) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.

(4) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(1), (2), and (3) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

(d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the Administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of

the performance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.

(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(2) Safe sampling platform(s).

(3) Safe access to sampling platform(s).

(4) Utilities for sampling and testing equipment.

(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method.

(1) Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

(2) Contents of report (electronic or paper submitted copy). Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, the report for a performance test shall include the elements identified in paragraphs (f)(2)(i) through (vi) of this section.

(i) General identification information for the facility including a mailing address, the physical address, the owner or operator or responsible official (where applicable) and his/her email address, and the appropriate Federal Registry System (FRS) number for the facility.

(ii) Purpose of the test including the applicable regulation(s) requiring the test, the pollutant(s) and other parameters being measured, the applicable emission standard and any process parameter component, and a brief process description.

(iii) Description of the emission unit tested including fuel burned, control devices, and vent characteristics; the appropriate source classification code (SCC); the permitted maximum process rate (where applicable); and the sampling location.

(iv) Description of sampling and analysis procedures used and any modifications to standard procedures, quality assurance procedures and results, record of process operating conditions that demonstrate the applicable test conditions are met, and values for any operating parameters for which limits were being set during the test.

(v) Where a test method requires you record or report, the following shall be included: Record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, chain-of-custody documentation, and example calculations for reported results.

(vi) Identification of the company conducting the performance test including the primary office address, telephone number, and the contact for this test program including his/her email address.

(g) The performance testing shall include a test method performance audit (PA) during the performance test. The PAs consist of blind audit samples supplied by an accredited audit sample provider and analyzed during the performance test in order to provide a measure of test data bias. Gaseous audit samples are designed to audit the performance of the sampling system as well as the analytical system and must be collected by the sampling system during the compliance test just as the compliance samples are collected. If a liquid or solid audit sample is designed to audit the sampling system, it must also be collected by the sampling system during the compliance test. If multiple sampling systems or sampling trains are used during the compliance test for any of the test methods, the tester is only required to use one of the sampling systems per method to collect the audit sample. The audit sample must be analyzed by the same analyst using the same analytical reagents and analytical system and at the same time as the compliance samples. Retests are required when there is a failure to produce acceptable results for an audit sample. However, if the audit results do not affect the compliance or noncompliance status of the affected facility, the compliance authority may waive the reanalysis requirement, further audits, or retests and accept the results of the compliance test. Acceptance of the test results shall constitute a waiver of the reanalysis requirement, further audits, or retests. The compliance authority may also use the audit sample failure and the compliance test results as evidence to determine the compliance or noncompliance status of the affected facility. A blind audit sample is a sample whose value is known only to the sample provider and is not revealed to the tested facility until after they report the measured value of the audit sample. For pollutants that exist in the gas phase at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in air or nitrogen that can be introduced into the sampling system of the test method at or near the same entry point as a sample from the emission source. If no gas phase audit samples are available, an acceptable alternative is a sample of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. For samples that exist only in a liquid or solid form at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. An accredited audit sample provider (AASP) is an organization that has been accredited to prepare audit samples by an independent, third party accrediting body.

(1) The source owner, operator, or representative of the tested facility shall obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. No audit samples are required for the following test methods: Methods 3A and 3C of appendix A-3 of part 60, Methods 6C, 7E, 9, and 10 of appendix A-4 of part 60, Methods 18 and 19 of appendix A-6 of part 60, Methods 20, 22, and 25A of appendix A-7 of part 60, Methods 30A and 30B of appendix A-8 of part 60, and Methods 303, 318, 320, and 321 of appendix A of part 63 of this chapter. If multiple sources at a single facility are tested during a compliance test event, only one audit sample is required for each method used during a compliance test. The compliance authority responsible for the compliance test may waive the requirement to include an audit sample if they believe that an audit sample is not necessary. “Commercially available” means that two or more independent AASPs have blind audit samples available for purchase. If the source owner, operator, or representative cannot find an audit sample for a specific method, the owner, operator, or representative shall consult the EPA Web site at the following URL,

