



*Commonwealth of Virginia*

*VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY*

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Stefanie K. Taillon  
Acting Secretary of Natural and Historic Resources

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

January 30, 2025

Mr. Greg Enterline  
Senior District Manager  
USA Waste of Virginia Landfills, Inc.  
Bethel Landfill  
100 North Park Lane  
Hampton, VA 23666  
[genterli@wm.com](mailto:genterli@wm.com)

Location: Hampton City  
Registration No.: 61291

Dear Mr. Enterline:

Attached is a renewal Title V permit to operate your facility pursuant to 9VAC5 Chapter 80 Article 1 of the Virginia Regulations for the Control and Abatement of Air Pollution. The attached permit will be in effect beginning January 30, 2025.

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 October 2, 2024 and solicited written public comments by placing a newspaper advertisement in the *Daily Press* on December 23, 2024. The thirty-day required comment period, provided for in 9VAC5-80-270 expired on January 22, 2025.

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 USA Waste of Virginia Landfills, Inc. of the responsibility to comply with all other local, state, and federal permit regulations.

To review any federal rules referenced in the attached permit, the US Government Publishing Office maintains the text of these rules at [www.ecfr.gov](http://www.ecfr.gov), Title 40, Parts 60, 63 and 70.

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 Tidewater Regional Office at (757) 518-2000.

Sincerely,



for Robert J. Weld, Regional Director  
Virginia Department of Environmental Quality  
540-562-6870  
robert.weld@deq.virginia.gov  
Blue Ridge Regional Office  
901 Russell Drive, Salem, VA 24153  
540-562-6700

Attachment: Permit

cc: Anita Walthall, DEQ BRRO Air Permit Writer (*electronic*)  
Barry Halcrow, DEQ TRO Air Compliance Inspector (*electronic*)  
Mariama Savadogo, DEQ TRO Air Permit Manager (*electronic*)  
John Brandt, DEQ TRO Air Compliance Manager (*electronic*)  
Yongtian (Tom) He, PhD, EPA Region III ([he.yongtian@epa.gov](mailto:he.yongtian@epa.gov))  
Maya Whitaker, DEQ Office of Air Permit Programs (OAPP) (*electronic*)  
James Hackney, Area Gas Operations Manager ([jhackney@wm.com](mailto:jhackney@wm.com))



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Director

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, 40 CFR10.1-1322 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: USA Waste of Virginia Landfills, Inc.  
Facility Name: Bethel Landfill  
Facility Location: 100 North Park Lane  
Hampton, Virginia 23666

Registration Number: 61291  
Permit Number: TRO-61291

This permit includes the following programs:  
Federally Enforceable Requirements - Clean Air Act

January 30, 2025  
Effective Date

January 29, 2030  
Expiration Date

*Paul R. Jenkins*  
for Robert J. Weld  
BRRO Regional Director

January 30, 2025  
Signature Date

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## **Facility Information**

### **Permittee**

USA Waste of Virginia Landfills, Inc.  
100 North Park Lane  
Hampton, VA 23666

### **Responsible Official**

Mr. Greg Enterline  
Senior District Manager

### **Facility**

Bethel Landfill  
100 North Park Lane  
Hampton, VA 23666

### **Contact Person**

James Hackney  
Area Gas Operations Manager  
Capitol Market Area Waste Management  
(757) 375-9668

**County-Plant Identification Number:** 51-650-00093

**Facility Description:** NAICS 562212 – Solid Waste Landfill. This U.S. industry type comprises establishments primarily engaged in: (1) operating landfills for the disposal of nonhazardous solid waste, or (2) the combined activity of collecting and/or hauling nonhazardous waste materials within a local area and operating landfills for the disposal of nonhazardous solid waste.

Bethel Landfill (Bethel) is a sanitary landfill owned and operated by USA Waste of Virginia Landfills, Inc. The facility disposes municipal, commercial, and industrial non-hazardous solid waste. Landfill gas is collected by an active gas collection and control system (GCCS) and either treated, then burned as fuel using onsite landfill gas-to-energy (GTE) system or the untreated gas is combusted by open flares. The facility is located in an attainment area for all pollutants; is a major source for NO<sub>x</sub> and CO emissions, and an area source for hazardous air pollutants (HAP). NMOC emissions are over the 50 Mg/yr threshold.

## Emission Units

Process Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>FUEL BURNING EQUIPMENT</b>							
<b>Engines</b>							
F005	Stack-F5	Scale-House emergency engine (inbound), diesel, 2003	6.5 kW (8.7 hp)	---	---	---	---
F006	Stack-F6	Scale-House emergency engine (outbound); diesel, 2003	6.5 kW (8.7 hp)	---	---	---	---
F007	Stack-F7	Leachate area emergency diesel engine, 1996	50 kW (67 hp)	---	---	---	---
F015	STRM2	John Deere 12" stormwater pump diesel engine, 2011	156 hp (155 hp)	---	---	---	April 24, 2024
F016	EMERG1	Caterpillar C13 emergency diesel engine (flare station), 2017	350 kW (531 hp)	---	---	---	---
<b>LANDFILL OPERATIONS</b>							
LFO-1	---	MSW Landfill	37,770,303 m <sup>3</sup>	GCCS @ 4,300 scfm	GCCS-1	VOC, NMOC	
<b>GCCS-1</b>							
P001A	V002	Power Strategies Tornado (Parnell); non-assisted	103.2 MMBtu/hr (HHV)	P001A (open flare)	P001A	VOC, NMOC	April 24, 2024
P02	V003	John Zink ZOF, 2017; non-assisted	139.08 MMBtu/hr (LHV)	P02 (open flare)	P02	VOC, NMOC	April 24, 2024

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Landfill Gas-to-Energy Plant</b>							
EG1	Stack-1	Caterpillar G3516 LFG-fired generator set, 12/1993, 800kW (1148hp)	10.1 MMBtu/hr	---	---	---	April 24, 2024
EG2	Stack-2	Caterpillar G3516 LFG-fired generator set, 10/2006, 800kW (1148hp)	10.1 MMBtu/hr	---	---	---	April 24, 2024
EG3	Stack-3	Caterpillar G3516 LFG-fired generator set, 7/2006, 800kW (1148hp)	10.1 MMBtu/hr	---	---	---	April 24, 2024
EG4	Stack-4	Caterpillar G3516 LFG-fired generator set, 11/2007, 800kW (1148hp)	10.1 MMBtu/hr	---	---	---	April 24, 2024
EG5	Stack-5	Caterpillar G3516, LFG-fired generator set, 8/2005, 800kW (1148hp)	10.1 MMBtu/hr	---	---	---	April 24, 2024
EG6	Stack-6	Caterpillar G3516, LFG-fired generator set, 8/2005, 800kW (1148hp)	10.1 MMBtu/hr	---	---	---	April 24, 2024
<b>Storage Tank</b>							
P004	GASTNK1	Gasoline Fuel Storage Tank (AST)	280 gal	---	---	---	April 24, 2024

