Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

SOUTHWEST REGIONAL OFFICE
355-A Deadmore Street, Abingdon, Virginia 24210
(276) 676-4800
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Travis A. Voyles
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

Jeffrey Hurst
Regional Director

October 18, 2023

Mr. Derek Kramer
Chief Operating Officer
INGENCO Wholesale Power, LLC
4444 Westheimer Road, Suite G450
Houston, Texas 77027

Location: City of Bristol, Virginia
Registration No.: 11733

Dear Mr. Kramer:

Attached is a renewal Title V permit to operate your facility pursuant to 9VAC5 Chapter 80 Article 1 of the Virginia Regulations for the Control and Abatement of Air Pollution. The attached permit will be in effect beginning October 18, 2023.

In the course of evaluating the application and arriving at a final decision to issue this permit, the Department of Environmental Quality (DEQ) deemed the application complete on March 2, 2023, and solicited written public comments by placing a newspaper advertisement in the *Bristol Herald Courier* on June 23, 2023. The thirty-day required comment period, provided for in 9VAC5-80-270 expired on July 24, 2023.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and/or civil charges. Please read all permit conditions carefully.

This permit approval shall not relieve INGENCO Wholesale Power, LLC of the responsibility to comply with all other local, state, and federal permit regulations.

The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200 provide that you may request a formal hearing from this case decision by filing a petition with

the DEQ within 30 days after this case decision notice was mailed or delivered to you. Please consult the relevant regulations for additional requirements for such requests.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal of this decision by filing a Notice of Appeal with:

Michael S. Rolband, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

If this permit was delivered to you by mail, three days are added to the thirty-day period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this permit, please contact me at (276) 608-8506.

Sincerely,

Rob Feagins
Air Permit Manager

GRF/ABM/11733VA.FNL-23

Attachments: Permit
Source Testing Report Format

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Office of Permits and Air Toxics (3AP10), U.S. EPA, Region III (electronic file submission)

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Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated, or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9VAC5-80-50 through 9VAC5-80-300, of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	INGENCO Wholesale Power, LLC
Facility Name:	INGENCO Bristol Plant
Facility Location:	2135 Shakesville Road, Bristol, Virginia 24201
Registration Number:	11733
Permit Number:	SWRO11733

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act

October 18, 2023
Effective Date

October 17, 2028
Expiration Date

Jeffrey Hurst
Regional Director

October 18, 2023
Signature Date

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Facility Information

Permittee
INGENCO Wholesale Power, LLC
4444 Westheimer Road, Suite G450
Houston, Texas 77027

Responsible Official
Mr. Derek Kramer
Chief Operating Officer

Facility
INGENCO Bristol Plant
2135 Shakesville Road
Bristol, Virginia 24201

Contact Person
Mr. Ryan Christman, PE
Environmental Engineer
(863) 224-4395

County-Plant Identification Number: 51-520-00183

Facility Description: NAICS 221117 - The INGENCO Bristol Plant consists of 18 Detroit Diesel Series 60 compression ignition engines, each paired with a generator to produce electricity for commercial sale. Fuels for the engines include No. 2 fuel oil, diesel fuel, biodiesel, and landfill gas. Landfill gas (LFG) is supplied by the City of Bristol Integrated Solid Waste Management Facility. Each engine is rated at 475 horsepower. Each generator can produce up to 350 kilowatts of electrical power. The total generating capacity of the facility is 6.3 megawatts.

The engines are arranged in three groups with six engines per group. Each group is exhausted through a single stack. The engines can be operated in single fuel mode burning only liquid fuel, or in dual fuel mode burning liquid fuel and LFG. Normal baseload operation of the engines is at LFG fractions from 92 percent to 98 percent. Percent gas fraction (GF) is the percent of total energy required to operate the engines derived from LFG methane. The engines start on 100 percent liquid fuel and transition to LFG fractions of 92 percent or greater.

Other equipment at the facility includes a lubrication oil storage tank, a diesel fuel storage tank, a used oil storage tank, and a wastewater storage tank. The fuel oil-fired Hydrotherm PB-105/120W boiler rated at 0.13 million Btu per hour has been removed from the facility.

Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
A1 – A6	A	Six Detroit Diesel Series 60, 12.7-liter engines	475 brake horsepower, each engine	LFG filter, turbocharger, aftercooler & air/fuel ratio controller	Not Applicable	PM, CO, and NO_X	Minor NSR permit dated 4/3/18
B1 – B6	B	Six Detroit Diesel Series 60, 12.7-liter engines	475 brake horsepower, each engine	LFG filter, turbocharger, aftercooler & air/fuel ratio controller	Not Applicable	PM, CO, and NO_X	Minor NSR permit dated 4/3/18
C1 – C6	C	Six Detroit Diesel Series 60, 12.7-liter engines	475 brake horsepower, each engine	LFG filter, turbocharger, aftercooler & air/fuel ratio controller	Not Applicable	PM, CO, and NO_X	Minor NSR permit dated 4/3/18

*The Size/Rated capacity is provided for informational purposes only and is not an applicable requirement.