www.epa.gov/ttn/emc, to confirm whether there is a source that can supply an audit sample for that method. If the EPA Web site does not list an available audit sample at least 60 days prior to the beginning of the compliance test, the source owner, operator, or representative shall not be required to include an audit sample as part of the quality assurance program for the compliance test. When ordering an audit sample, the source owner, operator, or representative shall give the sample provider an estimate for the concentration of each pollutant that is emitted by the source or the estimated concentration of each pollutant based on the permitted level and the name, address, and phone number of the compliance authority. The source owner, operator, or representative shall report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and shall report the results of the audit sample to the AASP. The source owner, operator, or representative shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the AASP. If the method being audited is a method that allows the samples to be analyzed in the field and the tester plans to analyze the samples in the field, the tester may analyze the audit samples prior to collecting the emission samples provided a representative of the compliance authority is present at the testing site. The tester may request and the compliance authority may grant a waiver to the requirement that a representative of the compliance authority must be present at the testing site during the field analysis of an audit sample. The source owner, operator, or representative may report the results of the audit sample to the compliance authority and report the results of the audit sample to the AASP prior to collecting any emission samples. The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

(2) An AASP shall have and shall prepare, analyze, and report the true value of audit samples in accordance with a written technical criteria document that describes how audit samples will be prepared and distributed in a manner that will ensure the integrity of the audit sample program. An acceptable technical criteria document shall contain standard operating procedures for all of the following operations:

(i) Preparing the sample;

(ii) Confirming the true concentration of the sample;

(iii) Defining the acceptance limits for the results from a well qualified tester. This procedure must use well established statistical methods to analyze historical results from well qualified testers. The acceptance limits shall be set so that there is 95 percent confidence that 90 percent of well qualified labs will produce future results that are within the acceptance limit range.

(iv) Providing the opportunity for the compliance authority to comment on the selected concentration level for an audit sample;

(v) Distributing the sample to the user in a manner that guarantees that the true value of the sample is unknown to the user;

(vi) Recording the measured concentration reported by the user and determining if the measured value is within acceptable limits;

(vii) The AASP shall report the results from each audit sample in a timely manner to the compliance authority and then to the source owner, operator, or representative. The AASP shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the source owner, operator, or

representative. The results shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, and whether the testing company passed or failed the audit. The AASP shall report the true value of the audit sample to the compliance authority. The AASP may report the true value to the source owner, operator, or representative if the AASP's operating plan ensures that no laboratory will receive the same audit sample twice.

(viii) Evaluating the acceptance limits of samples at least once every two years to determine in cooperation with the voluntary consensus standard body if they should be changed;

(ix) Maintaining a database, accessible to the compliance authorities, of results from the audit that shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, the true value of the audit sample, the acceptance range for the measured value, and whether the testing company passed or failed the audit.

(3) The accrediting body shall have a written technical criteria document that describes how it will ensure that the AASP is operating in accordance with the AASP technical criteria document that describes how audit samples are to be prepared and distributed. This document shall contain standard operating procedures for all of the following operations:

(i) Checking audit samples to confirm their true value as reported by the AASP;

(ii) Performing technical systems audits of the AASP's facilities and operating procedures at least once every two years;

(iii) Providing standards for use by the voluntary consensus standard body to approve the accrediting body that will accredit the audit sample providers.

(4) The technical criteria documents for the accredited sample providers and the accrediting body shall be developed through a public process guided by a voluntary consensus standards body (VCSB). The VCSB shall operate in accordance with the procedures and requirements in the Office of Management and Budget Circular A-119. A copy of Circular A-119 is available upon request by writing the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, by calling (202) 395-6880 or downloading online at *http://standards.gov/standards_gov/a119.cfm.* The VCSB shall approve all accrediting bodies. The Administrator will review all technical criteria documents. If the technical criteria documents do not meet the minimum technical requirements in paragraphs (g)(2) through (4)of this section, the technical criteria documents are not acceptable and the proposed audit sample program is not capable of producing audit samples of sufficient quality to be used in a compliance test. All acceptable technical criteria documents shall be posted on the EPA Web site at the following URL, *http://www.epa.gov/ttn/emc.*

(h) Unless otherwise specified in the applicable subpart, each test location must be verified to be free of cyclonic flow and evaluated for the existence of emission gas stratification and the required number of sampling traverse points. If other procedures are not specified in the applicable subpart to the regulations, use the appropriate procedures in Method 1 to check

for cyclonic flow and Method 7E to evaluate emission gas stratification and selection of sampling points.

