



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

www.deq.virginia.gov

Travis A. Voyles
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director

February 12, 2025

Mr. James B. Hart, Jr.
Operations and Maintenance Manager, Data Center Critical Facilities
TECFusions Clarksville, LLC
250 Burlington Drive Clarksville
Clarksville, VA 23927

Location: Mecklenburg County
Registration No.: 30142

Dear Mr. Hart;

Attached is a permit approval to construct and operate a project at a Data Center in accordance with the provisions of the Virginia Regulations for the Control and Abatement of Air Pollution. This combined permit document supersedes your permit document dated February 9, 2012.

In the course of evaluating the application and arriving at a final decision to approve the project, the Department of Environmental Quality (DEQ) deemed the application complete on January 15, 2025.

This permit document 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 construct and operate shall not relieve TECFusions Clarksville LLC of the responsibility to comply with all other local, state, and federal permit regulations.

The proposed emergency generator sets may be subject to 40 CFR 63, Maximum Achievable Control Technology, (MACT) Subpart ZZZZ and 40 CFR 60, New Source Performance Standard (NSPS), Subpart IIII. Virginia has not accepted delegation of this rule. In summary, the unit may be required to comply with certain federal emission standards and operating limitations. DEQ advises you to review the referenced MACT and NSPS to ensure compliance with applicable emission and operational limitations. As the owner/operator you may be also responsible for any monitoring, testing, notification, reporting and recordkeeping requirements of the MACT and NSPS. Notifications and reports shall be sent to both EPA, Region III and DEQ.

To review any federal rules referenced in the above paragraph or in the attached permit, the US Government Publishing Office maintains the text of these rules at www.ecfr.gov, Title 40, Part 60 and/or 63.

The 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:

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 the Scott Utterback at 804-659-2703

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Kyle', with a stylized flourish extending to the right.

James E. Kyle, PE
Regional Air Permit Manager

Attachments: Permit
Source Testing Report Format



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Director

**STATIONARY SOURCE PERMIT TO CONSTRUCT AND OPERATE
STATIONARY SOURCE PERMIT TO OPERATE**

This permit document includes designated equipment subject to New Source Performance Standards (NSPS).

This permit document supersedes your permit document dated February 9, 2012.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution,

TECfusions Clarksville LLC
250 Burlington Drive, Clarksville VA 23927
Registration No.: 30142

is authorized to construct and operate

Data Center

located at

250 Burlington Drive, Clarksville VA 23927

in accordance with the Conditions of this permit document.

Approved on February 12, 2025.

A handwritten signature in blue ink, appearing to read "J. Kyle", written over a horizontal line.

James E. Kyle, PE
Regional Air Permit Manager

Permit consists of 16 pages.
Permit Conditions 1 to 33.

INTRODUCTION

This permit document is based on and combines permit terms and conditions in accordance with 9VAC5-80-1255 from the following permit approval and the respective permit application:

- New Source Review Permits dated February 9, 2012 and the permit application dated July 9, 2024, including supplemental information dated December 11, 2024 and January 15, 2025;

Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action. In addition, this facility may be subject to additional applicable requirements not listed in this permit document.

Words or terms used in this permit document shall have meanings as provided in 9 VAC 5-10-10 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. The regulatory reference or authority for each condition is listed in parentheses () after each condition.

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the Department of Environmental Quality (DEQ) for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact.

The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.2-3700 through 2.2-3714 of the Code of Virginia, § 10.1-1314 (addressing information provided to the DEQ) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

Equipment List - Equipment at this facility covered by this permit document consists of:

Equipment to be constructed:

Reference No.	Equipment Description	Rated Capacity	Referenced Federal Requirements
A/B10, C12-C15	Caterpillar 3516E Emergency Generator	3000 eKW (4393 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
A/B11, C16, C17	Cummins C3000 C6e Emergency Generator	3000 eKW (4309 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
D1-D7, D18-D24	Rolls Royce MTU 20V4000G94S Emergency Generator	2500 eKW (3672 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
D8, D25	Rolls Royce MTU 16V4000G64S Emergency Generator	2500 eKW (3640 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
D9, D10, D26, D27	Cummins 25000QKAN Emergency Generator	2500 eKW (3640 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ

Reference No.	Equipment Description	Rated Capacity	Referenced Federal Requirements
FP1	John Deere Model 4046TF29DE Diesel Engine	64 bhp	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ

Other Permitted Equipment:

Reference No.	Equipment Description	Rated Capacity	Referenced Federal Requirements
G8	1 Caterpillar Model 3516B diesel Emergency Generator Set. Manufactured in 2007	2250 eKW (3286 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
G9	Caterpillar Model 3516C diesel Emergency Generator Sets. Manufactured in 2009	2250 eKW (3286 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
EG1-EG3 and EGR	4 Caterpillar Model 3516B diesel Emergency Generator Sets. Manufactured in October 2006	2250 eKW (3286 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
EG4-EG6	3 Caterpillar Model 3516B diesel Emergency Generator Sets. Manufactured in December 2007	2250 eKW (3286 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
EG7	Caterpillar Model 3516B diesel Emergency Generator Sets. Manufactured in March 2007	2250 eKW (3286 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
EGHS	Caterpillar Model 2671 diesel Emergency Generator Set. Manufactured in August 2007	800 eKW (1214 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ
EGLS	Caterpillar Model C DM8501 diesel Emergency Generator Set. Manufactured in October 2007	250 eKW (398 bhp)	40 CFR 60 IIII, 40 CFR 1039, 40 CFR 63 ZZZZ

Specifications included in the above tables are for informational purposes only and do not form enforceable terms or conditions of the permit.

PROCESS REQUIREMENTS

1. Emission Controls - Nitrogen oxides (NOx) emissions from the engine-generator sets (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, G8-G9, EG1-EG7, EGR, EGHS, and EGLS) shall be controlled by electronic fuel injection, turbocharged engine, and aftercooler. The permittee shall maintain documentation that demonstrates the control device has been installed on the engine-generator sets.
(9 VAC 5-80-1180 and 9 VAC 5-50-260)
2. Emission Controls - Visible emissions, carbon monoxide (CO) emissions, volatile organic compound (VOC) emissions, and nitrogen oxide (NOx) emissions from the engine generator sets and diesel fire pump (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, FP1, G8-G9, EG1-EG7, EGR, EGHS, and EGLS) shall be controlled by the use of good operating practices and performing appropriate maintenance in accordance with the manufacturer recommendations. In addition, the permittee may only change those settings that are permitted by the manufacturer and do not increase air emissions.
(9 VAC 5-80-1180 and 9 VAC 5-50-260)

3. Monitoring Devices - Each engine-generator set (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, and D18-D27) shall be equipped with a fuel flow meter to monitor the fuel throughput. The fuel flow meter used to continuously measure the fuel throughput for each engine-generator set shall be observed by the owner with a frequency of not less than once each day the engine-generator set is operated. The owner shall keep a log of these observations.

Each monitoring device shall be installed, maintained, calibrated (as appropriate) 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 engine-generator sets are operating.

(9 VAC 5-80-1180 D)

4. Monitoring Devices - Each engine-generator set and diesel engine fire pump (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, FP1, G8-G9, EG1-EG7, EGR, EGHS, and EGLS) shall be equipped with a non-resettable hour metering device to monitor the operating hours. The non-resettable hour meter used to continuously measure the hours of operation for each engine-generator set shall be observed by the owner with a frequency of not less than once each day the engine-generator set is operated. The owner shall keep a log of these observations.

Each monitoring device shall be installed, maintained, calibrated (as appropriate) 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 engine-generator sets are operating.

