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, Franz Seattle Division -Weller Street (the Permittee) is authorized to operate subject to the terms and conditions in this permit.

PERMIT NO.: 10873	**DATE OF ISSUANCE: October 31, 2023**
ISSUED TO: Franz Seattle Division – Weller Street	
PERMIT EXPIRATION DATE: October 31, 2028	
PERMIT RENEWAL APPLICATION DUE DATE: May 4, 2028	

NAICS, Primary:	311812
Nature of Business:	Commercial Bakeries
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Jonathan Holtom

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List of Abbreviations

ASTM	American Society for Testing and Materials
CFR	Code of Federal Regulations
CPIS	Chemical Procurement Information System
Ecology	Washington State Department of Ecology
EPA	Environmental Protection Agency
FCAA	Federal Clean Air Act
HAP	Hazardous Air Pollutants
NESHAP	National Emissions Standard for Hazardous Air Pollutants
O&M Plan	Operation and Maintenance Plan
PSCAA	Puget Sound Clean Air Agency
PSD	Prevention of Significant Deterioration
RCW	Revised Code of Washington
RICE	Reciprocating Internal Combustion Engine
SIP	State Implementation Plan
VOC	Volatile Organic Compounds
WAC	Washington Administrative Code

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Emission Unit Descriptions

The table below lists the emission units regulated under this permit located at Franz Seattle Division – Weller St.

Source	Description	Installation Date	Rated Capacity
Emission Unit No. 1 Direct Fired Baking Process	1) Natural Gas Fired Baker Perkins Tunnel Oven. (Currently Not in Use)	1969	5,037,000 Btu/Hour
	2) Natural Gas Fired Baker Perkins 38 Tray Oven.	1976	4,740,000 Btu/Hour
	3) Natural Gas Fired Clock Griddle.	2001	1,575,000 Btu/Hour
Emission Unit No. 2 Steam Generating Process and Direct-fired Ovens	1) Natural Gas Fired 200 Horsepower Kewanee Boiler, with diesel back-up.	1970	8,000,000 Btu/Hour.
	2) Natural Gas Fired 400 Horsepower Cleaver Brooks Boiler, with diesel back-up.	1976	16,000,000 Btu/Hour
	3) Space heaters (natural gas only).	2000	All below 10 MMBTUIHR Heat Input Rating
	4) Natural Gas Fired Revent Rack Oven.	2001	375,000 Btu/Hour
	5) Natural Gas Fired Revent Rack Oven.	2001	375,000 Btu/Hour
	6) Natural Gas Fired Revent Rack Oven.	2001	375,000 Btu/Hour
	7) Natural Gas Fired Revent Rack Oven.	2001	375,000 Btu/Hour
	8) Natural Gas Fired Revent Rack Oven.	2001	375,000 Btu/Hour
	9) Natural Gas Fired Revent Rack Oven.	2001	375,000 Btu/Hour
	10) Natural Gas Fired Revent Rack Oven.	2001	375,000 Btu/Hour
	11) Natural Gas Fired Revent Rack Oven.	2001	375,000 Btu/Hour
	12) Natural Gas Fired Revent Rack Oven.	2001	375,000 Btu/Hour

Source	Description	Installation Date	Rated Capacity
Emission Unit No. 3 Donut Fryer	Pillsbury/Moline 22-10S	NOC 3313 10/05/1989	Natural Gas
Emission Unit No. 4 Flour Storage and Transfer	1) One double flour silo with fabric vent bags (Silo 1-2)	1968-69	81,000 lbs each 162,000 lbs total
	2) Two flour storage silos each equipped with fabric breather bag on silo (Silos 3 & 4)	NOC 3261 07/25/1989	125,000 lbs each 250,000 lbs total
	3) Four flour use bins, with breather vent filters	1977-78	12,000 lbs each 48,000 lbs total
Emission Unit No. 5	Fifteen Natural Gas Fired Revent Rack Ovens with Catalytic Oxidizer	2019	380,000 Btu/Hour, each

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Section 1: Facility-wide Emission Limits

The requirements in Section 1 apply both facility-wide and to the specific emission units or activities in Section 2.

Table 1 lists the citation for the enforceable applicable requirement and the effective date in the second column. In some cases, the effective dates of the "Federally Enforceable" requirement and the "*State Only*" requirement are different because either the state (or local authority) has not submitted the regulation to the Environmental Protection Agency (EPA) for approval into the State Implementation Plan (SIP) and does not intend to, or the state (or local authority) has submitted it and EPA has not yet approved it. "*State Only*" effective dates are in italicized font and shall be understood to include the Washington Department of Ecology (Ecology) and the Puget Sound Clean Air Agency (PSCAA). When or if EPA approves the new requirement into the SIP, the old requirement will be automatically replaced and superseded by the new requirement. The new requirement will be enforceable by EPA as well as PSCAA from the date that it is adopted into the SIP, and the old requirement will no longer be an applicable requirement. In some cases, certain state rules will never be included in the SIP as they are outside EPA's authority. These include odor and nuisance types of rules.

The third column in the table is a brief paraphrase of the applicable requirement and is not enforceable.

The fourth column in the table identifies the compliance methods which include monitoring, recordkeeping, reporting and other obligations the permittee must conduct to comply with the permit. The full compliance methods are below Table 1. Following the compliance methods is an enforceable requirement of this permit.

The reference test method is listed in the fifth column. This is the test method to be used when a compliance test is required. If a reference test method is not listed with the requirement, this means a test method is not applicable to the requirement. Reference test methods included in the permit are listed in Section 7 of the permit and include the applicable averaging period.

In the event of conflict or omission between the information contained in the third column of the table and the actual statute or regulation cited in the second column, the requirements and language of the actual statute or regulation cited shall govern.