(i) Whenever the use of multiple calibration gases is required by a test method, performance specification, or quality assurance procedure in a part 60 standard or appendix, Method 205 of 40 CFR part 51, appendix M of this chapter, "Verification of Gas Dilution Systems for Field Instrument Calibrations," may be used.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974; 42 FR 57126, Nov. 1, 1977; 44 FR 33612, June 11, 1979; 54 FR 6662, Feb. 14, 1989; 54 FR 21344, May 17, 1989; 64 FR 7463, Feb. 12, 1999; 72 FR 27442, May 16, 2007; 75 FR 55646, Sept. 13, 2010; 79 FR 11241, Feb. 27, 2014; 81 FR 59809, Aug. 30, 2016]

10.9: 40 CFR §60.11 Compliance with standards and maintenance requirements.

(a) Compliance with standards in this part, other than opacity standards, shall be determined in accordance with performance tests established by §60.8, unless otherwise specified in the applicable standard.

(b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in paragraph (e)(5) of this section. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

(c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

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

(e) (1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in §60.8 unless one of the following conditions apply. If no performance test under §60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under §60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in §60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under §60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of appendix B of this part. Opacity

readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of this part, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with paragraph (b) of this section, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under §60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.

(3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in §60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.

(4) An owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by §60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and §60.8 performance test results.

(5) An owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under §60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under §60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under §60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under §60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under §60.8. The owner or operator of an affected facility using a COMS for compliance

purposes is responsible for demonstrating that the COMS meets the requirements specified in §60.13(c) of this part, that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine compliance with the opacity standard.

(6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by §60.8, the opacity observation results and observer certification required by §60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by §60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with §60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, he shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.

(7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

(8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the FEDERAL REGISTER.

(f) Special provisions set forth under an applicable subpart shall supersede any conflicting provisions in paragraphs (a) through (e) of this section.

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

[38 FR 28565, Oct. 15, 1973, as amended at 39 FR 39873, Nov. 12, 1974; 43 FR 8800, Mar. 3, 1978; 45 FR 23379, Apr. 4, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 51 FR 1790, Jan. 15, 1986; 52 FR 9781, Mar. 26, 1987; 62 FR 8328, Feb. 24, 1997; 65 FR 61749, Oct. 17, 2000]

10.10: 40 CFR §60.12 Circumvention.

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a

standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[39 FR 9314, Mar. 8, 1974]

10.11: 40 CFR §60.13 Monitoring requirements.

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

(b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under §60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.

(c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under §60.11(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of this part before the performance test required under §60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under §60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of this part, The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under §60.8 and as described in §60.11(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in paragraph (c) of this section at least 10 days before the performance test required under §60.8 is conducted.

(2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

(d) (1) Owners and operators of a CEMS installed in accordance with the provisions of this part, must check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once each operating day in accordance with a written procedure. The zero and span must, at a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of this part. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified. Owners and operators of a COMS installed in accordance with the provisions of this part must check the zero and upscale (span) calibration drifts at least once daily. For a particular COMS, the acceptable range of zero and upscale calibration materials is defined in the applicable version of PS-1 in appendix B of this part. For a COMS, the optical surfaces,

exposed to the effluent gases, must be cleaned before performing the zero and upscale drift adjustments, except for systems using automatic zero adjustments. The optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

(2) Unless otherwise approved by the Administrator, the following procedures must be followed for a COMS. Minimum procedures must include an automated method for producing a simulated zero opacity condition and an upscale opacity condition using a certified neutral density filter or other related technique to produce a known obstruction of the light beam. Such procedures must provide a system check of all active analyzer internal optics with power or curvature, all active electronic circuitry including the light source and photodetector assembly, and electronic or electro-mechanical systems and hardware and or software used during normal measurement operation.

(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by paragraph (c) of this section for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(2) All continuous monitoring systems referenced by paragraph (c) of this section for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of this part shall be used.

(g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.

(h) (1) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period.

(3) All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in the applicable subpart. After conversion into units of the standard, the data may be rounded to the same number of significant digits used in the applicable subpart to specify the emission limit.

(i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:

(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances in the effluent gases.

(2) Alternative monitoring requirements when the affected facility is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.

(7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

(8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.

(9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities is released to the atmosphere through more than one point.