(9 VAC 5-80-1180 D)

OPERATING/EMISSION LIMITATIONS

5. Operation of the Engine-Generator Set - The permittee shall operate and maintain each engine-generator set, diesel engine fire pump, and control device (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, FP1, G8-G9, EG1-EG7, EGR, EGHS, and EGLS) according to the manufacturer's written instructions or procedures developed by the permittee that are approved by the engine manufacturer. In addition, the permittee may only change those settings that are permitted by the manufacturer and do not increase air emissions.
(9 VAC 5-80-1180)
6. Emergency Power Generation - The engine-generator sets and diesel fire pump (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, FP1, G8-G9, EG1-EG7, EGR, EGHS, and EGLS) shall only be operated in the following modes:

- a. In situations that arises from sudden and reasonably unforeseeable events where the primary energy or power source is disrupted or disconnected due to conditions beyond the control of an owner or operator of a facility including:
 - i. A failure of the electrical grid;
 - ii. On-site disaster or equipment failure; or
 - iii. Public service emergencies such as flood, fire, natural disaster, or severe weather conditions.
- b. For participation in an ISO-declared emergency, where an ISO emergency is:
 - i. An abnormal system condition requiring manual or automatic action to maintain system frequency, to prevent loss of firm load, equipment damage, or tripping of system elements that could adversely affect the reliability of an electric system or the safety of persons or property;
 - ii. Capacity deficiency or capacity excess conditions;
 - iii. A fuel shortage requiring departure from normal operating procedures in order to minimize the use of such scarce fuel;
 - iv. Abnormal natural events or man-made threats that would require conservative operations to posture the system in a more reliable state; or
 - v. An abnormal event external to the ISO service territory that may require ISO action.
- c. For periodic maintenance, testing, and operational training.

When changing from Emergency Power Generation to Non-Emergency (Alternate) Power Generation, the permittee shall submit appropriate documentation to the Department of Environmental Quality (DEQ), and receive DEQ approval for the change in the method of operation of the engine-generator set to ensure that the facility remains in compliance with the appropriate permitting requirements. Total emissions for any 12 month period, calculated as the sum of all emissions from operations under the scenarios above, shall not exceed the limits stated in Conditions 11-18.
(9 VAC 5-80-1180)

- 7. Operating Hours –Each engine-generator set and diesel fire pump (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, FP1, G8-G9, EG1-EG7, EGR, EGHS, and EGLS) shall not operate more than 100 hours per year, 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.

(9 VAC 5-80-1180)

8. Fuel - The approved fuel for the engine-generator sets and diesel engine fire pump (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, FP1, G8-G9, EG1-EG7, EGR, EGHS, and EGLS) is diesel fuel. The diesel fuel shall meet the ASTM D975 specification for S15 diesel fuel oil with a maximum sulfur content per shipment of 0.0015%. A change in the fuel shall be considered a change in the method of operation of the process 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.
(9 VAC 5-80-1180 and 9 VAC 5-50-260)
9. Fuel Throughput - The engine-generator sets and diesel fire pump (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, and FP1) shall consume no more than 235,200 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 demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
(9 VAC 5-80-1180)
10. Fuel Certification - The permittee shall obtain a certification from the fuel supplier with each shipment of diesel fuel. 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 of diesel fuel delivered in the shipment;
 - d. A statement that the diesel fuel complies with the American Society for Testing and Materials specifications (ASTM D975) for S15 diesel fuel oil; and
 - e. The sulfur content of the diesel 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 8. Exceedance of these specifications may be considered credible evidence of the exceedance of emission limits.

(9 VAC 5-80-1180)

EMISSION LIMITS

11. Emission Limits - Emissions from the operation of the engine-generator set (Ref. Nos. EG1-EG3, EG4-EG7, and G8) shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	46.4 lbs/hr	16.3 tons/yr
Carbon Monoxide	9.4 lbs/hr	3.3 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 1,2,5,6, and 8
(9 VAC 5-80-1180 and 9 VAC 5-50-260)

12. Emission Limits - Emissions from the operation of the engine-generator set (Ref. Nos. EGHS) shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	17.0 lbs/hr	0.9 tons/yr
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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 Condition(s) 1,2,5,6, and 8.
(9 VAC 5-80-1180 and 9 VAC 5-50-260)

13. Emission Limits - Emissions from the operation of the engine-generator set (Ref. Nos. G9) shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	42.5 lbs/hr	2.2 tons/yr
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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 1,2,5,6, and 8.
(9 VAC 5-80-1180 and 9 VAC 5-50-260)