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General Facility-wide Emission Limits

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

Table 1. Facility-wide Emission Limits

Cond. No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
Common Stacks				
1.1	WAC 173-400-040(1)(b) (8/16/18)]	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	See Specific Emissions Unit	See Specific Emissions Unit
RACT Requirement				
1.2	PSCAA Reg I: 3.04(a) (7/1/12)	All emission units are required to use RACT.	No monitoring required	Not applicable
Opacity and Particulate Matter Standards				
1.3	PSCAA Reg I: 9.03, except for 9.03(e) (5/1/04)	Shall not emit air contaminants which exhibit greater than 20% opacity for a period or periods aggregating more than 3 minutes in any hour	Condition No. 1.17 Opacity Monitoring Condition 5.12 Investigations and Testing	Ecology Method 9A (upon request)
1.4	PSCAA Reg I: 9.09 (6/1/98)	Shall not emit particulate matter in excess of 0.05 gr/dscf from equipment used in a manufacturing process	Condition No. 1.17 Opacity Monitoring Condition 5.12 Investigations and Testing	Puget Sound Clean Air Agency Method 5 (upon request)
1.5	PSCAA Reg I: 9.09 (6/1/98)	Shall not emit particulate matter in excess of 0.05 gr/dscf corrected to 7% O_2 from fuel burning equipment.	Condition No. 1.17 Opacity Monitoring Condition 5.12 Investigations and Testing	Puget Sound Clean Air Agency Method 5
Fugitive Dust Emissions Standards				
1.6	PSCAA Reg. I: 9.15 (4/17/99)	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	Condition No. 1.18 Facility-wide Inspections Condition No. 1.19 Complaint Response	Not applicable

Cond. No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
		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		
1.7	WAC 173-400-040(4)(a) (9/16/18)	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. 1.18 Facility-wide Inspections Condition No. 1.19 Complaint Response	Not applicable
Other Standards				
1.8	PSCAA Reg I: 9.11(a) (4/17/99)	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. 1.18 Facility-wide Inspections Condition No. 1.19 Complaint Response	Not applicable
1.9	WAC 173-400-040(5) (9/16/18, State Only)	Shall use recognized good practice and procedures to reduce to a reasonable minimum odors which may unreasonably interfere with any other property owners' use and enjoyment of their property.	Condition No. 1.18 Facility-wide Inspections Condition No. 1.19 Complaint Response	Not applicable

Cond. No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
1.10	WAC 173-400-040(3) (9/16/18, State Only)	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. 1.18 Facility-wide Inspections Condition No. 1.19 Complaint Response	Not applicable
Operations and Maintenance Standards				
1.11	PSCAA Reg. I: 9.20(b) (6/9/88)	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. 1.18 Facility-wide Inspections Condition Nos. 1.22-1.24 O&M Plan Requirements	Not applicable
1.12	PSCAA Reg I: 7.09(b) (2/1/17)	Shall develop and implement an O&M Plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III. The plan shall reflect good industrial practice. It shall include the elements described in Reg. I: 7.09(b). 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. 1.21-1.24 O&M Plan Requirements	Not applicable
Other General Standards and Requirements				
1.13	PSCAA Reg I: 9.07 (5/19/94)	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 5.12 Investigations and Testing	EPA Method 6 or 6C,
1.14	PSCAA Reg. I: 9.10(a) (6/9/88, State Only)	Shall not emit hydrochloric acid in excess of 100 ppm (dry), 1-hour average corrected to 7% O_2 for combustion sources.	Condition 5.12 Investigations and Testing	EPA Method 26A
1.15	PSCAA Reg I: 6.03 (09/24/15)	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 Agency.	No monitoring required	Not applicable

Cond. No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method (See Section 7)
1.16	PSCAA Reg I: 6.10 (07/12/01)	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.	No monitoring required	Not applicable

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COMPLIANCE METHODS

Opacity Monitoring

1.17 At least once per calendar month that the facility operates, the permittee shall conduct inspections of the facility for visible emissions. Inspections are to be performed while the equipment is in operation during daylight hours. If visible emissions other than uncombined water are observed, 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.

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, the time period over which visible emissions occurred, and any 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 **5.31** and **5.32**.

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**.

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

Facility-Wide Inspections

1.18 At least once per calendar quarter, 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 had been received and responded to as specified in Condition **1.19**;

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 the unloading of bulk material, 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)]

Complaint Response

1.19 The permittee shall record and investigate air pollution complaints as soon as possible, but no later than three days after receipt. The permittee shall identify complaints regarding these emissions as follows:
a. 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; or
b. Any emissions from fallout; or
c. Any track-out onto paved roads open to the public; or
d. Any emissions of odor-bearing air contaminants; or
e. Other emissions.

1.20 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 or shut down the noncompliant operation until it is repaired or corrected. 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**.

Records for all complaints received concerning odor, fugitive emissions or nuisance must contain the following information:

a. The date and time of the complaint,
b. The name of the person complaining, if known,
c. The nature of the complaint, and
d. The date, time and nature of any corrective action taken.

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

Maintenance and Repair of Insignificant Emission Units

1.21 The permittee shall use good industrial practices to maintain 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

1.22 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. For insignificant emission units, the O&M Plan shall refer to the requirements stated in Condition 1.21 of this permit. 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.

[Puget Sound Clean Air Agency, Regulation I, Section 7.09(b)]

1.23 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, the following:

a. Periodic inspection of all equipment and control equipment;
b. Monitoring and recording of equipment and control equipment performance;
c. Prompt repair of any defective equipment or control equipment;
d. Procedures for start up, shut down, and normal operation;
e. The control measures to be employed to assure compliance with Condition **1.6** of this permit; and
f. A record of all actions required by the plan.

[Puget Sound Clean Air Agency, Regulation I, Section 7.09(b)]

1.24 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)]

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Section 2: Emission Unit Specific Applicable Requirements

The requirements in Section 2 apply only to the emission units or activities listed in this section.

Tables in this section list the citation for the enforceable applicable requirements and the effective dates in the second column. All requirements are federally enforceable unless they are identified as "*State Only*".

The third column in the tables is a brief paraphrase of the applicable requirement and is not enforceable.

The fourth column in the tables identify the compliance methods which include monitoring, recordkeeping, reporting and other obligations the permittee must conduct to comply with the permit. The full compliance methods are immediately after each of the tables in this section. Following the compliance methods is an enforceable requirement of this permit.

The reference test method is listed in the fifth column. This is the test method to be used when a compliance test is required. In some cases where the applicable requirement does not cite a test method, one has been added. Reference test methods included in the permit are listed in Section 7 and include the applicable averaging period.

In the event of conflict or omission between the information contained in the third column of the tables and the actual statute or regulation cited in the second column, the requirements and language of the actual statute or regulation cited shall govern.

Emission units and activities in place at the time of permit issuance are listed in the tables in this section. These do not include insignificant emission units (See Section 9 of this permit).

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A. Emission Unit No. 1: Direct Fired Baking Process

The requirements in **This equipment** was not permitted under a Puget Sound Clean Air Agency Order of Approval.