(j) An alternative to the relative accuracy (RA) test specified in Performance Specification 2 of appendix B may be requested as follows:

(1) An alternative to the reference method tests for determining RA is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the RA test in Section 8.4 of Performance Specification 2 and substitute the procedures in Section 16.0 if the results of a performance test conducted according to the requirements in §60.8 of this subpart or other tests performed following the criteria in §60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the RA test and substitute the procedures in Section 16.0 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the RA test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative

procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).

(2) The waiver of a CEMS RA test will be reviewed and may be rescinded at such time, following successful completion of the alternative RA procedure, that the CEMS data indicate that the source emissions are approaching the level. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., §§60.45(g) (2) and (3), 60.73(e), and §60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of RA testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a RA test of the CEMS as specified in Section 8.4 of Performance Specification 2.

[40 FR 46255, Oct. 6, 1975]

EDITORIAL NOTES:

1. For FEDERAL REGISTER citations affecting §60.13, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov.*

10.12: 40 CFR 60 §60.14 Modification.

(a) Except as provided under paragraphs (e) and (f) of this section, any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.

(b) Emission rate shall be expressed as kg/hr of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:

(1) Emission factors as specified in the latest issue of “Compilation of Air Pollutant Emission Factors,” EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrates that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.

(2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in paragraph (b)(1) of this section does not demonstrate to the Administrator's satisfaction whether the emission level resulting from

the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in paragraph (b)(1) of this section. When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in appendix C of this part shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.

(c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.

(e) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and §60.15.

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by §60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.

(6) The relocation or change in ownership of an existing facility.

(f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.

(g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in paragraph (a) of this section, compliance with all applicable standards must be achieved.

(h) No physical change, or change in the method of operation, at an existing electric utility steam generating unit shall be treated as a modification for the purposes of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the 5 years prior to the change.

(i) Repowering projects that are awarded funding from the Department of Energy as permanent clean coal technology demonstration projects (or similar projects funded by EPA) are exempt from the requirements of this section provided that such change does not increase the

maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the five years prior to the change.

(j) (1) Repowering projects that qualify for an extension under section 409(b) of the Clean Air Act are exempt from the requirements of this section, provided that such change does not increase the actual hourly emissions of any pollutant regulated under this section above the actual hourly emissions achievable at that unit during the 5 years prior to the change.

(2) This exemption shall not apply to any new unit that:

(i) Is designated as a replacement for an existing unit;

(ii) Qualifies under section 409(b) of the Clean Air Act for an extension of an emission limitation compliance date under section 405 of the Clean Air Act; and

(iii) Is located at a different site than the existing unit.

(k) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project is exempt from the requirements of this section. A *temporary clean coal control technology demonstration project,* for the purposes of this section is a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the State implementation plan for the State in which the project is located and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

(l) The reactivation of a very clean coal-fired electric utility steam generating unit is exempt from the requirements of this section.

[40 FR 58419, Dec. 16, 1975, as amended at 43 FR 34347, Aug. 3, 1978; 45 FR 5617, Jan. 23, 1980; 57 FR 32339, July 21, 1992; 65 FR 61750, Oct. 17, 2000]

10.13: 40 CFR §60.19 General notification and reporting requirements.

(a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word “calendar” is absent, unless otherwise specified in an applicable requirement.

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

(c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(e) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f) (1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[59 FR 12428, Mar. 16, 1994, as amended at 64 FR 7463, Feb. 12, 1998]

Attachment 1. PSCAA Method 5 for Particulate

RESOLUTION NO. 540

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE PUGET SOUND AIR POLLUTION
CONTROL AGENCY ADOPTING MODIFIED
PARTICULATE SOURCE TEST PROCEDURES

WHEREAS, Regulation I Section 9.09(f) requires procedures for source sampling performed in connection with standards of Regulation I and II for particulate and gases to be done using current Environmental Protection Agency requirements or procedures and definitions adopted by the Board; and

WHEREAS, to conform to current safe and less toxic chemical storage, the particulate measurement procedures currently used by the Agency have been proposed for modification; and

WHEREAS, the Expanded Advisory Council reviewed and approved said source test laboratory procedure modifications; and

WHEREAS, a public hearing was held by the Puget Sound Air Pollution Control Agency Board of Directors on August 11, 1983, to allow public input and critique on the proposal; and

WHEREAS, the Board deems it necessary to adopt said modification to source test procedures; now therefore,

BE IT RESOLVED BY THE BOARD OF PUGET SOUND AIR POLLUTION CONTROL AGENCY:

The Board of Directors does hereby adopt the modifications to the source test procedures, a copy of which is attached hereto and made a part hereof.