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

## **Landfill Operations– (LFO-1, GCCS-1, P001A, P02, EG1 through EG6)**

### **Limitations**

1. **Landfill Operations - Emission Controls - (P001A, P02, EG1 through EG6)** - The permittee shall use good combustion and maintenance practices at all times to ensure that emissions from the utility (open flame) flares (P001A and P02), and six (6) treated landfill gas-fired Caterpillar G3516 turbo-charged engine-generator sets (EG1 through EG6), are minimized. Equipment operators shall be trained in the proper operation of all such devices. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum for the equipment.  
(9VAC5-80-110 and Condition 1 of the 4/24/2024 Permit Document)
2. **Landfill Operations - Emission Controls - (P001A, P02, EG1 through EG6)** - Non-Methane Organic Compounds (NMOC) present in the LFG collected by the gas collection and control system (GCCS) shall be controlled by burning the LFG in the combustion devices listed in Condition 1 of this permit. A sufficient number of these combustion devices shall be in operation at all times to combust the entire flow of LFG from the GCCS. The combustion devices, including all associated ancillary support equipment, shall be provided with adequate access for inspection.  
(9VAC5-80-110 and Condition 2 of the 4/24/2024 Permit Document)
3. **Landfill Operations - Emission Controls - (P001A, P02)** - The utility flares (P001A and P02) shall be designed and operated in accordance with the provisions in 40 CFR 60.18 (general control device and work practice requirements) except as noted in 40 CFR 60.35f(d).  
(9VAC5-80-110 and Condition 3 of the 4/24/2024 Permit Document)
4. **Landfill Operations – Flare Heat Content and Tip Velocity Specifications - (P001A, P02)** - In accordance with 40 CFR 60.18(c)(3), the utility flares (P001A and P02) shall be operated using either the heat content specifications of 40 CFR 60.18(c)(3)(ii) and the maximum tip velocity specifications of 40 CFR 60.18(c)(4) or by meeting the requirements of 40 CFR 60.18 (c)(3)(i).  
(9VAC5-80-110 and Condition 4 of the 4/24/2024 Permit Document)
5. **Landfill Operations - Fugitive Dust Controls - (LFO-1)** - Fugitive dust and fugitive emission controls shall include the following, or equivalent, as approved by DEQ:
  - a. All cover material being stockpiled shall be kept adequately moist to control dust during storage and handling or covered at all times to minimize emissions as appropriate;
  - b. Dust from haul roads and traffic areas shall be controlled by the application of asphalt, water, or suitable chemicals or equivalent methods as approved by the DEQ; and



- c. Reasonable precautions shall be taken to prevent deposition of dirt on public roads and subsequent dust emissions. These measures shall include paving the entrance road to the facility up to the vicinity of the process areas. Trucks leaving the site shall have clean wheels achieved by use of a wheel washer or equivalent. Dirt, waste, or raw material spilled or tracked onto paved surfaces shall be promptly removed or wetted to prevent particulate matter from becoming airborne.

(9VAC5-80-110 and Condition 5 of the 4/24/2024 Permit Document)

6. **Landfill Operations - Approved Fuels - (P001A, P02, EG1 through EG6)** - The approved fuel for the six (6) Caterpillar G3516 engine-generator sets (EG1 through EG6) is treated LFG and for utility flares (P001A and P02) is untreated LFG. Any request to add a new fuel or a new combustion unit may require a permit to operate. The pilot light on the utility flares may be fueled with Liquefied Petroleum Gas (LPG).

(9VAC5-80-110 and Condition 9 of the 4/24/2024 Permit Document)

7. **Landfill Operations - LFG Throughput - (EG1 through EG6)** - The throughput of treated LFG fuel to be combusted in the six (6) Caterpillar G3516 engine-generator sets (EG1 – EG6) (combined) shall not exceed  $1.04 \times 10^9$  cubic feet per year, on a dry basis, 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.

(9VAC5-80-110 and Condition 10 of the 4/24/2024 Permit Document)

8. **Landfill Operations - LFG Throughput- (P001A, P02)** - The throughput of untreated LFG fuel to be combusted in utility flares (P001A, P02) shall not exceed  $2.68 \times 10^9$  cubic feet 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.

(9VAC5-80-110 and Condition 11 of the 4/24/2024 Permit Document)

9. **Landfill Operations - (EG1 through EG6)** - Emissions from the operation of the six (6) Caterpillar G3516 engine-generator sets (EG1 through EG6) combusting treated LFG shall not exceed the limits specified below:

	<u>Each Engine</u>	<u>Combined</u>
Particulate Matter (PM)	0.03 lb/hr	0.8 ton/yr
PM-10	0.03 lb/hr	0.8 ton/yr
PM2.5	0.03 lb/hr	0.8 ton/yr
Sulfur Dioxide (SO <sub>2</sub> )	0.2 lb/hr	4.1 ton/yr
Nitrogen Oxides (as NO <sub>2</sub> )	3.8 lb/hr	99.8 ton/yr
Carbon Monoxide (CO)	6.8 lb/hr	179.7 ton/yr
Volatile Organic Compounds (VOC)	0.1 lb/hr	2.2 ton/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, 6, 7, 11, and 13.

(9VAC5-80-110 and Condition 13 of the 4/24/2024 Permit Document)

10. **Landfill Operations Emission Limits - (P001A, P02)** - Emissions from the operation of utility flares (P001A and P02) combusting untreated LFG shall not exceed the limits specified below:

	<u>Each Flare</u>	<u>Combined</u>
PM	0.019 lb/MMBtu	11.4 ton/yr
PM-10	0.019 lb/MMBtu	11.4 ton/yr
PM 2.5	0.019 lb/MMBtu	11.4 ton/yr
Sulfur Dioxide (SO <sub>2</sub> )	0.017 lb/MMBtu	10.4 ton/yr
Nitrogen Oxides (as NO <sub>2</sub> )	0.068 lb/MMBtu	41.4 ton/yr
Carbon Monoxide (CO)	0.37 lb/MMBtu	225.4 ton/yr
Volatile Organic Compounds VOC	0.003 lb/MMBtu	1.6 ton/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, 3, 4, 6, 8, 12, and 13.