Table 2 apply to Emission Unit No. 1 – Direct Fired Baking Process.

Emission Unit No. 1 includes all of the direct fired baking ovens at the facility which are used to bake different types of breads, buns, English muffins, bagels, donuts, muffins, Danish, croissants, and other bakery products. None of the equipment under this emission unit was permitted under a Notice of Construction Order of Approval. The emission unit consists of the following equipment:

1) Natural Gas Fired Baker Perkins Tunnel Oven (Heat Input Rating = 5,037,000 Btu/Hour);
2) Natural Gas Fired Baker Perkins 38 Tray Oven (Heat Input Rating = 4,740,000 Btu/Hour); and
3) Natural Gas Fired Clock Griddle (Heat input Rating = 1,575,000 Btu/Hour).

This equipment was not permitted under a Puget Sound Clean Air Agency Order of Approval.

Table 2. Applicable Requirements Related to the Direct Fired Baking Process.

Condition No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method
2.1	Puget Sound Clean Air Agency Reg I: 9.09 (04/09/98)	Shall not emit particulate matter in excess of 0.05 gr/dscf	Oven and Griddle Monitoring see Condition **1.17** Also, Condition **5.12** Investigations and Testing and Condition **2.5** Natural Gas Combustion.	Puget Sound Clean Air Agency Method 5 (See **Attachment 1**)
2.2	Puget Sound Clean Air Agency Reg I: 7.09(b) 09/10/98 Puget Sound Clean Air Agency Reg I: 7.09(b) (STATE ONLY) *09/25/08*	Must develop and implement an O&M Plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III	Minimum Monitoring, Maintenance & Recordkeeping Requirements Operation and Maintenance (O&M) Plan Requirements Conditions **1.22** – **1.24**	
2.3	Puget Sound Clean Air Agency Reg I: 9.20 06/09/88 RCW 70.94.152(7) (STATE ONLY) *1996*	Maintain equipment in good working order.	Boiler, Oven, and Griddle Monitoring Condition **1.17** **Error! Reference source not found.** Conditions **1.22** – **1.24**	

Condition No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method
2.4	Puget Sound Clean Air Agency Reg I: 9.03 (except for 9.03(e)) 03/11/99 Puget Sound Clean Air Agency Reg. I: 9.03 (STATE ONLY) *03/25/04* WAC 173-400-040(1) 09/20/93 WAC 173-400-040(2) (STATE ONLY) *04/01/11*	Shall not emit air contaminants in excess of 20% opacity for a period or periods aggregating more than 3 minutes in any hour	Oven and Griddle Monitoring Conditions **1.13**, **1.17**, **5.12**	Ecology Method 9A (See **Attachment 2.**)

Note: The general requirements of Section 1 also apply.

COMPLIANCE METHODS

2.5 Natural Gas Combustion. The permittee must combust only pipeline natural gas in the Direct Fired Baking Process.

[PSCAA Regulation I, 6.03(a)]

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B. Emission Unit No. 2: Steam Generating Process, Heaters and Ovens

The requirements in **Table 3** apply to Emission Unit No. 2 – Steam Generating Process, Heaters and Ovens. Emissions Unit No. 2 consists of: the boilers that are used for generating steam for use in the baking of bread; natural gas-fired space heaters for comfort heating; and, indirect fired ovens for baking bread products.

This emissions unit consists of the following equipment:

1) Natural Gas Fired 200 Horsepower Kewanee Boiler (Heat Input Rating = 8,000,000 Btu/Hour), with diesel back-up.
2) Natural Gas and Diesel Fuel Fired 400 Horsepower Cleaver Brooks Boiler (Heat Input Rating = 16,000,000 Btu/Hour), with diesel back-up.
3) Space heaters all below 10 MMBTU/HR Heat Input Rating (natural gas only).
4) Natural Gas Fired Revent Rack Oven (Heat Input Rating = 375,000 Btu/Hour).
5) Natural Gas Fired Revent Rack Oven (Heat Input Rating = 375,000 Btu/Hour).
6) Natural Gas Fired Revent Rack Oven (Heat Input Rating = 375,000 Btu/Hour).
7) Natural Gas Fired Revent Rack Oven (Heat Input Rating = 375,000 Btu/Hour).
8) Natural Gas Fired Revent Rack Oven (Heat Input Rating = 375,000 Btu/Hour).
9) Natural Gas Fired Revent Rack Oven (Heat Input Rating = 375,000 Btu/Hour).
10) Natural Gas Fired Revent Rack Oven (Heat Input Rating = 375,000 Btu/Hour).
11) Natural Gas Fired Revent Rack Oven (Heat Input Rating = 375,000 Btu/Hour).
12) Natural Gas Fired Revent Rack Oven (Heat Input Rating = 375,000 Btu/Hour).

*This equipment was not permitted under a Puget Sound Clean Air Agency Order of Approval.

Table 3. Applicable Requirements Related to the Steam Generating Process

Condition No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method
2.6	Puget Sound Clean Air Agency Reg. I: 9.03 (STATE ONLY) *03/25/04* WAC 173-400-040(1) *09/16/18* WAC 173-400-040(2) *09/16/18* (STATE ONLY)	Shall not emit air contaminants in excess of 20% opacity for a period or periods aggregating more than 3 minutes in any hour	Boiler and Oven Monitoring Conditions **1.13**, **1.17**, **5.12**	Ecology Method 9A (See **Attachment 2.**
2.7	Puget Sound Clean Air Agency Reg I: 9.09 *04/09/98*	Shall not emit particulate matter in excess of 0.05 gr/dscf from equipment used in a manufacturing process.	Boiler and Oven Monitoring see Condition **1.17** Also, Condition **5.12** Investigations and Testing and Condition **2.11** Fuel Combustion	Puget Sound Clean Air Agency Method 5 (See **Attachment 1**)

Condition No.	Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method
2.8	Puget Sound Clean Air Agency Reg I: 7.09(b) 09/10/98 Puget Sound Clean Air Agency Reg I: 7.09(b) *09/25/08* (STATE ONLY)	Must develop and implement an O&M Plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III	Minimum Monitoring, Maintenance & Recordkeeping Requirements Operation and Maintenance (O&M) Plan Requirements Conditions **1.22** – **1.24**	
2.9	Puget Sound Clean Air Agency Reg I: 9.20 06/09/88 RCW 70.94.152(7) (STATE ONLY) *1996*	Maintain equipment in good working order.	Boiler and Oven, Monitoring Condition **1.17** **Error! Reference source not found.** Conditions **1.22** – **1.24**	
2.10	Puget Sound Clean Air Agency Reg I: 9.08(a) 04/14/94 Puget Sound Clean Air Agency Reg I: 9.08(a) *03/25/04* (STATE ONLY) RCW 70.94.610 (STATE ONLY) *1991*	It shall be unlawful for any person to cause or allow combustion of oil that exceeds any of the following maximum limits unless allowed by a Puget Sound Clean Air Agency Order of Approval issued under Reg I, Article 6: • 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	**Error! Reference source not found.** Condition **2.11** Fuel Combustion	Ash ASTM D482-00A, Sulfur ASTM D3120-96, Halogens EPA SW846, 9076, PCB EPA SW846, 8080, Lead EPA 600/4-81-045, 200.7

Note: The general requirements of Section 1. also apply to the equipment in this section of the permit.