PASSED AND APPROVED by the Board of Directors of the Puget Sound Air Pollution Control Agency held this 11th day of August, 1983.

PUGET SOUND AIR POLLUTION CONTROL AGENCY

By _____
Chairman

Attest:

_____
Air Pollution Control Officer

Approved as to form:

_____
Agency Attorney

Proposed Revised PSAPCA
Particulate Source Test Procedures

Engineering Division
Puget Sound Air Pollution Control Agency
200 West Mercer Street, Room 205
P.O. Box 9863
Seattle, Washington 98109

June 9, 1983

I. Procedures for Particulate Source Sampling

Unless otherwise authorized by the Control Officer, all particulate source sampling performed to demonstrate compliance with the emission standards of Regulation I shall be done using current Environmental Protection Agency Methods 1-5 contained in 40 CFR Part 60, Appendix A, as modified in Section II of this document.

II. Procedure for Determining Particulate Matter in the Impinger Catch (Back Half)

The analysis and calculations for Method 5 shall conform to that described by EPA in the current 40 CFR Part 60, Appendix A, except that the back half catch shall be included as particulate matter. The back half weight is the sum of the impinger catch (organic and inorganic) and the back half acetone rinse weights.

A. Sample Recovery of the Back Half

1. Purging

Whenever SO_2 interference is suspected, purge the impingers immediately after the test run is complete with N_2 or clean air for a minimum of one-half the sample volume.

2. Impinger Liquid

Measure the volume of water collected in all impingers and place the water from the first three impingers in a container. Thoroughly rinse all sample-exposed surfaces between the filter and fourth impinger with water and place in above container.

3. Acetone Rinse

Thoroughly rinse all sample-exposed surfaces between the filter and the fourth impinger with acetone and place the washings in a tared beaker to dry.

B. Analysis of the Back Half

1. Impinger Liquid Extraction

a. Add 50-100 mℓ of dichloromethane to the impinger liquid.

b. Spin for at least ten minutes.

c. Pour the liquid into a separatory funnel and drain the organic phase into a tared beaker (organic fraction).

d. Drain the remaining liquid into a beaker and repeat Steps a, b, and c. Perform the extraction several times with fresh dichloromethane until the organic fraction is clear. Keep each organic extraction in a separate beaker.

e. Following the last extraction, drain the remaining liquid from the separatory funnel into a tared beaker (inorganic fraction).

f. Allow the organic fraction beakers to dry under a hood at room temperature.

g. Evaporate the inorganic fraction in such a manner that the beaker contents do not become exposed to temperatures greater then 212°F.

h. Dry weighed beakers containing a sample of the acetone, dichloromethane and a sample of distilled deionized water to check for blank weight.

i. Desiccate organic, inorganic and blank beakers for at least 24 hours at room temperature in a disiccator containing silica gel. Weigh to a constant weight and report the results to the nearest 0.1 mg. Constant weight is defined in Section 4.3 of Method 5.

2. Back Half Acetone Rinse

a. Dry the acetone rinse in a hood at room temperature.

b. Desiccate and weigh the beaker to constant weight and record.

C. Reagents

1. Water

Use distilled deionized water in the impingers and to rinse all glassware.

2. Acetone

Use reagent grade, $\leq$ 0.001 percent residue in glass bottles.

3. Dichloromethane

Use reagent grade, $\leq$ 0.001 percent residue in glass bottles.

excess emissions

Attachment 2. Ecology Method 9A

Revised July 12, 1990

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

SOURCE TEST METHOD 9A

VISUAL DETERMINATION OF OPACITY FOR A THREE MINUTE STANDARD

1. Principle

The opacity of emissions from stationary sources is determined visually by a qualified observer.

2. Procedure

The observer must be certified in accordance with the provisions of Section 3 of 40 *CFR* Part 60, Appendix A, Method 9, as in effect on July 1, 1990, which are hereby adopted by reference.