Fuel Burning Equipment Requirements – (A1 – A6, B1 – B6, and C1 – C6)

Limitations

1. Fuel Burning Equipment Requirements - The facility shall be constructed such that the engines (A1 – A6, B1 – B6, and C1 – C6) are arranged in groups where each group contains six engines and emissions from the six engines exhaust through a single stack common to that group. Reference numbers as indicated in the Equipment List of this permit shall be affixed to the engines. Each reference number shall be prominently displayed and legible at all times. Each engine and reference number shall be provided with adequate access for inspection.
(9VAC5-80-110 and Condition 1 of the minor NSR permit dated 4/3/18)

2. Fuel Burning Equipment Requirements - Particulate emissions from each engine (A1 – A6, B1 – B6, and C1 – C6) shall be controlled by good combustion practices, filtration of landfill gas (LFG) through a 10-micron filter and combustion of low sulfur liquid fuels. Each engine and filtration system shall be provided with adequate access for inspection.
(9VAC5-80-110 and Condition 2 of the minor NSR permit dated 4/3/18)

3. Fuel Burning Equipment Requirements - Emissions of nitrogen oxides (NO_X) from each engine (A1 – A6, B1 – B6, and C1 – C6) shall be controlled by charge air aftercooling, air-to-fuel ratio control, INGENCO enhanced tuning techniques and INGENCO combustion control system. The temperature of charge air to each engine shall not exceed 140 °F on an hourly average basis. The permittee shall maintain documentation that demonstrates the INGENCO combustion control system has been installed on each engine. Each engine shall be provided with adequate access for inspection.
(9VAC5-80-110 and Condition 3 of the minor NSR permit dated 4/3/18)

4. Fuel Burning Equipment Requirements - Carbon monoxide (CO) emissions from each engine (A1 – A6, B1 – B6, and C1 – C6) shall be controlled by turbocharging, air-to-fuel ratio control, INGENCO enhanced tuning techniques and good combustion practices. Each engine shall be provided with adequate access for inspection.
(9VAC5-80-110 and Condition 4 of the minor NSR permit dated 4/3/18)

5. Fuel Burning Equipment Requirements - Volatile organic compound (VOC) emissions from each engine (A1 – A6, B1 – B6, and C1 – C6) shall be controlled by good combustion practices. Each engine shall be provided with adequate access for inspection.
(9VAC5-80-110 and Condition 5 of the minor NSR permit dated 4/3/18)

6. Fuel Burning Equipment Requirements - Each engine (A1 – A6, B1 – B6, and C1 – C6) shall operate no more than 500 hours per year on 100 percent liquid fuel, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months. This condition applies at all times except startup, shutdown and malfunction. Operation of

an engine on less than 92 percent landfill gas fraction for more than 20 consecutive minutes shall not be considered as startup, shutdown or malfunction and shall be counted toward the 500 hours per year limit.
(9VAC5-80-110 and Condition 12 of the minor NSR permit dated 4/3/18)

7. Fuel Burning Equipment Requirements - The annual average ratio of liquid fuel to total fuel combusted in each engine (A1 – A6, B1 – B6, and C1 – C6) shall not be less than two parts liquid fuel to 100 parts total fuel on an energy equivalent basis, calculated monthly on a rolling 12-month basis.
(9VAC5-80-110 and Condition 13 of the minor NSR permit dated 4/3/18)

8. Fuel Burning Equipment Requirements - (A1 – A6, B1 – B6, and C1 – C6) - The permittee shall start no more than two engine groups in the same hour. If any engine group is operating, then the permittee shall start no more than one additional engine group in any following hour.
(9VAC5-80-110 and Condition 14 of the minor NSR permit dated 4/3/18)

9. Fuel Burning Equipment Requirements - The approved fuels for the engines (A1 – A6, B1 – B6, and C1 – C6) are distillate oil, diesel fuel, biodiesel fuel and landfill gas. A change in the fuels may require a permit to modify and operate.
(9VAC5-80-110 and Condition 15 of the minor NSR permit dated 4/3/18)

10. Fuel Burning Equipment Requirements - The fuels for the engines (A1 – A6, B1 – B6 and C1 – C6) shall meet the specifications below:

    DISTILLATE OIL which meets the ASTM D396 specification for Grades 1 or 2:
    Maximum sulfur content per shipment: 0.0015%

    DIESEL FUEL which meets the ASTM D975 specification for Grades 1 or 2 diesel fuel:
    Maximum sulfur content per shipment: 0.0015%

