



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000

www.deq.virginia.gov

Travis A. Voyles
Secretary of Natural and Historic Resources

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

Craig R. Nicol
Regional Director

May 15, 2024

Mr. Jay A. Bernas, P.E.
General Manager
Hampton Roads Sanitation District
Post Office Box 5911
Virginia Beach, Virginia 23471
jbernas@hrsd.com

Location: Newport News
Facility: Boat Harbor WWTP
Registration No.: 60351

Dear Mr. Bernas:

Attached is a renewal Title V permit to operate your Boat Harbor 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 May 15, 2024.

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 February 15, 2024, and solicited written public comments by placing a newspaper advertisement in the *Daily Press* newspaper on Friday, March 29, 2024. The thirty-day required comment period, provided for in 9VAC5-80-270, expired on Monday, April 29, 2024.

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 to operate shall not relieve Hampton Roads Sanitation District 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
PO 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 Stephanie Arnold at (757) 788-6150 or by email at stephanie.arnold@deq.virginia.gov.

Sincerely,

Craig R. Nicol
Regional Director

CRN/MSO/SGA/60351_011_24_T5R_HRSD-BoatHarbor_CvrLtr.docx

Attachment: Permit

cc: John Brandt, DEQ TRO Air Compliance Manager (john.brandt@deq.virginia.gov)
Maya Whitaker, DEQ Office of Air Permit Programs (OAPP)
(maya.whitaker@deq.virginia.gov)
Yongtian (Tom) He, PhD, U.S. EPA Region III (he.yongtian@epa.gov)
Kyrstal Stankunas, U.S. EPA Region III (stankunas.krystal@epa.gov)
Mark Feltner, HRSD Environmental Scientist (mfeltn@hrsd.com)



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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: Hampton Roads Sanitation District
Facility Name: Boat Harbor Wastewater Treatment Plant (WWTP)
Facility Location: 300 Terminal Avenue
Newport News, Virginia 23607
Registration Number: 60351
Permit Number: **TRO-60351**

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act

May 15, 2024

Effective Date

May 14, 2029

Expiration Date

Craig R. Nicol
Regional Director

May 15, 2024

Signature Date

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Facility Information

Permittee

Hampton Roads Sanitation District
Post Office Box 5911
Virginia Beach, Virginia 23471

Responsible Official

Mr. Jay A. Bernas, P.E.
General Manager
jbernas@hrsd.com

Facility

Boat Harbor WWTP
300 Terminal Avenue
Newport News, Virginia 23607

Contact Person

Mr. Mark Feltner
Environmental Scientist
757-460-4254
mfeltn@hrsd.com

County-Plant Identification Number: 51-700-00068

Facility Description:

NAICS 221320 - Sewage Treatment Facilities
NAICS 562213 - Solid Waste Combustors or Incinerators, Non-Hazardous

The Hampton Roads Sanitation District (HRSD) meets the definition of a non-industrial Publicly Owned Treatment Works (POTW) as defined in 40 CFR 63 Subpart VVV. Publicly owned treatment works, such as HRSD, provide for the public health and welfare of a municipality, the Hampton Roads area, by abating water pollution through the interception of wastewater outfalls. These POTWs provide wastewater treatment plants which process and treat domestic sewage sludge/nonhazardous solid waste. The Boat Harbor facility's process units are grouped into four main functions: liquids management (Ref. No. L-1) which treats received wastewater prior to its discharge; solids handling (Ref. No. S-1) which treats the liquids management by-product streams prior to disposal; sewage sludge incineration (SSI) (Ref. Nos. I-1 and I-2) which is used to dispose of the dewatered solids from the solids handling process; and other combustion units which help with general facility functions such as power and heat. Included in the "other combustion units" process function are two diesel, non-emergency engine generators (Ref. Nos. G-3 and G-4). The facility also has a gasoline dispensing facility (GDF) via a gasoline underground storage tank (UST) (Ref. No. ISU-T-28).

HRSD - Boat Harbor is a Title V major source of carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NOx), and sulfur dioxide (SO₂) and is an area source for HAPs.

Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	Pollutant Controlled	Applicable Permit Date
I-1 I-2	2	Multi hearth SSI units (natural gas or distillate oil as backup fuel), 1973	13 burners per each unit - 6 burners at 2.7 MMBtu/hr and 7 at 1.8 MMBtu/hr 43 dry tons/day (sludge) per SSI	Von Roll APC Train with Ring Jet™ venturis with caustic (NaOH) addition, 2007; Zero Hearth Afterburner	PM/PM-10 (Odor); CO & VOC	02/13/1973
L-1	3a 3b	Liquids Management, 1940	25 mgd (dry) (wastewater)	Two stage packed tower scrubber (water plus NaOCl and NaOH) Mass Transfer, Inc. Model Atlac 711-050, 1994	H2S (Odor)	--
S-1	3a 3b	Solids Handling, 1973	25 mgd (dry) (wastewater)	Two stage packed tower scrubber (water plus NaOCl and NaOH) Mass Transfer, Inc. Model Atlac 711-050, 1994	H2S (Odor)	--
G-3 G-4	5a 5b	Diesel-fired Non-Emergency Electrical generators, 2000 <i>MACT Subpart ZZZZ</i>	15.5 MMBtu/hr (combined) (1,500 kW) each	Diesel Oxidation Catalysts (DOC) Closed Crankcase Ventilation System	CO & PM	04/24/2000, and amended on 03/08/2024
T-28	--	Gasoline UST, 2007 <i>MACT Subpart CCCCCC</i>	1,000 gallons	Leak Detection System: Veeder-Root, 2009	--	--

*The Size/Rated capacities are provided for informational purposes only and are not applicable requirements.