COMPLIANCE METHODS

2.11 Fuel Combustion. The permittee must combust only pipeline natural gas in the Direct Fired Baking Process. The permittee shall combust primarily pipeline natural gas in the Steam Generating Process, but may fire ultra-low sulfur diesel fuel as an emergency back-up during periods of natural gas curtailment and manufacturer required reliability testing. Fuel vendor delivery receipts shall be retained to demonstrate that all diesel fuel purchased for use in the boilers contains less than 0.015% sulfur and complies with the constituent levels listed in Condition **2.10**.

[PSCAA Regulation I, 6.03(c)]
[WAC 173-401-615]

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C. Emission Unit No. 3: Donut Fryer.

This emission unit consists of one donut production system with Pillsbury/Moline 22-10S Automatic Continuous Proofer (9-compartment), Automatic Fryer (1,385 dozen/hr) with two Maxon gas burners and a "V" grease filter bank. This donut fryer was permitted under Puget Sound Clean Air Agency Order of Approval No. 3313. The requirements in **Error! Reference source not found.Table 4** apply to Emission Unit No. 3 – Donut Fryer:

Table 4: Applicable Requirements Related to the Donut Fryer.

Condition No.	Federally Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method
2.12	Order of Approval No. 3313, Condition 2 10/05/89	Must develop and implement an O&M Plan to assure continuous compliance with Puget Sound Clean Air Agency Regulation I, II, III.	Minimum Monitoring, Maintenance & Recordkeeping Requirements Operation and Maintenance (O&M) Plan Requirements Conditions **1.22** – **1.24**	Not Applicable
2.13	Puget Sound Clean Air Agency Reg I: 7.09(b) *09/10/98* (STATE ONLY)	Develop and implement an O&M plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II, and III.	Minimum Monitoring, Maintenance & Recordkeeping Requirements Operation and Maintenance (O&M) Plan Requirements Conditions **1.22** – **1.24**	Not Applicable
2.14	Puget Sound Clean Air Agency Reg I: 9.20(a) 06/09/88	Maintain equipment in good working order.	Donut Fryer Monitoring Condition **1.17** **Error! Reference source not found.** Conditions **1.22** – **1.24**	Not Applicable
2.15	RCW 70.94.152(7) *1996* (STATE ONLY)	Maintain equipment that has received an Order of Approval in good working order.	Donut Fryer Monitoring Condition **1.17** **Error! Reference source not found.** Conditions **1.22** – **1.24**	Not Applicable

Condition No.	Federally Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Reference Test Method
2.16	Puget Sound Clean Air Agency Reg I: 9.03 (except for 9.03(e)) 03/11/99 Puget Sound Clean Air Agency Reg. I: 9.03 *03/25/04* (STATE ONLY) WAC 173-400-040(1) 09/20/93 WAC 173-400-040(2) *04/01/11* (STATE ONLY)	Shall not emit air contaminants in excess of 20% opacity for a period or periods aggregating more than 3 minutes in any hour	Donut Fryer inspections, maintenance and opacity tests. (see Conditions **2.17** and **2.18**)	Ecology Method 9A (See **Attachment 2.**)

The general requirements of Section I.A. also apply.

COMPLIANCE METHODS

2.17 Opacity Tests. To demonstrate compliance with the opacity limit in Specific Condition **2.16**, the Permittee shall conduct opacity tests once per calendar year using Ecology Method 9A (See **Attachment 2.**)

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

2.18 Monthly Inspections. The Permittee shall conduct monthly inspections of the donut fryer for excess visible emissions and proper operation, except as provided under Condition **5.10** Data Recovery. Inspections are to be performed while the equipment is in operation during daylight hours. If, during the scheduled monthly inspection visible emissions other than uncombined water are observed to be close to the permit limit of 20% opacity, the Permittee shall, as soon as possible, but no later than within 24 hours of the initial observation:

a. Take corrective action until there are no excess visible emissions, which may include but shall not be limited to:
   1. Cleaning the filter at the inlet to the exhaust duct,
   2. Replacing the filter with a more efficient model, or
   3. Cleaning the duct work from the filter to the exhaust outlet.
b. Shutting down the donut fryer until it can be repaired; or,
c. Determine opacity using the reference test method (Ecology Method 9A) to demonstrate compliance with the opacity limit in Condition **2.16**.

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, the time period over which visible emissions occurred, and any 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 **5.31** and **5.32**.

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 shall be reported as a deviation under Condition **5.5**.

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

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D. Emission Unit No. 4: Flour Storage and Transfer.

The requirements in **Table 5** apply to Emission Unit No. 4 – Flour Storage and Transfer. This emission unit includes the following equipment, each with a fabric breather bag to contain dust during filling operations.

(1) One double flour silo rated at 162,000 lb. capacity total with fabric bin vent filter bags (Silo 1-2).

(2) Two flour storage silos (12' dia. by 40 ft. high), each with 125,000 lb. capacity, controlled by fabric bin vent filter bags at 650 cfm (Silos 3 & 4).

(3) Four flour use bins, each rated at 12,000 lb. capacity, with filter controls.

The construction of the two, 125,000 lb. capacity, flour storage silos was permitted under Puget Sound Clean Air Agency Order of Approval No. 3261, issued on July 25, 1989. The other silos/bins either pre-dated permitting requirements or were exempted from the requirement to obtain an Order of Approval.

Table 5: Applicable Requirements Related to the Flour Storage and Transfer.