    BIODIESEL FUEL which meets the ASTM D6751 specification:
    Maximum sulfur content per shipment: 0.0015%

    LANDFILL GAS
    Maximum total reduced sulfur content: 400 parts per million volume
    (9VAC5-80-110 and Condition 16 of the minor NSR permit dated 4/3/18)

11. Fuel Burning Equipment Requirements - Emissions from the operation of the engines (A1 – A6, B1 – B6, and C1 – C6) on 100 percent liquid fuel shall not exceed the following limits:

	Each Stack	Combined Total
Total Particulate Matter (PM10, filterable & condensable)	2.0 lb/hr	1.50 tons/yr

	Each Stack	Combined Total
Total PM2.5 (filterable & condensable)	2.0 lb/hr	1.50 tons/yr
Nitrogen Oxides (as NO_2)	42.90 lb/hr	32.20 tons/yr
Carbon Monoxide	5.39 lb/hr	4.04 tons/yr
Volatile Organic Compounds	1.0 lb/hr	0.75 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 2 – 6, 10, 15, 26, 30, and 31.
(9VAC5-80-110 and Condition 19 of the minor NSR permit dated 4/3/18)

12. Fuel Burning Equipment Requirements - Emissions from the engines (A1 – A6, B1 – B6, and C1 – C6) during startup shall not exceed the following limits:

	Each Stack
Total Particulate Matter (PM10, filterable & condensable)	1.75 lb/hr
Total PM2.5 (filterable & condensable)	1.75 lb/hr
Nitrogen Oxides (as NO_2)	12.3 lb/hr
Carbon Monoxide	19.66 lb/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Startup is defined as the initial firing of fuel transitioning to sustained operation on at least 92 percent gas fraction (i.e., 0 – 92%) within a maximum time period of 20 minutes. Operation of an engine on less than 92 percent gas fraction for more than 20 consecutive minutes shall be counted toward the 500 hours per year operating limit specified in Condition 6 of this permit. No engine shall be operated on 88 percent landfill gas fraction except for transient operation during startup and shutdown. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 2 – 6, and 8.
(9VAC5-80-110 and Condition 20 of the minor NSR permit dated 4/3/18)

13. Fuel Burning Equipment Requirements - Emissions from the engines (A1 – A6, B1 – B6, and C1 – C6) during baseload operation shall not exceed the following limits:

	Each Stack
Total Particulate Matter (PM10, filterable & condensable)	2.2 lb/hr
Total PM2.5 (filterable & condensable)	2.2 lb/hr
Nitrogen Oxides (as NO_2)	11.2 lb/hr
Carbon Monoxide	25.4 lb/hr
Volatile Organic Compounds	4.41 lb/hr
Sulfur Dioxide	2.90 lb/hr

Baseload operation is defined as the operation of an engine at a gas fraction equal to or greater than 92 percent. These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 2 – 6, 10, 15, 26, 27, 32, and 33. (9VAC5-80-110 and Condition 21 of the minor NSR permit dated 4/3/18)

14. Fuel Burning Equipment Requirements - Emissions from the operation of the engines (A1 – A6, B1 – B6, and C1 – C6) shall not exceed the following limits:

	Combined Total
Total Particulate Matter (PM10, filterable & condensable)	27.3 tons/yr
Total PM2.5 (filterable & condensable)	27.3 tons/yr
Nitrogen Oxides (as NO_2)	113.0 tons/yr
Carbon Monoxide	236.0 tons/yr
Volatile Organic Compounds	54.6 tons/yr
Sulfur Dioxide	35.93 tons/yr

These emission limits apply at all times except during operation of the engines on 100 percent liquid fuel as defined in this permit. These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 2 – 7, 9, 10, 15, 26, 27, 32, and 33.
(9VAC5-80-110 and Condition 22 of the minor NSR permit dated 4/3/18)

15. Fuel Burning Equipment Requirements - Visible emissions from the stack exhaust for each group of engines (A1 – A6, B1 – B6, and C1 – C6) shall not exceed 10% opacity except during one 6-minute period in any one hour in which visible emissions shall not exceed 20% opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
(9VAC5-80-110 and Condition 23 of the minor NSR permit dated 4/3/18)

16. Fuel Burning Equipment Requirements - (A1 – A6, B1 – B6, and C1 – C6) - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

    a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.

    b. Maintain an inventory of spare parts.

    c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.

    d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

    Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.
    (9VAC5-80-110 and Condition 31 of the minor NSR permit dated 4/3/18)

17. Fuel Burning Equipment Requirements - The permittee shall maintain each engine (A1 – A6, B1 – B6, and C1 – C6) according to the following specifications, at a minimum:

    a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first; and

    b. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.