INCINERATOR (SSI) REQUIREMENTS - (REF. NOS. I-1 and I-2)

Limitations

- Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Limitations - Emissions -**
 Emissions from the operations of each multiple hearth sewage sludge incinerator (SSI) unit (Ref Nos. I-1 and I-2) shall not exceed the limits specified in the table below:

Regulated Pollutant	Limitation/Standard	Applicable Requirement	Reference EPA Test Method
Hg	3.2 kilograms/24-hour period	40 CFR 61.52 (b)	Method 101A, 105, or 29

(9VAC5-80-110 and 40 CFR 61.52(b))

- Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Limitations - Emissions -**
 Emissions from the operations of each SSI unit (I-1 and I-2) shall not exceed the limits specified by *Table 3* to Subpart MMMM of 40 CFR Part 60 as summarized in the table below:

Pollutant	Limitation ^a
PM	80 milligrams (mg) per dry standard cubic meter (dscm)
Hydrogen chloride	1.2 parts per million by dry volume
Carbon monoxide	3,800 parts per million by dry volume
Dioxins/furans (total mass basis)	5.0 nanograms per dscm; or
Dioxins/furans (toxic equivalency basis) ^b	0.32 nanograms per dscm
Mercury	0.28 mg per dscm
Oxides of nitrogen	220 parts per million by dry volume
Sulfur dioxide	26 parts per million by dry volume
Cadmium	0.095 mg per dscm
Lead	0.30 mg per dscm
Fugitive emissions from ash handling	Visible emissions of combustion ash from an ash conveying system (including conveyor transfer points) for no more than 5% of the average for the 3-one hour observation periods.

^a All emission limits are measured at 7 percent oxygen, dry basis at standard conditions and are for a 3-run average.

^b The option to comply with either the dioxin/furan emission limit on a total mass basis or the dioxin/furan emission limit on a toxic equivalency basis.

These emission limits and standards apply at all times the SSI unit is operating and during periods of malfunction. The emission limits and standards apply to emissions from a bypass stack or vent while sewage sludge is in the combustion chamber (i.e. until the

sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time).
 (9VAC5-80-110, 9VAC5-40-8220(B), 9VAC5-40-750, and Condition 4.iii of 02/13/1973 NSR Permit)

3. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Limitations - Operating Requirements** - The permittee shall meet, as applicable, the operating limits and requirements specified in 40 CFR 60.5170 and 40 CFR 60.5175. Compliance shall be demonstrated as specified in 40 CFR 60.5185, 40 CFR 60.5190, 40 CFR 60.5195, 40 CFR 60.5200, 40 CFR 60.5205, 40 CFR 60.5210, and 40 CFR 60.5215. The permittee shall establish and meet operating limits and requirements for each SSI combustion chamber, the fugitive emissions from ash handling, and the wet scrubbers as outlined below (see *Table 4* of 40 CFR 60, Subpart M):

For all sewage sludge incineration (SSI) units:

For these operating parameters	You must establish these operating limits	And monitor using these minimum frequencies: Data measurement	And monitor using these minimum frequencies: Data recording ^a	And monitor using these minimum frequencies: Data averaging period for compliance
SSI combustion chamber operating temperature (not required if afterburner temperature is monitored)	Minimum combustion chamber operating temperature or afterburner temperature ^b	Continuous	Every 15 minutes	12-hour block
Fugitive emissions from ash handling	Site-specific operating requirements	Not applicable	Not applicable	Not applicable

^a This recording time refers to the minimum frequency that the continuous monitor or other measuring device initially records data. For all data recorded every 15 minutes, you must calculate hourly arithmetic averages. For all parameters, you must use hourly averages to calculate the 12-hour or 3-hour block average specified in these tables for demonstrating compliance. You must maintain records of 1-hour averages.

^b The SSI units operate with a zero hearth afterburner (ZHA). This system operates in a manner whereby solids are dropped past the first hearth into a second hearth so the first hearth acts as an afterburner.

For wet scrubbers:

For these operating parameters	You must establish these operating limits	And monitor using these minimum frequencies: Data measurement	And monitor using these minimum frequencies: Data recording ^a	And monitor using these minimum frequencies: Data averaging period for compliance
Pressure drop across each wet scrubber	Minimum pressure drop	Continuous	Every 15 minutes	12-hour block
Scrubber liquid flow rate	Minimum flow rate	Continuous	Every 15 minutes	12-hour block
Scrubber liquid pH	Minimum pH	Continuous	Every 15 minutes	3-hour block

^a This recording time refers to the minimum frequency that the continuous monitor or other measuring device initially records data. For all data recorded every 15 minutes, you must calculate hourly arithmetic averages. For all parameters, you must use hourly averages to calculate the 12-hour or 3-hour block average specified in these tables for demonstrating compliance. You must maintain records of 1-hour averages.
(9VAC5-80-110, 9VAC5-40-8290(B), and 9VAC5-40-8300)

4. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Limitations - Fuel** - The approved fuels for the SSI units (Ref. Nos. I-1 and I-2) are natural gas and distillate oil. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials, ASTM D396 "Standard Specification for Fuel Oils" or ASTM D975 "Standard Specification for Diesel Fuel Oil". A change in the fuels may require a permit to modify and operate.
(9VAC5-80-110)
5. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Limitations - Visible Emission Limit** - Visible emissions from the incinerator stack of the operating SSI unit (Ref. Nos. I-1 and I-2) shall not exceed 20 percent (20%) opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent (30%) opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times, including startup, shutdown, and malfunction events.
(9VAC5-80-110, 9VAC5-50-80, and Condition 4.ii of 02/13/1973 NSR Permit)
6. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Limitations - Plant Changes** - No changes shall be made to the plant operations after a stack test or sludge test has been conducted which would potentially increase mercury emissions above the level determined by the most recent test, until the new emission level has been estimated by calculations and the results reported to the EPA and DEQ.
(9VAC5-80-110, 40 CFR 61.53(d)(4), and 40 CFR 61.54(e))

7. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Limitations - Fugitive Dust/Emissions** - The permittee shall not cause or permit to be discharged into the atmosphere from any ash conveying system (including conveyor transfer points) any visible emissions of more than five percent (5%) of hourly observation period, measured at three (3), 1-hour observation periods.
(9VAC5-80-110 and 9VAC5-40-8240(B))
8. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Limitations - Operator Training and Certification** - The existing SSI units (Ref. Nos. I-1 and I-2) shall be in compliance with 9VAC5 Chapter 40, Article 55 for operator training and certification as follows:
 - a. The permittee shall comply with the operator training and qualification requirements as stated in 40 CFR 60.5130;
 - b. The permittee shall comply with the applicable dates for completing operator training as specified in 40 CFR 60.5135;
 - c. The permittee shall obtain/maintain operator qualification as specified in 40 CFR 60.5140 and 60.5145;
 - d. The permittee shall renew any lapsed operator qualifications as stated in 40 CFR 60.5150;
 - e. If all qualified operators are temporarily not accessible, the permittee shall comply as specified in 40 CFR 60.5155; and
 - f. The permittee shall maintain/review documentation regarding operator training and qualification as specified in 40 CFR 60.5160.(9VAC5-80-110 and 9VAC5-40-8270)

Monitoring

9. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Monitoring - Sewage Sludge Feed Rate** - The permittee shall monitor the feed rate and moisture content of the sewage sludge fed to the SSI units I-1 and I-2, as specified in 40 CFR 60.5170(f). The permittee shall continuously monitor the sewage sludge feed rate and calculate daily averages for all hours of operation during each 24-hour period. Records shall be kept of the daily average feed rate, as specified in 40 CFR 60.5230(f)(3)(ii). The permittee shall take at least one (1) grab sample per day of the sewage sludge fed to the SSI(s). If more than one sample is taken in a day, the permittee shall calculate the daily average for the grab samples. Records shall be kept of the daily average moisture content, as specified in 40 CFR 60.5230(f)(3)(ii).
(9VAC5-80-110, 9VAC5-40-8290, 9VAC5-40-8310, and 9VAC5-40-8320)
10. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Monitoring - Visible Emission Evaluations** - The permittee shall observe the incinerator stack (Stack ID No. 2) for the operating SSI unit (Ref. Nos. I-1 or I-2) for at least one (1) minute on one (1) day during daylight normal operations within the first seven (7) operating days of each month. If visible emissions are noted, a visible emissions evaluation (VEE) shall be conducted for at least six (6) minutes in accordance with Method 9 (40 CFR 60, Appendix A). If the VEE

average for the six (6) minute period exceeds ten percent (10%), the VEE shall continue for one hour from initiation and corrective action shall be taken to reduce visible emissions and correct the cause of the opacity. All periodic visual evaluations, visible emission evaluations and corrective actions necessary shall be recorded in a logbook. The logbook shall be kept at the facility and made available for inspection by the DEQ for the most recent five (5) year period.
(9VAC5-80-110)

11. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Monitoring - Monitoring Requirements** - The permittee shall conduct, as applicable, the monitoring requirements specified by 9VAC5-40-8310, 40 CFR 60.5220, and 40 CFR 60.5225.
(9VAC5-80-110 and 9VAC5-40-8310)

Recordkeeping

12. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Recordkeeping - Fuel Certification** - The permittee shall obtain a certification from the fuel supplier for each shipment of distillate oil for use by the SSI units (Ref. Nos. I-1 and I-2). 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 volume of distillate oil delivered in the shipment;
 - d. A statement that the oil complies with the American Society for Testing and Materials specifications for distillate oil numbers 1 or 2; and
 - e. The sulfur content of the distillate oil.
- (9VAC5-80-110)
13. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Recordkeeping - On-Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit for the SSI units (Ref. Nos. I-1 and I-2). The content and format of such records shall be arranged with the Tidewater Regional Office. These records shall include, but are not limited to the following:
- a. All fuel supplier certifications;
 - b. Any test for mercury in sludge or any test for mercury in stack emissions;
 - c. Records of sludge sampling, charging rate determination, and other data needed to determine mercury content of wastewater treatment plant sludges;
 - d. Incinerator visible emissions observations, VEE records, and any necessary corrective action taken as required by Condition 10 of the permit;
 - e. Documentation of operator training and operator training procedures as specified in 40 CFR 60.5230(c);
 - f. Copies of the final control plans and any additional notifications associated with the permittee's Increment of Progress, as specified in 40 CFR 60.5235(a);

- g. Performance test reports, annual and any subsequent performance tests conducted to determine compliance with the emission limits and standards and/or to establish operating limits, as applicable, and supporting records as specified in 40 CFR 60.5230(e);
- h. Records of the results of annual air pollution control device inspections;
- i. Continuous monitoring data as specified in 40 CFR 60.5230(f);
- j. Other records for any continuous monitoring system as specified in 40 CFR 60.5230(g);
- k. Monitoring plans and performance evaluations for continuous monitoring systems as specified in 40 CFR 60.5230(k);
- l. Equipment specifications and operation and maintenance requirements as specified in 40 CFR 60.5230(i). Equipment specifications and related operation and maintenance requirements received from vendors for the SSI units, emission controls and monitoring equipment;
- m. Records of malfunctions and actions taken to minimize emissions;
- n. Annual compliance reports;
- o. Deviation reports, as specified in 40 CFR 60.5230(h);
- p. Records indicating use of the bypass stack, including dates, times, and durations as specified in 40 CFR 60.5225(d);
- q. If a malfunction occurs, a record of the information submitted in the annual report as specified in 40 CFR 60.5235(c)(16);
- r. Force majeure and other reports;
- s. Records of inspections, calibrations, and validation checks of monitoring devices; and
- t. Other records as may be required by the Air Compliance Manager of the DEQ Tidewater Regional Office.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9VAC5-80-110, 9VAC5-40-8320, 9VAC5-50-50, 40 CFR 61.53(d), and 40 CFR 61.54(g))

14. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Recordkeeping** - The permittee shall maintain records, as applicable, in 9VAC5-40-50, 9VAC5-40-50(F) and (H), 40 CFR 60.7 and 40 CFR 60.5230. All records required by this condition shall be kept on site and made available for inspection by the DEQ.
(9VAC5-80-110 and 9VAC5-40-8320)

Testing

15. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Testing - Performance Testing** - The permittee shall meet, as applicable, the performance testing requirements specified by 40 CFR 60.5220 at the frequency required in 40 CFR 60.5205.
(9VAC5-80-110 and 9VAC5-40-8310)

16. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Testing - Mercury Testing For Plant Changes** - If plant changes project mercury emissions to exceed 1.6 kilograms/24-hr period, a test for the level of mercury emissions from one of the SSI units (Ref. Nos. I-1 or I-2) shall be conducted within 60 calendar days after the changes have been implemented. The sludge shall be tested for mercury levels using Method 105 of 40 CFR 61 Appendix B and following the requirements of 40 CFR 61.54(c) through 61.54(d), or an incinerator stack test performed using Method 101 A of 40 CFR 61 Appendix B and following the requirements of 40 CFR 61.53(d)(4) or Method 29 of 40 CFR 60 Appendix A. The details of the test(s) are to be arranged with and approved prior to testing with the Tidewater Regional Office.
(9VAC5-80-110 and 40 CFR 61.55(a))
17. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Testing - Continuous Compliance Determination** - To demonstrate continuous compliance with the emission limits and standards specified in Condition 2. (Tables 2 and 3 of 40 CFR 60 Subpart MMMM), the permittee shall use the procedures specified in 40 CFR 60.5205(a) through (f), 40 CFR 60.5210, and 40 CFR 60.5215.
(9VAC5-80-110 and 9VAC5-40-8300)
18. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Testing - Additional Testing Methods** - 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)

Reporting

19. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Annual Compliance Reports** - The permittee shall submit an annual compliance report to the Tidewater Regional Office which shall contain all information as listed in 40 CFR 60.5235(c)(1) through 60.5235(c)(16). Subsequent annual compliance reports must be submitted no later than 12 months following the previous annual compliance report. Reports may be submitted electronically or by paper copy if postmarked on or before the due date.
(9VAC5-80-110 and 9VAC5-40-8320)
20. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Annual or Semi-Annual Reporting Dates** - Annual or semi-annual reporting dates may be changed with agreement from the Tidewater Regional Office. Procedures to seek approval for changes to reporting dates are found in 40 CFR 60.19(d).
(9VAC5-80-110 and 9VAC5-40-8320)
21. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Deviation Reports** - The permittee shall submit a deviation report to the Tidewater Regional Office if a deviation has occurred, according to the specifications in 40 CFR 60.5235(d). The deviation report must be submitted by August 1st of that year for data collected during the

first half of the calendar year (January 1st to June 30th), and by February 1st of the following year for data collected during the second half of the calendar year (July 1st to December 31st). Reports may be submitted electronically or by paper copy if postmarked on or before the due date. A qualified operator deviation report must be submitted to the Tidewater Regional Office if all qualified operators are not accessible to the SSI units (I-1 and I-2) for two (2) weeks or more. The report must be submitted within ten (10) calendar days of the deviation and be followed by a status report every four (4) weeks. (9VAC5-80-110 and 9VAC5-40-8320)

22. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Force Majeure Reports** - The permittee shall notify the DEQ Tidewater Regional Office in regards to a force majeure event that is pending, occurs, or has occurred for which a claim of force majeure is intended to be made. A written report shall be submitted by the permittee which includes a description of the force majeure event; the rationale for attributing a delay in conducting a performance test beyond the regulatory deadline to a force majeure; a description of the measures taken or to be taken to minimize the delay; and a date for conducting the delayed performance test. (9VAC5-80-110 and 9VAC5-40-8320)
23. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Electronic Submittal - Performance Tests** - Within 60 calendar days after the completion date of each performance test conducted to demonstrate compliance with this subpart, relative accuracy test audit data and performance test data, except opacity data, must be submitted electronically to EPA's Central Data Exchange by using the Electronic Reporting Tool at: https://cdx.epa.gov/epa_home.asp or other compatible electronic spreadsheet. Only data collected using test methods compatible with ERT are subject to this requirement to be submitted electronically into EPA's WebFIRE database. A paper copy of the performance test results shall be submitted within the same time frame to the Tidewater Regional Office. (9VAC5-80-110 and 9VAC5-40-8320)
24. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Stack Test Protocol** - The permittee shall submit a test protocol for a proposed incinerator stack test to the Tidewater Regional Office at least 30 calendar days prior to the test date. (9VAC5-80-110)
25. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Stack Test Date** - The permittee shall notify the Tidewater Regional Office of proposed stack test date(s) at least 30 calendar days prior to the testing date(s). (9VAC5-80-110)
26. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Stack Test Results** - One (1) copy of the stack test results report for the incinerator shall be sent to the Tidewater Regional Office within 60 calendar days of test completion and shall conform to the test report format enclosed with this permit (see attached). (9VAC5-80-110)

27. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Proposed Plant Changes - 40 CFR 61 Subpart E** - Notification of proposed changes to the plant operations which would potentially increase mercury emissions above the level determined by the most recent test under 40 CFR 61 Subpart E, shall be sent at least 30 calendar days prior to implementing such changes along with the new calculated mercury emissions to the Tidewater Regional Office and EPA.
(9VAC5-80-110, 40 CFR 61.53(d)(4), and 40 CFR 61.54(e))
28. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Mercury Tests Conducted for 40 CFR 61 Subpart E** - Notification of proposed SSI stack test date(s) or sludge sampling date(s) for mercury emissions shall be sent to the Tidewater Regional Office and EPA at least 30 calendar days prior to the testing dates.
(9VAC5-80-110, 40 CFR 61.53(d), and 40 CFR 61.54(b))
29. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Mercury Tests Conducted for 40 CFR 61 Subpart E** - The SSI stack test determination or sludge test determination for mercury emissions shall be completed within 30 calendar days of sample collection. Each mercury emissions determination shall be dispatched within 15 calendar days of determination via registered letter to the Tidewater Regional Office and EPA.
(9VAC5-80-110, 40 CFR 61.53(d), and 40 CFR 61.54(f))
30. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Notices to EPA for Mercury Tests - 40 CFR 61 Subpart E** - Notices to the EPA shall be sent to the following address:
- United States EPA
Region III, Enforcement & Compliance Assurance Division
Air, RCRA and Toxics Branch (3ED21)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852
(9VAC5-80-110)
31. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Reporting Requirements** - The permittee shall submit reports, as applicable, required by 9VAC5-40-50 H, 40 CFR 60.7, and 40 CFR 60.5235.
(9VAC5-80-110 and 9VAC5-40-8320)
32. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Reporting - Notification - Continuous Monitoring System** - Notification of the start or stop of use of a continuous monitoring system used to demonstrate compliance with an emission unit must be provided to the Tidewater Regional Office, 30 calendar days before starting or stopping use of the continuous monitoring system.
(9VAC5-80-110 and 9VAC5-40-8320)

Annual Air Pollution Control Device (APCD) Inspections

33. **Incinerator Requirements - (Ref. Nos. I-1 and I-2) - Annual APCD Inspections** - An annual inspection of each APCD used to comply with the emission limits must be conducted no later than 12 months following the previous annual APCD inspection. Within ten (10) operating days following an APCD inspection, all necessary repairs must be completed unless written approval from the Tidewater Regional Office establishing a date whereby all the necessary repairs of the affected SSI unit must be completed. APCD inspection must include:
- a. Inspection of APCD for proper operation; and
 - b. General observation of equipment to assure it is well maintained and in good operating condition.
- (9VAC5-80-110 and 9VAC5-40-8310)

NON-EMERGENCY ENGINE GENERATOR REQUIREMENTS - (Ref. Nos. G-3 and G-4)

Limitations

34. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Limitations – Fuel** – The two generators (combined) (Ref. Nos. G-3 and G-4) shall not consume more than 110,000 gallons of diesel fuel per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be determined monthly by adding the total for the most recently completed month to the individual monthly totals for the preceding 11 months.
 (9VAC5-80-110 and Condition 4 of 03/08/2024 NSR Permit)
35. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Limitations – Emission Limits** – Emissions from the operation of the non-emergency engine generators (Ref. Nos. G-3 and G-4) shall not exceed the limits specified below:

	lbs/hr (each)	tons/yr (combined)
Particulate Matter	1.6 lbs/hr	0.8 tons/yr
PM-10 (filterable only)	1.6 lbs/hr	0.8 tons/yr
Sulfur Dioxide	7.8 lbs/hr	4.0 tons/yr
Nitrogen Oxides (as NO ₂)	49.6 lbs/hr	24.8 tons/yr
Carbon Monoxide	13.2 lbs/hr	6.6 tons/yr
Volatile Organic Compounds	1.2 lbs/hr	0.6 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits and emission factors supplied by the permittee. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Conditions 34 and 37 of the permit.

(9VAC5-80-110 and Conditions 5 and 6 of 03/08/2024 NSR Permit)

36. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Limitations – Visible Emission Limit** – Visible emissions from each generator stack shall not exceed ten percent (10%) opacity except during one six-minute period in any one hour in which visible emissions shall not exceed twenty percent (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 7 of 03/08/2024 NSR Permit)
37. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Limitations – 40 CFR 63 Subpart ZZZZ** – The approved fuel for the non-emergency engine generators (Ref. Nos. G-3 and G-4) is diesel fuel which meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel. The fuel oil shall meet the ASTM D975 specifications for S-15 fuel oil having a sulfur content per shipment of no more than 0.0015% (15 ppm). A change in the fuel shall be considered a change in the method of operation of the engine and may require a new or amended permit. However, if a change in the fuel is not subject to new source review permitting requirements, this condition should not be construed to prohibit such a change.
(9VAC5-80-110, Condition 4 of 03/08/2024 NSR Permit, and 40 CFR 63.6604(a))
38. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Limitations – 40 CFR 63 Subpart ZZZZ** – For the non-emergency engine generators (Ref. Nos. G-3 and G-4), the permittee shall comply with the applicable emission limitations in Table 2d and the operating limitations in Table 2b of 40 CFR 63 Subpart ZZZZ. Except during periods of startup, the following operating and emission limitations shall apply:
- Maintain the catalyst so that the pressure drop across the catalyst does not change by more than two (2) inches of water from the pressure drop across the catalyst that was measured during the initial performance test;
 - Maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F; and
 - Limit the CO concentration in the exhaust to 23 ppmvd or less at 15% O₂ or reduce CO emissions by 70% or more.

During periods of startup, the permittee shall minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission limitations above shall apply.