(9VAC5-80-110 and Condition 14 of the 4/24/2024 Permit Document)

11. **Landfill Operations - Visible Emission Limit - (EG1 through EG6)** – Visible emissions from any of the exhaust stacks for the six (6) treated LFG-fired Caterpillar G3516 engine-generator set (EG1 through EG6) shall not exceed 10 percent (10%) opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent (20%) opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during start-up, shutdown, and malfunction.
- (9VAC5-80-110 and Condition 16 of the 4/24/2024 Permit Document)

12. **Landfill Operations - Visible Emission Limit - (P001A, P02)** - The utility flares (P001A and P02) shall both be operated with no visible emissions, as determined by EPA Method 22 (reference 40 CFR 60, Appendix A), except for periods not to exceed a total of five (5) minutes during any two (2) consecutive hours. This condition applies at all times except for start-up, shutdown, and malfunction.
- (9VAC5-80-110 and Condition 17 of the 4/24/2024 Permit Document)

## Monitoring

13. **Landfill Operations - Monitoring Devices - (GCCS-1, P001A, P02, EG1 through EG6)** - The GCCS (GCCS-1) shall be equipped with a gas flow measuring device that records the untreated volume of LFG to the utility flares (P001A and P02). The gas treatment system

shall be equipped with a gas flow measuring device that records the treated volume of LFG to the Caterpillar G3516 engine-generator sets (EG1 through EG6). The utility flares (P001A and P02) shall each be equipped with a heat-sensing device to ensure the presence of a continuous flame at the flare tip.

The monitoring devices shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation whenever LFG is being routed to the appropriate combustion devices. Any periods involving a malfunction of these monitoring devices shall be recorded as defined in Condition 73 of this permit.  
(9VAC5-80-110 and Condition 6 of the 4/24/2024 Permit Document)

14. **Landfill Operations - Visible Emission Observations - (EG1 through EG6)** - The permittee shall perform periodic visual emissions observations on the exhaust stack of each of the six (6) treated LFG-fired Caterpillar G3516 engine-generator sets (EG1 through EG6) at least once per calendar week. The observations shall be conducted during daylight hours and under normal operating conditions, for at least a one-minute period to determine compliance with the opacity standards for the engines. If no visible emissions are observed, no further action shall be required. However, if visible emissions are noted, the permittee shall take appropriate action immediately to return the unit to normal operations such that no visible emissions exist. If such corrective action fails to correct the problem, the permittee shall conduct a visible emissions evaluation (VEE) for a period of six (6) minutes (24 consecutive observations at 15-second intervals) using Method 9 (40 CFR 60, Appendix A). If the six-minute VEE opacity average exceeds ten percent (10%), the VEE shall continue for an additional 12 minutes. If any of the six-minute averages exceeds 20 percent (20%) opacity during the 18 minutes, the VEE shall continue for one (1) hour from initiation, to determine compliance with the opacity limit. The permittee shall record the details of the visual emissions observations and any corrective actions taken. The logbook shall be kept on site and available for inspection by the DEQ for the most recent five (5) year period.  
(9VAC5-80-110 and Condition 18 of the 4/24/2024 Permit Document)
15. **Landfill Operation - Visible Emission Observations - (P001A, P02)** - The permittee shall perform periodic visual emissions observations on each of the utility flare (P001A and P02), at least once per calendar week, when operating. The observations shall be conducted during daylight hours and under normal operating conditions, for at least a one-minute period to determine compliance with the opacity standards for each flare. If no visible emissions are observed, no further action shall be required. However, if such periodic evaluations indicate any visible emissions, the permittee shall take appropriate action immediately, to return the unit to normal operation such that no visible emissions exist. If such corrective action fails to correct the problem, the permittee shall conduct a visible emissions evaluation (VEE) utilizing EPA Method 22 (reference 40 CFR 60, Appendix A) for two hours. If a Method 22 evaluation and/or corrective action become necessary, the permittee shall record the details

of the incident in a logbook. The logbook shall be kept on site and available for inspection by the DEQ for the most recent five (5) year period.  
(9VAC5-80-110 and Condition 19 of the 4/24/2024 Permit Document)

## Recordkeeping

16. **Landfill Operations - On Site Records - (LFO-1, GCCS-1, P001A, P02, EG1 through EG6)** - 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 throughput of untreated LFG (in million cubic feet) combusted by each utility flare (P001A and P02), 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 throughput of treated LFG (in million cubic feet, on a dry basis) combusted by the six (6) Caterpillar G3516 engine-generator sets (EG1 through EG6), 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. Year-by-year waste acceptance rate as required by 40 CFR 60.39f(a);
  - d. Results of all visual emissions observations and evaluations for the utility flares (P001A and P02), and Caterpillar G3516 engine-generator sets (EG1 through EG6), including the date and time of the observations, whether or not visible emissions were noted, the results of any Method 9 or Method 22 VEE's and any corrective action taken;
  - e. Results of the initial performance test for utility flare (P02), including the heating value of the gas being combusted and the actual exit velocity;
  - f. All GCCS (GCCS-1) monitoring information as required by 40 CFR 60.37f;
  - g. Records documenting the occurrences of breakdowns and/or malfunctions to the combustion equipment;
  - h. Scheduled and unscheduled combustion equipment maintenance and operator training; and
  - i. Records sufficient to calculate the facility's emissions on a 12-month rolling basis.