    (9VAC5-80-110 and 40 CFR 63.6603(a))

18. Fuel Burning Equipment Requirements - Except where this permit is more restrictive than the applicable requirement, each engine (A1 – A6, B1 – B6, and C1 – C6) shall be operated in compliance with the requirements of 40 CFR 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.
    (9VAC5-80-110 and 40 CFR 63.6605(a))

19. Fuel Burning Equipment Requirements - At all times the permittee must operate and maintain the engines (A1 – A6, B1 – B6, and C1 – C6), including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the DEQ which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
(9VAC5-80-110 and 40 CFR 63.6605(b))

20. Fuel Burning Equipment Requirements - The permittee shall operate and maintain each engine (A1 – A6, B1 – B6, and C1 – C6) and any after-treatment control device according to the manufacturer's emission-related written instructions or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of each engine in a manner consistent with good air pollution control practice for minimizing emissions.
(9VAC5-80-110 and 40 CFR 63.6625(e)(6))

Monitoring

21. Fuel Burning Equipment Requirements - Each engine (A1 – A6, B1 – B6, and C1 – C6) shall be equipped with devices to continuously measure and record the amount of each type of fuel throughput to the engine. Results of each measurement shall be recorded no less than once per minute and shall include, at a minimum, the date, time, engine identification, amount of fuel throughput and landfill gas fraction. Each device shall be installed, maintained, calibrated, and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the respective engine is operating.
(9VAC5-80-110 and Condition 6 of the minor NSR permit dated 4/3/18)

22. Fuel Burning Equipment Requirements - Each engine (A1 – A6, B1 – B6, and C1 – C6) shall be equipped with a device to continuously measure engine inlet charge air temperature. Each device shall be installed, maintained, calibrated, and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each device shall be provided with adequate access for inspection and shall be in operation when the respective engine is operating.
(9VAC5-80-110 and Condition 7 of the minor NSR permit dated 4/3/18)

23. Fuel Burning Equipment Requirements - (A1 – A6, B1 – B6 and C1 – C6) - The landfill gas filtration system shall be equipped with devices to continuously measure the differential pressure across the landfill gas filter. At a minimum, devices shall be located just before

and just after the filter. Each device shall be installed, maintained, calibrated, and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each device shall be provided with adequate access for inspection and shall be in operation whenever any engine is operating on landfill gas.
(9VAC5-80-110 and Condition 8 of the minor NSR permit dated 4/3/18)

24. Fuel Burning Equipment Requirements - The permittee shall observe the devices used to continuously measure the differential pressure across the landfill gas filtration system no less than once per day whenever landfill gas is combusted in any of the engines (A1 – A6, B1 – B6, and C1 – C6). A record of each observation shall be maintained, including, at a minimum, the date, time, engine identification, pressure drop readings and name of the observer.
(9VAC5-80-110 and Condition 9 of the minor NSR permit dated 4/3/18)

25. Fuel Burning Equipment Requirements - The permittee shall observe the monitoring devices used to measure inlet charge air temperature no less than once per hour whenever the engines (A1 – A6, B1 – B6, and C1 – C6) are operating. A record of each observation shall be maintained, including, at a minimum, the date, time, engine identification, charge air temperature and name of the observer.
(9VAC5-80-110 and Condition 10 of the minor NSR permit dated 4/3/18)

26. Fuel Burning Equipment Requirements - (A1 – A6, B1 – B6 and C1 – C6) - The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil, diesel fuel and biodiesel fuel. Each fuel supplier certification shall include the following:

    a. The name of the fuel supplier;

    b. The date on which the fuel was received;

    c. The quantity of fuel delivered in the shipment;

    d. A statement that the distillate oil complies with the American Society for Testing and Materials specifications (ASTM D396) for Grades 1 or 2; or a statement that the diesel fuel complies with the American Society for Testing and Materials specifications (ASTM D975) for S15 diesel fuel oil; or a statement that the biodiesel fuel complies with the American Society for Testing and Materials specification (ASTM D6751);

    e. The sulfur content of the distillate oil, diesel fuel or biodiesel fuel.

    Fuel sampling and analysis, independent of that used for certification, as may be periodically required, or conducted by DEQ may be used to determine compliance with the fuel specifications stipulated in Condition 10. Exceedance of these specifications may be considered credible evidence of the exceedance of emission limits.
    (9VAC5-80-110 and Condition 17 of the minor NSR permit dated 4/3/18)

27. Fuel Burning Equipment Requirements - (A1 – A6, B1 – B6, and C1 – C6) - The permittee shall sample and analyze the landfill gas fuel for total reduced sulfur, using DEQ approved methods, biannually, at a minimum. Each sample shall be collected no less than 150 days after the date the previous sample was collected. A record of each sample and analysis shall be maintained and shall include, at a minimum, company and individual collecting the sample, identification of sampling method used, number of samples, date sample collected, location in landfill gas collection system where sample was taken, date of analysis, company and individual conducting the analysis, analytical method used and content of total reduced sulfur. Fuel sampling and analysis, independent of that used to comply with this condition, as may be periodically required or conducted by DEQ may be used to determine compliance with the landfill gas fuel specification stipulated in Condition 10. Exceedance of this specification may be considered credible evidence of the exceedance of emission limits.
(9VAC5-80-110 and Condition 18 of the minor NSR permit dated 4/3/18)