Condition. No.	Federally Enforceable Requirement	Requirement Paraphrase (Information Only)	Compliance Method	Emission Standard Period	Reference Test Method
2.19	Puget Sound Clean Air Agency Reg I: 9.09 04/09/98	Shall not emit particulate matter in excess of 0.05 gr/dscf from equipment used in a manufacturing process and general process units, uncorrected for excess air	**Error! Reference source not found.** See Conditions **1.17** and Condition **5.12** Investigations and Testing	Avg of three 1-hr tests, if requested by the Agency or chosen by the permittee.	Puget Sound Clean Air Agency Method 5 (See **Attachment 1**)
2.20	Puget Sound Clean Air Agency Reg I: 7.09(b) 09/10/98 Puget Sound Clean Air Agency Reg I: 7.09(b) *9/25/08* (STATE ONLY)	Must develop and implement an O&M Plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III.	Minimum Monitoring, Maintenance & Recordkeeping Requirements Operation and Maintenance (O&M) Plan Requirements Conditions **1.22** – **1.24**		
2.21	Puget Sound Clean Air Agency Reg I: 9.20 (06/09/88(RCW 70.94.152(7) *(1996)* (STATE ONLY)	Maintain equipment in good working order.	**Error! Reference source not found.** and monitoring Condition **1.17** **Error! Reference source not found.** Conditions **1.22** – **1.24** Condition **2.20** Fabric Filter Inspections.		

Note: The general requirements of Section 1. also apply.

COMPLIANCE METHODS

2.20 Fabric Filter Inspections. At least once per calendar month that the facility operates, the permittee shall conduct monthly inspections of the fabric breather bags for broken or plugged bags and ductwork, seal and hopper integrity and condition. If broken or plugged bags are observed, or ductwork is found to require repair, 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 to replace or repair broken or plugged bags or ductwork, or

Record the opacity using Washington Department of Ecology Method 9A, or

Shut down the unit or activity until it can be repaired.

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, the time period over which broken or plugged bags or ductwork requiring repair occurred, and any 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 **5.31** and **5.32**.

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**.

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

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E. Emission Unit No. 5: Yeast-leavened Bread Products (Sour Dough Baking Line).

The requirements in **Table 6** apply to Emission Unit No. 5 – Yeast-leavened Bread Products (Sour Dough Baking Line). This emission unit includes 15, Revent 620G, 0.375 MMBtu/hr natural gas-fired ovens for baking yeast-leavened bread products with a capacity of baking a maximum of 121,392 pounds of product per day. It also includes one CSM Model 45A natural gas-fired catalytic oxidizer, which controls emissions from these 15 ovens.

The Revent ovens have indirect heating design with exhaust rate of 160 cfm each (total of 2,400 cfm exhaust from the full oven line). Baking time is between 15 and 40 minutes with a temperature range of 300-450°F. Indirect heating ovens are ovens that combust natural gas in a separate chamber from the chamber containing the bread product inside the oven.

The Revent oven burners are equipped with unmodulated, thermostatically controlled natural gas burners. Each burner is 0.375 MMBtu/hr and are categorically exempt per PSCAA Reg I 6.03(c)(1)(A). The burners for the Revent 620G ovens are less than 10 MMBtu/hr total.

As the ovens are indirectly fired, the exhaust from the oven burners is not routed through the oxidizer (and does not contain VOC from the baking process). Exhaust from the ovens is routed to a single oxidizer to reduce VOC emissions.

The catalytic oxidizer has a design airflow of 4,500 scfm and is equipped with an LE 15 burner with 1.6 MMBtu/hr maximum capacity burner. Normal operation of the oxidizer burner is expected to be around 250,000-400,000 Btu/hr with a minimum of 100,000 Btu/hr. The oxidizer operating temperature range is 600-800 degrees F with a maximum temperature of 1,000 degrees F. The catalyst bed pressure drop is between 3 and 6 inches water, with system static pressure of 15-22 inches of water. The oxidizer residence time is a minimum 0.01 seconds. The LE 15 burner is designed to achieve an emissions rate of nitrogen oxides of no more than 30 ppmv @ 3% O_2.

The construction of this equipment was permitted under Puget Sound Clean Air Agency Order of Approval No. 11674, issued on October 7, 2019.

Table 6: Applicable Requirements Related to the Sour Dough Baking Line

Condition No.	Enforceable Requirement	Emission Standard/Requirement	Compliance Method	Reference Test Method (See Section 7)
2.21	Order of Approval No. 11674 Condition No. 1 (10/7/19)	Pursuant to Article 6 of Regulation I of the Puget Sound Clean Air Agency and Order of Approval No. 11674, the applicant is authorized to operate the equipment, device or process described in Order of Approval No. 11674 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	Not applicable
2.22	Order of Approval No. 11674 Condition No. 3 (10/7/19)	The total daily production of the 15 Revent 620G ovens shall not exceed 121,392 pounds of dough per day.	Condition **2.36** Production Records	Not applicable

Condition No.	Enforceable Requirement	Emission Standard/Requirement	Compliance Method	Reference Test Method (See Section 7)
2.23	Order of Approval No. 11674 Condition No. 4 (10/7/19)	All emissions from the ovens shall be vented through the recuperative catalytic oxidizer at all times. Note: this does not include combustion emissions from the oven burners.	Condition **2.29** RCO Visible Emission Observations Conditions **2.34**, **2.35**, & **2.38** RCO Monitoring	Not applicable
2.24	Order of Approval No. 11674 Condition No. 5 (10/7/19)	There shall be no visible emissions from the recuperative oxidizer exhaust stack.	Condition **2.29** RCO Visible Emission Observations	EPA Method 22
2.25	Order of Approval No. 11674 Condition No. 6 (10/7/19)	At least once every calendar quarter, while baking at normal operating capacity, the owner or operator shall observe the emissions from the recuperative catalytic oxidizer stack throughout the entire baking cycle of at least one oven. During the time of the observation the owner or operator shall note the highest and lowest catalyst bed temperatures. For each observation, note the date and time of the observation, the observer's name, whether or not visible emissions were observed, the number of ovens operating, the total pounds of bread dough baking, and the catalyst bed temperatures.	See Condition **2.29**	Not applicable
2.26	Order of Approval No. 11674 Condition No. 7 (10/7/19)	The recuperative oxidizer shall achieve and maintain a minimum VOC control efficiency of 95% by mass, or an outlet concentration not exceeding 10 ppmvd @ 3% O_2, at all times during operation.	Condition **2.30** VOC Source Testing Conditions **2.32** & **2.33** RCO Monitoring	EPA CTM 042
2.27	Order of Approval No. 11674 Condition No. 10 (10/7/19)	Both the inlet and outlet catalyst bed temperatures shall be maintained at a minimum of 600 degrees Fahrenheit and a maximum of 800 degrees Fahrenheit whenever the equipment it serves is in operation.	Condition **2.31** RCO Monitoring	Not applicable
2.28	PSCAA Reg I: 9.20(a) (6/9/88) RCW 70A.15.2210(7) 1996 (State Only) 40 CFR 60.11(d) (11/17/00)	All equipment must be maintained in good working order.	Condition **1.18** Facility-wide Inspections Condition Nos. **1.22** – **1.24** O&M Plan Requirements	Not applicable

Note: The general requirements of Section 1. also apply.