(9VAC5-80-110, 40 CFR 63.6603(a), 40 CFR 63.6625(h), and Table 2b, Section 2 and Table 2d, Section 3 of 40 CFR 63 Subpart ZZZZ)

39. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Limitations – 40 CFR 63 Subpart ZZZZ** – For the non-emergency engine generators (Ref. Nos. G-3 and G-4), the permittee shall comply with the following:

- a. The affected sources must be in compliance with the applicable emission limitations and operating limitations in 40 CFR 63 Subpart ZZZZ at all times; and
- b. At all times the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by the standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(9VAC5-80-110 and 40 CFR 63.6605(a) and (b))

40. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Limitations – 40 CFR 63 Subpart ZZZZ** – The permittee shall comply with the applicable requirements of the General Provisions as outlined in Table 8 of 40 CFR 63 Subpart ZZZZ for the two non-emergency engine generators (Ref. Nos. G-3 and G-4) operated at the facility.

(9VAC5-80-110 and 40 CFR 63.6665)

Monitoring

41. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Monitoring – Visible Emission Evaluation (VEE)** – The permittee shall observe the generator stack for visible emissions, for at least one (1) minute when a non-emergency engine generator is under full plant load within 60 days during daylight hours after each 500 hours of operations for the generator. If visible emissions are noted, a visible emissions evaluation (VEE) shall be conducted for at least six (6) minutes in accordance with Method 9 (40 CFR 60, Appendix A). If the VEE opacity average for the six (6) minute period exceeds five percent (5%), the VEE shall continue for one (1) hour from initiation. All periodic visual evaluations, visible emission evaluations, and corrective actions necessary shall be recorded in a logbook. The logbook shall be kept at the facility and made available for inspection by the DEQ for the most recent five (5) year period.
- (9VAC5-80-110)

42. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Monitoring – Visible Emission Evaluation (VEE)** – Upon request by the DEQ, the permittee shall conduct additional visible emission evaluations using EPA Method 9 (reference 40 CFR 60, Appendix A) for the non-emergency engine generators to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Tidewater Regional Office. (9VAC5-80-110 and Condition 8 of 03/08/2024 NSR Permit)
43. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Monitoring – 40 CFR 63 Subpart ZZZZ** – The permittee must install, operate, and maintain each continuous parameter monitoring system (CPMS) according to the requirements of 40 CFR 63.6625(b)(1-6):
- a. The permittee must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of 40 CFR 63.6625 and in 40 CFR 63.8(d). As specified in 40 CFR 63.8(f)(4), the permittee may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in their site-specific monitoring plan.
 - i. The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;
 - ii. Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements;
 - iii. Equipment performance evaluations, system accuracy audits, or other audit procedures;
 - iv. Ongoing operation and maintenance procedures in accordance with provisions in 40 CFR 63.8(c)(1)(ii) and (c)(3); and
 - v. Ongoing reporting and recordkeeping procedures in accordance with provisions in 40 CFR 63.10(c), (e)(1), and (e)(2)(i).
 - b. The permittee must install, operate, and maintain each CPMS in continuous operation according to the procedures in their site-specific monitoring plan.
 - c. The CPMS must collect data at least once every 15 minutes (see also 40 CFR 63.6635).
 - d. For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.
 - e. The permittee must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in their site-specific monitoring plan at least annually.

- f. The permittee must conduct a performance evaluation of each CPMS in accordance with their site-specific monitoring plan.
(9VAC5-80-110 and 40 CFR 63.6625(b))
44. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Monitoring – 40 CFR 63 Subpart ZZZZ** – The permittee shall follow the engine manufacturer’s specified maintenance requirements for operating and maintaining the closed crankcase ventilation system on each of the non-emergency engine generators (Ref. Nos. G-3 and G-4).
(9VAC5-80-110 and 40 CFR 63.6625(g))
45. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Monitoring – 40 CFR 63 Subpart ZZZZ** – The permittee, except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, shall monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
(9VAC5-80-110 and 40 CFR 63.6635(b))
46. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Monitoring – 40 CFR 63 Subpart ZZZZ** – The permittee shall demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to 40 CFR 63 Subpart ZZZZ that apply to the engine(s) according to methods specified in Table 6 to 40 CFR 63 Subpart ZZZZ.
- a. The permittee shall demonstrate continuous compliance with the applicable emission and operating limitations in 40 CFR 63.6640(a), Table 6, Section 10.
(9VAC5-80-110 and 40 CFR 63.6640(a))

Recordkeeping

47. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Recordkeeping – Fuel Certification** – The permittee shall obtain a certification from the fuel supplier with each shipment of diesel fuel for use in the non-emergency engines powering the G-3 and G-4 generators. Each fuel supplier certification shall include the following:
- a. The name of the fuel supplier;
- b. The date on which the diesel fuel was received;
- c. The quantity (in gallons) of diesel fuel delivered in the shipment; and
- d. A statement that the diesel fuel complies with the American Society for Testing and Materials specifications for ASTM D975 for S15 diesel fuel; and

- e. The fuel sulfur content (ULSD) of the fuel or a statement the fuel is Ultra Low Sulfur Diesel (ULSD).
(9VAC5-80-110)

48. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Recordkeeping – On Site Records** – 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 Tidewater Regional Office. These records shall include, but are not limited to:

- a. Annual consumption (in gallons) of diesel fuel for the combined non-emergency engine generators (Ref. Nos. G-3 and G-4), 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;
- b. Scheduled and unscheduled maintenance and operator training;
- c. All stack tests and visible emission evaluations; including but not limited to, visible emissions observations, VEE records, and any necessary corrective action taken as required by Condition 41 in the permit for the non-emergency engine generators (Ref. Nos. G-3 and G-4);
- d. All fuel supplier certifications;
- e. Engine information including make, model, serial number, model year, maximum engine power (bhp), and engine displacement for each non-emergency engine-generator set;
- f. The manufacturer's written operating instructions or procedures developed by the owner/operator that are approved by the engine manufacturer for each non-emergency engine-generator set; and
- g. The occurrence and duration of any startup, shutdown or malfunction in the operation of such source; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

These records shall be available for inspection by DEQ and shall be current for the most recent five years.