Recordkeeping

28. Fuel Burning Equipment Requirements - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Southwest Regional Office. These records shall include, but are not limited to:

    a. Results of each engine (A1 – A6, B1 – B6, and C1 – C6) inlet charge air temperature observation.

    b. Results of each LFG filtration system differential pressure observation.

    c. Hourly, monthly, and annual throughput of each type of fuel to the engines (A1 – A6, B1 – B6, and C1 – C6) including the information required by Condition 21 of this permit. Annual throughput shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

    d. Annual average ratio of liquid fuel to total fuel combusted in each engine (A1 – A6, B1 – B6, and C1 – C6) on an energy equivalent basis, calculated monthly on a rolling 12-month basis.

    e. Annual operating hours of each engine (A1 – A6, B1 – B6, and C1 – C6) firing 100 percent liquid fuel in accordance with Condition 6. Annual hours of operation shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

f. All fuel supplier certifications in accordance with Condition 23.

g. Hourly and annual emissions from the engines (A1 – A6, B1 – B6, and C1 – C6) using calculation methods and factors approved by DEQ to verify compliance with the emission limitations in Conditions 11 through 14. Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period.

h. Engine (A1 – A6, B1 – B6, and C1 – C6) information including make, model, serial number, model year, maximum engine power (bhp), and engine displacement for each engine.

i. Each startup of each engine (A1 – A6, B1 – B6, and C1 – C6), including, at a minimum, engine identification, time of start and duration of the startup event which is considered the time from initial fuel combustion to the time of operation on at least 92 percent landfill gas fraction.

j. Results of all performance evaluations, stack tests, visible emission evaluations and landfill gas fuel sampling and analysis.

k. Scheduled and unscheduled maintenance, operating procedures, and operator training.

l. A copy of each notification and report submitted to comply with this permit, including all documentation supporting such notification or report.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.
(9VAC5-80-110, 40 CFR 63.6655(e)(3), 40 CFR 63.6660, and Condition 28 of the minor NSR permit dated 4/3/18)

Testing

29. Fuel Burning Equipment Requirements - (A1 – A6, B1 – B6, and C1 – C6) - The facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Sampling ports shall be provided when requested at the appropriate locations and safe sampling platforms and access shall be provided. (9VAC5-80-110 and Condition 11 of the minor NSR permit dated 4/3/18)

30. Fuel Burning Equipment Requirements - Initial performance tests shall be conducted for NO_X, CO, VOC, PM10 and PM2.5 from one group of engines (A1 – A6, B1 – B6, or C1 – C6) using appropriate reference methods to determine compliance with the emission limits contained in Condition 11. The tests shall be performed while operating each engine on 100% biodiesel fuel. The tests shall be performed, reported, and demonstrate compliance within 60 days of initial operation on biodiesel fuel but in no event later than 180 days after initial startup of the engine group on biodiesel fuel. Tests shall be conducted and reported, and data reduced as set forth in 9VAC5-50-30. The details of the tests are to be arranged

with the Director, Southwest Regional Office. The permittee shall submit a test protocol at least 30 days prior to testing. One copy of the test results shall be submitted to the Director, Southwest Regional Office within 45 days after test completion and shall conform to the test report format enclosed with this permit.
(9VAC5-80-110 and Condition 24 of the minor NSR permit dated 4/3/18)

31. Fuel Burning Equipment Requirements - Upon completion of the initial performance tests required in Condition 30, the permittee shall conduct performance tests at least once every five years for NO_X, CO, VOC, PM10 and PM2.5 from one engine group (A1 – A6, B1 – B6, or C1 – C6) while operating each engine on 100% biodiesel fuel. Each group of engines shall be rotated for testing purposes. The tests shall be conducted using appropriate reference methods to determine compliance with the emission limits contained in Condition 11. Tests shall be conducted and reported, and data reduced as set forth in 9VAC5-50-30. The details of the tests are to be arranged with the Director, Southwest Regional Office. The permittee shall submit a test protocol at least 30 days prior to testing. One copy of the test results shall be submitted to the Director, Southwest Regional Office within 45 days after test completion and shall conform to the test report format enclosed with this permit.
(9VAC5-80-110 and Condition 25 of the minor NSR permit dated 4/3/18)