All records required by this condition and 9VAC5-40-5970 shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9VAC5-80-110, 9VAC5-40-5965, 9VAC5-80-5970, and Condition 20 of the 4/24/2024 Permit Document)

## Testing

17. **Landfill Operations - Testing - (LFO-1, P001A, P02)** - The permitted facility 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 9VAC5-50-30)
18. **Landfill Operations - Testing - (LFO-1, P001A, P02)** - 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)

## MACT Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills (LFO-1, P001A, P02, EG1 through EG6)

19. **MACT Subpart AAAA – (LFO-1, P001A, P02, EG1 through EG6)** - The permittee shall comply with the applicable requirements of National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, 40 CFR 63 Subpart AAAA.  
(9VAC5-80-110, 9VAC5-40-5925, 40 CFR 63.1935 and Conditions 12, 21 and 22 of the 4/24/2024 Permit Document)
20. **MACT Subpart AAAA – (LFO-1, P001A, P02)** - The collection and control system may be capped, removed, or decommissioned if the criteria in 40 CFR 60.33f(f) are met. The NMOC emission rate must be calculated in accordance with 40 CFR 63.1959(c) for purposes of determining when the system can be capped, removed, or decommissioned.  
(9VAC5-80-110, 9VAC5-40-5935D, and 40 CFR 63.1950)

## Standards

21. **MACT Subpart AAAA – (LFO-1, P001A, P02, EG1 through EG6)** - The collection and control system must capture the gas generated within the landfill as required in 40 CFR 63.1959(b)(2)(ii)(B) and route all the collected gas to a control system that complies with the requirements in 40 CFR 63.1959(b)(2)(iii)(A) or a treatment system that complies with the requirements in 40 CFR 63.1959(b)(2)(iii)(C) and (D).  
(9VAC5-80-110, 9VAC5-40-5935A, and 40 CFR 63.1959(b)(2)(ii) and (iii))
22. **MACT Subpart AAAA – (LFO-1, P001A, P02, EG1 through EG6) – Standards** - The collection and control system shall install a sampling port and a thermometer, other

temperature measuring device, or an access port for temperature measurements at each wellhead and:

- a. Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control system equipment. The maximum expected gas flow rate shall be calculated in accordance with 40 CFR 63.1960(a)(1).
- b. Collect the gas from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for:
  - i. 5 years or more if active; or
  - ii. 2 years or more if closed or at final grade;
- c. Sufficient density of the gas collectors shall be demonstrated by designing the system accordance with 40 CFR 63.1960(a)(2). Each well or design component as shall be placed specified in the approved design plan as provided in 40 CFR 63.1981(d). Each well must be installed no later than 60 days after the applicable date in Condition 22.b.
- d. Operate the collection system with negative pressure at each wellhead except as provided in 40 CFR 63.1958(b)(1) and (3). The gauge pressure shall be monitored monthly and corrective actions taken in accordance with 40 CFR 63.1960(a)(3)(i) and 63.1961(a)(1).
- e. Operate each interior wellhead in the collection system with a landfill gas temperature less than 62.8 degrees Celsius (145 degrees Fahrenheit) except as provided in 40 CFR 63.1958(c). Each well shall be monitored for temperature and corrective actions shall be taken in accordance with 40 CFR 63.1960(a)(4) and 63.1961(a)(3)-(6). If a landfill gas temperature measured at either the wellhead or at any point in the well is greater than or equal to 76.7 degrees Celsius (170 degrees Fahrenheit) and the carbon monoxide concentration measured, according to the procedures in 40 CFR 63.1961(a)(5)(vi) is greater than or equal to 1,000 ppmv the corrective action(s) for the wellhead temperature standard (62.8 degrees Celsius or 145 degrees Fahrenheit) must be completed within 15 days. The 24-hour high temperature report shall be submitted in accordance with 40 CFR 63.1981(k).
- f. Nitrogen and/or oxygen content shall be monitored monthly in accordance with 40 CFR 63.1961(a)(2).
- g. Operate the collection system so that the methane concentration is less than 500 parts per million above background in accordance with 40 CFR 63.1958(d). Surface concentrations of methane shall be monitored on a quarterly basis and corrective actions taken in accordance with 40 CFR 63.1960(c) to demonstrate compliance with the surface methane operational standard in 40 CFR 63.1958(d). Instrumentation must meet the requirements of 40 CFR 63.1960(d).

- h. Operate the system such that all collected gases are vented to a treatment system designed and operated in accordance with 40 CFR 63.1959(b)(2)(iii)(A), (C) and (D). If the treated landfill gas cannot be routed for subsequent sale or beneficial use, then the treated landfill gas must be controlled by a control system designed and operated in compliance with 40 CFR 63.1959(b)(2)(iii)(A). Performance tests shall be conducted for new or replacement flares in accordance with 40 CFR 63.7 and 40 CFR 63.1959(e) and (f).
- i. Operate the collection and control system in accordance with 40 CFR 63.1958(e) and (f) at all times.

The monitoring requirements of this condition apply at all times except as provided in 40 CFR 63.1961(h). If monitoring demonstrates that the operational requirements in Conditions 22.d, 22.e, or 22.g are not met, corrective action must be taken as specified in 40 CFR 63.1960(a)(3) and (5) or (c). If corrective actions are taken as specified in 40 CFR 63.1960, the monitored exceedance is not a violation of the operational requirements in this Condition. (9VAC5-80-110, 9VAC5-40-5955, 9VAC5-40-5960, 9VAC5-40-5965, 40 CFR 63.1958, 40 CFR 63.1960(a) through (d), and 40 CFR 63.1961(a), (f), and (h))

### Compliance Provisions

- 23. **MACT Subpart AAAA – (LFO-1, P001A, P02, EG1 through EG6)** - The provisions of this permit implementing 40 CFR 63 subpart AAAA apply at all times, including periods of startup, shutdown or malfunction. During periods of startup, shutdown, and malfunction, you must comply with the work practice specified in 40 CFR 63.1958(e)(1) in lieu of the compliance provisions in 40 CFR 63.1960. (9VAC5-80-110, 9VAC5-40-5960, and 40 CFR 63.1960(e))

### Monitoring of Operations

- 24. **MACT Subpart AAAA – (LFO-1, P001A, P02, EG1 through EG6)** - In order to comply with the requirements of 40 CFR 63.1959(b)(2)(iii)(A), the equipment in 40 CFR 63.1961(c) must installed, calibrated, maintained, and operated according to the manufacturer's specifications and 40 CFR 63.1961(c). (9VAC5-80-110, 9VAC5-40-5965, and 40 CFR 63.1961(c))
- 25. **MACT Subpart AAAA – (LFO-1, EG1 through EG6)** - The permittee must prepare, maintain and operate in accordance with a site-specific treatment system monitoring plan as specified in 40 CFR 63.1983(b)(5). Monitoring device installation, calibration, maintenance, and operation must be in accordance with 40 CFR 63.1961(g) at a minimum. (9VAC5-80-110, 9VAC5-40-5970, and 40 CFR 63.1961(g))