14. Emission Limits - Emissions from the operation of the engine-generator set (Ref. Nos. A/B10, C12-C15) shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	58.1 lbs/hr	14.6 tons/yr
Carbon Monoxide	11.6 lbs/hr	2.9 tons/yr
Volatile Organic Compounds	5.4 lbs/hr	1.4 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 1,2,5,6,7, 8, and 9.
 (9 VAC 5-80-1180 and 9 VAC 5-50-260)

15. Emission Limits - Emissions from the operation of the engine-generator set (Ref. Nos. D1-D7, D18-D24) shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	48.43 lbs/hr	33.9 tons/yr
Carbon Monoxide	11.9 lbs/hr	8.3 tons/yr
Volatile Organic Compounds	2.3 lbs/hr	1.6 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 Condition(s) 1,2,5,6,7, 8, and 9..
 (9 VAC 5-80-1180 and 9 VAC 5-50-260)

16. Emission Limits - Emissions from the operation of the engine-generator set (Ref. Nos. D8 and D25) shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	48.5 lbs/hr	4.9 tons/yr
Carbon Monoxide	9.7 lbs/hr	1.0 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 1,2,5,6,7, 8, and 9.
 (9 VAC 5-80-1180 and 9 VAC 5-50-260)

17. Emission Limits - Emissions from the operation of the engine-generator set (Ref. Nos. A/B11, C16-C17) shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	56.9 lbs/hr	8.6 tons/yr
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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 Condition(s) 1,2,5,6,7, 8, and 9..
 (9 VAC 5-80-1180 and 9 VAC 5-50-260)

18. Emission Limits - Emissions from the operation of the engine-generator set (Ref. Nos. D9, D10, D26, and D27) shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	48.1 lbs/hr	9.7 tons/yr
Carbon Monoxide	7.2 lbs/hr	1.5 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 Condition(s) 1,2,5,6,7, 8, and 9..
(9 VAC 5-80-1180 and 9 VAC 5-50-260)

19. Visible Emission Limit - Visible emissions from each engine-generator set exhausts 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.
(9 VAC 5-80-1180 and 9 VAC 5-50-260)

INITIAL COMPLIANCE DETERMINATION

20. Stack Test - Initial performance tests shall be conducted on one of each type of engine-generator sets (Ref. No. A/B10, C12-15, A/B11, C16-C17, D9, D10, D26, and D27 or as designated by DEQ) for NO_x and CO using appropriate EPA reference methods to determine compliance with the emission limits contained in Conditions 14, 17, and 18. The tests shall be performed, reported, and demonstrate compliance within 60 days after achieving the maximum production rate at which the facility will be operated but in no event later than 180 days after start-up of the permitted facility. 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 Piedmont 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 Piedmont Regional Office within 45 days after test completion and shall conform to the test report format enclosed with this permit.
- a. Emissions testing of each pollutant for each selected engine-generator set shall consist of three one-hour test runs under load. The average of the three runs shall be reported as the short-term emission rate for that engine-generator.
 - b. Testing shall be conducted with the engine(s) operating at greater than 90% electrical capacity, unless multiple load band testing is approved by DEQ.
 - c. Recorded information shall include, but not be limited to:
 - i. Generator load/kilowatt output.

- ii. Fuel consumption and fuel sulfur content of the diesel fuel oil.

(9 VAC 5-50-30 and 9 VAC 5-80-1200)

- 21. Emissions Testing - 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.

(9 VAC 5-50-30 F and 9 VAC 5-80-1180)

RECORDS

- 22. 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 Piedmont Regional Office. These records shall include, but are not limited to:

- a. Annual hours of operation of each engine-generator set, 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. Annual consumption of diesel 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.
- c. All fuel supplier certifications.
- d. Engine information including make, model, serial number, model year, maximum engine power (bhp), and engine displacement for each engine-generator set.
- e. The manufacturer's written operating instructions or procedures developed by the owner/operator that are approved by the engine manufacturer for each engine-generator set.
- f. Records of the reasons for operation for each engine-generator sets, including, but not limited to, the date, cause of operation, cause of the emergency, and the hours of operation.
- g. Results of all stack tests and visible emission evaluations.
- h. Scheduled and unscheduled maintenance and operator training.