(9VAC5-80-110, 9VAC5-50-50, and Condition 11 of 03/08/2024 NSR Permit)

49. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Recordkeeping – 40 CFR 63 Subpart ZZZZ** – The permittee may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. The permittee must, however, use all the valid data collected during all other periods.
(9VAC5-80-110 and 40 CFR 63.6635(c))

50. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Recordkeeping – 40 CFR 63 Subpart ZZZZ** – For the two non-emergency engine generators (Ref. Nos. G-3 and G-4), the permittee shall keep the following records:
- a. A copy of each notification and report submitted in accordance with 40 CFR 63 Subpart ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv);
 - b. Records of occurrence and duration of each malfunction of operation (i.e. process equipment or the air pollution control and monitoring equipment);
 - c. Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii);
 - d. Records of all required maintenance performed on the air pollution control and monitoring equipment;
 - e. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation; and
 - f. Records required in Table 6 of 40 CFR 63 Subpart ZZZZ to show continuous compliance with each emission or operation limitation that applies.

These records shall be available on site for inspection by DEQ and shall be current of the most recent five years.
(9VAC5-80-110, 40 CFR 63.6650, and 40 CFR 63.6655)

Testing

51. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Testing** – 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 DEQ.
(9VAC5-80-110)
52. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Testing – Test/Monitoring Ports** – The non-emergency engine generators (Ref. Nos. G-3 and G-4) shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the DEQ, test ports shall be provided at the appropriate locations.
(9VAC5-80-110 and Condition 3 of 03/08/2024 NSR Permit)
53. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Testing – 40 CFR 63 Subpart ZZZZ** – The permittee shall conduct subsequent performance tests on the engines every three (3) years or every 8,760 hours, whichever comes first, as specified in Table 3 of 40 CFR 63 Subpart ZZZZ and in accordance with the applicable requirements specified in Table 4 of 40 CFR 63 Subpart ZZZZ.
(9VAC5-80-110, 40 CFR 63.6615, and 40 CFR 63.6620)

Reporting

54. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Reporting – 40 CFR 63 Subpart ZZZZ** – The permittee shall report each instance that a requirement in Tables 2b and 2d of 40 CFR 63 Subpart ZZZZ were not met.
(9VAC5-80-110 and 40 CFR 63.6640(b))
55. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Reporting – 40 CFR 63 Subpart ZZZZ** – If required performance tests, the permittee shall submit a Notification of Intent to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin as required in 40 CFR 63.7(b)(1).
(9VAC5-80-110 and 40 CFR 63.6645(g))
56. **Non-Emergency Engine Generator Requirements – (Ref. Nos. G-3 and G-4) – Reporting – 40 CFR 63 Subpart ZZZZ** – For the non-emergency engine generators (Ref. Nos. G-3 and G-4), the permittee shall comply with 40 CFR 63.6650(b)(1) - (5) by submitting semiannual reports in accordance with the requirements listed in Table 7 of 40 CFR 63 Subpart ZZZZ. The following conditions shall be noted in the report:
- a. If there are no deviations from any emission limitations or operating limitations that were applicable, the report shall include a statement that there were no deviations from the emission limitations or operating limitations during the reporting period;
 - b. If there was a deviation from any emission limitation or operating limitation during the reporting period, the information in 40 CFR 63.6650(d) shall be included in the report;
 - c. If there was a malfunction during the reporting period, the information in 40 CFR 63.6650(c)(4) shall be included in the report; and
 - d. Reports shall be sent to the EPA Administrator at the following address:

United States, EPA
Region III, Enforcement & Compliance Assurance Division
Air, RCRA and Toxics Branch (3ED21)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852
(9VAC5-80-110, 40 CFR 63.6645, and 40 CFR 63.6650)

GASOLINE DISPENSING FACILITY REQUIREMENTS - (Ref. No. T-28)

Limitations

57. **Gasoline Dispensing Facility Requirements – (Ref. No. T-28) – 40 CFR 63 Subpart CCCCCC – Limitations** – The facility must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to 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 a source. (9VAC5-80-110, 40 CFR 63.11111, and 40 CFR 63.11115)
58. **Gasoline Dispensing Facility Requirements – (Ref. No. T-28) – 40 CFR 63 Subpart CCCCCC – Limitations** – In accordance with 40 CFR 63 Subpart CCCCCC for gasoline dispensing facilities (GDFs) with a monthly throughput less than 10,000 gallons of gasoline:
- a. The permittee must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:
 - i. Minimize gasoline spills;
 - ii. Clean up spills as expeditiously as practicable;
 - iii. Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; and
 - iv. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
 - b. The permittee is not required to submit notifications or reports as specified in 40 CFR 63.11125, 40 CFR 63.11126, or 40 CFR 63 Subpart A, but the permittee must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.
 - c. The permittee must comply with the requirements of 40 CFR 63.11116 by the applicable dates specified in 40 CFR 63.11113.
 - d. Portable gasoline containers that meet the requirements of 40 CFR Part 59, Subpart F, are considered acceptable for compliance with Condition 58.a.iii.

If the throughput of the gasoline dispensing facility ever exceeds an applicable throughput threshold in 40 CFR 63.11111, the gasoline dispensing facility will remain subject to the requirements for sources above the threshold, even if the throughput later falls below the applicable throughput threshold.

(9VAC5-80-110, 40 CFR 63.11111(i), and 40 CFR 63.11116)

Monitoring

59. **Gasoline Dispensing Facility Requirements – (Ref. No. T-28) – 40 CFR 63 Subpart CCCCCC – Monitoring** – The permittee shall monitor the monthly throughput of gasoline to the gasoline dispensing facility (GDF). Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two or more GDF at separated locations within the area source, each GDF is treated as a separate affected source.
(9VAC5-80-110 and 40 CFR 63.11111(h))

Recordkeeping

60. **Gasoline Dispensing Facility Requirements – (Ref. No. T-28) – 40 CFR 63 Subpart CCCCCC – Recordkeeping** – The permittee must keep applicable records as specified in 40 CFR 63.11116(b) and 40 CFR 63.11125(d). The records shall include:
- a. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
 - b. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
 - c. Documentation of gasoline throughput.