## Records and Reports

26. **MACT Subpart AAAA – (LFO-1, P001A, P02, EG1 through EG6) – Records** - Unless specifically stated otherwise, records in this condition shall be kept for at least 5 years up-to-date and shall be readily accessible. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable. Alternative records shall be kept for this timeline as provided in 40 CFR 63.1981(d)(2).
- a. The design capacity report that triggered 40 CFR 63.1959(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate.
  - b. The following records shall be kept for the life of the control system equipment as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring must be maintained for a minimum of 5 years. Records of the control device vendor specifications must be maintained until removal.
    - i. Maximum expected gas generation flow rate as calculated in 40 CFR 63.1960(a)(1).
    - ii. Density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR 63.1962(a).
    - iii. The flare type (i.e., steam-assisted, air-assisted, or non-assisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR 60.18.
    - iv. Continuous records of the flare pilot flame or flare flame monitoring specified under 40 CFR 63.1961(c).
    - v. Records of all periods of operations during which the pilot flame of the flare flame is absent.
  - c. Records of the equipment operating parameters monitoring at the frequency specified in the approved site-specific treatment system monitoring plan as specified in 40 CFR 63.1983(b)(5)(ii).
  - d. Records of the equipment operating parameters specified to be monitored in 40 CFR 63.1961.
  - e. Records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.
  - f. Continuous records of the indication of flow to the treatment system and control system and the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR 63.1961.
  - g. Records of periods when the collection system, control device, or treatment system is not operating.



- h. Records of the date, time, and duration of each startup and/or shutdown period, recording the periods when the affected source was subject to the standard applicable to startup and shutdown. In the event that an affected unit fails to meet an applicable standard, the records of the information in 40 CFR 63.1983(c)(7)(i)-(iii) shall be maintained.
- i. Records of the written procedures required by 40 CFR 63.8(d)(2), in lieu of the requirements specified in 40 CFR 63.8(d)(3), for the life of the affected source or until the affected source is no longer subject to the provisions of this part. If the performance evaluation plan is revised, previous (i.e., superseded) versions of the performance evaluation plan shall be maintained for a period of 5 years after each revision to the plan. The program of corrective action must be included in the plan required under 40 CFR 63.8(d)(2).
- j. Plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector kept for the life of the collection system.
- k. Records of the installation date and location of all newly installed collectors as specified under 40 CFR 63.1960(b).
- l. Documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in 40 CFR 63.1962(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in 40 CFR 63.1962(a)(3)(ii).
- m. All collection and control system exceedances of the operational standards in 40 CFR 63.1958, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.
- n. Records of wellhead temperature, nitrogen content, or oxygen content monitoring required in 40 CFR 63.1983(e)(2).
- o. Records of each root cause analysis conducted for which corrective actions are required in 40 CFR 63.1960(a)(3)(i)(A) or (a)(4)(i)(A), including a description of the recommended corrective action(s) taken, and the date(s) the corrective action(s) were completed.
- p. Records of each root cause analysis conducted for which corrective actions are required in 40 CFR 63.1960(a)(3)(i)(B) or (a)(4)(i)(B), the corrective action analysis, the date for corrective action(s) already completed following the positive pressure reading or high temperature reading, and, for action(s) not already completed, a schedule for implementation, including proposed commencement and completion dates.

- q. Record of the root cause analysis conducted for which corrective actions are required in 40 CFR 63.1960(a)(3)(i)(C) or (a)(4)(i)(C), the corrective action analysis, the date for corrective action(s) already completed following the positive pressure reading or high temperature reading, for action(s) not already completed, a schedule for implementation, including proposed commencement and completion dates, and a copy of any comments or final approval on the corrective action analysis or schedule from the Tidewater Regional Office.
- r. Records of all collection and control system monitoring data for parameters measured in 40 CFR 63.1961(a)(1) through (6).
- s. Records of any engineering calculations or company records used to estimate the quantities of leachate or liquids added, the surface areas for which the leachate or liquids were applied, and the estimates of annual waste acceptance or total waste in place in the areas where leachate or liquids were applied.

(9VAC5-80-110, 9VAC5-40-5970, and 40 CFR 63.1981)

27. **MACT Subpart AAAA – (LFO-1, P001A, P02, EG1 through EG6) – Reports** - The following reports shall be submitted:

- a. Revisions to the approved design plan under 40 CFR 63.1981(d) shall be submitted for approval in accordance with 40 CFR 63.1981(e)(1) and (2).
- b. A closure report must be submitted within 30 days of the permanent cessation of waste acceptance. If a closure report has been submitted, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR 60.7(a)(4).
- c. An equipment removal report must be submitted within 30 days prior to removal or cessation of operation of the control equipment. The report shall include all information required in 40 CFR 63.1981(g) and any additional information requested under 40 CFR 63.1981(g)(2).
- d. Semi-annual reports shall be submitted that contain the information required in 40 CFR 63.1981(h).
- e. Performance test reports shall be submitted and shall include all information required in 40 CFR 63.1981(i).
- f. Corrective action reports shall be submitted and shall comply with 40 CFR 63.1981(j).

Each report shall be submitted to the Tidewater Regional Office. Reports shall be submitted in accordance with 40 CFR 63.1981(l) except as provided in 40 CFR 63.1981(m) and (n). A copy of each report shall be submitted also to EPA Region 3 (Email:

R3\_APD\_Permits@epa.gov) except for reports submitted electronically in accordance with 40 CFR 63.1981(l).  
(9VAC5-80-110, 9VAC5-40-5970, 40 CFR 63.1981, and Condition 23 of the 4/24/24 Permit Document)

## **Diesel Engine (F015, F016)**

### **Limitations**

28. **Diesel Engine - Emission Controls - (F015)** - The permittee shall use good combustion and maintenance practices at all times to ensure that emissions from the stormwater pump engine (F015) is minimized. Equipment operators shall be trained in the proper operation of all such devices. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum for the equipment.  
(9VAC5-80-110 and Condition 1 of the 4/24/2024 Permit Document)
29. **Diesel Engine - Fuel - (F015)** - The approved fuel for the stormwater pump engine (Ref. No. F015) 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 engines 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 and Condition 7 of the 4/24/2024 Permit Document)
30. **Diesel Engine - Fuel Certification - (F015)** - 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 29. Exceedance of these specifications may be considered credible evidence of the exceedance of emission limits.  
(9VAC5-80-110 and Condition 8 of the 4/24/2024 Permit Document)

31. **Diesel Engine - Emission Limits - (F015)** - Emissions from the operation of the of stormwater pump engine (F015) shall not exceed the limits specified below:

Nitrogen Oxides (as NO <sub>2</sub> )	1.28 lb/hr	5.6 ton/yr
Carbon Monoxide (CO)	1.04 lb/hr	4.6 ton/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 28, 29, and 30.