32. Fuel Burning Equipment Requirements - Performance tests shall be conducted for NO_X, CO, VOC, PM10 and PM2.5 from one engine group (A1 – A6, B1 – B6, or C1 – C6) using appropriate reference methods to determine compliance with the emission limits contained in Condition 13. The tests shall, at a minimum, be conducted once every five years, with each group of engines rotated for testing purposes. The tests shall be performed while operating each engine on 92% landfill gas fraction. Tests shall be conducted and reported, and data reduced as set forth in 9 VAC 5-50-30. The details of the tests are to be arranged with the Director, Southwest Regional Office. The permittee shall submit a test protocol at least 30 days prior to testing. One copy of the test results shall be submitted to the Director, Southwest Regional Office within 45 days after test completion and shall conform to the test report format enclosed with this permit.
(9VAC5-80-110 and Condition 26 of the minor NSR permit dated 4/3/18)

33. Fuel Burning Equipment Requirements - Concurrently with the performance tests required in Conditions 30, 31, and 32, Visible Emission Evaluations (VEE) in accordance with 40 CFR Part 60, Appendix A, Method 9, shall be conducted by the permittee on the group of engines (A1 – A6, B1 – B6, or C1 – C6) being tested. Each test shall consist of 30 sets of 24 consecutive observations (at 15 second intervals) to yield a six-minute average. Should conditions prevent concurrent opacity observations, the Director, Southwest Regional Office shall be notified in writing, within seven days, and visible emissions testing shall be rescheduled within 30 days. Rescheduled testing shall be conducted under the same conditions (as possible) as the performance tests. The details of the tests are to be arranged with the Director, Southwest Regional Office. One copy of the test result shall be submitted to the Director, Southwest Regional Office within 45 days after test completion and shall conform to the test report format enclosed with this permit.
(9VAC5-80-110 and Condition 27 of the minor NSR permit dated 4/3/18)

34. Fuel Burning Equipment Requirements - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9VAC5-80-110)

Insignificant Emission Units

35. Insignificant Emission Units - The following emission units at the facility are identified in the application as insignificant emission units under 9VAC5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C.)
T1	Diesel fuel storage tank	5-80-720 B.2	VOC	12,000 gallons
T2	Lubrication oil storage tank	5-80-720 C.3	Not applicable	500 gallons
T3	Used oil storage tank	5-80-720 C.3	Not applicable	500 gallons
T4	Wastewater storage tank	5-80-720 B.2	VOC	1,000 gallons

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9VAC5-80-110.
(9VAC5-80-110)

Compliance Plan

36. Compliance Plan - Description of Compliance Requirements - This compliance plan is based on the Consent Order issued to INGENCO Wholesale Power, LLC for the INGENCO Bristol Plant effective December 13, 2022, and the amendment to that Consent Order effective February 1, 2023, and reflects the actions required in the Schedule of Compliance in Appendix A of the Consent Order amendment. The permittee is subject to the compliance schedule described below. The schedule includes a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable requirements for which the source will be in noncompliance at the time of permit issuance. This compliance schedule resembles and is at least as stringent as that contained in any judicial consent decree or DEQ order to which the source is subject. This schedule is supplemental to and does not sanction noncompliance with the applicable requirement upon which it is based. Extension of a compliance date may be cause for modification of this permit.
(9VAC5-80-90 and 9VAC5-80-110)

37. Compliance Plan - Compliance Schedule

    a. The permittee shall repeat performance testing for Group A Engines 1-6 that share a common stack for PM10, PM2.5, CO, NO_X, SO_2, VOC with a concurrent visible emission evaluation operating at 80% minimum capacity at 92% gas fraction. Testing

shall be performed once sufficient landfill gas is available to operate all six engines simultaneously at the above stated operating parameters. Testing shall be completed by March 31, 2024, and test results submitted to DEQ no later than 45 days after test completion. If INGENCO does not have sufficient landfill gas to test Group A Engines 1-6 operating at the same time by March 31, 2024, INGENCO shall notify DEQ 60 days in advance and the test may be extended. In addition, a stack test protocol must be received by DEQ at least 30 days prior to testing which shall detail how the 80% minimum capacity is applied to the maximum power kW output per engine. INGENCO shall not operate more than five engines at any one time in any engine group until further testing of six engines can be conducted to confirm compliance.

b. The permittee shall sample and analyze the landfill gas fuel for total reduced sulfur during performance testing required in paragraph a. of this condition. The analysis shall include, at a minimum, company and individual collecting the sample, location in landfill gas collection system where sample was taken, date of analysis, company and individual conducting the analysis, analytical method used and content of total reduced sulfur. The results shall be submitted to DEQ no later than 45 days after performance test completion.

c. The permittee shall submit quarterly reports which demonstrate daily operating hours for each engine, daily landfill gas flow rate (scfm), and daily methane %. The quarterly reports shall be due no later than 30 days after the reporting period. The first quarterly report shall include the reporting dates of January 1, 2023, through March 31, 2023, and shall be due no later than April 30, 2023. Reporting shall continue until retesting of six engines has been completed and compliance is confirmed.