The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. 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 63.11111(b), 40 CFR 63.11115, 40 CFR 63.11116(b), and 40 CFR 60.11125(d))

Insignificant Emission Units

61. **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 (9VAC_)	Pollutant(s) Emitted (9VAC5-80-720(B))	Rated Capacity (9VAC5-80-720(C))
ISU-CB-25	Two (2) – Incinerator building space heaters (natural gas fired)	9VAC5-80-720(C)(2)(a)	--	0.02 MMBtu/hr (each)
ISU-T-1	Solids Handling – Distillate oil Aboveground Storage Tank (AST)	9VAC5-80-720(B)(2)	VOC	25,000 gallons installed prior to 1984
ISU-T-2	Solids Handling – Distillate oil AST	9VAC5-80-720(B)(2)	VOC	25,000 gallons installed prior to 1984
ISU-T-3	Solids Handling – Diesel AST	9VAC5-80-720(B)(2)	VOC	250 gallons
ISU-T-4	Liquids Management – Distillate oil AST	9VAC5-80-720(B)(2)	VOC	15,000 gallons installed after 1984 (NSPS exempt)
ISU-T-5	Liquids Management – Distillate oil AST	9VAC5-80-720(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)

Permit Shield & Inapplicable Requirements

62. **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
40 CFR 60 Subpart K	NSPS for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	Except as provided in 40 CFR 60.110(b), the affected facility to which this subpart applies is each storage vessel for petroleum liquids which has a storage capacity greater than 151,412 liters (40,000 gallons). HRSD – Boat Harbor does not currently have a tank greater than 40,000 gallons.
40 CFR 60 Subpart Ka	NSPS for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, Prior to July 23, 1984	The affected facility to which this subpart applies is each storage vessel with a storage capacity greater than 151,416 liters (40,000 gallons) that is used to store petroleum liquids for which construction is commenced after May 18, 1978. HRSD – Boat Harbor does not currently have a tank greater than 40,000 gallons.
40 CFR 60 Subpart Kb	NSPS for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	Applies to each storage vessel with a capacity greater than or equal to 75 cubic meters (m ³) (19,813 gal) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984. HRSD – Boat Harbor does not currently have a tank greater than 75 m ³ constructed after July 23, 1984.

40 CFR 60 Subpart O	NSPS for Sewage Treatment Plants	Incinerator that charges more than 2,205 lbs/day of municipal sewage sludge (dry basis) and constructed on or after June 11, 1973. HRSD's SSI units were constructed prior to the applicability date.
40 CFR 61 Subpart C	NESHAPS for Beryllium	Incineration of Beryllium wastes. Beryllium is not an emitted pollutant from the incinerators.
40 CFR 63 Subpart VVV	NESHAPS for POTWs	40 CFR 63 Subpart VVV would only be considered applicable to the facility should they become a major source of HAPs or become an industrial POTW facility.
9VAC5-40 Article 4	Emission Standards for General Process Operations	Standards for PM from any process unit and SO ₂ standard for combustion equipment. Not applicable if equipment is subject to other emissions standards from 9VAC5 Chapter 40 for same pollutant(s). Incinerators are subject to 9VAC5 Chapter 40 Article 7.
9VAC5-40 Article 8	Emission Standards for Fuel Burning Equipment	Standards for PM and SO ₂ for fuel burning equipment. The engine-generator sets do not meet the definition of fuel burning equipment.

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, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the DEQ pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9VAC5-80-110 and 9VAC5-80-140)

63. **MACT Subpart VVV Applicability** - Should this POTW facility become a major source of HAP emissions, or become an industrial POTW facility, regardless of whether or not it is a major source of HAP emissions, the source shall become subject to the applicable requirements in 40 CFR 63 Subpart VVV - National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works as specified in 40 CFR 63.1580 of the Regulation.
(9VAC5-80-110 F and 40 CFR 63 Subpart VVV)

General Conditions

64. **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)
65. **General Conditions - Permit Expiration** -
- a. 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.
 - b. 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.
 - c. 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.
 - d. 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.
 - e. 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.
 - f. 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.
(9VAC5-80-110, 9VAC5-80-80, and 9VAC5-80-170)
66. **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)

67. **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)

68. **General Conditions - Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to the 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)

69. **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 the Environmental Protection Agency (EPA) and the 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)

70. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Tidewater 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 semiannual compliance monitoring report pursuant to Condition 68 of this permit. (9VAC5-80-110(F)(2))

71. **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 Tidewater Regional Office of 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) or 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 or 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 Tidewater Regional Office. (9VAC5-80-110 and 9VAC5-20-180)

72. **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)
73. **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)
74. **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)
75. **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.
(9VAC5-80-110, 9VAC5-80-190, and 9VAC5-80-260)
76. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9VAC5-80-110)
77. **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)
78. **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)

79. **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.)
80. **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, 9VAC5-40-90, and 9VAC5-50-90)
81. **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, 9VAC5-40-20(E), and 9VAC5-50-20(E))
82. **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)

83. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow the 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)

84. **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)

85. **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 the DEQ upon request.
(9VAC5-80-110 and 9VAC5-80-150)

86. General Conditions - Transfer of Permits -

- a. 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.
 - b. 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.
 - c. 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)

- 87. 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)

- 88. 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))

- 89. 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)

- 90. 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).
- (9VAC5-80-110 and 9VAC5-60-70)

91. **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)
92. **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)
93. **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)