(9VAC5-80-110 and Condition 15 of the 4/24/2024 Permit Document)

32. **Diesel Engine - Visible Emission Limit - (F015, F016)** - Visible emissions from each engine (F015, F016) shall not exceed 20% (percent) opacity except for one six-minute period in any one hour in which visible emissions shall not exceed 30% (percent opacity) as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times during startup, shutdown, and malfunction.
- (9VAC5-50-80 and 9VAC5-80-110)

### Monitoring

33. **Diesel Engine - Visible Emission Observations - (F015, F016)** – The permittee shall conduct an observation of the presence of visible emissions on the engine at least once during each calendar month in which the emissions units operate. If visible emissions are observed, the permittee shall take timely corrective action such that the engines resume operation with no visible emissions or perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the engines do not exceed 20% opacity or less. The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether there were visible emissions, any VEE recordings, and any necessary corrective actions taken.
- (9VAC5-80-110, 9VAC5-80-110E & K, and 9VAC5-50-50)

### Recordkeeping

34. **Diesel Engine - On Site Records - (F015)** – 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:
- Records of visible emissions observations, VEE results, and any corrective actions taken as documented in the visible observation log required by Condition 33.

- b. Records documenting the occurrences of breakdowns and/or malfunctions to the combustion equipment.
- c. Scheduled and unscheduled combustion equipment maintenance, and operator training.
- d. Records sufficient to calculate the facility's emissions on a 12-month rolling basis.
- e. All fuel supplier certifications.

All records required by this condition shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9VAC5-80-110, 9VAC5-80-110E & K, and Condition 20 of the 4/24/2024 Permit Document)

35. **Diesel Engine - Records - (F016)** – The permittee shall maintain records of 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 records of visible emissions observations, VEE results, and any corrective actions taken as documented in the visible observation log required by Condition 33.  
(9VAC5-80-110, 9VAC5-80-110E & K, and 9VAC5-50-50)

### **Testing**

36. **Diesel Engine - Testing - (F015, F016)** - The permitted facility 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 9VAC5-50-30)
37. **Diesel Engine - Testing - (F015, F016)** - 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)

### **NSPS Subpart IIII - Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines - (F015, F016)**

38. **NSPS Subpart IIII - (F015, F016)** – For engines F015 and F016, the permittee shall comply with the applicable requirements of Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 CFR 60 Subpart III.  
(9VAC5-80-110 and 40 CFR 60.4200)

### **Emission Standards**

39. **NSPS Subpart IIII - (F015)** - For engine F015, the permittee shall comply with the emissions standards for new CI engines in 40 CFR 60.4201 for its model year, as applicable. (9VAC5-80-110 and 40 CFR 60.4204(b))
40. **NSPS Subpart IIII Requirements - (F016)** - The permittee shall comply with the emissions standards for new nonroad CI engines in 60.4202, for all pollutants, for the same model year and maximum engine power. (9VAC5-80-110 and 40 CFR 60.4205(b))
41. **NSPS Subpart IIII - (F015)** – For engine F015, if the permittee conducts performance tests in-use, it shall meet the not-to-exceed standards as indicated in 40 CFR 60.4212. (9VAC5-80-110 and 40 CFR 60.4204(d))
42. **NSPS Subpart IIII– (F015, F016)** - The permittee shall operate and maintain engines F015 and F016 so that the emissions standards as required in 40 CFR 60.4204 and 40 CFR 60.4205 are achieved over the entire life of the engine. (9VAC5-80-110 and 40 CFR 60.4206)

### **Fuel Requirements**

43. **NSPS Subpart IIII – (F015, F016)** – For engines F015 and F016, the permittee shall use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel. (9VAC5-80-110 and 40 CFR 60.4207(b))

### **Other Requirements**

44. **NSPS Subpart IIII– (F016)** - The permittee shall install a non-resettable hour meter prior to startup of engine F016, unless the permittee maintains records demonstrating that the engine meets the standards applicable to non-emergency engines. (9VAC5-80-110 and 40 CFR 60.4209(a))

### **Compliance Requirements**

45. **NSPS Subpart IIII– (F015, F016)** – For engines F015 and F016, the permittee shall comply with the applicable requirements of 40 CFR 60.4211(a) (1) through (3), except as permitted in 40 CFR 60.4211(g). (9VAC5-80-110 and 40 CFR 60.4211(a))
46. **NSPS Subpart IIII– (F015, F016)** - For engines F015 and F016, the permittee shall comply by purchasing, installing and configuring an engine certified to the emissions standards in 40 CFR 60.4204(b), or 40 CFR 60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, National Fire Protection Association nameplate)

engine power. The engine shall be installed and configured according to the manufacturer's emission-related specifications, except as permitted in 40 CFR 60.4211(g).  
(9VAC5-80-110 and 40 CFR 60.4211(c))

47. **NSPS Subpart III– (F016)** - For engine F016, the permittee shall operate the emergency engine in accordance with the requirements of 40 CFR 60.4211(f)(1) through (f)(3). To be considered an emergency engine under 40 CFR 60 subpart III, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 60.4211(f)(1) through (f)(3), is prohibited. If an engine is not operated according to the requirements in 40 CFR 60.4211(f) (1) through (3), the engine will not be considered an emergency engine under 40 CFR 60 subpart III and must meet all requirements for non-emergency engines. Operation for non-emergency purposes may require a permit to modify and operate pursuant to 9VAC5-80 Article 6.  
(9VAC5-80-110 and 40 CFR 60.4211(f))
48. **NSPS Subpart III - (F015, F016)** - For engines F015 and F016, if the permittee does not install, configure, operate, and maintain the engine and control device (if any) according to the manufacturer's emission-related written instructions, or the permittee changes emission-related settings in a way that is not permitted by the manufacturer, the permittee shall demonstrate compliance according to the applicable requirements in 40 CFR 60.4211(g)(1) through (3).  
(9VAC5-80-110 and 40 CFR 60.4211(g))