COMPLIANCE METHODS

RCO Visible Emission Observations

2.29 At least once every calendar quarter, while baking at normal operating capacity, the permittee shall observe the emissions from the recuperative catalytic oxidizer stack throughout the entire baking cycle. During the time of observation the permittee shall note the highest and lowest catalyst bed temperatures. For each observation, record: the date and time of the observation, the observer's name, whether or not visible emissions were observed, the number of ovens operating, the total pounds of bread dough baking, and the catalyst bed temperatures.

If RCO visible emission observations show that the oxidizer is out of compliance with the visible emissions requirement of Condition **2.24** or with the minimum inlet and outlet temperature requirements of Condition **2.27**, the baking process shall be shut down at the end of the current batch until the problem is fixed. The date of noncompliance, a description of noncompliance and actions taken to resolve it shall be logged at the time the actions are taken.

[Order of Approval No. 11674, Conditions 6 & 16]

VOC Source Testing

2.30 Ongoing/recurring compliance with the VOC limits specified within Condition **2.26** shall be demonstrated as follows:

a. A source test must be conducted once every five years, no sooner than 4 years and 9 months after the last test and no later than 5 years and 3 months after the last stack test.
b. Source tests shall be conducted in accordance with USEPA Conditional Test Method 042, USEPA Methods 1, 2, 3A, and 4 or alternative approved by the Agency prior to testing. Source tests shall include one test of three runs representative of maximum normal operation. The test shall be conducted while all fifteen ovens are baking at maximum normal operation and venting to the oxidizer. The duration of each test run shall be, at a minimum, the time needed for all fifteen ovens to each complete one full bread baking batch.
c. Source tests shall be conducted while the ovens are baking with a dough formula yielding a VOC emission factor of at least 3.0 lb VOC/ton dough as calculated per AP-42 Section 9.9.6.
d. The source shall submit a source test plan, along with records of the following operating parameters collected during two representative weeks prior to submittal of the source test plan in order to define maximum normal operating conditions:
    i. Dough % baker's yeast and VOC composition for each dough recipe baked;
    ii. Quantity of each dough recipe baked per day;
    iii. Oven temperature for each dough recipe;
    iv. Bake time for each dough recipe; and
    v. Hours of baking per day;
e. Source tests shall be conducted within 60 days after test plan approval and shall follow the test plan.
f. The source test report shall include a description of operating conditions achieved during the test for both the ovens and the recuperative catalytic oxidizer and values of all operating parameters during the test for both the ovens and the recuperative catalytic oxidizer.

In addition:

The source test shall measure VOC concentration and the inlet and the outlet of the oxidizer to determine control efficiency.

The source test report shall include a description of operating conditions achieved during the test for both the oven and the recuperative catalytic oxidizer and values of all operating parameters during the test for both the oven and the recuperative catalytic oxidizer. For each compliance test, the permittee shall comply with the general emission testing requirements in Conditions **5.30** through **5.32** including the requirement to provide notice to the Agency at least 21 days prior to the test and submit a test report within 60 days after the test. The permittee shall additionally submit with the test notification a stack test plan for each ongoing test. The stack test plan must include at minimum a description of operating conditions during the test for the oven and recuperative catalytic oxidizer and a list of operating parameters that will be measured during the test for both the oven and recuperative catalytic oxidizer.

[Order of Approval No. 11674, Condition 9]
[WAC 173-401-615(1)(b)]

RCO Monitoring

2.31 The permittee shall maintain a temperature measuring and recording system to continuously measure and record the temperatures at the inlet and outlet of the catalyst bed. Such a temperature measuring system shall have an accuracy of within +/- 1% of the temperature being monitored and shall be inspected, maintained, and calibrated on an annual basis in accordance with the manufacturer's specifications using an applicable EPA method or other method approved by the Agency.

[Order of Approval No. 11674, Condition 11]

2.32 The permittee must conduct annual catalyst activity testing following the manufacturer or catalyst supplier's recommended procedures at least once every 12 calendar months. The annual catalyst activity test results, including curves, tables, and reports, must be submitted to the agency within 30 days of completion of the activity test. Cleaning shall be performed when the activity test results or report indicates cleaning or replacement (see Condition **2.33**) is necessary.
For each annual catalyst activity test, results must be submitted according to the compliance reporting requirement of Section 5.9 except that hard copies of the activity test results, curves tables and reports are not required to be submitted. A log containing the date and a description of each catalyst cleaning shall be kept.

[Order of Approval No. 11674, Conditions 12]

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

2.33 The permittee shall replace the catalyst bed if the activity test indicates replacement is necessary. At a minimum the catalyst must be replaced at the frequency recommended by the manufacturer.

A log containing the date and description of each catalyst replacement shall be kept.

[Order of Approval No. 11674, Conditions 13 & 14]

2.34 The permittee must maintain daily records of key system operating parameters of the recuperative catalytic oxidizer. If the oven is not in operation, this should be noted in the daily record. Key system operating parameters shall have been identified and submitted to the agency within 90 days of installation and must have been based on the operation and maintenance plan provided by the manufacturer after equipment installation. Key Parameters shall include but are not limited to: inlet and outlet temperature of the catalyst bed and pressure drop across the catalyst. The operation and maintenance plan shall have been submitted to the agency within 90 days of installation and documentation shall be maintained on site showing that the plan is being followed.

[Order of Approval No. 11674, Condition 15]

2.35 In the event of a recuperative catalytic oxidizer thermocouple failure or in the event of any other failure such that the permittee cannot meet the visible emissions requirement of Condition **2.24**, the minimum inlet and outlet temperature requirements of Condition **2.27** or the annual catalyst testing requirement of Condition **2.32**, the baking process shall be shut down until the problem is fixed. The date of the failure, a description of the failure and actions taken to resolve it shall be logged at the time the actions are taken.