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

(9 VAC 5-80-1180 and 9 VAC 5-50-50)

NOTIFICATIONS

23. Initial Notifications - The permittee shall furnish written notification to the Piedmont Regional Office of:

- a. The actual date on which construction of the engine-generator sets (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, and FP1) commenced within 30 days after such date.
- b. The anticipated start-up date of the engine-generator sets (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, and FP1) postmarked not more than 60 days nor less than 30 days prior to such date.
- c. The actual start-up date of the engine-generator sets (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, and FP1) within 15 days after such date. The actual start-up date shall be the date on which each engine completes manufacturer's trials, but shall be no later than thirty days after the initial start up for manufacturer's trials.
- d. The anticipated date of the performance tests and visible emissions evaluation of the engine-generator sets (Ref. Nos. A/B10, A/B11, C12-C17, D1-D10, D18-D27, and FP1) postmarked at least 30 days prior to such date.

(9 VAC 5-80-1180 and 9 VAC 5-50-50)

24. Emissions Testing - The data center 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.

(9 VAC 5-50-30 F and 9 VAC 5-80-1180)

GENERAL CONDITIONS

25. Permit Invalidation - The permit approval dated February 12, 2025 to construct the project shall become invalid, unless an extension is granted by the DEQ, if:

- a. A program of continuous construction is not commenced by August 12, 2026.

- b. A program of construction is discontinued for a period of 18 months or more, or is not completed within a reasonable time, except for a DEQ approved period between phases of the phased construction of a new stationary source or project.

(9 VAC 5-80-1210)

26. Permit Suspension/Revocation - This permit may be suspended or revoked if the permittee:

- a. Knowingly makes material misstatements in the permit application or any amendments to it;
- b. Fails to comply with the conditions of this permit;
- c. Fails to comply with any emission standards applicable to a permitted emissions unit;
- d. Causes emissions from the stationary source which result in violations of, or interfere with the attainment and maintenance of, any ambient air quality standard; or
- e. Fails to operate in conformance with any applicable control strategy, including any emission standards or emissions limitations, in the State Implementation Plan in effect at the time an application for this permit is submitted.

(9 VAC 5-80-1210 G)

27. Right of Entry - The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises on which the facility is located or in which any records are required to be kept under the terms and conditions of this permit;
- b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit or the State Air Pollution Control Board Regulations;
- c. To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of this permit or the State Air Pollution Control Board Regulations; and
- d. To sample or test at reasonable times.

For purposes of this condition, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is in operation. Nothing contained herein shall make an inspection time unreasonable during an emergency.

(9 VAC 5-170-130 and 9 VAC 5-80-1180)

28. Maintenance/Operating Procedures - At all times, including periods of start-up, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to engine generator sets:

- 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
(9 VAC 5-50-20 E and 9 VAC 5-80-1180 D)

29. Record of Malfunctions - The permittee shall maintain records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.
(9 VAC 5-20-180 J and 9 VAC 5-80-1180 D)

30. Notification for Facility or Control Equipment Malfunction - The permittee shall furnish notification to the Piedmont Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour. Such notification shall be made no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within 14 days of discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Piedmont Regional Office.
(9 VAC 5-20-180 C and 9 VAC 5-80-1180)

31. Violation of Ambient Air Quality Standard - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.
(9 VAC 5-20-180 I and 9 VAC 5-80-1180)
32. Change of Ownership - In the case of a transfer of ownership of a stationary source, the new owner shall abide by any current permit issued to the previous owner. The new owner shall notify the Piedmont Regional Office of the change of ownership within 30 days of the transfer.
(9 VAC 5-80-1240)
33. Permit Copy - The permittee shall keep a copy of this permit on the premises of the facility to which it applies.
(9 VAC 5-80-1180)

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