## Records

49. **NSPS Subpart III– (F016)** - Unless the permittee can demonstrate that engine F016 meets the Subpart III standards applicable to non-emergency engines, the permittee shall keep records as described in 40 CFR 60.4214(b).  
(9VAC5-80-110 and 40 CFR 60.4214(b))

## General Requirements

50. **NSPS Subpart III– (F015, F016)** – For engines F015 and F016, the permittee shall comply with the applicable General Provisions (40 CFR 60 Subpart A) for the engines as indicated in Table 8 to 40 CFR 60 subpart III.  
(9VAC5-80-110 and 40 CFR 60.4218)

## **MACT Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (EG1, EG5, EG6, F005, F006, F015, F016)**

## General Compliance Requirements

51. **MACT Subpart ZZZZ – (EG1, EG5, EG6, F005, F006, F015, F016) – General Compliance Requirements** – The permittee shall be in compliance with the emission limitations, operating limitations and other requirements in Subpart ZZZZ that apply to the source at all times. At all times the permittee shall operate and maintain the affected source 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 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)

## Emission and Operating Limitations

52. **MACT Subpart ZZZZ - (F015)** – For new CI RICE, the permittee must comply with subpart ZZZZ by complying with the applicable requirements of 40 CFR 60 Subpart IIII. No other requirements of Subpart ZZZZ apply to this engine.  
(9VAC5-80-110 and 40 CFR 63.6590(c))
53. **MACT Subpart ZZZZ - (F016)** – For new emergency CI RICE, the permittee must comply with 40 CFR 63, subpart ZZZZ by complying with the applicable requirements of 40 CFR 60 Subpart IIII. No other requirements of Subpart ZZZZ apply to this engine.  
(9VAC5-80-110 and 40 CFR 63.6590(c))
54. **MACT Subpart ZZZZ - (EG1, EG5, EG6, F005, F006)** – For the existing RICE, the permittee shall comply with the applicable requirements in Table 2d of Subpart ZZZZ.  
(9VAC5-80-110 and 40 CFR 63.6603(a))

## Testing and Initial Compliance Requirements

55. **MACT Subpart ZZZZ - (EG1, EG5, EG6, F005, F006)** - For existing RICE, the permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instruction or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.  
(9VAC5-80-110 and 40 CFR 63.6625(e)(6))
56. **MACT Subpart ZZZZ - (F005, F006)** – For existing emergency RICE, the permittee shall install a non-resettable hour meter if one is not already installed.  
(9VAC5-80-110 and 40 CFR 63.6625(f))
57. **MACT Subpart ZZZZ - (EG1, EG5, EG6, F005, F006)** – For existing RICE, the permittee shall minimize the engine's time spent at idle during startup 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 standards applicable to all times other than startup in Table 2d of subpart ZZZZ apply.

(9VAC5-80-110 and 40 CFR 63.6625(h))

58. **MACT Subpart ZZZZ - (EG1, EG5, EG6, F005, F006)** – For existing RICE, the permittee shall have the option of utilizing an oil analysis program according 63.6625 (i) or (j) in order to extend the specified oil and filter change requirement in 2d of Subpart ZZZZ.  
(9VAC5-80-110 and 40 CFR 63.6625(i), (j))

### Continuous Compliance Requirements

59. **MACT Subpart ZZZZ - (EG1, EG5, EG6)** – For existing SI RICE, compliance with the emissions limitations, operating limitations and other requirements shall be demonstrated by showing continuous compliance with each emission limitation, operating limitation, and other applicable requirements in Table 2d of Subpart ZZZZ that apply according to methods specified in Table 6 of Subpart ZZZZ.  
(9VAC5-80-110 and 40 CFR 63.6640(a))
60. **MACT Subpart ZZZZ - (F005, F006)** – For existing CI RICE, compliance with the emissions limitations operating limitations and other requirements shall be demonstrated by:
- a. Demonstrate continuous compliance with each emission limitation, operating limitation, and other applicable requirements in Table 2d of Subpart ZZZZ that apply according to methods specified in Table 6 of Subpart ZZZZ.
  - b. Reporting each instance in which the applicable requirements in Table 8 of Subpart ZZZZ were not met in accordance with 63.6640(e).

(9VAC5-80-110 and 40 CFR 63.6640(a) (e))

61. **MACT Subpart ZZZZ - (F005, F006)** – For existing emergency CI RICE, the permittee shall demonstrate continuous compliance according to applicable requirements in paragraphs (f)(1) through (f)(4) of 40 CFR 63.6640.  
(9VAC5-80-110 and 40 CFR 63.6640(f))

### Reporting

62. **MACT Subpart ZZZZ - (EG1, EG5, EG6, F005, F006)** – For existing stationary CI RICE, the permittee shall report each instance in which the requirements in Table 8 of subpart ZZZZ were not met.  
(9VAC5-80-110 and 40 CFR 63.6640(e))

63. **MACT Subpart ZZZZ - (EG1, EG5, EG6, F005, F006)** – For existing stationary CI RICE, the permittee must report all deviations as defined in subpart 63.6650(f) in the semiannual monitoring report required by 40 CFR 71.6(a)(3)(iii)(A).  
(9VAC5-80-110 and 40 CFR 63.6650(f))

## Records

64. **MACT Subpart ZZZZ - (F005, F006)** – For existing stationary CI RICE, the permittee shall keep records of the parameters that are analyzed as part of the oil analysis program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engines.  
(9VAC5-80-110 and 40 CFR 63.6625(i))
65. **MACT Subpart ZZZZ - (EG1, EG5, EG6, F005, F006)** – For existing stationary RICE, subject to management practices as shown in Table 2d of subpart ZZZZ, the permittee shall keep records of the maintenance conducted on the stationary RICE in order to demonstrate it is operated and maintained and after-treatment control device (if any) according to the maintenance plan.  
(9VAC5-80-110 and 40 CFR 63.6655(e))
66. **MACT Subpart ZZZZ - (F005, F006)** – For existing stationary CI RICE, the permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter according to the applicable requirements in 63.6655(f).  
(9VAC5-80-110 and 40 CFR 63.6655(f))
67. **MACT Subpart ZZZZ - (EG1, EG5, EG6, F005, F006)** – For existing stationary RICE, the permittee shall:
- a. Keep records in a form suitable and readily available for expeditious review according to 63.10(b)(1).
  - b. Keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record as specified in 63.10(b)(1).
  - c. Keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action report, or record, according to 63.10(b)(1).