[Order of Approval No. 11674, Condition 17]

Records

2.36 The permittee must maintain records of the daily production rate of the 15 Revent ovens in order to comply with Condition **2.22**.

[Order of Approval No. 11674, Condition 18]

2.37 The permittee must maintain records needed to calculate or otherwise determine VOC emissions for these ovens including type and amount of product, initial and final yeast percentage, spiking time and yeast action time.

[Order of Approval No. 11674, Condition 19]

2.38 All logs or records maintained in compliance with the above conditions shall be kept for at least five years and made available to Agency personnel upon request. Electronic data collection of key parameters is acceptable.

[Order of Approval No. 11674, Condition 20]

Natural Gas Combustion

2.39 The permittee must combust only pipeline natural gas in the 15 Revent Ovens and catalytic oxidizer.

[Order of Approval No. 11674]

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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)]

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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 less than six months 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.

4.6 **Permit shield**. 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 that meet the following criteria, the permittee shall submit an application as described in WAC 173-401-725(2)(b):

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 that meet the following criteria, the permittee shall submit an application as described in WAC 173-401-725(3)(b):

a. Meets the criteria for minor permit modification procedures in Specific Condition **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 **Permit shield**. 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 For significant permit modifications that meet the following criteria, the modification shall meet all requirements of Chapter 173-401 WAC, including those for applications, public participation, review by affected states, and review by EPA, as they apply to permit issuance and permit renewal:

a. Permit modifications that do not qualify as minor permit modifications or as administrative amendments;

b. Every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions.

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.

[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), 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 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 address 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.

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]

Duty to Supplement or Correct Application

4.23 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

4.24 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. 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)]
[PSCAA Regulation I, Section 6.01(a)]

New Source Notification

4.25 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)]

Documentation of New Source Exemption

4.26 For purposes of complying with the recordkeeping requirement in PSCAA Regulation I 6.03(c), for projects or sources identified in PSCAA Regulation I 6.03(c) as not requiring a Notice of Construction application and Order of Approval, the permittee shall maintain sufficient records to document the exemption.

[PSCAA Regulation I, Section 6.03(c)]

Prevention of Significant Deterioration (PSD)

4.27 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

4.28 Within 30 days of completion of the installation or modification of a stationary source subject to 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]

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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 an annual certification of compliance with the terms and conditions contained in the permit, including emission limitations, standards, or work practices. The original signed compliance certification shall be submitted to the Puget Sound Clean Air Agency and a copy of the compliance certification shall be submitted to EPA Region 10 once per year.

All annual compliance certifications cover the calendar year commencing January 1 and ending December 31 and are due by January 30 of the following calendar each 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).

The permittee shall also submit all annual compliance certifications 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 electronic submittal is due on the same date as the original signed compliance certification required by this section. 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 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. If there were no deviations the permittee must submit a report stating that there were no deviations. 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 also submit the 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) by July 30 for the January 1 – June 30 reporting period and by January 30 for the July 1 – December 31 reporting period. 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 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.

b. All other deviations shall be reported in writing and by email no later than thirty days after the end of the month during which the deviation is discovered. The permittee is not required to submit a monthly report for months during which there were no deviations.

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)]

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.

[WAC 173-401-630(5)]

Mailing Address

5.7 All notifications, reports, renewal/revision applications and compliance certifications required by this permit shall be submitted to:

Puget Sound Clean Air Agency
Attn: Compliance Program
1904 3rd Ave, Suite 105
Seattle, Washington 98101

5.8 For all the notifications, reports and compliance certifications required by this permit to be submitted to US Environmental Protection Agency, the mailing address is:

EPA Region 10, Mail Stop OAQ-107
Attn: Air Operating Permit
1200 Sixth Avenue
Seattle, Washington 98101

Compliance Reports-Electronic Submittal

5.9 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. Original written documents shall also be submitted for record purposes. Nothing in this condition waives or modifies any requirements established under other applicable regulations.

[PSCAA Regulation I, Section 7.09(c)]

Data Recovery

5.10 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 Specific 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

5.11 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

5.12 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.

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

Credible Evidence

5.13 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, or any permit or order issued thereunder, nothing in this regulation 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]

Emergency

5.14 An emergency, as defined in WAC 173-401-645(1), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the conditions below are met.

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

i. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

ii. The permitted facility was at the time being properly operated;

iii. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

iv. The permittee submitted notice of the emergency to the Puget Sound Clean Air Agency within two working days of the time when emission limitations were exceeded due to the emergency or shorter periods of time specified in an applicable requirement. This notice fulfills the requirement of WAC 173-401-615 (3)(b) unless the excess emissions represent a potential threat to human health or safety. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

c. This condition is in addition to any emergency or upset provision contained in any applicable requirement.

[WAC 173-401-645]

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 SIP. This section is not effective starting on that date.

5.15 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)]

5.16 Excess emissions determined to be unavoidable under Conditions **5.17**, **5.18** or **5.19** of this permit shall be excused and not subject to penalty.

[WAC 173-400-107(2)]

5.17 Excess emissions due to startup or shutdown conditions shall be considered unavoidable provided the permittee reports as required under Condition **5.15** 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)]

5.18 Excess emissions due to scheduled maintenance shall be considered unavoidable if the permittee reports as required under Condition **5.15** 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)]

5.19 Excess emissions due to upsets shall be considered unavoidable provided the permittee reports as required under Condition **5.15** 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)]

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 SIP.

5.20 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 **5.21**.

[WAC 173-400-108(1)]

5.21 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 **5.22**.

b. As provided in Condition **5.5** and Condition **5.22**.

[WAC 173-400-108(2)]

5.22 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 **5.27** 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 SIP.

5.23 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 **5.27**.

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)]

5.24 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 **5.27**.

[WAC 173-400-109(2)]

5.25 Condition **5.23** 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)]

5.26 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 **5.27**.

[WAC 173-400-109(4)]

5.27 Excess emissions due to an upset or malfunction will be considered unavoidable provided the source reports as required by Condition **5.21** 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

5.28 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)]

Exclusions

5.29 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

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

[PSCAA Regulation I, Section 3.07(a)]

Compliance Test Notification

5.31 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

5.32 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

5.33 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, 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 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 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 SIP is identified as "State Only." If and when EPA approves a new version of the regulation into the SIP, the old version of the regulation will be replaced and superseded by the new version automatically. This table does not include the federally enforceable requirements of the 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 7. WAC Requirements in State Implementation Plan.