The qualified observer shall stand at a distance sufficient to provide a clear view of the emissions with -he sun oriented in the 140° sector to his back. Consistent with maintaining the above requirement, the observer shall, as much as possible, make his observations from a position such that his line of vision is approximately perpendicular to the plume.direction, and when observing opacity of emissions from rectangular outlets (e. g., roof monitors, open baghouses, noncircular stacks), approximately perpendicular to the longer axis of the outlet. The observer's line of sight should not include more than one plume at a time when multiple stacks are involved, and in any case, the observer should make his observations with his line of sight perpendicular to the longer axis of such a set of multiple stacks (e.g., stub stacks on baghouses).

The observer shall record the name of the plant, emission location, type of facility, observer's name and affiliation, and the date on a field data sheet. The time, estimated distance to the emission location, approximate wind direction, estimated wind speed, description of the sky condition (presence and color of clouds), and plume background are recorded on a field data sheet at the time opacity readings are initiated and completed.

The observer should make note of the ambient relative humidity, ambient temperature, the point in the plume that the observations were made, the estimated depth of the plume at the point of observation, and the color and condition of the plume. It is also helpful if pictures of the plume are taken.

Opacity observations wall be made at the point of greatest opacity in the portion of the plume where condensed water vapor is not present. The observer shall not look continuously at the plume, but instead shall observe the plume momentarily at 15-second intervals.

When condensed water vapor is present within the plume as it emerges from the emission outlet, opacity observations shall be made beyond the point in the plume at which condensed water vapor is no longer visible.

When water vapor in the plume condenses and becomes visible at a distinct distance from the emission outlet, the opacity of emissions should be evaluated at the emission outlet prior to the condensation of water vapor and the formation of the steam plume.

Opacity observations shall be recorded to the nearest 5 percent at 15-second intervals on an observational record sheet. Each momentary observation recorded shall be deemed to represent the average opacity of emissions for a 15-second period.

3. Analysis

The opacity of the plume is determined by individual visual observations. Opacity shall be reported as the range of values observed during a specified time period, not to exceed 60 consecutive minutes. The opacity standard is exceeded if there are more than 12 observations, during any consecutive 60-minute period, for which an opacity greater than the standard is recorded.

4. References

Federal Register, Vol. 36, No. 247, page 24895, Dec. 23, 1971.

"Criteria for Smoke and Opacity Training School 1970-1971" Oregon-Washington Air Quality Committee.

"Guidelines for Evaluation of Visible Emissions" EPA 340/1-75-007.

Attachment 3. NSPS Excess Emissions Summary Report

SUMMARY REPORT--~~GASEOUS AND~~ OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE

[Note: This form is referenced in 40 CFR 60.7, Subpart A-General Provisions]

Pollutant *(Circle One)*: ~~SO_2 NO_x TRS H_2S CO~~ Opacity

Reporting period dates: From _____ to _____
Company: _____
Emission Limitation: _____
Address: _____
Monitor Manufacturer: _____
Model No.: _____
Date of Latest CMS Certification or Audit: _____
Process Unit(s) Description: _____
Total source operating time in reporting period:[1] _____

Emission data summary[1]	**CMS performance summary**[1]
1. Duration of excess emissions in reporting period due to: a. Startup/shutdown ..... ____ b. Control equipment problems ..... ____ c. Process problems ..... ____ d. Other known causes ..... ____ e. Unknown causes ..... ____ 2. Total duration of excess emissions ..... ____ 3. Total duration of excess emissions x (100) / [Total source operating time] ..... ____ %[2]	1. CMS downtime in reporting period due to: a. Monitor equipment malfunctions ..... ____ b. Non-Monitor equipment malfunctions ____ c. Quality assurance calibration ..... ____ d. Other known causes ..... ____ e. Unknown causes ..... ____ 2. Total CMS Downtime ..... ____ 3. [Total CMS Downtime] x (100) / [Total source operating time] ..... ____ %[2]

[1] For opacity, record all times in minutes. For gases, record all times in hours.

[2] For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in 40 CFR 60.7(c) shall be submitted.

Note: On a separate page, describe any changes since last quarter in CMS, process or controls.

I certify that the information contained in this report is true, accurate, and complete.

Name: _____

Signature: _____ *Date*: _____

Title: _____