(9VAC5-80-110 and 40 CFR 63.6660)

## **MACT Subpart CCCCCC - National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities - (P004)**

68. **MACT Subpart CCCCCC** – The gasoline dispensing facility (P004) shall comply with the applicable requirements of National Emissions Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities, 40 CFR 63 Subpart CCCCCC. (9VAC5-80-110 and 40 CFR 63.11111)

### **Management Practices**

69. **MACT Subpart CCCCCC** – 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 the source. (9VAC5-80-110 and 40 CFR 63.11115)
70. **MACT Subpart CCCCCC** – 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:
- a. Minimize gasoline spills.
  - b. Clean up spills as expeditiously as practicable.
  - c. Cover all open gasoline containers and all gasoline storage fill-pipes with a gasketed seal when not in use. and
  - d. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

Portable gasoline containers that meet the requirements of 40 CFR 59, Subpart F, are considered acceptable for compliance with (c) of this condition. (9VAC5-80-110 and 40 CFR 63.11116)

71. **MACT Subpart CCCCCC** – 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 separate locations within the area source, each GDF. (9VAC5-80-110, 40 CFR 63.11111(h) and 40 CFR 63.11116(b))

## Records

72. **MACT Subpart CCCCCC** – 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 monthly gasoline throughput. These records shall be available for inspection by the DEQ within 24 hours of the request.

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

(9VAC5-80-110, 40 CFR 63.11116(b) (e), and 40 CFR 63.11125(d))

## Facility Wide Conditions

73. **Facility Wide Conditions - Recordkeeping** – The permittee shall maintain records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the GCCS, utility flare, or Caterpillar engines or its associated air pollution control equipment that results in excess emission for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), correction action, preventive measures taken and name of person generating the record.  
(9VAC5-80-110 and Condition 28 of the 4/24/2024 Permit Document)
74. **Facility Wide Conditions - Testing** - The permitted facility 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 9VAC5-50-30)
75. **Facility Wide Conditions - 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 the DEQ.  
(9VAC5-80-110)

## Insignificant Emission Units

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

<b>Emission Unit No.</b>	<b>Emission Unit Description</b>	<b>Citation</b>	<b>Pollutants Emitted (9VAC5-80-720B)</b>	<b>Rated Capacity (9VAC5-80-720C)</b>
P003	Diesel Fuel Storage Tank	9VAC5-80-720A.41	--	--
P006	Hydraulic Fluid Storage Tank	9VAC5-80-720B.2	VOC	--
P007	Transmission Fluid Storage Tank	9VAC5-80-720B.2	VOC	--
P009	Leachate Storage Tank	9VAC5-80-720B.2	VOC	--
P010	Used Oil Tank	9VAC5-80-720B.2	VOC	--
P011	On-road Diesel Fuel Tank	9VAC5-80-720A.41		--
P012	Motor Oil Tank	9VAC5-80-720B.2	VOC	--
P013	Transmission Fluid Tank	9VAC5-80-720B.2	VOC	--
P014	Used Oil Tank	9VAC5-80-720B.2	VOC	--
P015	Leachate Storage Tank	9VAC5-80-720B.2	VOC	--
P016	Diesel Storage Tank (by stormwater pump engines)	9VAC5-80-720A.41	--	--
P017	Diesel Storage Tank (for F016)	9VAC5-80-720A.41	--	--
F010	Propane-fired Comfort Heater	9VAC5-80-720A.6	--	--
F011	Propane-fired Comfort Heater	9VAC5-80-720A.6	--	--
PW-1	Parts Washing Station	9VAC5-80-720B.2	VOC	--
T1 – T6	Engine Oil Day Tanks	9VAC5-80-720B.2	VOC	--
T7	Engine Oil Tank	9VAC5-80-720B.2	VOC	--
T8	Used Oil Tank	9VAC5-80-720B.2	VOC	--
T9	Engine Antifreeze/Coolant Fluid	9VAC5-80-720B.2	VOC	--
CBV1-6	Crankcase Breather Vents (Solberg Mist Eliminators)	9VAC5-80-720B.1, B.2	PM-10, VOC	--
GC-1	Gas Chromatograph	9VAC5-80-720A.46	--	--

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

77. 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 60.110b	Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	The leachate storage tanks have capacities and/or vapor pressures less than the NSPS Kb thresholds.
40 CFR 64.2	Compliance Assurance Monitoring	CAM is not applicable since the source is subject to Virginia State Plan 9VAC5 Chapter 40 Article 43.1 promulgated after November 15, 1990
40 CFR72	Acid Rain Regulation	The landfill GTE plant is not considered an affected unit.

Nothing in this permit shield shall alter the provisions of 40 CFR303 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 40 CFR114 of the federal Clean Air Act or (ii) the DEQ pursuant to 40 CFR10.1-1307.3 or 40 CFR10.1-1315 of the Virginia Air Pollution Control Law.

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

## General Conditions

78. **Facility Wide Conditions – 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 air pollution control equipment and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance, including engine PM and regularly scheduled engine overhauls;

- b. Maintain an inventory of spare parts for the GCCS, utility flare, and the six (6) IC engines;
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum; and
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9VAC5-80-110 and Condition 27 of the 4/24/2024 Permit Document)

79. **General Conditions - Recordkeeping** The permittee shall keep a copy of this permit on the premises of the facility to which it applies.  
(9VAC5-80-110 and Condition 31 of the 4/24/2024 Permit Document)

80. **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)

81. **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.

(9VAC5-80-80, 9VAC5-80-110, and 9VAC5-80-170)

- 82. **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)

- 83. **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)

- 84. **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)

85. **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 40 CFR114(a) (3) and 40 CFR504(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)

- 86. **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 84 of this permit.  
(9VAC5-80-110 F. 2)
- 87. **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. 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)
- 88. **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)
- 89. **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)

90. **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)
91. **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)
92. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9VAC5-80-110)
93. **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)
94. **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)
95. **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.)
96. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used,

constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
- b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
- d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9VAC5-80-110 and 9VAC5-40-90)

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

(9VAC5-80-110 and 9VAC5-50-20 E)

98. **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)

99. **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)

100. **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)

101. **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)

**102. 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)

- 103. 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)

- 104. 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)

- 105. 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)

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

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

107. **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)

108. **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)

109. **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)