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 173-400-040	General Standards for Maximum Emissions (916/18)	Federally Enforceable, sections (1)(a) & (b); (4); and (9)(b) only

Washington Administrative Code (WAC)		
Regulation	Rule Description (Effective Date)	Federal Enforceability
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 (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 173-400-114	Replacement or substantial alteration of emission control technology (12/29/12)	State Only, not in SIP
WAC 173-400-205	Adjustment for Atmospheric Conditions (3/22/91)	Federally Enforceable
WAC 173-400-700 through -750	Review of major stationary sources of air pollution (4/1/11)	Federally Enforceable (Ecology)
WAC 173-400-720 through 173-400-750	Prevention of Significant Deterioration (7/1/16)	Federally Enforceable (Ecology), except: 173-400-720(4)(a)(I through iv), (b)(iii)(C),and 173-400-750(2) second sentence
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 8. PSCAA **Requirements in State Implementation Plan.**

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)	Federally Enforceable
Regulation I: Section 3.06	Credible Evidence (11/14/98)	Federally Enforceable
Regulation I: Section 3.07	Compliance Tests (5/1/06)	Federally Enforceable
Regulation I: Section 3.23	Alternative Means of Compliance (11/1/96)	State Only, not in SIP
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

Puget Sound Clean Air Agency Regulation		
Regulation	Rule Description	Federally Enforceability
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 (2/1/17)	Federally Enforceable
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
Regulation I: Section 9.08	Fuel Oil Standards (5/1/04)	Federally Enforceable
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 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

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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 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 in compliance with applicable emissions limitations and control measures.

[WAC 173-400-105]

6.3 The permittee shall maintain records of required monitoring information that include the following:

a. The date, place as defined in the permit, and time of sampling or measurements;
b. The date(s) analyses were performed;
c. The company or entity that performed the analyses;
d. The analytical techniques or methods used;
e. The results of such analyses; and
f. The operating conditions existing at the time of sampling or measurement.

[WAC 173-401-615(2)]

Retention of Records

6.4 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. 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)]

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]

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]

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), State Only]

Chemical Accident Prevention Program

6.14 This stationary source, as defined in 40 CFR 68.3, is subject to 40 CFR Part 68, the Chemical Accident Prevention Provisions. This stationary source shall comply with the requirements of Part 68 by the dates specified in §68.10. This stationary source shall certify compliance with the requirements of Part 68 as part of the annual compliance certification required by Condition **5.3**.

[40 CFR 68.10]

Concealment or Masking

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 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)]

6.16 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

6.17 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

6.18 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

6.19 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)

6.20 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

6.21 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:

Pollutant	Threshold
Carbon monoxide (CO)	25
Facility combined total of all toxic air contaminants (TAC)	6
Any single toxic air contaminant (TAC)	2
Nitrogen oxide (NOX)	25
Particulate matter (PM10)	25
Particulate matter (PM2.5)	25

Pollutant	Threshold
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.

[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]

Washington State Program for Reporting of Emissions of Greenhouse Gases

6.22 Greenhouse gases emission reporting is mandatory for the permittee of any facility that emits ten thousand metric tons CO2e or more per calendar year in total GHG emissions from all applicable source categories listed in WAC 173-441-120. If subject to mandatory reporting requirements, the permittee shall follow all applicable procedures specified in WAC 173-441, including those for emission calculation, monitoring, quality assurance, missing data, recordkeeping, and reporting.

[WAC 173-441]

Non-road Engines

6.23 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)]

6.24 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)]

6.25 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)]

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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 9. 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	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 6 40 CFR 60, Appendix A	Determination Of Sulfur Dioxide Emissions From Stationary Sources	The test shall consist of 3 runs and at least 1-hour per run.
EPA Method 6C 40 CFR 60, Appendix A	Determination of Sulfur Dioxide Emissions from Stationary Sources	The test shall consist of 3 runs and at least 1-hour per run.
EPA Method 7 40 CFR 60, Appendix A	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	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 20 40 CFR 60, Appendix A	Determination Of Nitrogen Oxides, Sulfur Dioxide, And Diluent Emissions From Stationary Gas Turbines	The test shall consist of 3 runs and at least 1-hour per run.
Ecology Method 9A, "Source Test Manual – Procedures for Compliance Testing", July 12, 1990	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, July 1, 2012	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.
EPA Method 26 A 40 CFR 60, Appendix A	Determinations of HCl	The test shall consist of 1 run and at least 1-hour per run.

Test Method	Title	Averaging Period
Ash-ASTM D482 Sulfur –ASTM D3120 Halogens – EPA SW846,9076 PCB – EPA SW846, 8080 Lead – EPA 600/4-81-045,200.7 Flash Point – EPA SW846, 1020	Fuel Oil Analysis	None applicable

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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 10. Inapplicable Requirements

Regulation	Description	Basis for Inapplicability
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.
WAC 173-490	Emission Standards and Controls for Sources Emitting VOC	Bakeries are not identified as affected sources per WAC 173-490-030.
WAC 173-476	Ambient Air Quality Standards	These are ambient air quality standards and by definition are not applicable requirements.
WAC 173-480	Ambient Air Quality Standards and Emission Limits for Radionuclides	The ambient air quality standards of this chapter are by definition not applicable requirements. The emission limits of this chapter apply to all radionuclide emission units. The permittee has no radionuclide emission units.
WAC 173-481	Ambient Air Quality and Environmental Standards for Fluorides	The ambient air quality standards of this chapter are by definition not applicable requirements.

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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 or 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 11. .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)**
Space heaters and hot water heaters using natural gas, propane or kerosene and generating less than five million Btu/hr.	WAC 173-401-533(2)(r)

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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.

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Attachment 2. Ecology Method 9A.

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 the 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, non-circular stacks), approximately perpendicular to the longer axis of the outlet. The observer's line of site should not include 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 filed data sheet at the time opacity readings are initiated and completed.

The observer shall make a note of the ambient relative humidity, ambient temperature, the point in the plume 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.

Visual Determination of Opacity for a Three Minute Standard
Ecology Source Test Method 9A
Revised July 12, 1990
Page 2

Opacity observations shall 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 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 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 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.

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