(9VAC5-80-110)

38. Compliance Plan - Reporting Requirements - Unless otherwise specified by DEQ, all reports required by this Compliance Plan shall be submitted to:

Susan T. Blalock
Enforcement and Air Compliance/Monitoring Manager
VA DEQ – SWRO
355-A Deadmore Street
Abingdon, Virginia 24210
(276) 608-8848
susan.blalock@deq.virginia.gov
(9VAC5-80-110)

Permit Shield & Inapplicable Requirements

39. Permit Shield & Inapplicable Requirements - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable

requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
No inapplicable requirements were identified in the Form 805 application		

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act or (ii) the DEQ pursuant to §10.1-1307.3 or §10.1-1315 of the Virginia Air Pollution Control Law.
(9VAC5-80-110 and 9VAC5-80-140)

General Conditions

40. General Conditions - Federal Enforceability - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9VAC5-80-110)

41. General Conditions - Permit Expiration - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9VAC5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)

42. General Conditions - Permit Expiration - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)

43. General Conditions - Permit Expiration - If an applicant submits a timely and complete application for an initial permit or renewal under 9VAC5-80-80 F, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9VAC5 Chapter 80, until the DEQ takes final action on the application under 9VAC5-80-150.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)

44. General Conditions - Permit Expiration - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9VAC5-

80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9VAC5 Chapter 80.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)

45. General Conditions - Permit Expiration - If an applicant submits a timely and complete application under section 9VAC5-80-80 for a permit renewal but the DEQ fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9VAC5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)

46. General Conditions - Permit Expiration - The protection under subsections F 1 and F 5 (ii) of section 9VAC5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9VAC5-80-80 D, the applicant fails to submit by the deadline specified in writing by the DEQ any additional information identified as being needed to process the application.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)

47. General Conditions -Recordkeeping and Reporting - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, 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.
    (9VAC5-80-110)

48. General Conditions -Recordkeeping and Reporting - Records of all monitoring data and support information shall be retained for at least 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.
(9VAC5-80-110)

49. General Conditions -Recordkeeping and Reporting - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

    a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and

    b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:

        i. Exceedances of emissions limitations or operational restrictions;

        ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring or periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
        iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

    c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semiannual reporting period."

(9VAC5-80-110)

50. General Conditions - Annual Compliance Certification - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

    a. The time period included in the certification. The time period to be addressed is January 1 to December 31;

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

    c. The compliance status;

d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;

e. Consistent with subsection 9VAC5-80-110, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;

f. Such other facts as the permit may require to determine the compliance status of the source; and

g. One copy of the annual compliance certification shall be submitted to the EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov
(9VAC5-80-110)

51. General Conditions - Permit Deviation Reporting - The permittee shall notify the Director, Southwest Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition 49 of this permit.
(9VAC5-80-110 F. 2)

52. General Conditions - Failure/Malfunction Reporting - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall no later than four daytime business hours after the malfunction is discovered, notify the Director, Southwest Regional Office such failure or malfunction and within 14 days provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9VAC5-40-50 C and 9VAC5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9VAC5-40-40 and 9VAC5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Southwest Regional Office.
(9VAC5-80-110 and 9VAC5-20-180)

53. General Conditions - Severability - The terms of this permit are severable. If any condition, requirement, or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9VAC5-80-110)

54. General Conditions - Duty to Comply - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9VAC5-80-110)

55. General Conditions - Need to Halt or Reduce Activity not a Defense - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9VAC5-80-110)

56. General Conditions - Permit Modification - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9VAC5-80-50, 9VAC5-80-1100, 9VAC5-80-1605, or 9VAC5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9VAC80-110, 9VAC5-80-190, and 9VAC5-80-260)

57. General Conditions - Property Rights - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9VAC5-80-110)

58. General Conditions - Duty to Submit Information - The permittee shall furnish to the DEQ, within a reasonable time, any information that the DEQ 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 DEQ copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the DEQ along with a claim of confidentiality.
(9VAC5-80-110)

59. General Conditions - Duty to Submit Information - Any document (including reports) required in a permit condition to be submitted to the DEQ shall contain a certification by a responsible official that meets the requirements of 9VAC5-80-80 G.
(9VAC5-80-110)

60. General Conditions - Duty to Pay Permit Fees - The owner of any source for which a permit was issued under 9VAC5-80-50 through 9VAC5-80-300 shall pay annual emissions fees, as applicable, consistent with the requirements of 9VAC5-80-310 through 9VAC5-80-350 and annual maintenance fees, as applicable, consistent with the requirements of 9VAC5-80-2310 through 9VAC5-80-2350.
(9VAC5-80-110, 9VAC5-80-310 et seq., and 9VAC5-80-2310 et seq.)

61. General Conditions - Fugitive Dust Emission Standards - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

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

    b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

    c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;

    d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,

    e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

    (9VAC5-80-110 and 9VAC5-50-90)

62. General Conditions - Startup, Shutdown, and Malfunction - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the DEQ, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
    (9VAC5-80-110 and 9VAC5-50-20 E)

63. General Conditions - Alternative Operating Scenarios - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9VAC5 Chapter 80, Article 1.
    (9VAC5-80-110)

64. General Conditions - Inspection and Entry Requirements - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

    a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

    b. Have access to and copy, at reasonable times, any records that must be kept under the terms and 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.

    d. Sample or monitor at reasonable times' substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

    (9VAC5-80-110)

65. General Conditions - Reopening for Cause - The permit shall be reopened by the DEQ if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9VAC5-80-80 F. The conditions for reopening a permit are as follows:

    a. The permit shall be reopened if the DEQ or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

    b. The permit shall be reopened if the administrator or the DEQ determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

    c. The permit shall not be reopened by the DEQ if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9VAC5-80-110 D.

    (9VAC5-80-110)

66. General Conditions - Permit Availability - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request. (9VAC5-80-110 and 9VAC5-80-150)

67. General Conditions - Transfer of Permits - No person shall transfer a permit from one location to another, unless authorized under 9VAC5-80-130, or from one piece of equipment to another.
(9VAC5-80-110 and 9VAC5-80-160)

68. General Conditions - Transfer of Permits - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the DEQ of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9VAC5-80-200.
(9VAC5-80-110 and 9VAC5-80-160)

69. General Conditions - Transfer of Permits - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the DEQ of the change in source name within 30 days of the name change and shall comply with the requirements of 9VAC5-80-200.
(9VAC5-80-110 and 9VAC5-80-160)

70. General Conditions - Permit Revocation or Termination for Cause - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects, or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9VAC5 Chapter 80 Article 1. The DEQ may suspend, under such conditions and for such period of time as the DEQ may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.
(9VAC5-80-110, 9VAC5-80-190 C, and 9VAC5-80-260)

71. General Conditions - Duty to Supplement or Correct Application - 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 corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9VAC5-80-110 and 9VAC5-80-80 E)

72. General Conditions - Stratospheric Ozone Protection - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(9VAC5-80-110 and 40 CFR Part 82)

73. General Conditions - Asbestos Requirements - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following:

Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150). (9VAC5-60-70 and 9VAC5-80-110)

74. General Conditions - Accidental Release Prevention - If the permittee has more or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68. (9VAC5-80-110 and 40 CFR Part 68)

75. General Conditions - Changes to Permits for Emissions Trading - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9VAC5-80-110)

76. General Conditions - Emissions Trading - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

    a. All terms and conditions required under 9VAC5-80-110, except subsection N, shall be included to determine compliance.

    b. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.

    c. The owner shall meet all applicable requirements including the requirements of 9VAC5-80-50 through 9VAC5-80-300.

    (9VAC5-80-110)

SOURCE TESTING REPORT FORMAT

Report Cover
1. Plant name and location
2. Units tested at source (indicate Ref. No. used by source in permit or registration)
3. Test Dates.
4. Tester; name, address and report date

Certification
1. Signed by team leader/certified observer (include certification date)
2. Signed by responsible company official
3. *Signed by reviewer

Copy of approved test protocol

Summary
1. Reason for testing
2. Test dates
3. Identification of unit tested & the maximum rated capacity
4. *For each emission unit, a table showing:
    a. Operating rate
    b. Test Methods
    c. Pollutants tested
    d. Test results for each run and the run average
    e. Pollutant standard or limit
5. Summarized process and control equipment data for each run and the average, as required by the test protocol
6. A statement that test was conducted in accordance with the test protocol or identification & discussion of deviations, including the likely impact on results
7. Any other important information

Source Operation
1. Description of process and control devices
2. Process and control equipment flow diagram
3. Sampling port location and dimensioned cross section Attached protocol includes: sketch of stack (elevation view) showing sampling port locations, upstream and downstream flow disturbances and their distances from ports; and a sketch of stack (plan view) showing sampling ports, ducts entering the stack and stack diameter or dimensions

Test Results
1. Detailed test results for each run
2. *Sample calculations
3. *Description of collected samples, to include audits when applicable

Appendix
1. *Raw production data
2. *Raw field data
3. *Laboratory reports
4. *Chain of custody records for lab samples
5. *Calibration procedures and results
6. Project participants and titles
7. Observers' names (industry and agency)
8. Related correspondence
9. Standard procedures

* Not applicable to visible emission evaluations